

CITY OF WATFORD CITY

P.O. BOX 494

WATFORD CITY, NORTH DAKOTA 58854

AGENDA

October 26, 2015

PLANNING COMMISSION

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

- **Call to Order Public Hearing**

1. Public Hearing to hear comment regarding Conditional Use Permits-Temporary Workforce Housing. For discussion on whether to renew permit applications or to non-renew existing permits. Discussion will include options for property owners, if applicable, to bring subject properties into compliance with existing allowed use of appropriate zoning district.
2. Public Hearing to hear comment on amending City of Watford City Zoning Ordinance pertaining to Landscaping.
3. Public Hearing to hear comment on considering a Conditional Use Permit Annual Review submitted by Don Moberg on the following described property located 101 4th Ave SE Lot 1 Blk 1 -Dahls Addition to Watford City. Original application presented to operate a Home Occupation at the above described property. (Barber Shop)
4. Public Hearing to hear comment on considering a Conditional Use Permit Annual Review of application submitted by Sky Path Wireless Network, LLC on the following described property Section 25, T150N, R99W, McKenzie County, 2.43 Acres. Original application presented for consideration of installation of a new wireless communication tower at the above described property
5. Public Hearing to hear comment on considering a Conditional Use Permit Annual Review of application submitted by Links Owned Properties, LLC on the following described property 605 11th Ave SW, McKenzie County, 10 Acres. In consideration of an application for a Conditional Use Permit to allow for manufacturing and/or processing operations (sand storage) at the above described property.

- **Close Public Hearing**

- **Call to Order Regular Meeting**

Approve Minutes: September 29, 2015 Meeting

Old Business:

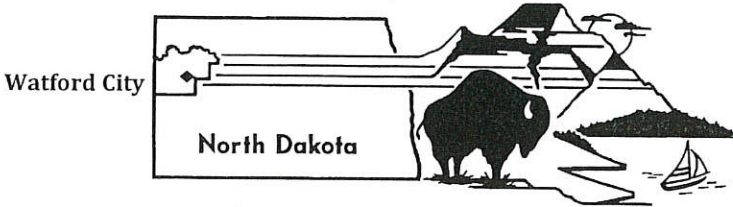
- **Final Plat Applications:**
LSS / McKenzie County (Bolken RV Park)
- **New Business:**
- **Review Permits:** Attached
- **Adjournment**

Mildred Williams, Asst. Planner

1.

Conditional Use Permits

Temporary Workforce Housing



City of Watford City
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Watford City, ND 58854
Ph. 701- 444- 2533
watford.mckenziecounty.net

October 19, 2015

STAFF REPORT
Temporary Workforce Housing Review

Introduction:

Temporary Workforce Housing in Watford City

Temporary Workforce Housing was an immediate solution to an immediate need to provide housing to meet the demand from tremendous population growth. Watford City's population ballooned overnight with the influx of workers coming into the area to fill oilfield jobs. Temporary Workforce Housing, many in the form of unlicensed RV Parks, filled a necessary role, but it is now time to consider ending Temporary Workforce Housing in Watford City.

Purpose:

The objective of this report is to review Temporary Workforce Housing in Watford City, and make it a matter of public record. Part of this process is to hold a public hearing, where Temporary Workforce Housing entrepreneurs, and the at-large public, may register comments pertinent to the matter before the Planning & Zoning Commission, and the City.

Discussion:

Temporary Workforce Housing vs. Employee Housing: What's the Difference?

Temporary workforce housing is defined as housing for workers who live somewhere else. These workers may reside in the temporary workforce housing for varying periods. However, there is a rotation schedule where they leave the City, perhaps to home or elsewhere, and return later to work. The majority of workers who use Temporary Workforce Housing fill jobs in the oil industry, but some do work in other industries.

Employee Housing is housing placed on the same site where a business conducts its operations, and is for the exclusive use of its employees. People who reside in Employee Housing are permanent tenants; they do not have a rotation schedule where they work for a certain amount of time, leave for time off, and later return to work.

RV Parks in Watford City

In Watford City, one can find both licensed and unlicensed RV Parks. The City allowed unlicensed RV Parks, "man camps," to operate because they provided much needed housing. These types of RV Parks popped up anywhere, regardless of the zoning district. The North Dakota Department of Health, Division of Food & Lodging, licenses RV Parks that meet requirements it sets forth. RV Parks must comply with the City's zoning ordinances; they are

permitted as a conditional uses in General Commercial Districts (C-1) only, and are subject to the City's approval. The State's licensing authority is subordinate to the City's zoning powers on the matter of RV Parks. RV Parks are not permitted in any other zoning district, including the Mobile Home, Two-Family Residential District (R-2M), and the Mobile Home Park District (M-H).

The list of Temporary Workforce Housing operations in the Watford City corporate limits includes three state-licensed RV Parks. Two of these RV Parks are in the City's R-2M zoning district, which does not allow RV Parks. The third is in a C-1 zoning district, the only zone that allows RV Parks in the City. Ultimately, the City is will require that the operators of these enterprises become compliant with the zoning districts where they are located.

Mobile Home, Two-Family Residential District (R2M)

The intended purpose of the R-2M zoning district is to provide for the same uses as the R-2 zoning district, but allows for installing mobile homes.

This district does not allow RVs in lieu of mobile homes, nor does it allow skid shacks. It is important to distinguish the two: RVs, by definition, are portable temporary dwellings for travel or recreation; mobile homes are any relocatable structure or unit designed to be used as living quarters. Single-family units require a minimum of 5,000 square feet in area, has 25-foot front and rear-yard setbacks, and a five-foot side yard setback. Watford City's Municipal Code requires two off-street parking spaces per unit, and all mobile homes shall be placed on permanent foundations.

Finding Solutions

The Planning Department developed a course of action for each property to become compliant with City ordinances, but also to find the best, most profitable, solutions tolerable. Planning staff wants to work with each business owner to develop a solution for each unique set of circumstances.

Attachments:

The attached spreadsheet is a list of Temporary Workforce Housing approved by the City via the Conditional Use permitting process. Some of the housing on this list already became compliant with the relative zoning districts, are now exclusive employee housing, have removed all housing, or are now defunct businesses. These housing operations are highlighted in grey.

