

CITY OF WATFORD CITY

P.O. BOX 494

WATFORD CITY, NORTH DAKOTA 58854

AGENDA
June 29, 2015

PLANNING COMMISSION
Heritage Room in City Hall @ 6:00 P.M.

- **Call to Order Public Hearing**
 1. Public Hearing to hear comment on Simple Lot Split Application submitted by Tammy Wilson, Cheetah Properties for property located at 216 6th Ave SE Watford City, (Sec 19 T 150 R98), McKenzie County, ND. For the purpose of creating two (2) parcels from one parent parcel (1). Lot 1 3.891 acres, Lot 2 2.591 acres.
 2. Public Hearing to hear comment on Conditional Use Permit ANNUAL REVIEW of Ace in the Hole Construction, Colt Floyd, for Employee Housing on property located 2502 17th Ave NE, 10 acres Section 8, T150N, R98W, Watford City, McKenzie County, ND. For the purpose of Annual Review of Conditional Use Permit for Employee Housing.
 3. Public Hearing to hear comment on Conditional Use Permit Application for Ace in the Hole Construction, Colt Floyd on property located 2502 17th Ave NE, 10 acres, Section 8, T150N, 98W, Watford City, McKenzie County, ND. Amending original application to include addition of two units of Employee Housing to existing 8 units permitted to property.
 4. Public Hearing to hear comment on Conditional Use Permit Application ANNUAL REVIEW for Badlands Cellular of ND, d/b/a Verizon Wireless & MBY15, LLC on property located @ 409 12th Street Southeast, Lot 22, Block 6 Cherry Creek 2nd Addition, Watford City, McKenzie County, ND. For the purpose of annual review of CUP for wireless telecommunications transmission facility including a 50' monopole style antenna structure and 12'x30' utility building to improve wireless communications capacity in area.
 5. Public Hearing to hear comment on Conditional Use Permit Application ANNUAL REVIEW for Kotana Communications Inc. / Badlands Cellular of ND-Verizon Wireless on property located at 1208 11th Ave SW, 2.43 acres, Watford City, McKenzie County, ND. For the purpose of annual review of CUP to allow installation of new wireless communication monopole 109'ft., with an equipment shelter on commercial zoned property.
 6. Public Hearing to hear comment on Conditional Use Permit Application ANNUAL REVIEW for Kathleen Tretter-SewFine Embroidery on property located at 2601 2nd St NE (Dakota Ridge Subdivision), Watford City, McKenzie County, ND. For the purpose of annual review of CUP to allow a home based small business of custom embroidery in a Residential Dwelling District.

7. Public Hearing to hear comment on Conditional Use Permit Application ANNUAL REVIEW for QEP to place mobile homes for Employee Housing on C-1 zoned property located 3112 4th Ave NE, SW1/4 SE1/4 Section 16, T150N, R98W, 10 acres. For the purpose of annual review of CUP to allow Employee Housing on commercial zoned property.
8. Public Hearing to hear comment on Simple Lot Split (re-plat of lot 1 blk 1 wolf run village first addition) submitted by City of Watford City for Wolf Run Village 2 on property located Government Lot 2 of Section 19, T150, R98W, Watford City, McKenzie County, ND. (approximately 301 3rd St SE) 1.2 acres. For the purpose of creating two lots from original parcel.
9. Public Hearing to hear comment on Planned Community Development Zone Application for Creekside@ Fox Hills Village submitted by Mychal Gorden for Stenehjem Holdings, LLC on property located, Lot 8 Blk 1 and Lot 12-12 in Block 3 of Fox Hills Village Subdivision NE ¼ Section 20 & NW ¼ Section 21, T150N, 98W, 51.07 acres, Watford City, McKenzie County, ND. For the purpose of permitting the grouping or clustering of residential and some customarily accessory nonresidential uses in court or similar arrangements.
10. Public Hearing to hear comment on Zone Change Application submitted by Stepping Stone Inc for David and Jan Rolfson on property located NW1/4 Section 16, T150N, R98W, Lot 6 of replat Lot 3 of Rolfson Subdivision, 9.47 acres. For the purpose of rezoning 9.47 acres AG land to R4 High Density Residential.
11. Public Hearing to hear comment on Preliminary Plat Application submitted by GC Busch, LLC by Hammers Construction Inc on property located S ½ NW ¼ Section 10, T150, R98, 78.73 acres, McKenzie County, ND. (Hwy 1806 and 28th St NW). 17 lots
12. Public Hearing to hear comment on Zone Change Application submitted by GC Busch, LLC by Hammers Construction Inc on property located S ½ NW ¼ Section 10, T150, R98, 78.73 acres, McKenzie County, ND. (Hwy 1806 and 28th St NW) Application request to rezone AG land to IP Industrial Park.

- **Close Public Hearing**
- **Call to Order Regular Meeting**
 - **Final Plat Application – Citation Hills**
 - (previously submitted as Watford Ranch and / or Fox Ridge)
 - **Border States Electric- fence**
- **Approve Minutes:** May 26, 2015
- **New Business:**
- **Review Permits:** Attached
- **Adjournment**

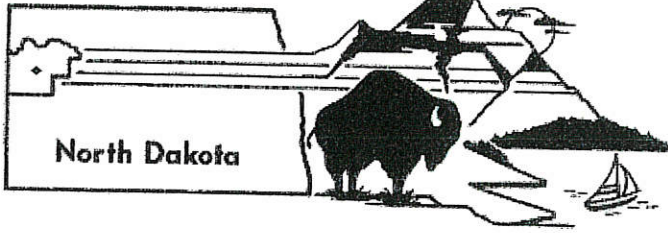
1.

Simple Lot Split Application

Submitted by Tammy Wilson

Cheetah Properties

216 6th Ave SE



North Dakota

Division of Land APPLICATION
 City of Watford City Planning Department

GRAY AREA FOR STAFF USE ONLY

SLS 13-2015

Subdivision Preliminary Plat

Subdivision Final Plat		P&Z: <u>6-29-15</u>
Amend Final Plat	FEE: <u>675.00</u>	CC: <u>7-6-15</u>
<u>Simple Lot Split</u>	RECEIPT #:	ADVERTISE DATE:
Other:	PROPERTY OWNERS NOTIFIED:	
	SECTION / TOWNSHIP / RANGE:	

FINAL ACTION MEMORANDUM MAILED:

DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Cheetah Properties, LLC

APPLICANT: Tammy Wilson

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Cheetah Properties, LLC

ADDRESS: 216 6th Ave SE A.O. Box 1077

CITY: Watford City STATE: ND ZIP CODE: 58854

TELEPHONE: 201-770-5577 (C) EMAIL: twilson@cheetahservicesinc.com

ASSESSOR'S PARCEL NUMBER(S): 82-15-27000

LEGAL DESCRIPTION: Section 19 Twp 150 Range 098 2nd Annex 15098 to WC IT 257 to 2nd Annex WC

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 216 6th Ave SE 6th Ave SE

GROSS/NET ACREAGE: 6.5 acres PRESENT ZONE CLASSIFICATION: C1

SOURCE OF Water / Sewer: City

WAIVERS OR VARIANCES REQUIRED TO SUPPORT THIS APPLICATION? No

If YES, attach a justification letter describing such waivers or variances. Waivers and Variances should be discussed with Planning Department Staff prior to filing any application

PROPERTY OWNER

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Watford City Code; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Watford City Planning Department and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

Tammy L. Wilson
Property Owner Signature

Tammy L. Wilson
Print Owner Name

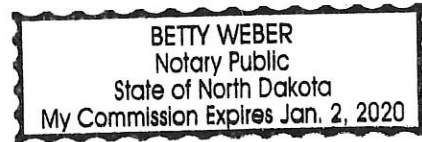
Property Owner Signature

Print Owner Name

NOTARY

State of North Dakota

County of McKENZIE



This instrument was acknowledged before me on 5/15/2015 by Tammy L. Wilson
Date Name of Person(s)

Betty Weber
Signature of Notary

SEAL STAMP

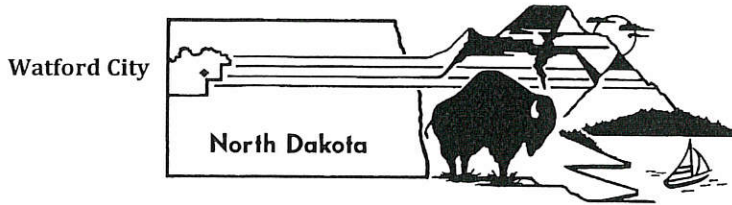
SURVEYOR / ENGINEER

Name: TD&H Engineering, Inc. License: 1133PE

Address: 304 Lincoln Street

City: Watford City State: ND Zip: 58854

Phone: 701-842-6619 Email: matt.beard@tdhengineering.com



City of Watford City
213 2nd St. NE / PO Box 494
Watford City, ND 58854
Ph. 701-444-2533
Fax 701-444-3004
Celebrating 100 Years - 2014
watford.mckenziecounty.net

June 18, 2015

STAFF REPORT
SLS-13-2015 Simple Lot Split

Applicant

Cheetah Properties 1, LLC
216 6th Ave. SE
P.O. Box 1077
Watford City, ND 58854

Property Owners

Tammy Wilson

Property Address: 216 6th Ave SE, 6.5 gross acres

Simple Lot Split Requested: For the purpose of creating two (2) parcels from one parent parcel (1).

Reference: Watford City Code Chapter XV – Article XXX, Section 13, Simple Lot Split

Discussion: Article XXX, Section 13 of the Watford City Code of Ordinance states that “A simple lot split shall be allowed when street improvements, water or sewer line improvements or other public improvements are not required, and no more than four (4) lots are created. Upon approval by the City Council, a simple lot split may be recorded. Notwithstanding the foregoing, all lot design standards and zoning requirements are required to be met.”

-The purpose of this proposed SLS is to split one (1) lot into two (2) lots. The parent lot is currently 6.482 acres. After subdivision Lot 1 will be 3.891 acres, and Lot 2 will be 2.591 acres in area.

The City of Watford City mailed the property owners that hold an interest in the property and the adjoining property owners a notice regarding the Simple Lot Split request. None of the noticed property owners contacted the city regarding the application.

Surrounding Land Use Inventory:

West: Zoning -	C-1, Watford City
Use -	General Commercial - Farmer’s Union Oil Co.
South: Zoning -	C-1, Watford City
Use -	General Commercial – Retail
North: Zoning -	R-2M, Mobile Home; C-F Community Facilities, Watford City
Uses -	Residential, City Public Works Shop, City Elementary School
East: Zoning -	R-3, Watford City
Uses -	Residential Medium Density

Site Development

Access: The property is accessible from Highway 23/6th Ave SE.

Sewer: There is City sanitary sewer to this property.

Water: There is a City water main to this property to this property. Water valves noted along Hwy 23/6th Ave SE.

Storm Water: There are two (2) SSM access "manholes"

Recommendation:

It is recommended by the Planning Department for **approval** of the requested Simple Lot Split.

Contact:

Chris York

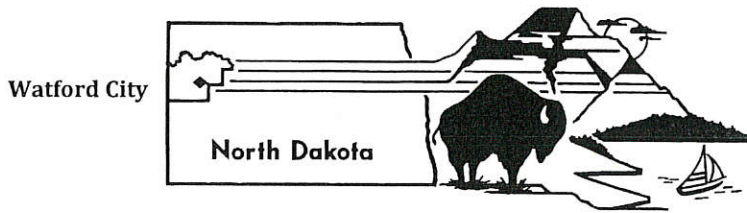
Assistant City Planner

cyork@nd.gov

2.

Conditional Use Permit Annual Review

For Ace in the Hole Construction, Colt Floyd
For Employee Housing
2502 17th Ave NE



City of Watford City
213 2nd St., NE
PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
watford.mckenziecounty.net

June 19, 2015

STAFF REPORT
CU-04-2015 Conditional Use Permit Application - Annual Review

<u>Applicant</u>	<u>Property Owners</u>
Colt Floyd Ace in the Hole Construction PO Box 646 Buffalo SD 57720	Same

Property Address: 2502 17th Ave NE, E.1/2, SW.1/4, SE.1/4Sect. 8 T.150 R.98, 10 acres

Conditional Use Requested: Conditional Use to permit additional Employee Housing.

Zone: C1, General Commercial District

Reference: Watford City City Code Chapter XV – Article XXV, Conditional Uses

Discussion: The application is for additional Employee Housing. Currently the permit is for 8 mobile homes (HUD sticker, manufactured and inspected).

The property is located 2502 17th Ave NE, Section 8, T150, R98. The subject property contains 10± acres.

The site is in the newly created Extra Territorial Area (ETA) and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission. The intent of the ETA is to regulate growth and development within one mile of the City but to not be restrictive in nature.

Article XXV, Section 1 of the Watford City Zoning Ordinance reads as follows regarding Conditional Uses:

A Conditional Use Permit may be granted following compliance with the procedure set forth in this section if the conditional use is one set forth in the District Regulations, provided that no application for a conditional use shall be granted unless all of the following conditions are found to be present:

1. The conditional use will not be detrimental to or endanger the public health, safety or general welfare;
2. The existing permitted uses in the neighborhood will not in any manner be substantially impaired or diminished by the establishment of the conditional use;
3. The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;

5. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; and
6. The conditional use shall conform to all special provisions of the district in which it is located. The Conditional Use Permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the conditional use has any detrimental effects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.

The City of Watford City mailed the property owners that hold an interest in the property and the adjoining property owners a notice regarding the employee housing request. None of the noticed property owners contacted the city regarding the application.

The commission should carefully consider all of the possible implications associated with renewing approval approving this Conditional Use. Chapter XV, Article XX of the City of Watford City ordinances require that "All required off-street parking areas, including access drives, shall be improved with asphalt, concrete or similar dust-free surface and all parking spaces shall be clearly marked." At the CU permit's annual review, if it is determined that there is a long-term need, the P&Z commission can recommend to the city council that the permittee pave the parking areas. However, the P&Z Commission cannot waive the requirement to provide paved parking and driving surfaces. They can only make a recommendation to the City Council to do so. Should the use become long-term the requirement to pave should be implemented. In the interim, a dust palliative such as magnesium chloride can be applied.

Surrounding Land Use Inventory:

West: Zoning -	I, McKenzie County
Use -	Industrial
South: Zoning -	R2 & R4, McKenzie County
Use -	Medium/High Density Dwelling
North: Zoning -	A-2, McKenzie County
Uses -	Agricultural
East: Zoning -	A-2, McKenzie County
Uses -	Agricultural

Site Development:

Access: The property is accessible from 17th Ave. NW which is paved.

Sewer: There are no existing city sanitary sewer mains within the property. The property will be serviced by an individual sewage disposal system.

Water: There are no existing city water mains within the property. The property will be serviced by either rural water or private well.

Analysis: The request for employee housing provides the owner with the ability to retain his workforce by providing adequate housing.

