



**CITY OF WATFORD CITY**  
P.O. BOX 494 WATFORD CITY, NORTH DAKOTA 58854

**PLANNING AND ZONING COMMISSION**  
**MEETING AGENDA**  
**Monday, June 27th, 2022**  
6:00 PM City Hall, Heritage Room

- **CALL TO ORDER PUBLIC HEARING**

No public hearing items are on the agenda for this meeting.

- **CLOSE PUBLIC HEARING**

- **CALL TO ORDER REGULAR MEETING**

- **MINUTES**

May 31st, 2022 - Meeting

- **PERMIT RECORDS**

May-June Permits

- **OLD BUSINESS**

1. USFS Update
2. A-2 and Mod. Req's Ordinance Updates

- **NEW BUSINESS**

- **ADJOURNMENT**

# Minutes

*May 31<sup>st</sup> 2022*



## **PLANNING AND ZONING COMMISSION MEETING MINUTES Tuesday, May 31st, 2022**

The scheduled May meeting of the Watford City Planning & Zoning Commission was held on Tuesday, May 31st, 2022, at City Hall in the Heritage Room. In attendance: Chairman Jesse Lawrence, Vice Chairman Gregg Schuetze, and Commission Members Warren Hovland, Troy Knutson, and Ross Sundeen. Also in attendance: Principal Planner Jake Walters, City Engineer Grace Demars, City Building Inspector Steven Williams, and City Attorney Wyatt Voll.

With the above-mentioned present, the public hearing was called to order at 6:01 P.M. by Chairman Jesse Lawrence.

Under consideration was the following agenda:

### **1. Amendments to the City of Watford City Municipal Code of Ordinances, Chapter XV–Zoning Ordinance, Article IX(A), A-2 Agricultural District.**

*Walters went over the proposed changes to the A-2 ordinance language in detail. Williams explained the proposed language in Section 9 as well as let the Commission know that additional wordsmithing would be taking place to clarify that building permits are required in A-2 for permanent structures. The current language is overly confusing.*

*Sundeen asked for clarification on the proposed #8 and #9 under permitted uses; whether this was meant to advocate for new projects of this nature in City ETA. Walters agreed, as proposed, new commercial livestock arenas and commercial livestock auction facilities were a possibility as a permitted use.*

*Sundeen questioned why Temporary Work Force Housing was still listed as a Conditional Use and whether there wasn't a compelling argument to remove it at this time. Walters explained that this isn't the last time we'll be revising these ordinances and that the Zoning chapter, in its entirety, is under review. However, at this time, it was premature to remove the language for two main reasons; first that not enough research had been done on what outstanding projects or units might be adversely affected and, two, there may be zoning districts in which leaving TWF use is appropriate or desired. Voll stated that additional time and thought needs to be given on the matter, however the City has made the determination, at this time, to not grant temporary work force housing permits. Removal of the option could prove shortsighted if market conditions changed.*

*Walters reiterated that, as a CUP, this isn't an automatically permitted or granted use.*

*Public Comment: Has staff considered making the Agricultural-related Commercial element a permitted use instead of conditional? Walters explained that this was discussed at length. The County allows farm-related commercial, but only on 40+ acres and directly related to the subject parcel's agricultural production and that even live stock auction yards are a conditional use. The CUP is important to allow for site-specific conditions and considerations. The city has a permitted use for commercial activities in our Commercial zoning districts (C-1, C-2, C-B).*

*Schuetze asked for clarification on 10.c, dealing with the gross floor area, using the example of a farm implement showroom. Voll explained that the commercial use is required to be ancillary to the subject parcel's main ag-related activities and it would be highly unlikely that a showroom of this type would meet that criterion. It would, more than likely, fall under a traditional Commercial District.*

*Sundeen asked for further clarification on creating opportunities for new commercial livestock auction facilities and whether the City wanted such uses so close to the city proper. The current facility activities are very infrequent, but what's to stop a much larger operation from starting up adjacent to a residential zone at the edge of town? Proposed language for #8 and #9 are of concern as a permitted use. Would it not be more appropriate as a CUP or inside a heavier use district like Heavy Industrial to distance from softer uses such as Residential?*

*Counter points discussed: Businesses want the certainty of permitted uses, both for future planning and for lending. Seasonal restrictions or livestock headcounts might be considered. Maybe definitions should be looked at; auction facilities vs stockyard. A lengthy discussion on CUPs versus other zoning Districts occurred. In terms of not hindering a business on the lending side: CUPs can have longer periods between reviews (unless violations occur) or proponents could certainly come in and rezone to a district that did have the permitted use and meeting the requirements of the new district.*

**MOTION: Sundeen, SECOND: Knutson to recommend Approval, with suggested changes, to City Council, City of Watford City to revise the A-2 District language.**

Suggested changes:

- a. Move proposed permitted uses #8 and #9 to conditional uses; and
- b. Allow City Inspector to clarify the language under Section 9.