Contact:

Chris York
Assistant City Planner
701.444.8421
cyork@nd.gov

CUP Applicant	Permitted	As of October 2015	CUP Original Approval Date	Last Renewal	Zoning District	Registered RV Park	Meeting Date & Notes	Compliance Action Options
BBR RV Park- Morken 1001 4th Ave SE	41 Campers, RV's, skid units, & other temporary housing. 2.75 acres	36 campers	02/2011, 09/2011, 04/2012	09/2013, 10/2013	R-2M	Yes	10/2/15 - Informed he's noncompliant w/R-2M zone. RVs need replaced with MHs. MHs must be on permanent foundations.	<ul style="list-style-type: none"> ·Replace RVs & campers as they leave with mobile homes. ·Mobile homes must be placed on permanent foundations. ·Replace all RVs & campers with MHs by sunset date. ·Comply with all R2M zone regulations.
Marty & Crystal Mulder 600 2ns St SW 205 2nd Ave SW	20 units (cabins) 3 units (cabins)	20 cabins 3 cabins	11/2011, 08/2011	10/2012, 10/2013	C-1	N/A		<ul style="list-style-type: none"> ·Remove wooden windbreak between cabins. ·Regrade in front of cabin 210 - positive drainage. ·Maintain open fire access & fire extinguishers. ·Exterior decks >30" install railing & wind strapping. ·Install garbage enclosure approved by Justin Smith. ·Stripe parking lot & drive aisles. ·Comply with all C-1 zone regulations.
Cody & Tanya Barent 501 2nd Ave SW	10 cabin units 1.41 acres	10 cabins	04/2011	09/2013	C-1	N/A	10/20/15 & 10/26/15 - Knows there is 1 option to keep business. Wants to work with City.	<ul style="list-style-type: none"> ·Only option is to incorporate as hotel, motel, or B&B. ·Will have to go through full SDP process. ·Reconfigure placing cabins to meet fire code 15' spacing, minimum drive aisle widths. ·All construction to meet IBC regulations.
Steve Sanford 600 12th St NE	8 campers, RV's or Mobile Homes 2.87 acres	5 RV's, 3 Single Wide Mobile Homes	11/2011	03/2014	C-1	Yes	9/16/2015 - Wants to keep MH, remove RVs.	<ul style="list-style-type: none"> ·Mobile homes only allowed for employee housing of a business operating on the same lot. ·Creating R2M lot surrounded by C-1 to allow mobile homes would be spot zoning, which is illegal. ·RV park is conditional use of C-1. Requires removing mobile homes. ·Comply with all C-1 zone regulations, and ND Health Department RV Park requirements. ·Remove, trash, debris, abandoned equipment/vehicles from RV park area.
JW Enterprises Jason Kannegieter & W. Stump 1001 4th St SW	2 Mobile Homes originally, amended to 3 April 2014	3 Mobile Homes. Property annexed into City, water & sewer brought to MH by property owner.	05/2012	N/A	C-1	N/A		<ul style="list-style-type: none"> ·Employee housing only. ·One mobile home unit per acre. ·Not Temporary Workforce Housing.

CUP Applicant	Permitted	As of October 2015	CUP Original Approval Date	Last Renewal	Zoning District	Registered RV Park	Meeting Date & Notes	Compliance Action Options
AAA Safety - Darwin Krabbenhoft 509 10th St SW	2 units	2 units	06/2011	03/2014	R-2M	N/A		<ul style="list-style-type: none"> ·Already in compliance with R2M zone. ·Used as employee housing. ·Not Temporary Workforce Housing. ·Comply with all R2M zone regulations.
Warren Hovland 401 10th St SE	7 units (3 skids & 4 RV's). 2.75 acres	5 units (2 skids, 3 RV's)	04/2012	10/2013	R-2M	Yes		<ul style="list-style-type: none"> ·Replace RVs and skid shacks with Mobile Homes. ·Mobile homes must be placed on permanent foundations. ·Comply with all R2M zone regulations. ·Current lot configuration allows for three mobile homes; combining the lots will allow four MHs.
MAK Properties- Matt Sparby 17th Ave NE	# of units specified 8/2013 Google shows: 6 cabins, 7 RV/Campers 3.76 acres	9/2014 Google 9 RV/Campers, 6 cabins	05/2012	N/A	C-1	N/A	10/20/15 - Out of business. Property vacant & for sale as of 11/15/15.	<ul style="list-style-type: none"> ·Out of business.
Tervita (CCS Midstream) 504 13th Ave SW	7 RV/Campers, 2 Singlewide Mobile Homes	2 Singlewide MHs	09/2011	N/A	C-1	N/A		<ul style="list-style-type: none"> ·Employee housing only. ·One mobile home unit per acre. ·Not Temporary Workforce Housing.
Craig Nelson/Sunland 6th Ave NE	-----	Sunland-no RV/Campers. Temp offices for Targa and Sunland Field Office.	02/2011	N/A	C-1	N/A		<ul style="list-style-type: none"> ·No housing at this site. ·Not applicable.
Kyle Hartel 4th Ave SE & 11th St SE	6 14x40 park model "cabins"	4 Mobile Homes	11/2010	02/2012	R-2M	N/A	9/28/2015 - Informed he's compliant with R-2M zone.	<ul style="list-style-type: none"> ·Already compliant with R2M zone district. ·Mobile homes must be placed on permanent foundations. ·Remove "Temporary Workforce Housing" designation.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Watford City Planning Commission will hold a Public Hearing as directed by Watford City City Council on Monday, October 26, 2015 at 6 p.m. at City Hall, Heritage Room regarding Conditional Use Permits-Temporary Workforce Housing.

For discussion on whether to renew permit applications or to non-renew existing permits. Discussion will include options for property owners, if applicable to bring subject properties into compliance with existing allowed use of appropriate zoning district.

This proposal will be available to the public for inspection and copying at the office of the City Auditor from 8:00am to 4:00pm Monday through Friday.

Dated this 17th day of September 2015

Mildred Williams

Mildred Williams

Assistant City Planner

Run: 5 times 9/23/15, 9/30/15, 10/7/15, 10/14/15, 10/21/15

Published: McKenzie County Farmer

Mailed to:

- ✓ BBR RV Park- Morken
1001 4th Ave SE
- ✓ Marty & Crystal Mulder

Cody & Tanya Barent
501 2nd Ave SW

- ✓ Steve Sanford
600 12th St NE

JW Enterprises
Jason Kannegieter & W. Stump
1001 4th St SW

- BBR RV Morkens* 9171 9690 0935 0041 4139 96
- Mulder* 9171 9690 0935 0041 4139 89
- Barent* 9171 9690 0935 0041 4139 72
- Steve Sanford* 9171 9690 0935 0041 4139 65
- JW Ent.* 9171 9690 0935 0041 4139 58
- Darwin Krabofahoff* 9171 9690 0935 0041 4139 41
- Warren Hovland* 9171 9690 0935 0041 4139 34
- Craig Nelson* 9171 9690 0935 0041 4139 27
- Kyle Morken* 9171 9690 0935 0041 4139 10

2.