Recommendation:

Staff recommends **approval** of the conditional use subject to the following conditions:

1. The conditional use permit will allow only factory manufactured campers and DOT approved recreational vehicles or Housing and Urban Development (HUD) approved manufactured housing are permitted. No non-factory housing shall be permitted.
2. The conditional use permit is based on the number of spaces shown on the submitted site plan (8 homes).
3. The conditional use permit shall be specific as to number of parking spaces to be provided. A minimum of 2 off-street parking spaces per site shall be provided.
4. A dust palliative should be required to be applied to parking areas from May through October.
5. Parking areas shall be surfaced with a minimum of 6" of crushed aggregate, not scoria. Scoria may be used as a base course for the final surfacing.
6. Conditional Use Permit will expire after 6 months if no action is taken.
7. Conditional Use Permit shall be reevaluated after 1 year.

Contact:

Chris York
Assistant City Planner
City of Watford City, ND
cyork@nd.gov

2014 application

LAND USE APPLICATION pg. 1 of 2
Watford City Planning Department

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: 2/6/14	APPLICATION NUMBER: CU 14-2014
ZONE CHANGE	PROCESSES BY: MS	MEETING DATES: P&Z: 2/24 CC: 3/3
CONDITIONAL USE PERMIT	FEE: 525 ⁰⁰	ADVERTISE DATE: 2/12 & 2/19
VARIANCE	RECEIPT #:	PROPERTY OWNERS NOTIFIED: Yes
VACATION & ABANDONMENT	SECTION/TOWNSHIP/RANGE: Sec 8 / T150N / R98W	
STREET NAME	RELATED CASE #:	
	FINAL ACTION MEMORANDUM MAILED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Ace in the Hole Construction
APPLICANT: Colt Floyd 605-645-1005

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Ace in the Hole Construction
 ADDRESS: PO Box 644
 CITY: Buffalo STATE: SD ZIP CODE: 57720
 TELEPHONE: 605-375-3904 EMAIL: c.floyd@sdplains.com
 ASSESSOR'S PARCEL NUMBER(S):
 LEGAL DESCRIPTION: E 1/2 SW 1/4 SE 1/4 Sect. 8 T. 150 R. 98
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: 2502 17th Ave NE
 GROSS/NET ACREAGE: 10 acres PRESENT ZONE CLASSIFICATION: C1 - gen commercial district
 DESIRED ZONE CLASSIFICATION: CURRENT LAST USE:

DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS (USE ADDITIONAL PAGES IF NEEDED)

move trailer house hookups

DESCRIBE THE SOURCE OF WATER/SEWER: own well & septic Do you have a will serve letter YES NO

LAND USE APPLICATION pg. 2

Watford City Planning Department

I, (We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Watford City Code; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Watford City Planning Department and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

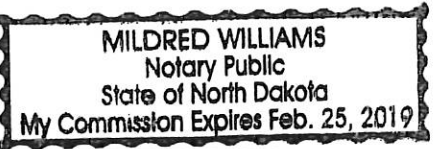
[Signature]
Property Owner Signature

[Print Name]
Print of Type Owner Name

NOTARY

State of North Dakota
County of Mckenzie

This instrument was acknowledged before me on 2/13/14 Date by Cott Floyd Name of Person



[Signature]
Signature of Notarial Officer

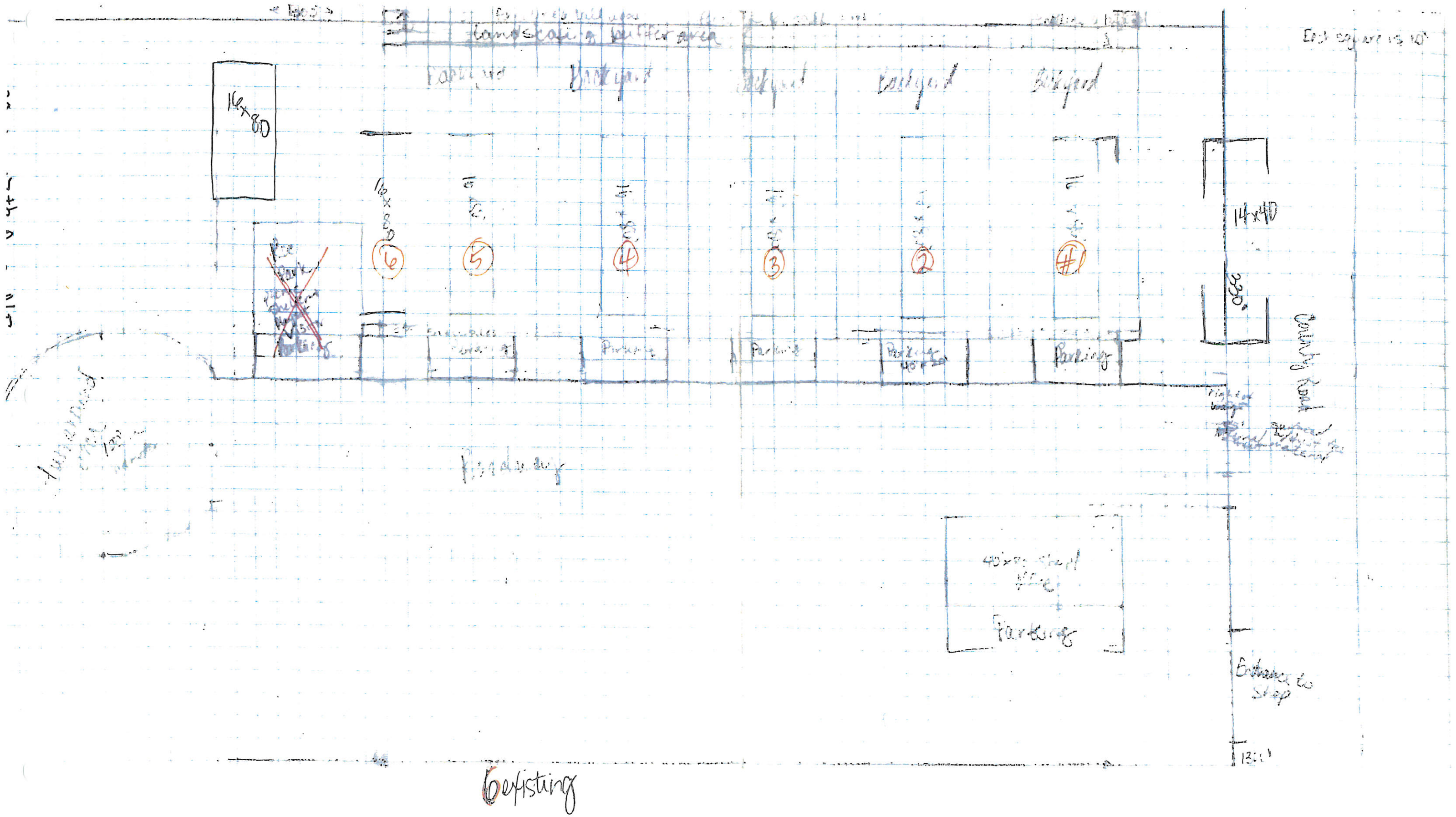
Documents Required for Submitting Land Use Applications

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	PDF when applicable	Supplemental Info.	Application Fees
Conditional Use Permit	1 ^G	1	1	1 ⁹		1 ¹¹	1 ¹²	1	1 ¹⁴	\$525 + publishing costs
Zone Change	1	1	1	1 ⁹	1 ⁸	1 ¹¹	1 ¹²	1	1 ¹⁴	\$300
Variance	1	1	1			1 ¹¹		1		\$300
Vacation and Abandonment	1		1	1 ⁹	1 ⁸	1 ¹¹		1		Refer to Fee Schedule
Street Name Change*	1					1 ¹¹		1		Refer to Fee Schedule

Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications
*Plus all sign costs

Procedures for Filing Land Use Applications:

- A. After assembling the required materials as outlined above, only completed applications shall be accepted for filing.
- B. Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- C. Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- D. A letter indicating the Commission's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- E. Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm. on the 30th calendar day.
- F. The Planning Commission has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.
- G. Site Development Plan Application is required on all Conditional Use Applications.



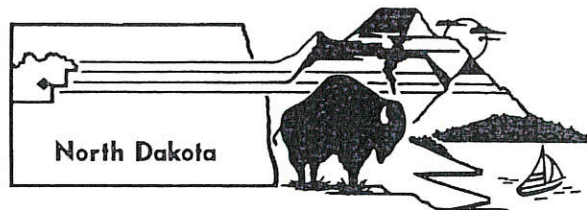


Google earth



2015 CU-04-2015
Annual Review

Watford City



City of Watford City
Brent Sanford, Mayor
213 2nd St., NE
PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
www.mckenziecounty.net

February 19, 2014

STAFF REPORT
CU-14-2014 Conditional Use Permit Application

<u>Applicant</u>	<u>Property Owners</u>
Colt Floyd Ace in the Hole Construction PO Box 646 Buffalo SD 57720	Same

Property Address: 2502 17th Ave NE, E.1/2, SW.1/4, SE.1/4Sect. 8 T.150 R.98, 10 acres

Conditional Use Requested: Conditional Use to permit additional Employee Housing.

Zone: C1, General Commercial District

Reference: Watford City City Code Sec. XV – Article XXV, Conditional Uses

Discussion: The application is for additional Employee Housing. Currently the permit is for 6 mobile homes (HUD sticker, manufactured and inspected). Applicant is requesting two (2) additional units.

The property is located 2502 17th Ave NE, Section 8, T150, R98. The subject property contains 10+ acres.

The site is in the newly created Extra Territorial Area (ETA) and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission. The intent of the ETA is to regulate growth and development within one mile of the City but to not be restrictive in nature.

Article XXV, Section 1 of the Watford City Zoning Ordinance reads as follows regarding Conditional Uses:

A Conditional Use Permit may be granted following compliance with the procedure set forth in this section if the conditional use is one set forth in the District Regulations, provided that no application for a conditional use shall be granted unless all of the following conditions are found to be present:

1. The conditional use will not be detrimental to or endanger the public health, safety or general welfare;
2. The existing permitted uses in the neighborhood will not in any manner be substantially impaired or diminished by the establishment of the conditional use;
3. The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district

4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;
5. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; and
6. The conditional use shall conform to all special provisions of the district in which it is located. The Conditional Use Permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the conditional use has any detrimental effects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.

The City of Watford City mailed the property owners that hold an interest in the property and the adjoining property owners a notice regarding the employee housing request. None of the noticed property owners contacted the city regarding the application.

The commission should carefully consider all of the possible implications associated with renewing approval approving this Conditional Use. Chapter XV, Article XX of the City of Watford City ordinances require that "All required off-street parking areas, including access drives, shall be improved with asphalt, concrete or similar dust-free surface and all parking spaces shall be clearly marked." At the CU permit's annual review, if it is determined that there is a long-term need, the P&Z commission can recommend to the city council that the permittee pave the parking areas. However, the P&Z Commission cannot waive the requirement to provide paved parking and driving surfaces. They can only make a recommendation to the City Council to do so. Should the use become long-term the requirement to pave should be implemented. In the interim, a dust palliative such as magnesium chloride can be applied.

Surrounding Land Use Inventory:

West:	Zoning -	I, McKenzie County
	Use -	Industrial
South:	Zoning -	R2 & R4, McKenzie County
	Use -	Medium/High Density Dwelling
North:	Zoning -	A-2, McKenzie County
	Uses -	Agricultural
East:	Zoning -	A-2, McKenzie County
	Uses -	Agricultural

Site Development:

Access: The property is accessible from 17th Ave. NW which is unpaved.

Sewer: There are no existing city sanitary sewer mains within the property. The property will be serviced by an individual sewage disposal system.

Water: There are no existing city water mains within the property. The property will be serviced by either rural water or private well.

Analysis: The request for employee housing provides the owner with the ability to retain his workforce by providing adequate housing.

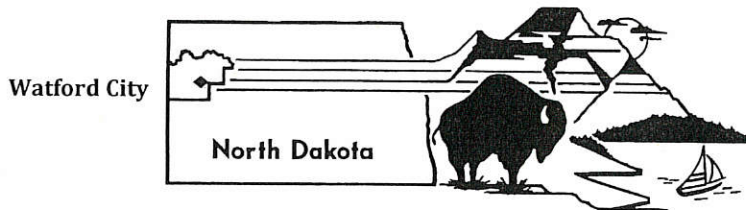
Recommendation:

Staff recommends **approval** of the conditional use subject to the following conditions:

1. The conditional use permit will allow only factory manufactured campers and DOT approved recreational vehicles or Housing and Urban Development (HUD) approved manufactured housing are permitted. No non-factory housing shall be permitted.
2. The conditional use permit is based on the number of spaces shown on the submitted site plan (6 homes) and shall be expanded by (2) two.
3. The conditional use permit shall be specific as to number of parking spaces to be provided. A minimum of 2 off-street parking spaces per site shall be provided.
4. A dust palliative should be required to be applied to parking areas from May through October.
5. Parking areas shall be surfaced with a minimum of 6" of crushed aggregate, not scoria. Scoria may be used as a base course for the final surfacing.
6. Conditional Use Permit will expire after 6 months if no action is taken.
7. Conditional Use Permit shall be reevaluated after 1 year.

Contact:

Mildred Williams
Assistant City Planner
City of Watford City, ND
miwilliams@nd.gov



City of Watford City
Brent Sanford, Mayor
213 2nd St., NE
PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
www.mckenziecounty.net

March 17, 2014

Ace in the Hole Construction
Colt Floyd
PO Box 646
Buffalo, SD 57720

Dear Mr. Floyd,

The Application for Conditional Use Permit to allow Temporary Employee Housing was approved by the City on 03-07-2014 with the following conditions set forth under Recommendations in the Staff Report:

Staff recommends **approval** of the conditional use subject to the following conditions:

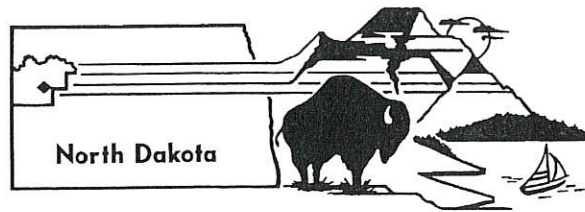
1. The conditional use permit will allow only factory manufactured campers and DOT approved recreational vehicles or Housing and Urban Development (HUD) approved manufactured housing are permitted. No non-factory housing shall be permitted.
2. The conditional use permit is based on the number of spaces shown on the submitted site plan (6 homes) and shall be expanded by (2) two.
3. The conditional use permit shall be specific as to number of parking spaces to be provided. A minimum of 2 off-street parking spaces per site shall be provided.
4. A dust palliative should be required to be applied to parking areas from May through October.
5. Parking areas shall be surfaced with a minimum of 6" of crushed aggregate, not scoria. Scoria may be used as a base course for the final surfacing.
6. Conditional Use Permit will expire after 6 months if no action is taken.
7. Conditional Use Permit shall be reevaluated after 1 year.

If you have any questions or need any additional information, please feel free to contact me at 701-444-2533.