**ROLL CALL VOTE:**

**AYES: Warren, Knutson, Lawrence, Schuetze, Sundeen**

**NAYS: none**

**MOTION: CARRIED**

**2. The addition of a new Ordinance to City of Watford City Municipal Code of Ordinances, Chapter XV–Zoning Ordinance, Article XXXIV, Modifying Requirements.**

*Walters went through the proposed ordinance language. Schuetze asked for clarification on why there is a sunset clause. Walters explained there are two reasons; firstly, the goal is to have revised the zoning chapter in its entirety by that date and second, this is an attempt at creating a short-term tool for staff and admin to use. This is meant to identify problem areas in our standards and to get stalled projects up and running while the ordinance review is underway. It should be used decreasingly as standards and ordinances are updated.*

*Discussions and clarifications on appeals and overall process flow for a modification to a requirement. Sundeen asked if P&Z shouldn't be part of the process flow. Voll stated that this had been explored and it was determined that the items would be brought in front of P&Z not as a public hearing, but as an informational item under new business. Walters further explained that the requirement modifications are related to standards and, specifically not modifications to zoning districts or variances, which are the purview of P&Z. As these modification requests are granted and, as a result, identified as ordinance shortcomings, standard inconsistencies, etc., P&Z will have the opportunity to review and make recommendations on the statute revisions. They would be brought up under new business so that P&Z knew about the modifications and could expect an associated ordinance revision to come before them in the near future.*

*Knutson asked how this would come into play on the side yard variance that came to P&Z last month. Walters stated that variances are explicitly excluded from modifications and would still be presented to the Commission for consideration. Knutson; is this only on new projects? Walters; applies to existing projects as well. For example, stalled or delinquent projects that approach staff about how they could take incremental steps over a number of years to come into compliance could be granted modifications.*

*Sundeen wanted to clarify what happens if City Administrator denies the modification(s). Voll; no appeal process if City Admin disagrees with the proposed reduction or change. Approved standards do exist and excessive appeals would be a burden on staff. It was decided that the wording (below in 'Suggested changes') be revised to explain what happens when the City Admin agrees with a modification, i.e., non-discretionary.*

**MOTION: Sundeen SECOND: Hovland to recommend Approval to City Council, City of Watford City to add a new Ordinance to City of Watford City Municipal Code of Ordinances, Chapter XV–Zoning Ordinance, Article XXXIV, Modifying Requirements.**

Suggested changes:

- a. Change 'may' to 'shall' so paragraph reads "If the City Administrator agrees that some or all of the applicant's points appealed are legitimate, the City Administrator shall bring those legitimately appealed aspects to the City Council with a recommendation to modify those specific requirements."

**ROLL CALL VOTE:**

**AYES:** Sundeen, Hovland, Knutson, Lawrence, Schuetze

**NAYS:** none

**MOTION:** CARRIED

**CLOSE PUBLIC HEARING:** 7:14 PM by Chairman Lawrence.

**CALL TO ORDER REGULAR MEETING:** 7:15 PM by Chairman Lawrence.

**MINUTES:** April 25<sup>th</sup>, 2022

*Minutes were reviewed as presented. No additional comments.*

**MOTION:** Schuetze, **SECOND:** Knutson to Approve the meeting minutes as presented.

**VOICE VOTE:**

**AYES:** all in favor

**NAYS:** none

**PERMIT RECORDS:**

*Reviewed permit records as presented. No additional comments.*

**NEW BUSINESS:**

*The Future Land Use study was discussed and how this might affect Temporary Work Force housing. Hovland discussed past and present needs for temp housing. Demars stated that the FLU Plan update is in the works and could help facilitate this discussion.*

**OLD BUSINESS:**

1. Annual Review of Conditional Use Permit for the consideration of allowing Asphalt Batch Plant within Heavy Industrial zoned property.
2. Annual Review of Conditional Use Permit for the consideration of allowing Concrete Batch Plant within Heavy Industrial zoned property.