Zoning Ordinance

Landscaping

Article XXXI – Landscaping Requirements

Section 1 – Intent and Purpose:

The purpose of this section is to establish requirements for the design, installation, and maintenance of landscapes that contribute ecologically and aesthetically to the growth and economic prosperity of the City; that achieve healthy, attractive, and safe environments according to recognized design and urban forestry principles; that encourage water conservation and storm water integration; and that conserve, protect, and promote the natural identity and environment of the City.

1. The requirements of this section intend to guide landscaping within commercial, industrial and residential zoning districts.
2. All landscaping designs must add visual beauty to the property and provide a high level of aesthetic value. The quantity and quality of the design should be compatible with each zoning district and the intended use of the property.
3. All new development or full redevelopment of a site shall comply with the landscape requirements of this chapter and incorporate sustainable landscape elements in the planting design including, but not be limited to, use of native species, rain gardens/bio-retention systems, green rooftops, and xeriscaping. In addition, the design should include aesthetic elements such as public art, fountains, plazas, and front yard/entrance landscaping.

Section 2 – Applicability:

Landscaping shall be required for all new residential, commercial, industrial, office, substandard lot, and multi-family developments; alterations and additions to buildings or parking lots; or changes in use. A landscaping plan may be required by the Planning Department or City Council as part of an application for a zone change, conditional use, variance, tenant improvement, development agreement, or planned unit development approval.

Section 3 - Landscaping Requirements:

A building permit for new development shall not be issued unless the application for such permit includes a landscaping plan meeting the following landscaping requirements based upon the zoning/district in which the property is located:

1. Where front or side yard setbacks are required, such yards shall be fully landscaped according to their pertinent districts front/side yard setback depth requirements, except those areas necessarily covered by buildings, walkways, driveways, or by off-street parking and loading spaces.

2. In all zones/districts, there shall be at least seventy percent (70%) landscape coverage of the unimproved/undeveloped area.
3. Landscape beds may contain grass, ground cover, shrubs or trees, or a combination spaced properly for their respective sizes at maturity. These elements should well distributed though not necessarily evenly spaced. No more than twenty percent (20%) of the required landscape area will consist of decorative rock, gravel, stones, flatwork, bark chips or similar inorganic or dead organic material.
4. Plant Diversity: The landscape plan design shall include a variety of trees including overstory, ornamental and evergreen trees to provide for year round interest and variety. *Native species shall be planted.*
5. Building/Parking Lot Perimeter Landscaping: At least fifty percent (50%) of the total building perimeter, facing a public street, shall be sodded/seeded and landscaped with approved ground cover, shrubbery and trees in an area of no less than six (6) feet in width.
6. Interior Parking Lot Landscaping:
 - a. All parking lots shall have at least ten percent (10%) landscape coverage.
 - b. Live plant material shall be evenly dispersed throughout the parking area.
 - c. At least one (1) shade tree and three (3) shrubs shall be provided for every twenty (20) parking spaces, or fraction thereof within the off-street parking area. One (1) shade tree may be substituted for three (3) shrubs, but shrubs may not be substituted for shade trees.
 - d. All parking lots containing fifty (50) or more off-street parking spaces shall provide interior landscape areas within the parking lot. Such landscape areas shall be provided at the rate of ten (10) square feet per parking space, shall be no less than ten (10) feet by ten (10) feet (100 square feet), and shall be constructed with poured-in-place concrete curbing to minimize damage to plant material. The City Planner may waive the poured-in-place concrete curbing requirement for landscape beds intended to function as rain gardens, storm water infiltration areas, or storm water detention facilities. For parking lots with one hundred (100) to four hundred (400) parking spaces, at least fifty percent (50%) of the landscape areas shall be no less than six hundred (600) square feet in area with a minimum width dimension of ten (10) feet.

Section 4 – Landscaping Site Plan

A landscape plan shall be required for all development subject to the provisions of this subsection. All landscape plans submitted for approval shall contain, at a minimum, the following information:

1. North point and scale (not less than 1" = 100');
2. The boundary lines of the property with dimensions and area;
3. The location of all driveways, parking areas, sidewalks, structures, utilities, or other landscaping of site;
4. The location, common name, scientific name to the species level, size and quantity of all existing trees, shrubs, or other vegetation intended for use in meeting the requirements of this subsection;
5. The location, common name, scientific name to the species level, size and quantity of all proposed landscape materials;
6. The location and height of any proposed earthen berms, masonry fences, or other features used to meet the landscaping or buffer yard requirements;
7. The location of any existing and/or proposed easements; and
8. The square footage of each interior parking lot landscaping area and the overall square footage of all interior parking lot landscaping area shown.
9. A cost estimate prepared by the landscape architect, landscape designer, landscape contractor, or civil engineer submitting the landscape plan in the amount sufficient to guarantee the installation of all the required landscaping, including materials and labor costs.

Section 5 – Landscape Design Considerations:

Landscape design should serve to provide visually interesting open space, reduce the potential negative impact of development on adjacent land uses, and complement the scale of the development and its surroundings. Designers shall consider the following items in developing a landscape plan for submittal to the City:

1. Landscape materials and structural items placed within the sight triangle of a corner lot shall not have a height of more than three (3) feet above the curb level during all stages of plant growth. Deciduous trees may be planted within the sight triangle provided they are not an obstruction to vision between three (3) feet and ten (10) feet above the curb level (see illustrations 1 & 2);

Illustration 1

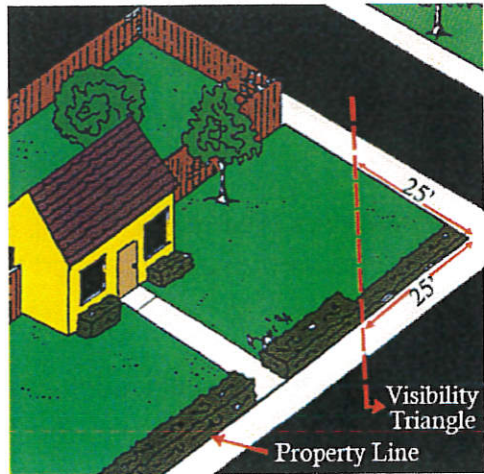
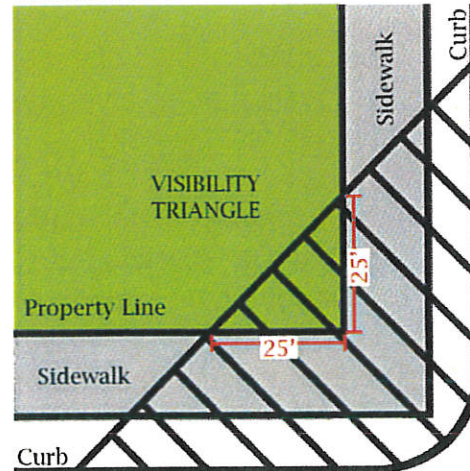