Sincerely,

Mildred Williams
Watford City Assistant Planner

Watford City



City of Watford City
Brent Sanford, Mayor
213 2nd St., NE
PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
www.mckenziecounty.net

October 11, 2013

Ace in the Hold Construction
Colt Floyd
PO Box 646
Buffalo, SD 57720

Dear Mr. Floyd,

The Annual Renewal for your Conditional Use Permit Application to allow Temporary Employee Housing was approved by the City on 10-07-2013 with the following conditions set forth under Recommendations in the Staff Report:

1. The conditional use permit will allow only factory manufactured campers and DOT approved recreational vehicles or Housing and Urban Development (HUD) approved manufactured housing are permitted. No non-factory housing shall be permitted.
2. The conditional use permit is based on the number of spaces shown on the submitted site plan (6 homes) and shall not be expanded nor the intensity increased unless by conditional use permit.
3. The conditional use permit shall be specific as to number of parking spaces to be provided. A minimum of 2 off-street parking spaces per site shall be provided.
4. A dust palliative should be required to be applied to parking areas from May through October.
5. Parking areas shall be surfaced with a minimum of 6" of crushed aggregate, not scoria. Scoria may be used as a base course for the final surfacing.
6. Conditional Use Permit will expire after 6 months if no action is taken.
7. Conditional Use Permit shall be reevaluated after 1 year.

If you have any questions or need any additional information, please feel free to contact me at 701-444-2533.

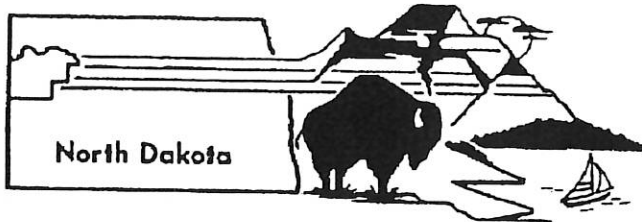
Sincerely,

Melissa Sandry
Watford City Planning Assistant

3.

Conditional Use Permit Application

For Ace in the Hole Construction, Colt Floyd
For Employee Housing
2502 17th Ave NE



LAND USE APPLICATION

City of Watford City Planning Department

GRAY AREA FOR STAFF USE ONLY

CW 05-2015

ZONE CHANGE	STAFF:	P&Z: 10-29-15
CONDITIONAL USE	FEE:	CC: 7-10-15
VARIANCE	RECEIPT #:	ADVERTISE DATE: 6-17 + 6-24-15
STREET NAME	SECTION/TOWNSHIP/RANGE:	PROPERTY OWNERS NOTIFIED:

FINAL ACTION MEMORANDUM MAILED:

DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Ace in the Hole Construction, LLC
 APPLICANT: Colt Floyd (owner)

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

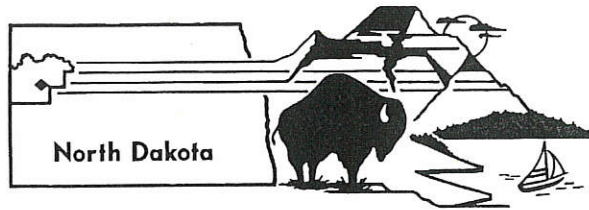
NAME: Ace in the Hole Construction, LLC
 ADDRESS: PO Box 646
 CITY: Buffalo STATE: SD ZIP CODE: 57720
 TELEPHONE: (605) 375-3904 EMAIL: crfloyd@sdplains.com
 ASSESSOR'S PARCEL NUMBER(S): _____
 LEGAL DESCRIPTION: T 150 N R 98 W Sec 8
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: 2500 17th Ave NE
 GROSS/NET ACREAGE: 10 acres PRESENT ZONE CLASSIFICATION: _____
 DESIRED ZONE CLASSIFICATION: _____ CURRENT LAST USE: _____

DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS (USE ADDITIONAL PAGES IF NEEDED)

We would like to add two more trailer house back up.

DESCRIBE THE SOURCE OF WATER/SEWER: well + septic system Do you have a will serve letter YES NO

Watford City



City of Watford City

213 2nd St., NE

PO Box 494

Watford City, ND 58854

Ph. 701- 444- 2533

Fax 701- 444- 3004

watford.mckenziecounty.net

June 19, 2015

STAFF REPORT

CU-05-2015 Conditional Use Permit Application

Applicant

Colt Floyd

Ace in the Hole Construction

PO Box 646

Buffalo SD 57720

Property Owners

Same

Property Address: 2502 17th Ave NE, E.1/2, SW.1/4, SE.1/4Sect. 8 T.150 R.98, 10 acres

Conditional Use Requested: Conditional Use to permit additional Employee Housing.

Zone: C1, General Commercial District

Reference: Watford City City Code Chapter XV – Article XXV, Conditional Uses

Discussion: The application is for additional Employee Housing. Currently the permit is for 8 mobile homes (HUD sticker, manufactured and inspected). Applicant is requesting two (2) additional units.

The property is located 2502 17th Ave NE, Section 8, T150, R98. The subject property contains 10± acres.

The site is in the newly created Extra Territorial Area (ETA) and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission. The intent of the ETA is to regulate growth and development within one mile of the City but to not be restrictive in nature.

Article XXV, Section 1 of the Watford City Zoning Ordinance reads as follows regarding Conditional Uses:

A Conditional Use Permit may be granted following compliance with the procedure set forth in this section if the conditional use is one set forth in the District Regulations, provided that no application for a conditional use shall be granted unless all of the following conditions are found to be present:

1. The conditional use will not be detrimental to or endanger the public health, safety or general welfare;
2. The existing permitted uses in the neighborhood will not in any manner be substantially impaired or diminished by the establishment of the conditional use;
3. The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;

5. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; and
6. The conditional use shall conform to all special provisions of the district in which it is located. The Conditional Use Permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the conditional use has any detrimental effects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.

The City of Watford City mailed the property owners that hold an interest in the property and the adjoining property owners a notice regarding the employee housing request. None of the noticed property owners contacted the city regarding the application.

The commission should carefully consider all of the possible implications associated with renewing approval approving this Conditional Use. Chapter XV, Article XX of the City of Watford City ordinances require that "All required off-street parking areas, including access drives, shall be improved with asphalt, concrete or similar dust-free surface and all parking spaces shall be clearly marked." At the CU permit's annual review, if it is determined that there is a long-term need, the P&Z commission can recommend to the city council that the permittee pave the parking areas. However, the P&Z Commission cannot waive the requirement to provide paved parking and driving surfaces. They can only make a recommendation to the City Council to do so. Should the use become long-term the requirement to pave should be implemented. In the interim, a dust palliative such as magnesium chloride can be applied.

Surrounding Land Use Inventory:

West: Zoning -	I, McKenzie County
Use -	Industrial
South: Zoning -	R2 & R4, McKenzie County
Use -	Medium/High Density Dwelling
North: Zoning -	A-2, McKenzie County
Uses -	Agricultural
East: Zoning -	A-2, McKenzie County
Uses -	Agricultural

Site Development:

Access: The property is accessible from 17th Ave. NW which is paved.

Sewer: There are no existing city sanitary sewer mains within the property. The property will be serviced by an individual sewage disposal system.

Water: There are no existing city water mains within the property. The property will be serviced by either rural water or private well.

Analysis: The request for employee housing provides the owner with the ability to retain his workforce by providing adequate housing.

Recommendation:

Staff recommends **approval** of the conditional use subject to the following conditions:

1. The conditional use permit will allow only factory manufactured campers and DOT approved recreational vehicles or Housing and Urban Development (HUD) approved manufactured housing are permitted. No non-factory housing shall be permitted.
2. The conditional use permit is based on the number of spaces shown on the submitted site plan (8 homes).
3. The conditional use permit shall be specific as to number of parking spaces to be provided. A minimum of 2 off-street parking spaces per site shall be provided.
4. A dust palliative should be required to be applied to parking areas from May through October.
5. Parking areas shall be surfaced with a minimum of 6" of crushed aggregate, not scoria. Scoria may be used as a base course for the final surfacing.
6. Conditional Use Permit will expire after 6 months if no action is taken.
7. Conditional Use Permit shall be reevaluated after 1 year.

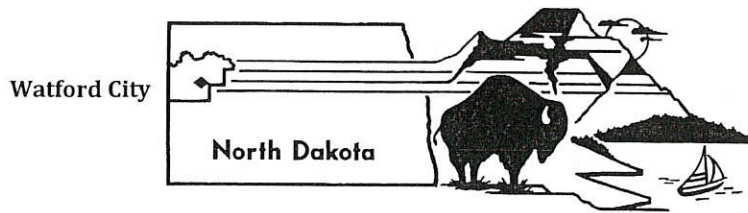
Contact:

Chris York
Assistant City Planner
City of Watford City, ND
cyork@nd.gov

4.

Conditional Use Permit Annual Review

*Badlands Cellular of ND dba Verizon Wireless & MBY15, LLC
For Telecommunications Transmission Facility
409 12th St SE*



City of Watford City
213 2nd St., NE / PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
watford.mckenziecounty.net

June 19, 2015

STAFF REPORT
CU-06-2015 Conditional Use Permit - Renewal

<u>Applicant</u> Badlands Cellular of ND LLLP PO Box 2523 Littleton, CO 80161	<u>Property Owner</u> MBY 15 LLC
--	-------------------------------------

Property Address: 409 12th Street SE

Zone: C-1

Use: General Commercial

Reference: Watford City Code Chapter XV – Article XXVII, Conditional Uses, General Commercial District

Request: The applicant filed an application to place a wireless telecommunications transmission facility including a monopole style antenna structure and a 12x30 utility building in order for Verizon Wireless to improve wireless communications capacity to this area. Article XXV, Section 1 of the Watford City Zoning Ordinance reads as follows regarding Conditional Uses:

A Conditional Use Permit may be granted following compliance with the procedure set forth in this section if the conditional use is one set forth in the District Regulations, provided that no application for a conditional use shall be granted unless all of the following conditions are found to be present:

1. The conditional use will not be detrimental to or endanger the public health, safety or general welfare;
2. The existing permitted uses in the neighborhood will not in any manner be substantially impaired or diminished by the establishment of the conditional use;
3. The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district;
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;
5. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; and

6. The conditional use shall conform to all special provisions of the district in which it is located. The Conditional Use Permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the conditional use has any detrimental effects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.

The City of Watford City mailed the adjoining property owners a notice regarding the Conditional Use application. None of the noticed property owners contacted the city regarding the application.

In granting a conditional use, the Planning Commission must satisfy itself from the evidence heard before it that the granting of the conditional use will not: adversely affect the health, safety, and welfare of the public; detract from the neighborhood; adversely affect future development; or cause traffic congestion. The Planning Commission may impose requirements upon the applicant to ensure that the proposed Conditional Use does not create a nuisance, is harmonious with adjacent development, and does not detract from property values. A Conditional Use Permit is only valid so long as the approved use is operated per the terms of the permit, i.e., if the use were changed from Temporary Workforce Housing to Manufacturing Operation, the permit would no longer be valid. A Conditional Use Permit should be specific as to: days/hours of operation, storage of appurtenant equipment, and provisions for parking, loading, and site improvements, and the type(s) of business(s) that can be operated under the terms of the permit. The Conditional Use Permit should be specific as to length of term. A Conditional Use Permit should be reviewed annually. After the use is established, the term of renewal can be increased or decreased as deemed appropriate.

Recommendation:

Staff recommends **approval** of this Conditional Use application subject to the following conditions:

1. Conditional Use Permit shall be reevaluated after 1 year.

Contact:

Chris York
Assistant City Planner
cyork@nd.gov
701.444.8421

2014 Application

LAND USE APPLICATION pg. 1 of 2
Watford City Planning Department

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE	DATE FILED: 9.10.14	APPLICATION NUMBER: CU 28-2014
ZONE CHANGE	PROCESSES BY: MW	MEETING DATES: P&Z: 9.29.14 CC: 10.6.14
CONDITIONAL USE PERMIT	FEE: \$525.00	ADVERTISE DATE: 9.17 - 9.24
VARIANCE	RECEIPT #:	PROPERTY OWNERS NOTIFIED:
VACATION & ABANDONMENT	SECTION/TOWNSHIP/RANGE: Lot 22 Blk 6 Cherry Creek	
STREET NAME	RELATED CASE #: 2nd Addition	
	FINAL ACTION MEMORANDUM MAILED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: MBY15, LLC
APPLICANT: Badlands Cellular of North Dakota LLLP d/b/a Verizon Wireless

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO:

NAME: John Rowe- Buell Consulting, Inc., Agent for Verizon Wireless
ADDRESS: P. O. Box 2523
CITY: Littleton STATE: Colorado ZIP CODE: 80161-2523
TELEPHONE: 303-220-9100 (Office), 303-618-4615 (Cell Phone) EMAIL: John.Rowe@BuellConsulting.com
ASSESSOR'S PARCEL NUMBER(S): 82-20-10700

LEGAL DESCRIPTION: Lot 22, Block 6, Cherry Creek Second Addition to Watford City
PROPERTY ADDRESS AND NEAREST CROSS STREETS: 409 12th Street Southeast
GROSS/NET ACREAGE: 0.0 PRESENT ZONE CLASSIFICATION: Commercial
DESIRED ZONE CLASSIFICATION: Transmission Facility CUP CURRENT/ LAST USE: Mini-Storage Warehousing

DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS (USE ADDITIONAL PAGES IF NEEDED)

See attached project narrative. Install a wireless telecommunications transmission facility including a monopole style antenna structure and a 12' x 30' utility building in order for Verizon Wireless to improve wireless communications capacity to the area. Local service will be acquired to power the equipment. The location is zoned Commercial (C-1) which allows transmission facilities as a Conditional Use per Article XVII, C-1, General Commercial Zoning District (Section 2, item 21) subject to District regulations.