Discussion #1 & #2: Reviewed with Commission and Hovland voiced concerns

*over CUP's and pavement conditions applied. Walters reminded the Commission that the current requirement deadline of June 15th 2022 was fast-approaching and encouraged Hovland to come in to City Hall and discuss further at his earliest opportunity.*

3. The P&Z Commission is short two city members and can only afford one missing member to maintain quorum.

*Discussion #3: Voll; two commission members needed. Suggestions welcomed.*

**ADJOURNMENT:** 7:57 PM

**MOTION by Hovland**

The next regularly scheduled Planning and Zoning Commission Meeting will be held on

Monday, June 27<sup>th</sup>, 2022 at 06:00 pm

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Jesse Lawrence, Chairman

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Jake Walters, Principal Planner

# Permit Records

*May-June*



2022 Permit Records  
City of Watford City

PERMIT #	PERMIT TYPE	ISSUE DATE	PROPERTY OWNER	CONTRACTOR	ADDRESS	LOT/BLOCK	SUBDIVISION	PARCEL #	DESCRIPTION OF WORK	VALUE	PERMIT FEE	INVOICE #
5265	SIGN	5/31/2022	Farmers Union Oil Company of WC	Indigo Signs	501 6th Ave SE			82-18-00100	Illuminated 84"x97" sign on north elevation	\$ -	\$ 100.00	5390
5266	FENCE	5/31/2022	Frankie Parillo	Self	400 4th Ave NE			82-39-00500	5' tall, black chainlink fence with wooden posts	\$ -	\$ 25.00	5391
5267	EXCAVATION	6/1/2022	City of Watford City	BEK Consulting LLC	911 13th Ave SW			82-64-04030	Repair curb stop	\$ 6,500.00	\$ 121.00	5392
5268	FENCE	6/1/2022	Betty Weber	Steve Dube	513 4th St NE			82-38-01000	5' wooden fence	\$ -	\$ 25.00	5393
5269	RESIDENTIAL BUILDING	6/1/2022	Anderson Kay	Self	324 3rd Ave NE			82-03-01700	Re-roofing, asphalt shingle overlay	\$ 2,500.00	\$ 36.00	5394
5270	RESIDENTIAL BUILDING	6/1/2022	Michael Durham	Roys Construction LLC	1401 Main St S.			11-10-00500	Re-roofing. Removing old shingles, new ice and water, then new asphalt shingles	\$ 10,000.00	\$ 88.50	5395
5271	FENCE	6/2/2022	Lori McCauley	Self	1404 W Pheasant Ridge St		Pheasant Ridge	82-55-01800	Fence and two gates	\$ -	\$ 25.00	5396
5272	COMMERCIAL BUILDING	6/2/2022	Bakken Oil Rush WC Outreach	The Woodshop	600 12th St NE			82-15-05000	16'x25'x8' storage shed, slab on grade. LP siding, shingle roof	\$ 16,000.00	\$ 182.70	5397
5273	FENCE	6/3/2022	Maria Duenas	Self	500 8th St NW			82-08-03400	White, vinyl fence at PL	\$ -	\$ 25.00	5398
5274	EXCAVATION	6/3/2022	MDS Fitness, Inc	Franz Construction, Inc	102 4th Ave SE			83-52-01100	W/S lines for MDS; water approved as of 6/3, sewer to follow under same permit	\$ 15,000.00	\$ 172.90	5399
5275	GENERAL	6/3/2022	Ed Evanson	Evanson Construction	1004 30th Ave NE			20-00-03100	Insurance repairs	\$ -	\$ 20.00	5400
5276	GENERAL	6/3/2022	Ed Evanson	Evanson Construction	1006 30th Ave NE			20-00-03200	Insurance repairs	\$ -	\$ 20.00	5400
5277	GENERAL	6/6/2022	Laura Dokken	Uppa Creek Construction	608 6th Ave NE			82-75-05200	Insurance repairs	\$ -	\$ 20.00	5401
5278	RESIDENTIAL BUILDING	6/7/2022	Mark Cambell	Self	2700 Sage Ct		Rose Meadows	11-13-00800	24' x 30' garage, slab	\$ 35,000.00	\$ 245.00	5403
5279	RESIDENTIAL BUILDING	6/9/2022	Dawn Tschetter	Uppa Creek Construction	604 6th Ave NE	Lot 16, Block 5	Veeder Estates	82-75-05300	17x26 roof, 24x16 deck	\$ 6,400.00	\$ 63.30	5404
5280	GENERAL	6/9/2022	Moreen Degenhart	M Squared Contracting	421 Poplar St			82-71-03100	Insurance claim; re-roof	\$ -	\$ 20.00	5406
5281	FENCE	6/9/2022	Jake Shipp	Self	316 7th Ave NW			82-67-00100	Fence permit; 6' stained, wood fence, two gates	\$ -	\$ 25.00	5408
5282	FENCE	6/10/2022	Jesse Lawrence	Self	112 2nd St NE	Lot 3, Block 9	Original Townsite of W.C.	82-01-14800	Fence permit; 6', cedar/bamboo, gates	\$ -	\$ 25.00	5411
5283	RESIDENTIAL BUILDING	6/13/2022	George Hayden	J and C Construction	1309 Main St S			11-00-11900	10' x 20' addition	\$ 4,900.00	\$ 16.85	5412