Illustration 2



2. Landscape materials and structural items at driveway entrances cannot obstruct visibility for vehicles entering or exiting a parking lot;
3. Trees or shrubs shall not be planted under utility lines when their ultimate height may interfere with the lowest lines;
4. Landscaped areas shall be of adequate size to promote proper plant growth and to protect plantings from pedestrian traffic, vehicle traffic, and other types of concentrated activity;
5. Landscaped areas and plantings shall be located in a manner to allow adequate room for proper maintenance;
6. Utilize a variety of tree and shrub species to provide year around visual interest. Except for continuous hedges and street trees, not more than fifty percent (50%) of the required number of trees or shrubs may be comprised of any one (1) species. In addition, not more than fifty percent (50%) of the shrubs and perennials within any planting bed larger than five hundred (500) square feet in area may be comprised of any one (1) genus; and
7. Final slopes greater than a 3:1 ratio, including slopes on earthen berms, will not be permitted without special approval or treatment, such as special seed mixtures or reforestation, terracing or retaining walls.

Section 6 - Tree/Shrub Requirements:

1. Street Trees:

- a) At least one (1) street tree is required for every thirty-five (35) linear feet of street frontage unless the Planning Department determines that additional space between trees is necessary to address specific siting or other conditions. Grass is required in all areas of right-of-way for streets and utilities not covered by concrete, asphalt, or other material for vehicular, bicycle, or pedestrian travel unless otherwise approved by the Planning Department.
- b) Placement shall avoid utilities and be placed a minimum of seven (7) feet from back of curb, or on the back slope of any ditch area.
- c) Placement shall be outside of sight distance triangles at intersections.
- d) This requirement is exclusive of other requirements within this Chapter.

2. Open Space Planting Requirements:

- a) One (1) deciduous or evergreen tree shall be required for each fifty (50) square feet of required landscape area. No more than twenty (20) percent of the trees can be of the same type and no less than twenty (20) percent of the trees shall be evergreen.
- b) Distribute trees throughout the property, including required islands, with at least seventy (70) percent installed to the front or most public view of the building.
- c) Trees shall not create vehicle and pedestrian sight line issues.
- d) Designs may substitute shrubs and perennial plants for trees up to thirty (30) percent of the landscape area. A tree is equivalent to ten (10) shrubs/perennial plants.

Section 7 – Minimum-Planting Requirements:

1. Nursery Stock Sizing: The following nursery stock standards shall be required at the time of planting. All measurements shall conform to the standards set forth in the current edition of the "American Standard for Nursery Stock". Larger plants may be used or specified at any time. Trunk diameter shall be measured six (6) inches above ground level for four (4) inch caliper trees or less and measured twelve (12) inches above ground level for four (4) inch caliper trees or more.

Plant	Potted	Balled & Burlapped
Overstory (shade) Trees	2 ½ inch diameter	2 ½ inch diameter
Ornamental Trees	6 to 7 feet	2 inch diameter
Evergreen Trees		6 feet
Tall Shrubs and Hedge Material (Evergreen or Deciduous)	3 to 4 feet	3 to 4 feet
Low Shrubs	18 – 24 inches	24 – 30 inches
Evergreen Shrubs	18 – 24 inches	24 – 30 inches
Spreading Evergreen Shrubs	18 – 24 inches	18 – 24 inches

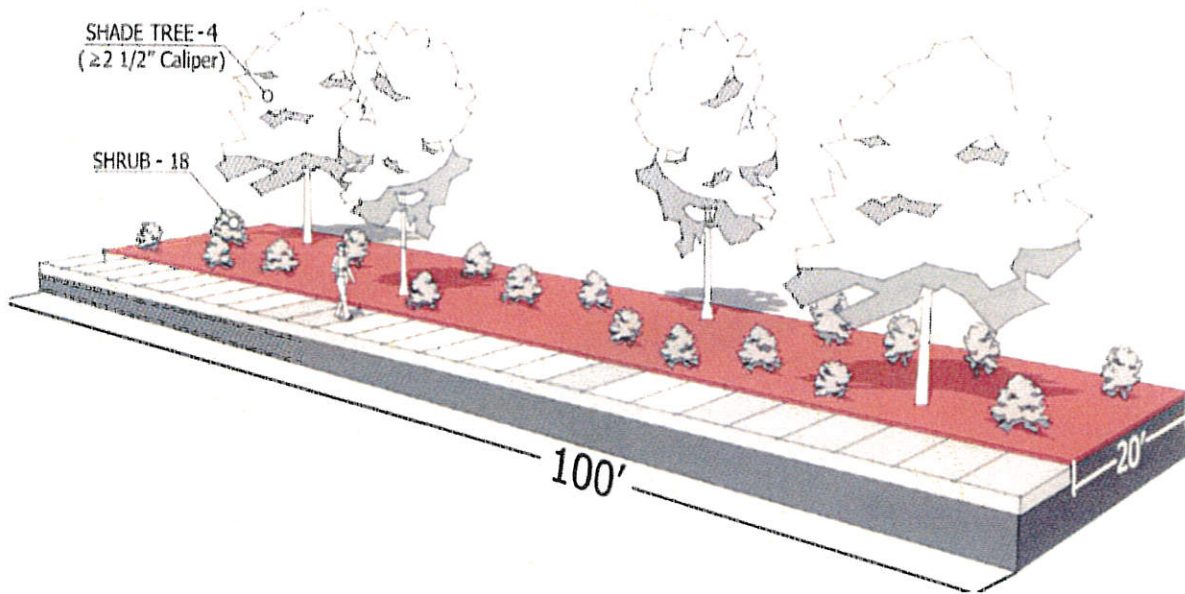
2. Plant Hardiness: All plants specified and installed must be nursery grown and identified as hardy plants that are appropriate for all seasonal conditions. Plants must be sound, healthy, vigorous, and free of disease, insect eggs and larvae. *Native species shall be planted.*
3. Plant Diversity: To promote diversity for areas of a site where vegetative screening is required or proposed, no single variety of plants constitute more than twenty-five percent (25%) of the screening materials, and the complement of plants used shall provide year round visual interest.
4. Coverage: All landscaped areas shall have grass, or defined as a landscape planting bed with approved *native vegetation*, ground covers, shrubbery and trees with a mulch cover.