DESCRIBE THE SOURCE OF WATER/SEWER: WATER/SEWER ARE NOT REQUIRED Do you have a will serve letter N/A

LAND USE APPLICATION pg. 2

Watford City Planning Department

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Watford City Code; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Watford City Planning Department and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

Property Owner Signature

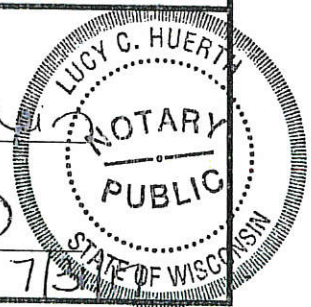
Sherman Raschein- Member
Print of Type Owner Name

NOTARY

State of Wisconsin
County of Sauk

This instrument was acknowledged before me on 5th Aug 2014 by Sherman Raschein
Date Name of Person

Lucy C Huerta
Signature of Notarial Officer



Documents Required for Submitting Land Use Applications

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	PDF	Supplemental Info.	Application Fees
Conditional Use Permit	1G	1	1	1 ⁹	1 ⁸	1 ¹¹	1 ¹²	1	1 ¹⁴	\$525 + publishing costs
Zone Change	1	1	1	1 ⁹	1 ⁸	1 ¹¹	1 ¹²	1	1 ¹⁴	\$300
Variance	1	1	1		1 ⁸	1 ¹¹		1		\$300
Vacation and Abandonment	1		1	1 ⁹	1 ⁸	1 ¹¹		1		Refer to Fee Schedule
Street Name Change ⁶	1	1	1			1 ¹¹		1		Refer to Fee Schedule

Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications
*Plus all sign costs

Procedures for Filing Land Use Applications:

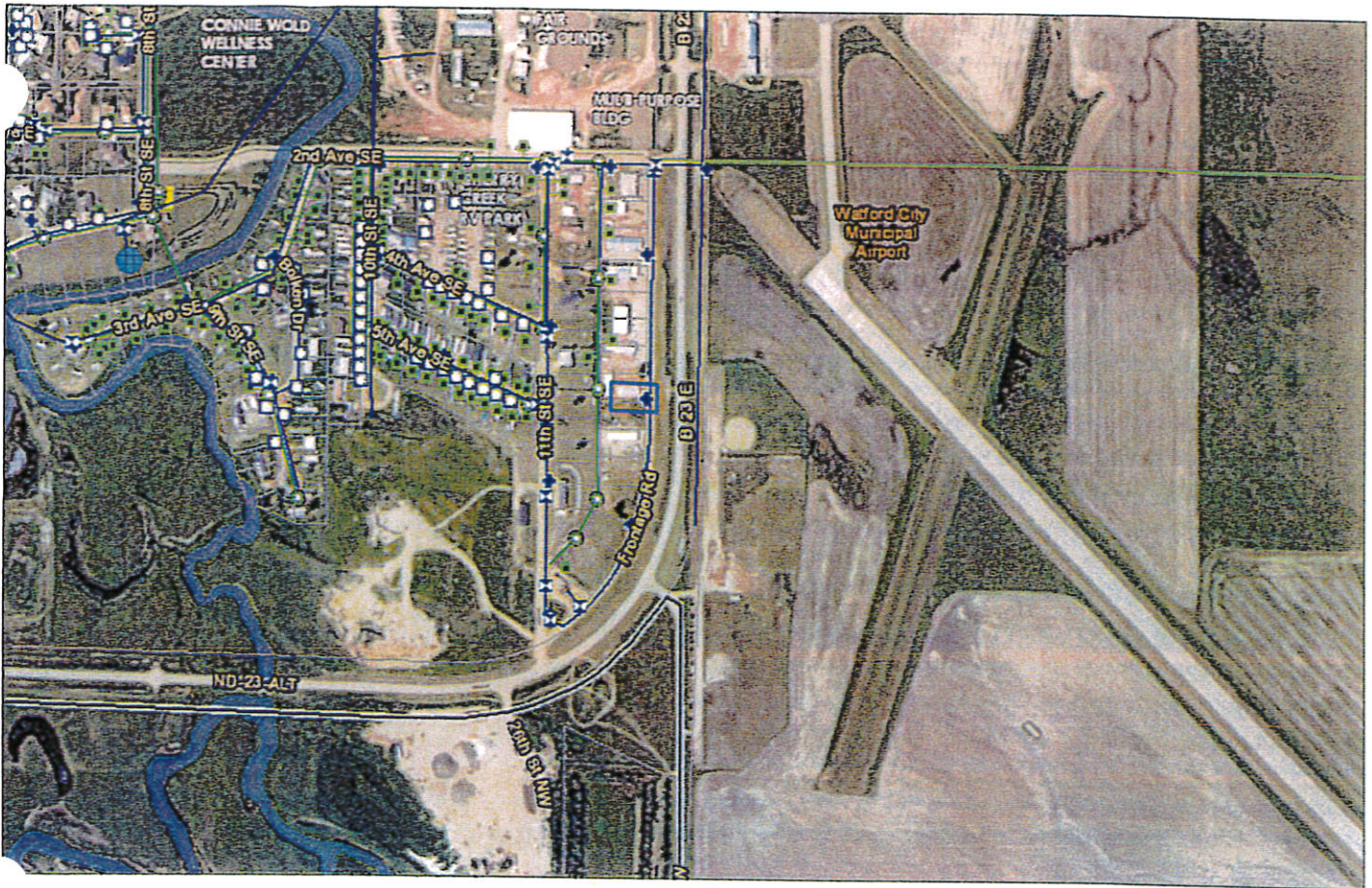
- A. After assembling the required materials as outlined above, only completed applications shall be accepted for filing.
- B. Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- C. Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- D. A letter indicating the Commission's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- E. Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm. on the 30th calendar day.
- F. The Planning Commission has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.
- G. Site Development Plan Application is required on all Conditional Use Applications.

Watford City Planning Department
213 2nd St NE / PO Box 494
Watford City, ND 58854

Phone: (701)444-2533 Fax: (701)444-3004 Website: www.mckenziecounty.net

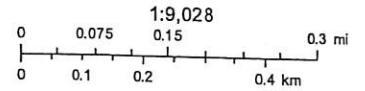
EXPLANATION OF DOCUMENT SUBMITTAL REQUIREMENTS

Badlands Cellular of ND



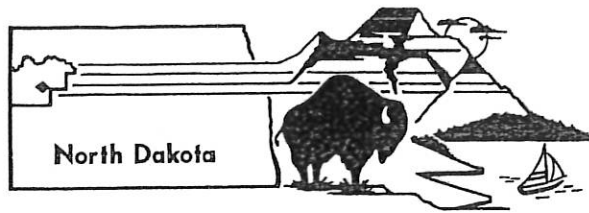
September 24, 2014

- | | | | |
|--|--|--|--|
| | | | |
| | | | |
| | | | |



Source: Esri, DigitalGlobe, GeoEye, I-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP,

Watford City



City of Watford City
Brent Sanford, Mayor
213 2nd St., NE / PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
watford.mckenziecounty.net

August 21, 2014

STAFF REPORT
CU 25-2014 Conditional Use Permit

<u>Applicant</u>	<u>Property Owner</u>
Badlands Cellular of ND LLLP PO Box 2523 Littleton, CO 80161	MBY 15 LLC

Property Address: 409 12th Street SE

Zone: Commercial

Reference: Watford City Code Sec. XV – Article XVII, Conditional Uses, General Commercial District

Request: The applicant filed an application to place a wireless telecommunications transmission facility including a monopole style antenna structure and a 12x30 utility building in order for Verizon Wireless to improve wireless communications capacity to this area. Article XXV, Section 1 of the Watford City Zoning Ordinance reads as follows regarding Conditional Uses:

A Conditional Use Permit may be granted following compliance with the procedure set forth in this section if the conditional use is one set forth in the District Regulations, provided that no application for a conditional use shall be granted unless all of the following conditions are found to be present:

1. The conditional use will not be detrimental to or endanger the public health, safety or general welfare;
2. The existing permitted uses in the neighborhood will not in any manner be substantially impaired or diminished by the establishment of the conditional use;
3. The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district;
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;
5. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; and
6. The conditional use shall conform to all special provisions of the district in which it is located. The Conditional Use Permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the conditional use has any detrimental effects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.

The City of Watford City mailed the adjoining property owners a notice regarding the Conditional Use application. None of the noticed property owners contacted the city regarding the application.

In granting a conditional use, the Planning Commission must satisfy itself from the evidence heard before it that the granting of the conditional use will not: adversely affect the health, safety, and welfare of the public; detract from the neighborhood; adversely affect future development; or cause traffic congestion. The Planning Commission may impose requirements upon the applicant to ensure that the proposed Conditional Use does not create a nuisance, is harmonious with adjacent development, and does not detract from property values. A Conditional Use Permit is only valid so long as the approved use is operated per the terms of the permit, i.e., if the use were changed from Temporary Workforce Housing to Manufacturing Operation, the permit would no longer be valid. A Conditional Use Permit should be specific as to: days/hours of operation, storage of appurtenant equipment, and provisions for parking, loading, and site improvements, and the type(s) of business(s) that can be operated under the terms of the permit. The Conditional Use Permit should be specific as to length of term. A Conditional Use Permit should be reviewed annually. After the use is established, the term of renewal can be increased or decreased as deemed appropriate.

Recommendation:

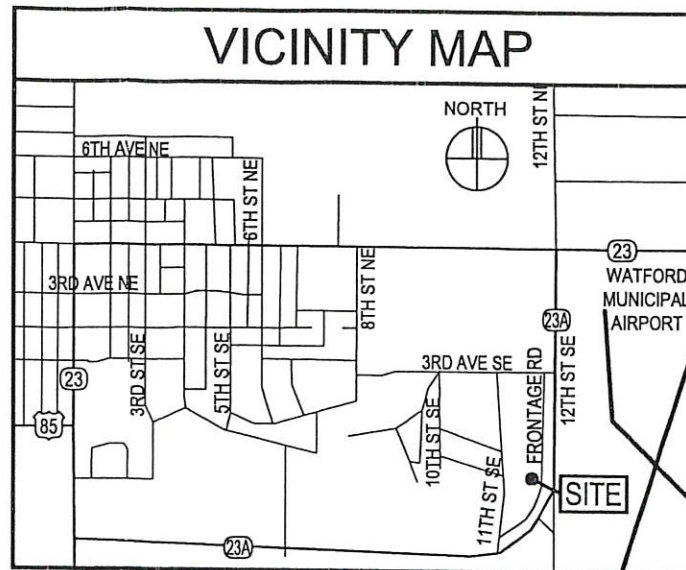
Staff recommends **approval** of this Conditional Use application subject to the following conditions:

1. Conditional Use Permit shall be reevaluated after 1 year.

Contact:

Seth Sampson, Assistant City Planner

VERIZON WIRELESS

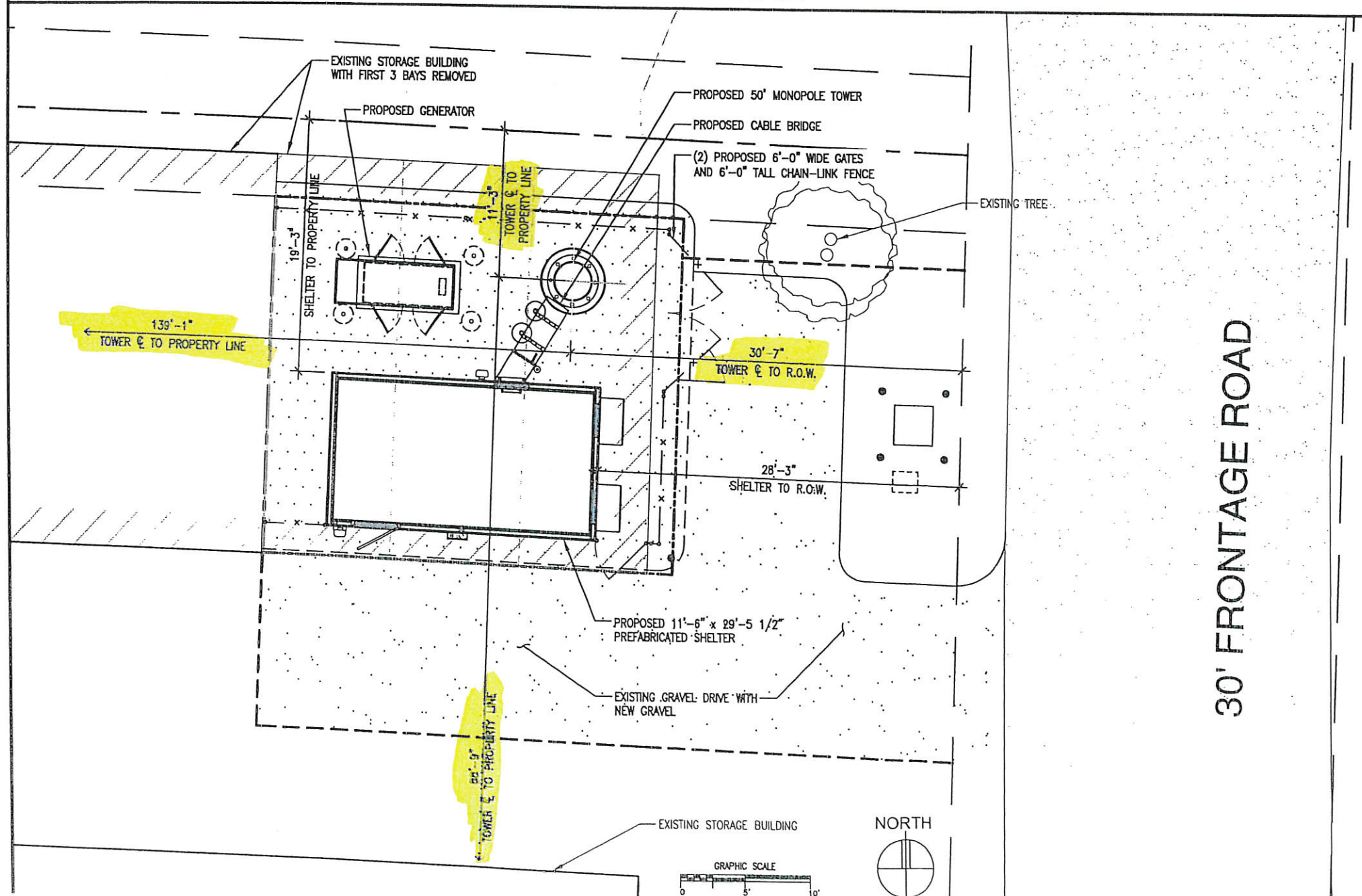


PROJECT INFORMATION

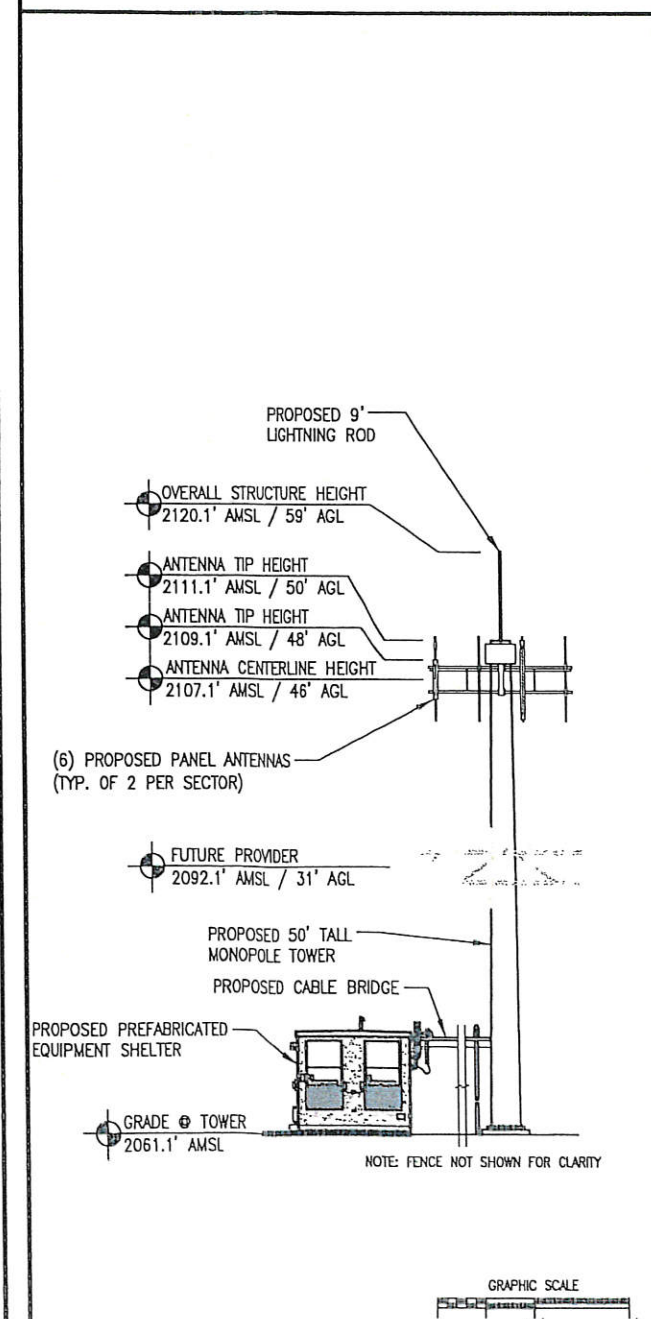
SITE NAME: ND04 BOOMTOWN
SITE ADDRESS: 12TH ST SE
 WATFORD CITY, ND 58854
COUNTY: MCKENZIE
GROUND ELEVATION: 2061.1' AMSL (NAVD 88)
ANTENNA TIP HEIGHT: 2111.1' AMSL - 50' AGL
 2109.1' AMSL - 48' AGL
ANTENNA CENTERLINE HEIGHT: 2107.1' AMSL - 46' AGL
OVERALL HEIGHT: 2120.1' AMSL - 59' AGL
OCCUPANCY: B
BUILDING TYPE: V-B
PROJECT DESCRIPTION: INSTALL THE PROPOSED PREFABRICATED EQUIPMENT SHELTER, ANTENNAS, AND MONOPOLE TOWER TO IMPROVE THE COMMUNICATION SERVICE IN THE WATFORD CITY, ND AREA.