5284	GENERAL	6/13/2022	George Hayden	J and C Construction	1309 Main St S			11-00-11900	Insurance claim	\$ -	\$ 20.00	5412
5285	CONSTRUCT/REPAIR	6/13/2022	City of Watford City	Winn Construction, Inc	Various				Curb, gutter, pavement repairs	\$ 155,015.00	\$ 922.30	5413
5286	MOVING PERMIT	6/15/2022	Juan Alonso	Self	1027 5th Ave SE	Lot 26, Block 4	Cherry Creek 2nd Add.	82-20-06800	16' x 76' mobile home	\$ -	\$ 150.00	5414
5144	RENEWAL	6/17/2022	Stenehjem Development	Killdeer Mountain Contracting LLC	509 Long Dr	Lot 16, Block 5	Rolling Hills	83-19-06800	Renewal - SFH Residential Building Permit	\$ -	\$ 20.00	5415
5146	RENEWAL	6/17/2022	Stenehjem Development	Killdeer Mountain Contracting LLC	509 Long Dr	Lot 16, Block 5	Rolling Hills	83-19-06800	Renewal - W/S Access Permit	\$ -	\$ 20.00	5415
5147	RENEWAL	6/17/2022	Stenehjem Development	Killdeer Mountain Contracting LLC	300 Leslie Lane SE	Lot 64, Block 3	Fox Hills	82-31-30640	Renewal - SFH Residential Building Permit	\$ -	\$ 20.00	5415
5148	RENEWAL	6/17/2022	Stenehjem Development	Killdeer Mountain Contracting LLC	300 Leslie Lane SE	Lot 64, Block 3	Fox Hills	82-31-30640	Renewal - W/S Access Permit	\$ -	\$ 20.00	5415
5150	RENEWAL	6/17/2022	Stenehjem Development	Killdeer Mountain Contracting LLC	230 Leslie Lane SE	Lot 69, Block 3	Fox Hills	82-31-30690	Renewal - SFH Residential Building Permit	\$ -	\$ 20.00	5415
5151	RENEWAL	6/17/2022	Stenehjem Development	Killdeer Mountain Contracting LLC	230 Leslie Lane SE	Lot 69, Block 3	Fox Hills	82-31-30690	Renewal - W/S Access Permit	\$ -	\$ 20.00	5415
4858	RENEWAL	6/17/2022	Duane Tretter	Self	2601 2nd St NE	Lot 16, Block 5	Rolling Hills	83-19-06800	Renewal - Finishing Basement	\$ -	\$ 20.00	5416
5287	RESIDENTIAL BUILDING	6/20/2022	Killdeer Mountain Contracting LLC	Self	156 Leslie Lane SE	Lot 79, Block 3	Fox Hills	82-31-30790	2150 sf SFD w/finished basement	\$ 450,000.00	\$ 2,145.00	5417
5288	CONSTRUCT/REPAIR		Killdeer Mountain Contracting LLC	Esteban's Concrete	156 Leslie Lane SE	Lot 79, Block 3	Fox Hills	82-31-30790	Driveway apron	\$ 2,500.00	\$ 20.00	5417
5289	WATER/SEWER ACCESS	6/20/2022	Killdeer Mountain Contracting LLC	Titanium	156 Leslie Lane SE	Lot 79, Block 3	Fox Hills	82-31-30790	4" sewer, 1" waterline, 1" meter	\$ -	\$ 3,196.01	5417
5146	RENEWAL	6/22/2022	Stenehjem Development	Esteban's Concrete	509 Long Dr	Lot 16, Block 5	Rolling Hills	83-19-06800	Renewal - C&R Permit	\$ -	\$ 20.00	5418
5152	RENEWAL	6/22/2022	Stenehjem Development	Esteban's Concrete	230 Leslie Lane SE	Lot 69, Block 3	Fox Hills	82-31-30690	Renewal - C&R Permit	\$ -	\$ 20.00	5418
5149	RENEWAL	6/22/2022	Stenehjem Development	Esteban's Concrete	300 Leslie Lane SE	Lot 64, Block 3	Fox Hills	82-31-30640	Renewal - C&R Permit	\$ -	\$ 20.00	5418
4849	RENEWAL	6/22/2022	George Hayden	Badger Oilfield Construction	204 4th Ave NW	Lot 9	North Watford	82-50-03100	Renewal - C&R Permit	\$ -	\$ 20.00	5421
5115	RENEWAL	6/22/2022	Holiday Companies	TBD	TBD	Lot 1, Block 4	The Crossings	82-23-00300	Renewal - Building Permit	\$ -	\$ 20.00	5420
5116	RENEWAL	6/22/2022	Holiday Companies	TBD	TBD	Lot 1, Block 4	The Crossings	82-23-00300	Renewal - W/S Access Permit	\$ -	\$ 20.00	5420
5290	EXCAVATION	6/23/2022	City of Watford City	BEK Consulting LLC	Varies				Various city projects	\$ 25,000.00	\$ 387.00	Waived
5291	CONSTRUCT/REPAIR		Cenex - Farmer's Union	Badger Oilfield Construction	501 6th Ave SE	Lot 1	Cenex Travel Plaza	82-18-00100	Curb and gutter repairs - Approx. 100 lf	\$ 3,500.00	\$ 60.20	5422
5292	RESIDENTIAL BUILDING	6/23/2022	Curtis Anderson	K&M Cabinetry	409 2nd St NW	Lot 9	North Watford	82-50-02900	New cabinets for residence	\$ 14,525.00	\$ 120.18	5423
5293	WATER/SEWER ACCESS	6/23/2022	MDS Fitness, Inc	Franz Construction, Inc	102 4th Ave SE	Lot 1, Block 1	Fitness Addition	82-24-03100	2" domestic, 4" sewer - commerical	\$ -	\$ 6,060.57	5425