Section 8 – Buffer/Screening Requirements:

1. Buffer area/screening is required between adjacent zoning districts when a more intensive zoning district is abutting, directly visible from, or faces toward the boundary of the less intensive zoning district.
2. Buffer area/screening is required by a permitted or conditional use to ensure all outdoor storage activity, or other activities, is not visible from surrounding properties or roads.
3. The landscaped area must be at least twenty (20) feet in width and abut the property line shared in common with the residential property. The City Planner may consider exceptions to the minimum width requirement for a fully landscaped buffer screen.
4. The landscaped area must include in respect to every one hundred lineal feet the following:

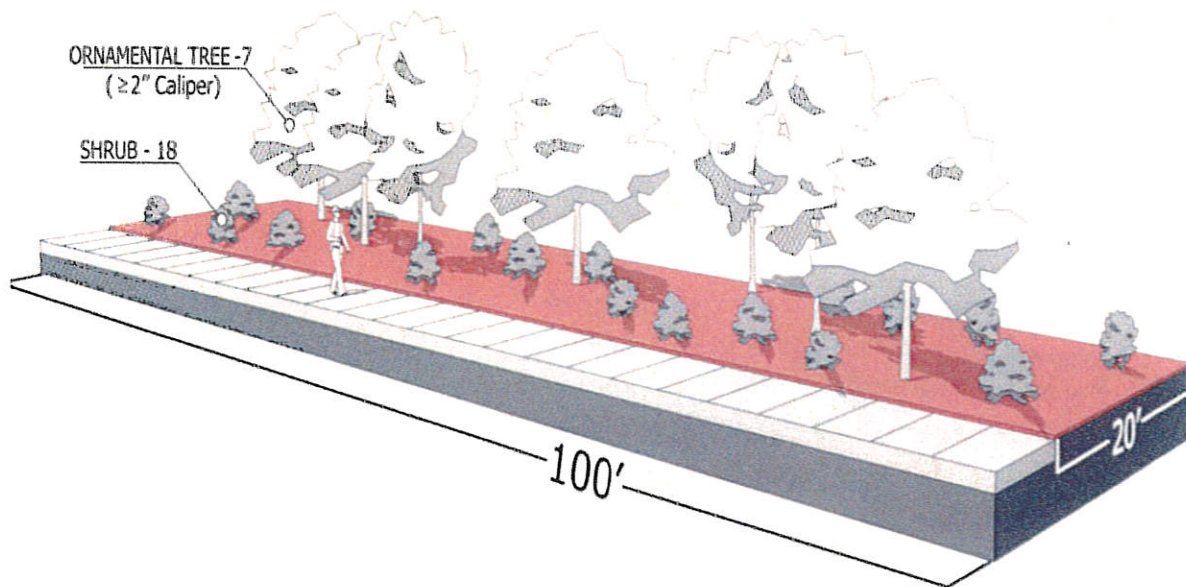
- a) Four (4) shade trees of at least a two and one half (2½) inch caliper and eighteen (18) shrubs (see Illustration 3); or

Illustration 3



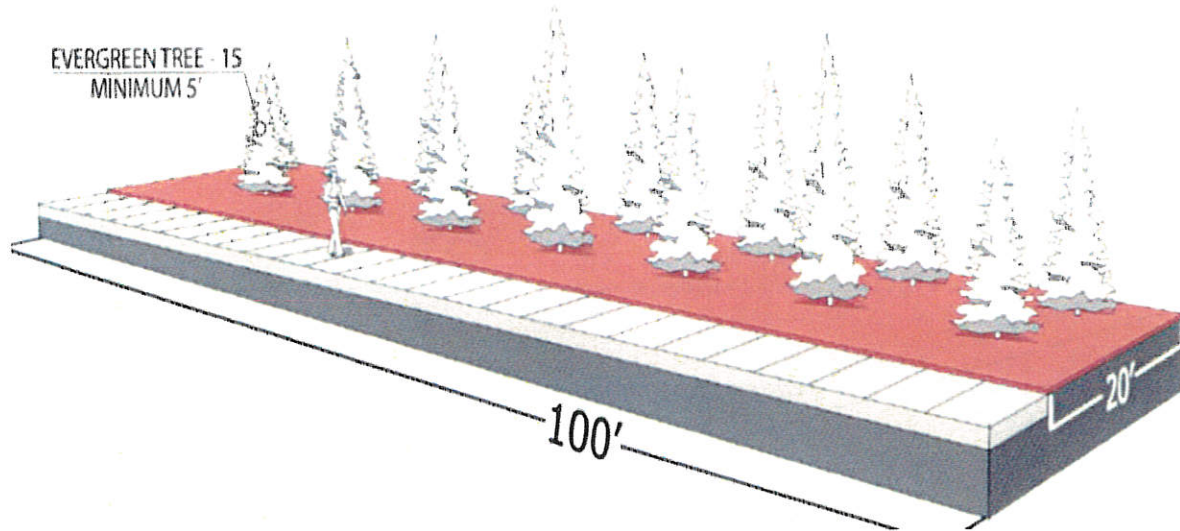
- b) Seven (7) ornamental trees of at least two (2) inch caliper, and eighteen (18) shrubs (see Illustration 4); or

Illustration 4



- c) Fifteen (15) evergreen trees at least five (5) feet in height (see Illustration 5); or