NOT FOR CONSTRUCTION

SITE PLAN



ELEVATION



DESIGN 1

ROBERT J DAVIS, AIA
 ARCHITECT
 9973 VALLEY VIEW RD.
 EDEN PRAIRIE, MN 55344
 (952) 903-9299

VERIZON WIRELESS
 10801 BUSH LAKE ROAD
 BLOOMINGTON, MN 55438
 (612) 720-0030

PROJECT
 20130964496

ND04
 BOOMTOWN

12TH ST SE
 WATFORD CITY, ND 58854

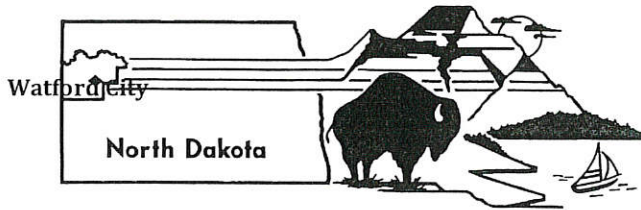
SHEET CONTENTS:
 VICINITY MAP
 PROJECT INFORMATION
 SITE PLAN
 TOWER ELEVATION

DRAWN BY: F. STANTON
DATE: 04-07-14
CHECKED BY: CDB
ZONING: 06-24-14

5.

Conditional Use Permit Annual Review

*Kotana Communications, Inc. dba Verizon Wireless
For Telecommunications Transmission Facility
1208 11th Ave SW*



City of Watford City
213 2nd St., NE
PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
watford.mckenziecounty.net

June 19, 2015

STAFF REPORT
CU-07-2015 Conditional Use Permit - Renewal

Applicant

Badlands Cellular of North Dakota
PO Box 2523
Littleton, CO 80161

Property Owner

Kotana Communications Inc

Property Address: 1208 11th Ave SW

Zone: C-1

Use: General Commercial

Reference: Watford City Municipal Code Chapter XV, Article XVII - General Commercial District, Section 3 - Conditional Uses

Discussion: The CU applicant wishes to place a wireless telecommunications transmission facility and tower to better improve and add badly needed additional capacity to the Watford City surrounding area. The facility would place a 12' x 30' equipment shelter building and a 100' monopole antenna on the 2.43 acre parcel.

Article XXV, Section 1 of the Watford City Zoning Ordinance reads as follows regarding Conditional Uses:

A Conditional Use Permit may be granted following compliance with the procedure set forth in this section if the conditional use is one set forth in the District Regulations, provided that no application for a conditional use shall be granted unless all of the following conditions are found to be present:

1. The conditional use will not be detrimental to or endanger the public health, safety or general welfare
2. The existing permitted uses in the neighborhood will not in any manner be substantially impaired or diminished by the establishment of the conditional use;
3. The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district;
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;
5. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; and
6. The conditional use shall conform to all special provisions of the district in which it is located. The Conditional Use Permit may be issued for a specified period of

time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the conditional use has any detrimental affects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.

The City of Watford City mailed the adjoining property owners a notice regarding the Conditional Use application. None of the noticed property owners contacted the city regarding the application.

In granting a conditional use, the Planning Commission must satisfy itself from the evidence heard before it that the granting of the conditional use will not: adversely affect the health, safety, and welfare of the public; detract from the neighborhood; adversely affect future development; or cause traffic congestion. The Planning Commission may impose requirements upon the applicant to ensure that the proposed Conditional Use does not create a nuisance, is harmonious with adjacent development, and does not detract from property values. A Conditional Use Permit is only valid so long as the approved use is operated per the terms of the permit, i.e., if the use were changed from Temporary Workforce Housing to Manufacturing Operation, the permit would no longer be valid. A Conditional Use Permit should be specific as to: days/hours of operation, storage of appurtenant equipment, and provisions for parking, loading, and site improvements, and the type(s) of business(es) that can be operated under the terms of the permit. The Conditional Use Permit should be specific as to length of term. A Conditional Use Permit should be reviewed annually. After the use is established, the term of renewal can be increased or decreased as deemed appropriate.

Recommendation: The proposed use does not and has not detracted from the current neighborhood development. As with each application and recommendation the commission must consider all of the possible implications associated with approving this Conditional Use Permit. **The conditional use permit should be reviewed annually.**

Staff recommends **approval** of the Conditional Use Permit in accordance with conditions as listed below:

1. Approval of the Conditional Use Permit application will fulfill a need to provide more reliable service to cell customers in the area.
2. The new tower shall not encroach into the ROW for 11th Ave SW
3. Conditional Use Permit shall be for a term of one year and reviewed annually thereafter.
4. If approval is recommended by the planning commission and approved by the city council, Conditional Use Permit will expire 6 months after said date of approval by the city council if the conditional use is not implemented by the applicant.

Contact:
Chris York
Assistant City Planner
cyork@nd.gov
701.444.8421

LAND USE APPLICATION

Watford City Planning Department

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: <u>7.7.14</u>	APPLICATION NUMBER:
<input checked="" type="checkbox"/> ZONE CHANGE - \$200.00 fee	PROCESSES BY: <u>MW</u>	MEETING DATES: P&Z: <u>7/28</u> CC: <u>8/4</u>
<input checked="" type="checkbox"/> <u>CONDITIONAL USE PERMIT - \$550.00 fee plus publishing cost</u>	FEES: <u>\$525.00</u>	ADVERTISE DATE: <u>7.16 + 7.23</u>
<input checked="" type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: <u>CHK# 22678</u>	PROPERTY OWNERS NOTIFIED: <u>Y</u>
<input checked="" type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: <u>Dist. 2-5</u>	
<input checked="" type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS: <u>V03-2014 variance application</u>	
<input checked="" type="checkbox"/> SIMPLE LOT SPLIT - \$450.00	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Kotana Communications Inc.
 APPLICANT: Badlands Cellular of North Dakota LP d/b/a Verizon Wireless

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: John Rowe, Agent - Buell Consulting, INC
 ADDRESS: P.O. Box 2523
 CITY: Littleton STATE: CO ZIP CODE: 80161-2523
 TELEPHONE: 303-220-9100 + 303-461-2118 EMAIL: JRowe@BuellConsulting.com
 ASSESSOR'S PARCEL NUMBER(S): 11-00-10450
 LEGAL DESCRIPTION: Portion of NW1/4 NW1/4 Section 25, T150N, R99W, 5th PM
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: 1208 11th Ave SW (11th Ave SW + 17th St SW)
 GROSS/NET ACREAGE: 2.43 PRESENT ZONE CLASSIFICATION: C-1
 DESIRED ZONE CLASSIFICATION: C-1 CURRENT LAST USE: Telecommunications

DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS (USE ADDITIONAL PAGES IF NEEDED)

see attached Narrative justification.
Install wireless telecommunications transmission facility including a 100' monopole style antenna structure (with an overall height of 169' for lightning rod) and a 12' x 30' equipment shelter in order for Verizon wireless to provide sorely needed additional capacity to the area in and around Watford City.

DESCRIBE THE SOURCE OF WATER/SEWER: Not applicable Do you have a will serve letter YES NO N/A

Badlands Cellular of North Dakota Limited Partnership d/b/a Verizon Wireless
NW¼ NW¼ of Section 25, T 150 N, R 99 W/ Parcel#11-00-10450
CUP Application/Wireless Telecommunication Transmission Facility
Verizon Wireless Timber Prong site
July 3, 2014
Page 2

History of the Site Selection Process

In August, Verizon Wireless assigned the work for the development of new wireless communications tower locations in Watford City to Buell Consulting, Inc., St. Paul, MN for Site Search, Site Acquisition and Local Permit Procurement. John M. Rowe, an agent for Buell, initiated field work for the new site location in the vicinity of 11th Ave. SW and 14th Street NW on the outskirts of Watford City, North Dakota 58854 by researching land owners and zoning regulations for Watford City and McKenzie County. Rowe visited the Watford City Planning Department Planning Assistant, Melissa Sandry, in the Watford City office on or about the first 10 days of September, 2013 concerning the Search Area, and city policies in the initial process of site development. Justin Smith- Superintendent of Public Works was also consulted about the possibility of using city owned property.

After conducting research regarding all property owners in the Search Area, successful contact was made with the following property owners were contacted in the process of researching the Search Area and developing an initial site candidate information package for Verizon Wireless: City of Watford City, Kotana Communications, Warren Hovland.

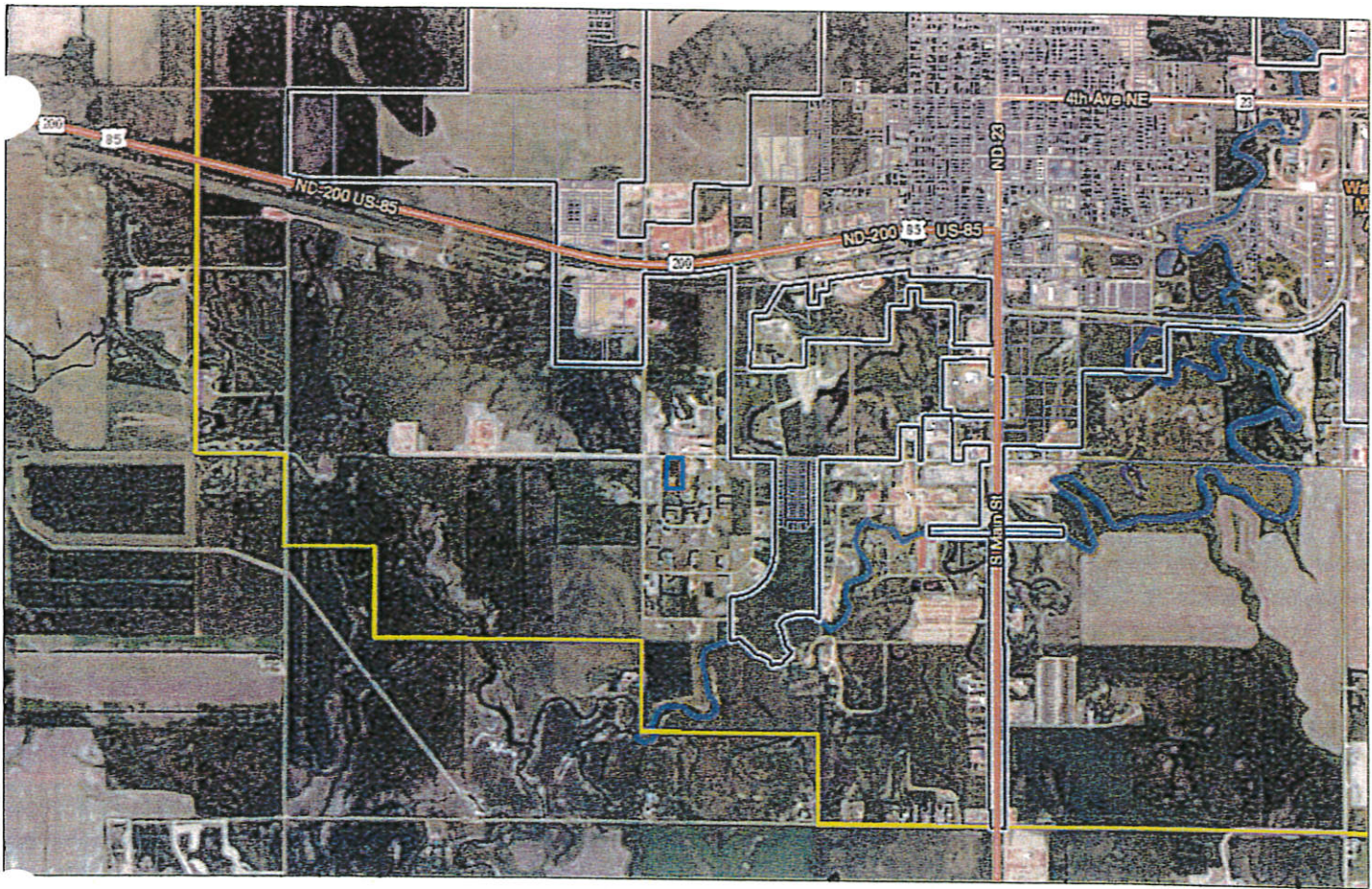
After these investigations, the following candidate locations were submitted to Verizon Wireless for selection by their engineers, construction & project management personnel.

Candidate # 1 was Warren Hovland's vacant land off 11th Ave SW & 14th St SW.
Candidate # 2 was Parcel # 11-00-10450, owned by Kotana Communications, Inc. is the location of this application's proposed Conditional Use Permit for a 100' AGL monopole design telecommunications tower/ antenna structure with an overall height of 109' AGL and a 12' x 30' equipment shelter. This parcel makes the best location because a wireless telecommunication transmission facility already exists. The existing lightweight two-way radio tower is taller than the new structure being proposed. Since the existing tower could not structurally accommodate the size & weight of the applicant's antennas, the property owner prefers that the applicant install a new tower of its own on the lot.
Candidate # 3 was Watford City land on the SW corner of 11th Ave SW & 14th St SW.

FAA

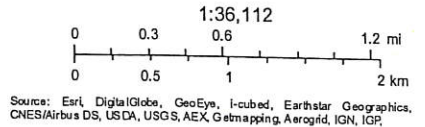
As the work on the development of new sites progresses into the Planning and Zoning process, typically, Verizon Wireless asks that municipalities only allow initial approval of the plans to proceed in the beginning stages of permitting and make final approval contingent upon subsequent FAA confirmation. The 7460-1 Application was made to the FAA 5/27/2014. The FAA has issued case # 2014-AGL-6205-OE for this application which is currently under FAA review.

Kotana Communication



22, 2014

- World Transportation
- Waford City Limits
- Extra-Territorial Area (ETA)
- Lot Lines
- Cherry Creek
- Parcels Data from McKenzie County



cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the conditional use has any detrimental affects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.