# Permit Comparisons

City of Watford City

2021	
Month	# of Permits Issued
January	15
February	11
March	29
April	24
May	57
June	36
July	33
August	30
September	30
October	18
November	33
December	10

<b>2021 TOTAL</b>	<b>326</b>
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2021	
Month	Value
January	\$ 136,000.00
February	\$ 597,913.00
March	\$ 891,172.00
April	\$ 305,025.00
May	\$ 887,753.96
June	\$ 2,622,500.00
July	\$ 153,946.40
August	\$ 355,163.00
September	\$ 6,250,916.00
October	\$ 2,743,900.00
November	\$ 3,110,612.00
December	\$ 314,000.00

<b>2021 TOTAL</b>	<b>\$ 18,368,901.36</b>
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2021 Residential Permits			
Type	# of Units	# of Buildings	Value
Single Family Home	17	17	\$ 4,646,437.00
Duplex	4	2	\$ 1,388,000.00
Apartment 3-4 Units	0	0	\$ -
Apartment 5+ Units	0	0	\$ -

<b>2021 TOTAL</b>	<b>21</b>	<b>19</b>	<b>\$ 6,034,437.00</b>
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2022		
Month	# of Permits Issued	Comparison
January	7	47%
February	9	82%
March	14	48%
April	33	138%
May	29	51%
June	42	117%
July		
August		
September		
October		
November		
December		

<b>2022 YTD</b>	<b>134</b>	<b>41%</b>
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2022		
Month	Value	Comparison
January	\$ 379,000.00	279%
February	\$ 42,500.00	7%
March	\$ 500,002.10	56%
April	\$ 1,912,410.00	627%
May	\$ 199,639.62	22%
June	\$ 746,840.00	28%
July		
August		
September		
October		
November		
December		

<b>2022 YTD</b>	<b>\$ 3,780,391.72</b>	<b>21%</b>
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2022 Residential Permits				
Type	# of Units	# of Buildings	Value	Comparison
Single Family Home	7	7	\$ 2,089,000.00	45%
Duplex	2	1	\$ 304,000.00	22%
Apartment 3-4 Units	0	0	\$ -	0%
Apartment 5+ Units	0	0	\$ -	0%

<b>2022 TOTAL YTD</b>	<b>9</b>	<b>8</b>	<b>\$ 2,393,000.00</b>	<b>40%</b>
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