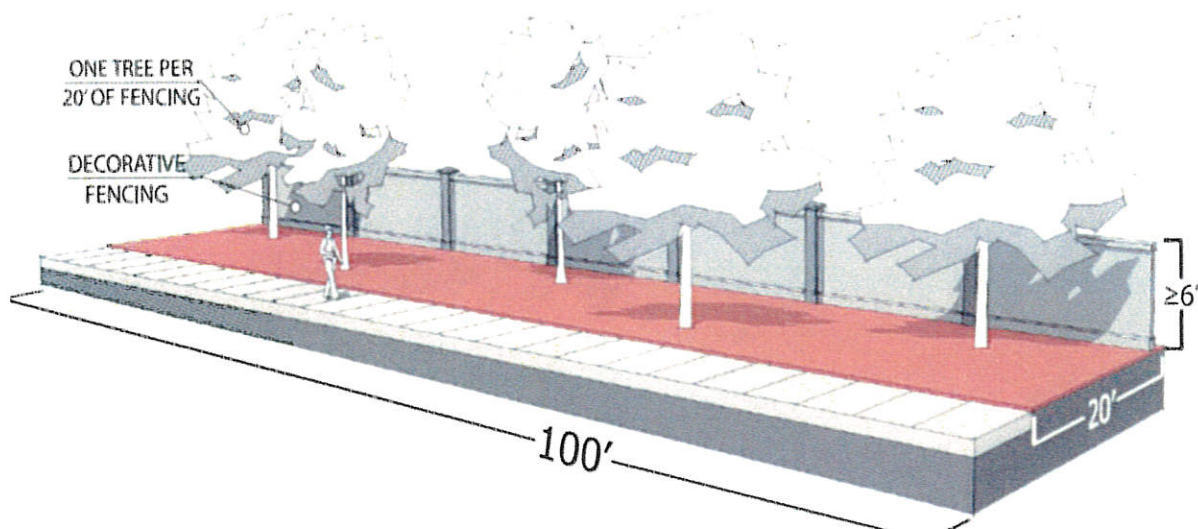
Illustration 5



- d) Any combination of plant material that provides a suitable screen.

5. A decorative masonry fence or solid wooden fence that provides a suitable screen, not less than six (6) feet in height, may be substituted for some or all of the elements prescribed in paragraphs (a) through (d) of Item 4 above. Any fence that also includes a row of trees planted in front of the fence at a minimum of one (1) tree per twenty (20) feet of fence length may reduce the twenty (20) feet buffer width to ten (10) feet. (See Illustration 6.)

Illustration 4



6. The plant material required in paragraph (4) must be spaced to achieve the purpose of creating a barrier between a residential district, or less intensive zoning district, and a more use-intensive district. The ratios established by paragraph (4) shall be prorated as necessary when the length of a buffer strip is not evenly divisible by one hundred (100), with fractional numbers rounded to the nearest whole number.

Section 9 – Building Addition/Site Expansion Requirements:

Sites not meeting the minimum landscaping area requirements, general requirements, tree and shrub requirements, or buffer area requirements increases to landscaping shall be required if that building or site is expanded based on following criteria and priorities:

1. A one-time building addition, or site expansion, of twenty-five percent (25%) or less of the existing floor area, or site area, does not have to comply with the standards of this article after adoption of the landscaping ordinance.
2. Any building addition, or site expansion, of more than twenty-five percent (25%) of the existing floor area (or site area) shall require increases to green space and landscaping on site.
3. Priority landscaping areas include:
 - a. Increasing the landscape area percentage as required in Section 3, and the number of trees and shrubs planted based on requirements in Section 6. Additional landscaping, trees and shrubs shall be located in highest and most publicly visible areas of the site.
 - b. Installation of any buffer required in Section 8.
 - c. Increases to parking lot landscaping.
- 4) Planning Staff will work with the applicant to determine the appropriate increases in landscaping area, plantings and buffering and priorities based on existing site conditions, existing landscaping and expansion plans during the required site review for new construction.

Section 10 – Non-Plant Material:

No more than twenty percent (20%) of the minimum required landscaping may consist of decorative rock, gravel, stones, bark chips, mulch, other inorganic or dead organic material, or artificial/synthetic landscaping materials.

Section 11 – Maintenance/Water Schedule:

Landscaping required under this section shall include a watering plan with submittal of the landscape design. The landowner is responsible for regular weeding, mowing of grass, and watering, fertilizing, pruning, and other maintenance of all plantings as needed.

Section 12 – Replacement:

All plant materials shall be maintained in a healthy and growing condition as appropriate for the season of the year. Landscaping and screening materials that die, become diseased, or are significantly damaged must be replaced at the next appropriate planting period with plant materials of similar variety and size.

Section 13 – Visibility Triangles:

The landscaping requirements of this section shall be modified in their application as necessary to leave visibility triangles unobstructed.

Section 14 – Surety:

No building permit for construction of a structure for which landscaping is required shall be issued unless the application for such permit is accompanied by:

1. A plan for the installation of such landscaping in compliance with the requirements of this section.
2. A cost estimate prepared by the landscape architect, landscape designer, landscape contractor, or civil engineer submitting the landscape plan in the amount sufficient to guarantee the installation of all the required landscaping, including materials and labor costs.
3. A performance bond in an amount sufficient to guarantee the installation of the landscaping according to the landscaping plan. The amount shall be equal to the cost estimate required in Section 14(2) of this article plus ten percent (10%).

The deadline for installation of required landscaping and associated improvements may be extended by the City Planner upon such terms and conditions as it may reasonably impose otherwise the timeline is within the following construction season.

Section 15 – Enforcement:

Landscaping that is not installed, maintained or replaced as needed to comply with this section shall be considered a violation of this section and shall be subject to the penalties of withholding the Certificate of Occupancy, and/or the penalties prescribed in Section 1-607 of the City of Watford City Municipal Code.

Section 16 – Appeals:

An appeal to the City Council may be taken by any person aggrieved or by any officer, department, Council or bureau of the city regarding the requirements of this landscape ordinance.

Section 17 – Definitions:

As used in this section, the following terms shall have the following meanings:

Caliper means the diameter of a tree trunk measured two (2) inches above root flare.

Construction means the first placement of permanent construction of a structure on a site, such as the framing of forms for a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation.

Deciduous means plant material that loses its leaves part of the year.

Development area means all area within a perimeter large enough to encompass the structure, and all other improvements being made or anticipated. Examples include but are not limited to:

1. Garages, storage sheds, and other auxiliary buildings;
2. sidewalks, and other improved walkways; and
3. driveways.

In addition, the development area shall include any yard area or setback area required by the zoning ordinance in connection with such construction to the extent not already included within the perimeter just described.

Evergreen tree, six (6) foot minimum, means that green foliage is persistent year round.

Ground Cover means the living landscape materials or low-growing plants, other than turf grasses, installed in such a manner to provide a continuous cover of the ground surface, and which upon maturity normally reach an average height of twenty-four (24) inches or less.

Landowner means the owner of the real property to which this section applies, or the person in control of such real property.

Landscaping means the planting, placement, or installation of:

1. Shade trees, evergreen trees, ornamental trees, shrubs, grass, flowers, and other live organic ground coverings;
2. Associated inorganic or dead organic materials such as decorative rock, gravel, stone, flatwork, bark chips and the like; and
3. Pools, fountains, picnic areas, and similar amenities.

Ornamental tree, two (2) inch caliper, means less than thirty-five (35) feet at mature height.