The City of Watford City mailed the adjoining property owners a notice regarding the Conditional Use application. None of the noticed property owners contacted the city regarding the application.

In granting a conditional use, the Planning Commission must satisfy itself from the evidence heard before it that the granting of the conditional use will not: adversely affect the health, safety, and welfare of the public; detract from the neighborhood; adversely affect future development; or cause traffic congestion. The Planning Commission may impose requirements upon the applicant to ensure that the proposed Conditional Use does not create a nuisance, is harmonious with adjacent development, and does not detract from property values. A Conditional Use Permit is only valid so long as the approved use is operated per the terms of the permit, i.e., if the use were changed from Temporary Workforce Housing to Manufacturing Operation, the permit would no longer be valid. A Conditional Use Permit should be specific as to: days/hours of operation, storage of appurtenant equipment, and provisions for parking, loading, and site improvements, and the type(s) of business(es) that can be operated under the terms of the permit. The Conditional Use Permit should be specific as to length of term. A Conditional Use Permit should be reviewed annually. After the use is established, the term of renewal can be increased or decreased as deemed appropriate.

Recommendation: The proposed use does not and has not detracted from the neighborhood as it is currently developed and being developed. As with each application and recommendation the commission must consider all of the possible implications associated with approving this Conditional Use Permit. **The conditional use permit should be reviewed annually.**

Staff recommends **approval** of the Conditional Use Permit in accordance with conditions as listed below:

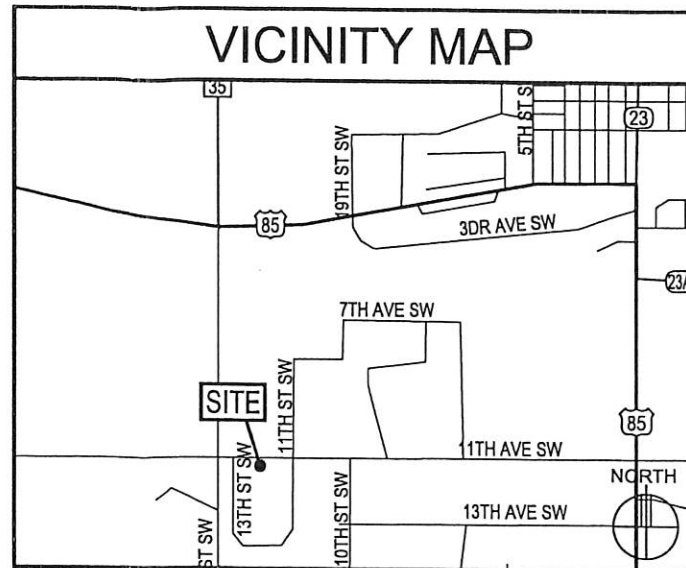
1. Approval of the Conditional Use Permit application will fulfill a need to provide more reliable service to cell customers in the area.
2. The new tower shall not encroach into the ROW for 11th Ave SW
3. Conditional Use Permit shall be for a term of one year and reviewed annually thereafter.
4. If approval is recommended by the planning commission and approved by the city council, Conditional Use Permit will expire 6 months after said date of approval by the city council if the conditional use is not implemented by the applicant.

The site was inspected for compliance with the conditions of approval and no issues were found to be of concern.

Contact:

Seth Sampson
Assistant City Planner

VERIZON WIRELESS



PROJECT INFORMATION

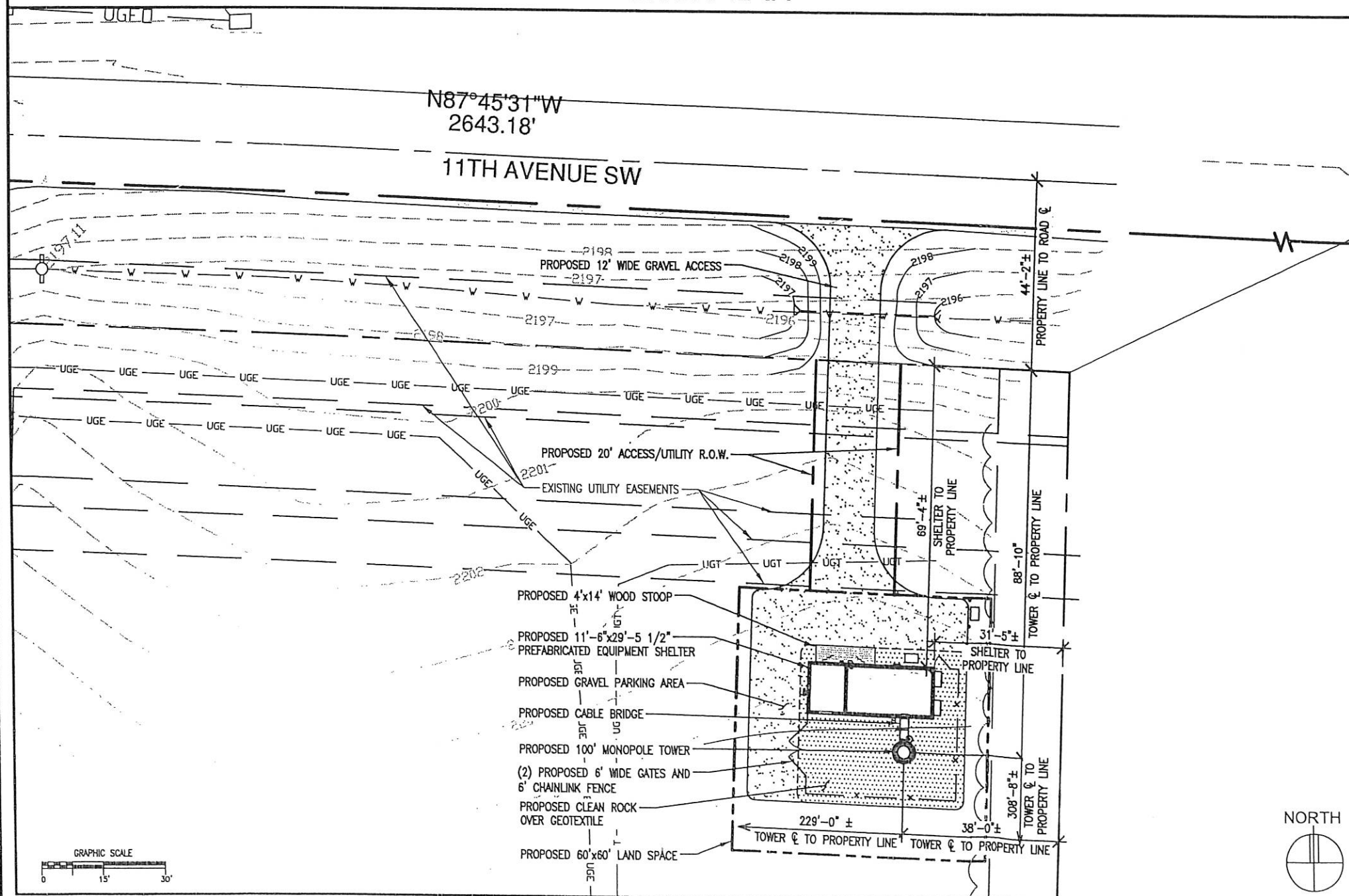
SITE NAME: ND04 TIMBER PRONG
 SITE ADDRESS: 11TH AVE SW
 WATFORD CITY, ND 58854
 COUNTY: MCKENZIE
 GROUND ELEVATION: 2205.9' AMSL (NAVD 88)
 ANTENNA TIP HEIGHT: 2304.9' AMSL - 99' AGL
 2304.0' AMSL - 98.1' AMSL
 ANTENNA CENTERLINE HEIGHT: 2301.9' AMSL - 96.0' AGL
 OVERALL HEIGHT: 2314.9' AMSL - 109.0' AGL
 OCCUPANCY: B
 BUILDING TYPE: V-B
 PROJECT DESCRIPTION:
 INSTALL THE PROPOSED MONOPOLE TOWER, ANTENNAS, EQUIPMENT SHELTER, AND OTHER RELATED EQUIPMENT TO IMPROVE WIRELESS COMMUNICATION SERVICE IN THE WATFORD CITY, SD AREA.

I hereby certify that the portion of this technical submission described below was prepared by me or under my direct supervision and responsible charge. I am a duly registered Architect under the laws of the State of NORTH DAKOTA.
 ROBERT J. DAVIS, Reg. No. 1228

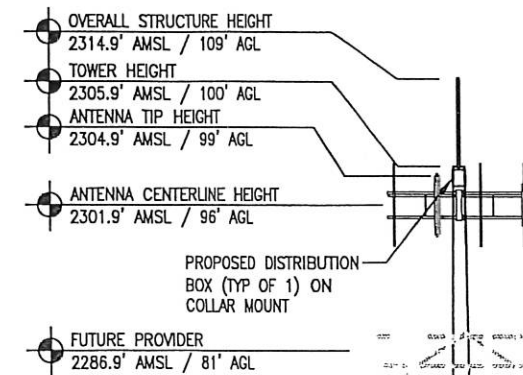
Signed: _____

Date: _____

SITE PLAN



ELEVATION



DESIGN 1

ROBERT J. DAVIS, AIA
 ARCHITECT
 9973 VALLEY VIEW RD.
 EDEN PRAIRIE, MN 55344
 (952) 903-9299

VERIZON WIRELESS

10801 BUSH LAKE ROAD
 BLOOMINGTON, MN 55438
 (612) 720-0030

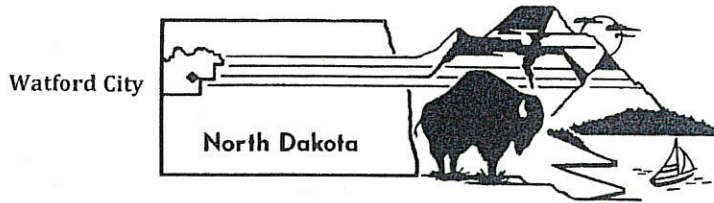
PROJECT:
 206964497

ND04
 TIMBER PRONG

11TH AVE SW
 WATFORD CITY, ND 58854

SHEET CONTENTS:
 VICINITY MAP
 PROJECT INFORMATION
 SITE PLAN
 TOWER ELEVATION

DRAWN BY: F. STANTON
 DATE: 01-10-14
 CHECKED BY: T. BRANDT
 ZONING: 06-24-14



City of Watford City
Brent Sanford, Mayor
213 2nd St., NE
PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
watford.mckenziecounty.net

August 12, 2014

Kotana Communications, Inc.
Po Box 2523
Littleton, CO 80161-2523

RE: Conditional Use Permit Application

Dear Mr. John Rowe,

The Conditional Use Permit Application submitted by Kotana Communications Inc. / Badlands Cellular of ND-Verizon Wireless was approved by City Council on August 4th, 2014 for property located at 1208 11th Ave SW, 2.43 acres, Watford City, McKenzie County, ND. Allowing installation of new wireless communication monopole 109'ft., with an equipment shelter on commercial zoned property. Approval with the condition set forth in the staff report and added conditions set by the Planning Commission. The tower shall not encroach into the ROW for 11th Ave SW, Conditional use permit shall before a term of one (1) year and reviewed annually thereafter, and if the approval is recommended by the planning commission and approved by the city council this conditional use permit will expire 6 months after said date of approval by the city council if the conditional use is not implemented by the applications. The developer must submit generalized building plans for any development on the property.

Should you have any questions or need additional information please feel free to contact me at (701) 444-2533 ext. *

Sincerely,

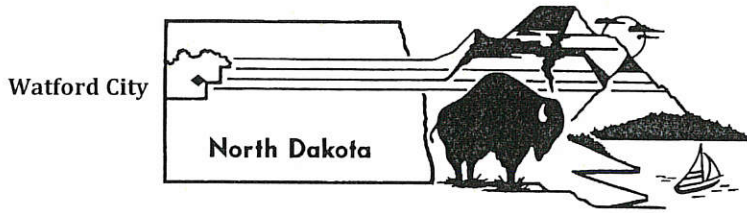
A handwritten signature in blue ink that reads 'Mildred Williams'. The signature is written in a cursive, flowing style.

Mildred Williams
Assistant City Planner

6.

Conditional Use Permit Annual Review

*Kathleen Tretter- SewFine Embroidery
For Home-based Small Business
2601 2nd St NE*



City of Watford City
213 2nd St., NE
P.O. Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
watford.mckenziecounty.net

June 19, 2015

STAFF REPORT
CU-08-2015 Conditional Use Permit - Renewal

Applicant

Kathy Tretter
PO Box 1155
Watford City, ND 58854

Property Owner

Duane and Kathleen Tretter

Property Address: 2601 2nd St NE

Zone: R-1

Use: Single Family Residential

Reference: Watford City Municipal Code Chapter XV, Article X – Single-Family Dwelling Residential District, Section 3 – Conditional Uses

Request: The applicant is requesting a CUP for a home-based small business named Sew Fine Embroidery that does custom embroidery for clients (individual, clubs, or business), and is capable of alterations, and custom sewing. This is a permitted Conditional Use zone R-1. The business will be located in their shop attached to the newly constructed garage. The client traffic is very minimal and shall not cause a disturbance to neighbors.

Article XXV, Section 1 of the Watford City Zoning Ordinance reads as follows regarding Conditional Uses:

A Conditional Use Permit may be granted following compliance with the procedure set forth in this section if the conditional use is one set forth in the District Regulations, provided that no application for a conditional use shall be granted unless all of the following conditions are found to be present:

1. The conditional use will not be detrimental to or endanger the public health, safety or general welfare;
2. The existing permitted uses in the neighborhood will not in any manner be substantially impaired or diminished by the establishment of the conditional use;
3. The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district;
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;

5. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; and
6. The conditional use shall conform to all special provisions of the district in which it is located. The Conditional Use Permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the conditional use has any detrimental effects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.

The City of Watford City mailed the adjoining property owners a notice regarding the Conditional Use application. None of the noticed property owners contacted the city regarding the application.

In granting a conditional use, the Planning Commission must satisfy itself from the evidence heard before it that the granting of the conditional use will not: adversely affect the health, safety, and welfare of the public; detract from the neighborhood; adversely affect future development; or cause traffic congestion. The Planning Commission may impose requirements upon the applicant to ensure that the proposed Conditional Use does not create a nuisance, is harmonious with adjacent development, and does not detract from property values. A Conditional Use Permit is only valid so long as the approved use is operated per the terms of the permit, i.e., if the use were changed from Temporary Workforce Housing to Manufacturing Operation, the permit would no longer be valid. A Conditional Use Permit should be specific as to: days/hours of operation, storage of appurtenant equipment, and provisions for parking, loading, and site improvements, and the type(s) of business(s) that can be operated under the terms of the permit. The Conditional Use Permit should be specific as to length of term. A Conditional Use Permit should be reviewed annually. After the use is established, the term of renewal can be increased or decreased as deemed appropriate.