Screening means the creation of a visual barrier such that no more than twenty percent (20%) of whatever is on one side of the barrier is visible to an observer on the other side.

Shade Tree means a tree with at least a two and one half (2 ½) inch caliper more noted for its large and dense crown rather than its flowers or its light-colored bark and graceful leaves with an average height greater than thirty-five (35) feet at mature height.

Shrub means a deciduous or evergreen woody plant smaller than an ornamental tree and larger than ground cover, consisting of multiple stems from the ground or small branches near the ground, not less than twelve (12) inches in height.

Structure means any structure, which is designed, intended, or suitable for human occupancy (whether of a residential or non-residential character and whether on a permanent basis or periodic basis), or for storage of physical objects on a commercial basis.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE the Watford City Planning Commission will hold a Public Hearing on October 26, 2015 at 6 p.m. at City Hall in the Heritage Room to hear comment on amending City of Watford City Ordinance pertaining to Landscaping.

This proposal will be available to the public for inspection and copying at the office of the City Auditor (Planning Department) from 8:00am to 4:00pm Monday through Friday.

Dated this 7th of October, 2015

A handwritten signature in cursive script that reads "Mildred Williams". The signature is written in dark ink and is positioned above a horizontal line.

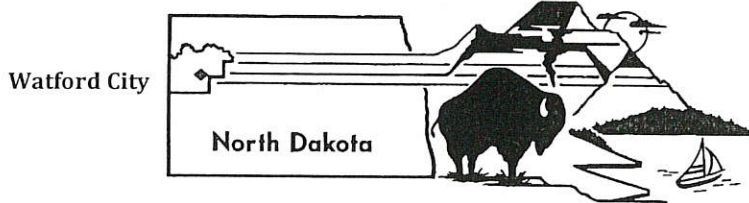
Mildred Williams
Watford City Assistant Planner

Published: McKenzie County Farmer 10/14/15 & 10/21/15

3.

Conditional Use Permit ANNUAL REVIEW

Don Moberg
Barber Shop @ 101 4th Ave 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

October 16, 2015

STAFF REPORT

CU-18-2015 RENEWAL Conditional Use Annual Review

<u>Applicant</u>	<u>Property Owners</u>
Don Moberg	Same
Po Box 546	
Watford City, ND 58854-0546	

Property Address: 101 4th Ave SE Watford City, ND

Conditional Use Requested: Home Occupation (Barber Shop)

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

Discussion: The original application was filed for development of a home occupation in the R-2M district. The proposed use of the home occupation would be for a barber shop. The property is located Lot 1, Blk 1 – Dahls Addition to Watford City, E 41 Ft of lot 1, Blk 1.

Originally, property was developed as a single family residential structure and is a mobile home. At that time the mobile unit on the lot was of poor condition. Since the original application the structure has been replaced with a park model with interior remodel to accommodate the commercial business of a Barber Shop.

The site is accessed from 4th Ave. SE which is paved and has access to city water and sewer. The site is within the City limits and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission.

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 conditional use permit review and renewal. No communication was received by the public or property owner for or against the review.

The commission should carefully consider all of the possible implications associated with 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 this time the requirements for paving access have been met and maintained. **The site lacks clearly defined parking spaces.**

Surrounding Land Use Inventory:

West: Zoning -	C-1, Watford City
Use -	Residential/Commercial
South: Zoning -	C-1, Watford City
Use -	Commercial-Farmers Union Oil
North: Zoning -	C-1, Watford City
Uses -	Residential/Commercial-undeveloped at this time
East: Zoning -	R2M, Watford City
Uses -	Residential

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.

Site Development

Access: The property is accessible from 4th Ave. SE which is paved.

Sewer: There is existing city sanitary sewer mains within the property.

Water: There is existing city water mains within the property.

Analysis: Originally this was proposed to be used as a home based occupation, allowing for the employee to live and work in the same structure. At this time it is not designed and or necessary for the barber shop to house an employee on site. It is strictly a commercial business operation in a R2M zone.

Recommendation:

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

1. Conditional Use Permit will expire after 6 months if no action is taken.
2. Conditional Use Permit shall be reevaluated after 1 year.
3. Minutes of meeting are to reflect the changes in this permit. i.e. no longer a residence with employee on site. Commercial business being operated in R2M zoning district.
4. 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 unit shall be provided.
5. A dust palliative is required to be applied to parking areas from May through October.
6. Parking areas, drive isles and aprons within commercial area of site shall be surfaced with asphalt, concrete or similar dust free surface with **clearly marked spaces** in accordance with ordinance; handicap and regular.
7. Conditional Use Permit will expire after 6 months if no action is taken.
8. Conditional Use Permit shall be reevaluated after 1 year.

The site and conditions of this conditional use has been reviewed, staff requests #6 of above conditions be implemented as soon as possible, 30 days at the maximum from time of City Council approval or denial on November 2, 2015.

Contact:

Mildred Williams, miwilliams@nd.gov

Assistant City Planner

(701) 444-8406

Moberg/ BA, BER SHOP



October 21, 2015

- StreetCenterlines
- Place Names
- Waford City Limits
- Extra-Territorial Area (ETA)
- Lot Lines
- Cherry Creek
- Parcels Data from McKenzie County

1:4,514



GIS, Waford City, AE2S

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Watford City Planning Commission will hold a Public Hearing on Monday, October 26th at 6:00 p.m. at City Hall in the Heritage Room for the purpose of considering a Conditional Use Permit Annual Review submitted by Don Moberg on the following described property:

101 4th Ave SE
Lot 1 Blk 1 -Dahls Addition to Watford City

Original application presented to operate a Home Occupation at the above described property. (Barber Shop)

Dated this 8th day of October 2015



Mildred Williams
Assistant City Planner

Run: 2 times

Published: McKenzie County Farmer – 10/14/15 & 10/21/15

Emailed: 10/8/15

Mailed to:

Don Moberg
Po Box 546
Watford City, ND 58854-0546

Scott Patton
Po Box 627
Watford City, ND 58854

RV Depot, Inc
Po Box 2020
Watford City, ND 58854-2020

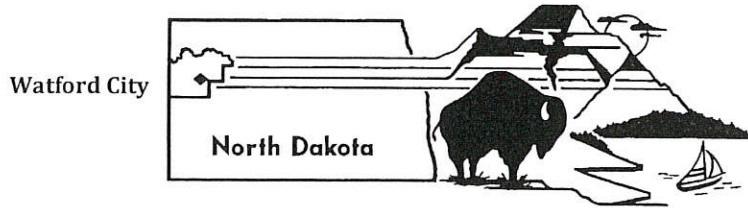
Farmers Union Oil Co
Box 624
Watford City, ND 58854-0624

Northland Feed and Seed
Box 51
Watford City, ND 58854-0051

4.