Recommendation:

Staff recommends *approval* of this Conditional Use application subject to the following conditions:

1. Conditional Use Permit shall be reevaluated after 1 year.

Contact:

Chris York
Assistant City Planner
cyork@nd.gov
701.444.8421

2014 Application

LAND USE APPLICATION pg. 1 of 2
Watford City Planning Department

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE	DATE FILED: 7-30-14	APPLICATION NUMBER: CU 25-2014
ZONE CHANGE	PROCESSES BY: MW	MEETING DATES: P&Z: 8.25.14 CC: 9.8.14
<u>CONDITIONAL USE PERMIT</u>	FEE: \$175.00	ADVERTISE DATE: 8.13.2014 + 8.20.2014
VARIANCE	RECEIPT #:	PROPERTY OWNERS NOTIFIED:
VACATION & ABANDONMENT	SECTION/TOWNSHIP/RANGE:	
STREET NAME	RELATED CASE #:	
	FINAL ACTION MEMORANDUM MAILED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Duane & Kathleen Trotter
APPLICANT: Kathy Trotter

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Kathy Trotter / Sew Fine Embroidery
 ADDRESS: P.O. Box 1155
 CITY: Watford City STATE: ND ZIP CODE: 58854
 TELEPHONE: 701-364-8274 EMAIL: SewFineWC@gmail.com
 ASSESSOR'S PARCEL NUMBER(S):
 LEGAL DESCRIPTION: Lot 15, Block 1, Dakota Ridge Subdivision, McKenzie County, North Dakota
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: 2601 - 2nd St. NE, Watford City, ND 58854
 GROSS/NET ACREAGE: 80' X 89' PRESENT ZONE CLASSIFICATION: Multi Family Development
 DESIRED ZONE CLASSIFICATION: CURRENT LAST USE: Single Family Home

DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS (USE ADDITIONAL PAGES IF NEEDED)

Home Base Small Business: Sew Fine Embroidery

Custom Embroidery for Clients (individual, clubs, businesses)
Capability of alterations or custom sewing.

DESCRIBE THE SOURCE OF WATER/SEWER: Do you have a will serve letter YES NO

LAND USE APPLICATION pg. 2

Watford City Planning Department

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Watford City Code; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Watford City Planning Department and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

Kathleen J. Treffer
Property Owner Signature

Kathleen Treffer

Print of Type Owner Name

NOTARY

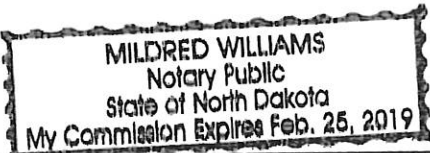
State of North Dakota

County of McKenzie

This instrument was acknowledged before me on 29 July 2014 by Kathleen Treffer

Date

Name of Person



Mildred Williams
Signature of Notarial Officer

Documents Required for Submitting Land Use Applications

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	PDF	Supplemental Info.	Application Fees
Conditional Use Permit	1 ^G	1 ¹⁰	1 ¹	1 ⁹	1 ⁸	1 ¹¹	1 ¹²	1 ¹³	1 ¹⁴	\$525 + publishing costs
Zone Change	1	1	1	1 ⁹	1 ⁸	1 ¹¹	1 ¹²	1	1 ¹⁴	\$300
Variance	1	1	1		1 ⁸	1 ¹¹		1		\$300
Vacation and Abandonment	1		1	1 ⁹	1 ⁸	1 ¹¹		1		Refer to Fee Schedule
Street Name Change*	1	1	1			1 ¹¹		1		Refer to Fee Schedule

Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications
*Plus all sign costs

Procedures for Filing Land Use Applications:

- A. After assembling the required materials as outlined above, only completed applications shall be accepted for filing.
- B. Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- C. Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- D. A letter indicating the Commission's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- E. Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm. on the 30th calendar day.
- F. The Planning Commission has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.
- G. Site Development Plan Application is required on all Conditional Use Applications.

Watford City Planning Department
213 2nd St NE / PO Box 494
Watford City, ND 58854

Phone: (701)444-2533 Fax: (701)444-3004 Website: www.mckenziecounty.net



Kathy Tretter
P.O. Box 1155 2601-2nd Street NE
Watford City, ND 58854
701-361-8274
E-mail: SewFineWC@gmail.com

July 29, 2014

To the City of Watford City, North Dakota,

I am requesting a relocation of my Home Based Business. With our move to Watford City from 31 years in the East Grand Forks, MN area. I have had a Custom Sewing business since 2004 as a Home Based Business. Two years ago I invested in a Brother PR1000 Embroidery machine to expand my business & reach out to clients that had been requesting this service. 1 year ago, my husband was offered a job with OneOK, with the need to live in Watford City area. We have built our home with the shop attached to our garage. This gives clients outside access to my Office. The client traffic is very minimal along with delivery of products. Everything is done inside my office, so it is not a disturbance to the neighborhood. I have off street parking for my clients.

I would like to focus on Embroidery business with capabilities of Alterations & Custom Sewing.

I understand that the city has a 1% sales tax and with my business, it would be supporting income to the city. I'm very excited to be part of the Watford City community and look forward in doing business in the area.

I look forward in hearing from you thru the process of Land Use Application.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Tretter".

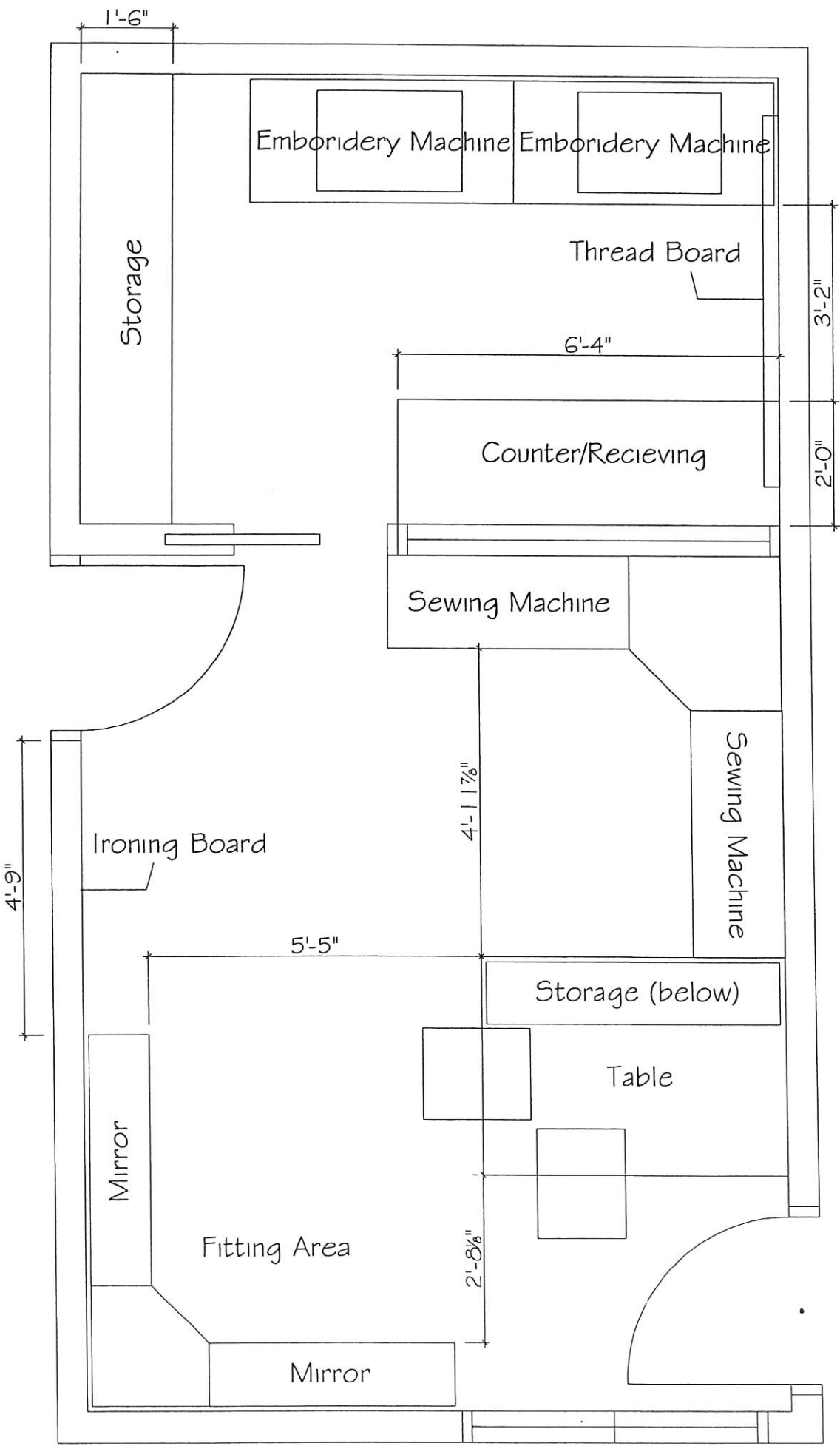
Kathy Tretter
Sew Fine Embroidery

FN

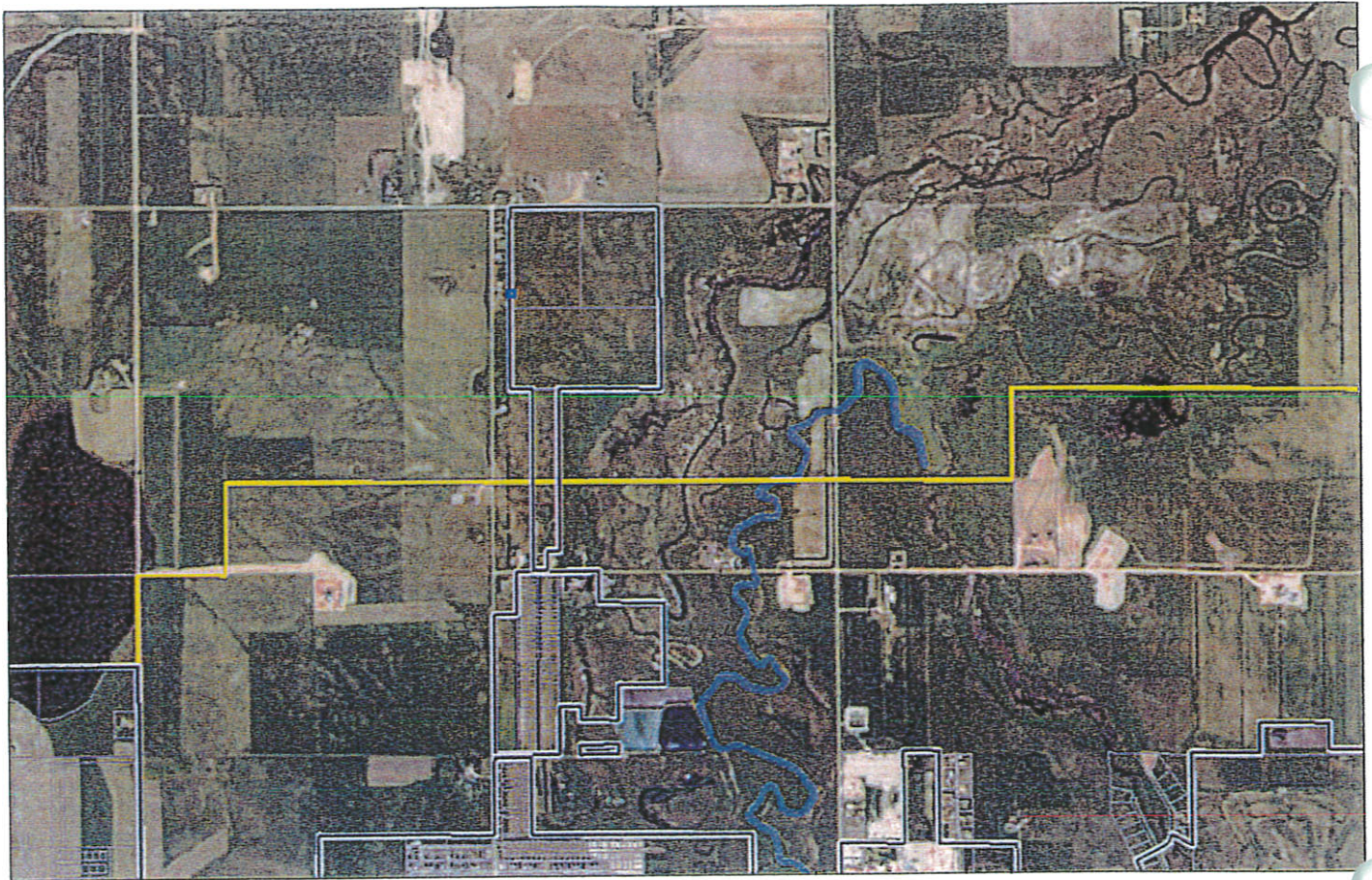


See Fine Embroidery Shop

2601 - 2nd St NE

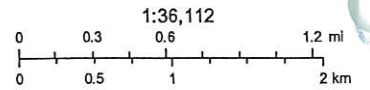


Kathy Tretter

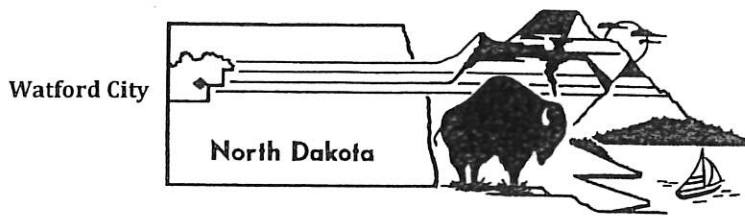


August 21, 2014

- World Transportation
- Watford City Limits
- Extra-Territorial Area (ETA)
- Lot Lines
- Cherry Creek
- Parcels Data from McKenzie County



Source: Esri, DigitalGlobe, GeoEye, I-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP,



City of Watford City
Brent Sanford, Mayor
213 2nd St., NE / PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
watford.mckenziecounty.net

August 21, 2014

STAFF REPORT
CU 25-2014 Conditional Use Permit

Applicant

Kathy Tretter
PO Box 1155
Watford City, ND 58854

Property Owner

Duane and Kathleen Tretter

Property Address: 2601 2nd St NE

Zone: R1 Single Family

Reference: Watford City Code Sec. XV – Article XVII, Conditional Uses, General Commercial District

Request: The applicant is requesting a CUP for a home based small business named Sew Fine Embroidery that does custom embroidery for clients (individual, clubs, or business) and is capable for alterations or custom sewing. The business will be located in their shop attached to the newly constructed garage. The client traffic is very minimal and shall not cause a disturbance to neighbors. Article XXV, Section 1 of the Watford City Zoning Ordinance reads as follows regarding Conditional Uses:

A Conditional Use Permit may be granted following compliance with the procedure set forth in this section if the conditional use is one set forth in the District Regulations, provided that no application for a conditional use shall be granted unless all of the following conditions are found to be present:

1. The conditional use will not be detrimental to or endanger the public health, safety or general welfare;
2. The existing permitted uses in the neighborhood will not in any manner be substantially impaired or diminished by the establishment of the conditional use;
3. The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district;
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;
5. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; and
6. The conditional use shall conform to all special provisions of the district in which it is located. The Conditional Use Permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the conditional use has any detrimental effects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.

The City of Watford City mailed the adjoining property owners a notice regarding the Conditional Use application. None of the noticed property owners contacted the city regarding the application.

In granting a conditional use, the Planning Commission must satisfy itself from the evidence heard before it that the granting of the conditional use will not: adversely affect the health, safety, and welfare of the public; detract from the neighborhood; adversely affect future development; or cause traffic congestion. The Planning Commission may impose requirements upon the applicant to ensure that the proposed Conditional Use does not create a nuisance, is harmonious with adjacent development, and does not detract from property values. A Conditional Use Permit is only valid so long as the approved use is operated per the terms of the permit, i.e., if the use were changed from Temporary Workforce Housing to Manufacturing Operation, the permit would no longer be valid. A Conditional Use Permit should be specific as to: days/hours of operation, storage of appurtenant equipment, and provisions for parking, loading, and site improvements, and the type(s) of business(s) that can be operated under the terms of the permit. The Conditional Use Permit should be specific as to length of term. A Conditional Use Permit should be reviewed annually. After the use is established, the term of renewal can be increased or decreased as deemed appropriate.

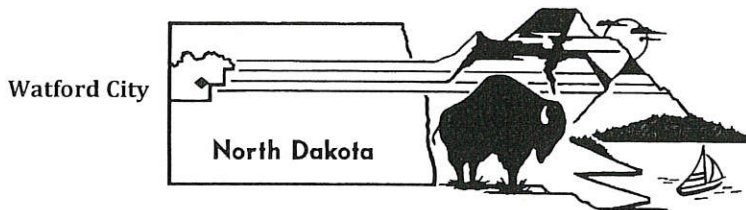
Recommendation:

Staff recommends **approval** of this Conditional Use application subject to the following conditions:

1. Conditional Use Permit shall be reevaluated after 1 year.

Contact:

Seth Sampson
Assistant City Planner



City of Watford City
Brent Sanford, Mayor
213 2nd St., NE
PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
watford.mckenziecounty.net

September 18, 2014

Kathleen Tretter
SewFine Embroidery
P.O. Box 1155
Watford City, ND 58854

Dear Mrs. Tretter,

This letter is to inform you that the Conditional Use Permit Application submitted by yourself for property located at 2601 2nd St NE, Dakota Ridge Subdivision, Watford City, McKenzie County, North Dakota has been approved by City Council on September 9, 2014 to allow a home based small business of custom embroidery within residence. Staff recommended approval of the Conditional Use Permit in accordance with conditions as listed below:

1. Conditional Use Permit be reevaluated after 1 year.

If you have any questions or need any additional information please feel free to contact me at 701-444-2533 ext. 206.

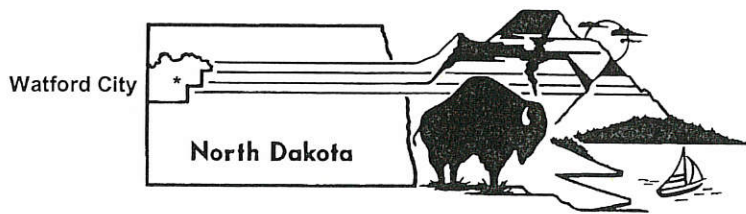
Sincerely,

Mildred Williams
Assistant Planner
City of Watford City

7.

Conditional Use Permit Annual Review

*QEP
For Employee Housing
3112 4th Ave NE*



City of Watford City
213 2nd St., NE
P.O. Box 494
Watford City, ND 58854
Ph. 701. 444.2533
Fax 701.444.3004
watford.mckenziecounty.net

June 19, 2015

STAFF REPORT
CU-09-2015 Conditional Use Permit - Renewal

<u>Applicant</u>	<u>Property Owners</u>
QEP Resources PO Box 130 3780 72 nd Ave Parshall, ND 58770	QEP Resources

Property Address: 3112 4th Ave NE, 10 Acres

Conditional Use Requested: Mobile homes for employee housing

Reference: Watford City Municipal Code Chapter XV, Article XVII - General Commercial District;
Article XXV - Conditional Uses

Discussion:

This application was filed for the purpose of employee housing within C-1 Commercial Zoning.

The existing property is currently developed as a commercial site. The site has access to city water and sewer service and is accessed from Highway 85 S. The site is in the newly created Extra Territorial Area (ETA), and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission. The intent of the ETA is to regulate growth and development within one mile of the City but to not be restrictive in nature.

The City of Watford City mailed the stakeholders a notice regarding the city's zone change request.

The commission should carefully consider all of the possible implications associated with approving this Conditional Use. Chapter XV, Article XX – Parking and Loading Regulations of the City of Watford City ordinances require that all required off-street parking areas, including access drives, shall be improved with asphalt, concrete, or similar dust-free surface, and all parking spaces shall be clearly marked.

At the CU permit's annual review, if it is determined that there is a long-term need, the Planning Commission may recommend to the city council that the permittee pave the parking areas. However, the Planning Commission cannot waive the requirement to provide paved parking and driving surfaces; they can only recommend such an action to the City Council. Should the use become long-term the requirement to pave should be implemented. In the interim, a dust palliative such as magnesium chloride should be applied.

Surrounding Land Use Inventory:

West: Zoning - C-F, Watford City
Use - Golf Course
South: Zoning - A-2, McKenzie County
Use - Agricultural/Commercial
North: Zoning - A-2, McKenzie County
Uses - Agricultural
East: Zoning - A-2, McKenzie County
Uses - Agricultural/Residential

A Conditional Use Permit may be granted following compliance with the procedure set forth in Article XXV - Conditional Uses, Section 1 - Requirements of the City of Watford City Municipal Zoning Ordinance. Provided the conditional use is one set forth in the District Regulations, no application for a conditional use shall be granted unless all of the following conditions are found to be present:

1. The conditional use will not be detrimental to or endanger the public health, safety or general welfare;
2. The existing permitted uses in the neighborhood will not in any manner be substantially impaired or diminished by the establishment of the conditional use;
3. The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district;
4. Adequate utilities, access roads, drainage, and other necessary site improvements have been or are being provided;
5. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; and
6. The conditional use shall conform to all special provisions of the district in which it is located. The Conditional Use Permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the conditional use has any detrimental effects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.

Site Development

Access: The property is accessible from Hwy 23 E/4th Ave NE.

Sewer: There is access to city sanitary sewer mains from the property.

Water: There is access to city water mains from the property.

Analysis: The property is currently being used as an office/shop, and the application for temporary employee housing is an allowed use with a Conditional Use Permit in the C-1 District. The site consists of 10 acres. The ordinance allows one (1) mobile unit (HUD), or two (2) RV units (DOT) per acre.

Recommendation:

Staff recommends *approval* of the conditional use subject to the following conditions:

1. The conditional use permit will allow only factory manufactured campers, and DOT approved recreational vehicles. No non-factory housing shall be permitted.
2. The conditional use permit is based on the number of spaces allowed per the lot size and shall not be expanded nor the intensity increased.
3. The conditional use permit shall be specific as to number of parking spaces to be provided. A minimum of 2 off-street parking spaces per site shall be provided.
4. A dust palliative should be required to be applied to parking areas from May through October.
5. Parking areas shall be surfaced with a minimum of 6" of crushed aggregate, not scoria. Scoria may be used as a base course for the final surfacing.
6. Conditional Use Permit shall be reevaluated after 1 year.
7. A site plan must be submitted showing the lot orientation and placement of the proposed units as well as parking, drive aisles and utility connections as per the ordinance.

Contact:

Chris York
Assistant City Planner
cyork@nd.gov
701.444.8421

2013 Application

LAND USE APPLICATION

Watford City Planning Department

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: 3/6/13	APPLICATION NUMBER: CU-1-2013
<input type="checkbox"/> ZONE CHANGE - \$200.00 fee	PROCESSES BY: MW	MEETING DATES: P&Z: 7/25 CC: 4/11
<input checked="" type="checkbox"/> CONDITIONAL USE PERMIT - \$350.00 fee plus publishing cost	FEE: \$350-	ADVERTISE DATE: 3/13 + 3/20
<input type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: <i>CRSA receipt # 182187</i>	PROPERTY OWNERS NOTIFIED:
<input type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: Sect. 16, T150N, R98W	
<input type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS:	
<input type="checkbox"/> SIMPLE LOT SPLIT - \$450.00	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: QEP Resources
APPLICANT: Gabe Holt

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Connie Ridl
ADDRESS: 3780 72nd Ave, P.O. Box 130
CITY: Parshall STATE: ND ZIP CODE: 58770
TELEPHONE: 701.421.8467 EMAIL: Connie.Ridl@qepres.com
ASSESSOR'S PARCEL NUMBER(S):
LEGAL DESCRIPTION: SW 1/4 SE 1/4 Section 16 Township 150N Range 98W
PROPERTY ADDRESS AND NEAREST CROSS STREETS: 3112 4th Ave NE Watford City, ND
GROSS/NET ACREAGE: 10 acres PRESENT ZONE CLASSIFICATION: ~~Ag~~ Ag
DESIRED ZONE CLASSIFICATION: CI CURRENT LAST USE:

DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS (USE ADDITIONAL PAGES IF NEEDED)

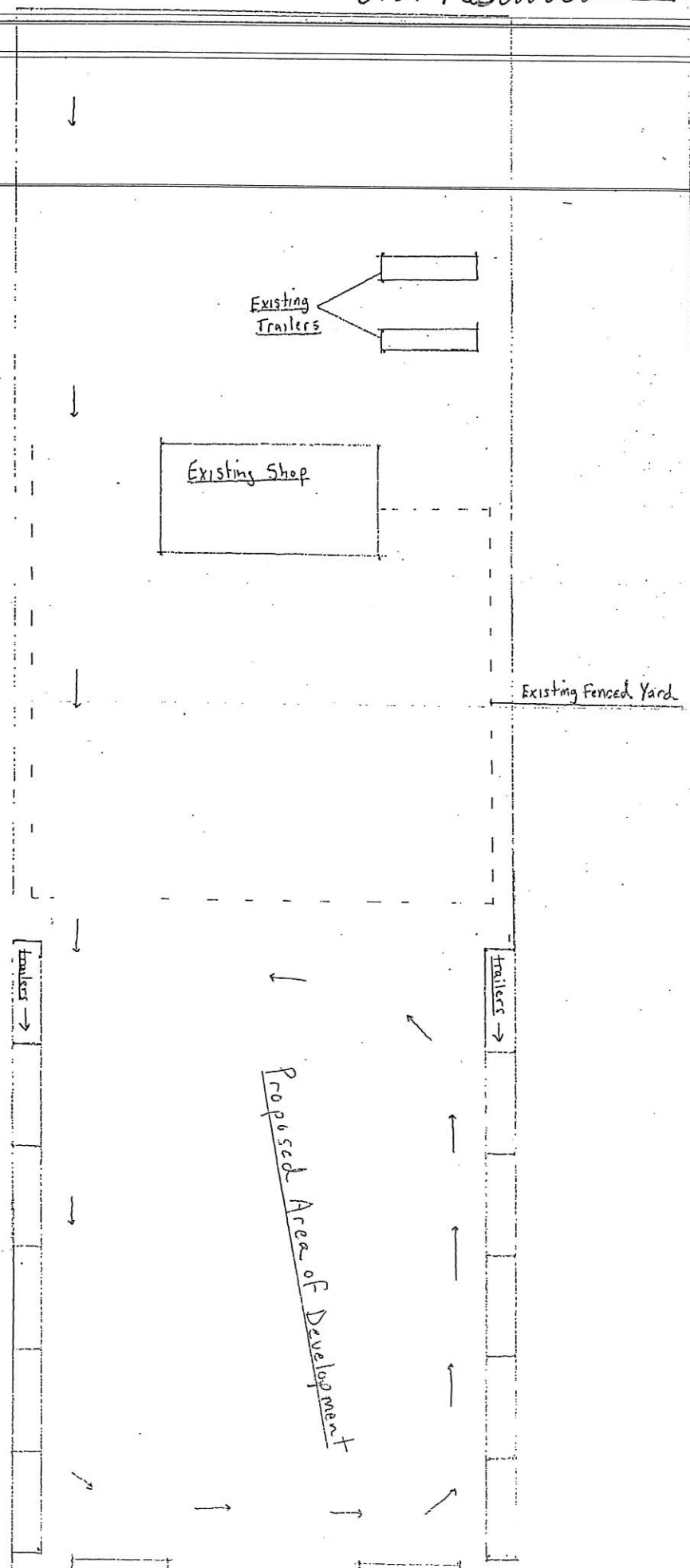
QEP is requesting permission to place mobile homes housing at its property. The HOMES will house QEP personnel during Onland Gas drilling and development

DESCRIBE THE SOURCE OF WATER/SEWER: Rural Water Do you have a will serve letter YES NO

Highway 10

QEP Resources

E S
N W



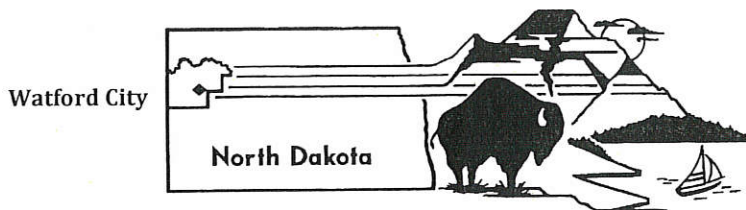
Recommendation:

Staff recommends **approval** of the conditional use subject to the following conditions:

1. The conditional use permit will allow only factory manufactured campers and DOT approved recreational vehicles. ~~No non-factory housing shall be permitted.~~
2. The conditional use permit is based on the number of spaces allowed per the lot size and shall not be expanded nor the intensity increased.
3. The conditional use permit shall be specific as to number of parking spaces to be provided. A minimum of 2 off-street parking spaces per site shall be provided.
4. A dust palliative should be required to be applied to parking areas from May through October.
5. Parking areas shall be surfaced with a minimum of 6" of crushed aggregate, not scoria. Scoria may be used as a base course for the final surfacing.
6. Conditional Use Permit will expire after 6 months if no action is taken.
7. Conditional Use Permit shall be reevaluated after 1 year.
8. A site plan must be submitted showing the lot orientation and placement of the proposed units as well as parking, drive aisles and utility connections as per the ordinance.

Contact:

Curtis Moen
City Planner/Zoning Administrator
City of Watford City
(701) 444-2533



City of Watford City
Brent Sanford, Mayor
213 2nd St., NE
PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
www.mckenziecounty.net

July 24, 2013

QEP
Connie Ridl
PO Box 130
3780 72nd Ave
Parshall, ND 58770

Re: Conditional Use Permit CU-1-2013

Dear Mrs. Ridl,

The Conditional Use Permit Application for QEP to allow Mobile Home Housing was approved by the City on 7-24-2013 with the following conditions set forth under Recommendations in the Staff Report:

1. The conditional use will not be detrimental to or endanger the public health, safety or general welfare;
2. The existing permitted uses in the neighborhood will not in any manner be substantially impaired or diminished by the establishment of the conditional use;
3. The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district;
4. Adequate utilities, access roads, drainage, and other necessary site improvements have been or are being provided,
5. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; and
6. The conditional use shall conform to all special provisions of the district in which it is located. The Conditional Use Permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the conditional use has any detrimental effects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.

If you have any questions or need any additional information, please feel free to contact me at 701-444-2533.

Sincerely,

Melissa Sandry
Watford City Planning Assistant