Conditional Use Permit ANNUAL REVIEW

Sky Path Wireless
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

October 19, 2015

STAFF REPORT

CU-20-2015 **Conditional Use RENEWAL**

Applicant

SkyPath Wireless
2111 E Baseline Rd Suite A6
Tempe, AZ 85285

Property Owners

Kotana Communications Inc.
1819 1st Ave West
Williston, ND 58801

Property Address: 1205 11th Ave SW, Parcel # 11-00-10450

Conditional Use Requested: Conditional use to permit for wireless communications tower and transmission facility.

Zone: C1, Commercial

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

Discussion: The existing property is currently zoned C1. The site is located approximately 500 ft. east of the intersection of 14th St SW and 11th Ave SW. The subject property contains 2.43 acres.

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 annual renewal & review of CUP (conditional use permit). None of the noticed property owners contacted the city regarding the renewal/review.

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 -	Ag, McKenzie County, City ETA area
Use -	Agriculture
South: Zoning -	Ag, McKenzie County & City ETA area
Use -	Agriculture & Single Family Residences
North: Zoning -	C1, McKenzie County & City ETA area
Uses -	Commercial
East: Zoning -	AG & R1, McKenzie County & Watford City
Uses -	Residential

Site Development:

Access: The property is accessible from 14th St SW and 11th Ave SW.
Sewer: There are no existing city sanitary sewer mains within the property.
Water: There are no existing city water mains within the property.
Analysis: The proposed conditional use renewal is appropriate for the time being. The applicant has continued to use the location for the tower. The city has no concern with the use at this time.

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 RENEWAL. **The conditional use permit shall 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. Conditional Use Permit shall be for a term of one year and reviewed annually thereafter.
3. 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:

Mildred Williams
Assistant City Planner
miwilliams@nd.gov
701.444.2406

Sky Path Wireless



October 21, 2015

1:9,028

Street Centerlines

Watford City Limits

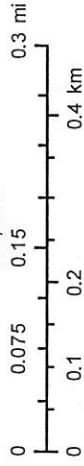
Cherry Creek

Parcels Data from McKenzie County

Place Names

Extra-Territorial Area (ETA)

Lot Lines

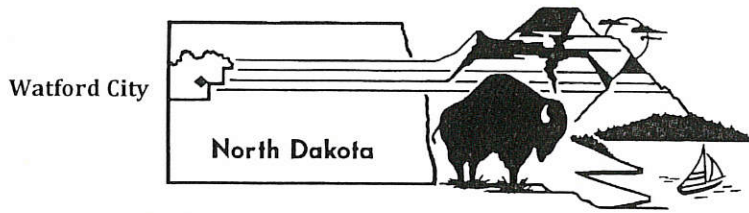


GIS, Watford City, AE2S

5.

Conditional Use Permit ANNUAL REVIEW

Links Logistics
605 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

October 19, 2015

STAFF REPORT

CU-19-2015 RENEWAL Conditional Use

Applicant

Links Logistics
Leif Law
605 11th Ave SW
Watford City, ND 58854

Property Owners

Links Owned Properties, LLC

Property Address: 605 11th Ave SW, Watford City ND

Conditional Use Requested: Manufacturing and/or Processing Operations.

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

Discussion: The original Conditional Use Permit Application requested placement of silos for sand storage for use in conjunction of the trucking operation in the C-1 district. The silos are placed on the western property line running north and south. As indicated on the original application the silos are new and of a neutral color. In the C-1 District any “manufacturing or processing operations” are to be granted only by Conditional Use. **At this time the property is for sale and no longer operating as previously.**

The property is located at 605 11th Ave SW, South and West of HWY 85. The subject property contains 10± acres.

The existing property is currently developed as commercial truck yard. There are no City utilities within the subject property, water and sewer are available to the site. The site was annexed into the corporate city limits with Ordinance # 348 on May 5, 2014.

The City of Watford City mailed the property owners that hold an interest in the property and the adjoining property owners a notice regarding this annual renewal of conditional use permit. None of the noticed property owners contacted the city regarding the application.

The commission should carefully consider all of the possible implications associated with approving this Conditional Use. An approved Conditional Use Permit is required in the C-1 Commercial Zoning District for “Liquid, Gas Bulk, Explosives, and Other Hazardous Material Storage”.

Surrounding Land Use Inventory:

West: Zoning - R-1/R-2, Watford City
Use - Tara Estates Subdivision, Single Family Homes
South: Zoning - AG/C-1 McKenzie County
Use - Commercial
North: Zoning - AG, Watford City
Uses - Residential/Commercial
East: Zoning - C-1, Watford City
Uses - Various Commercial Uses

Site Development

Access: The property is accessible from 11th Ave. SW 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: At this time the property is for sale, the CUP as originally applied for and granted is no longer relevant to the operation of this commercial business.

Recommendation:

Staff recommends this Conditional Use Permit be terminated as this property is no longer operating as intended with the original application for CUP. Staff tried contacting property owners regarding the CUP renewal with information available to staff. Staff spoke with listing agent for the property, informing agent of staff recommendation and upcoming meeting.

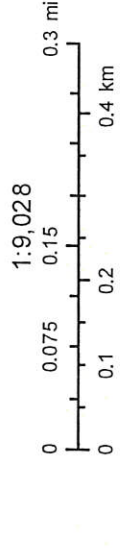
Contact:

Mildred Williams
Assistant City Planner
miwilliams@nd.gov
701.444.8406

Links Logistics



October 21, 2015

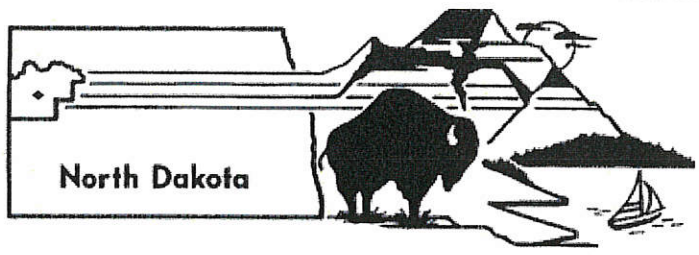


GIS, Watford City, AE2S

- Street Centerlines
- Place Names
- Lot Lines
- Lift Station Easements
- Watford City Limits
- Extra-Territorial Area (ETA)
- Lift Station Parcels
- Cherry Creek
- Parcels Data from McKenzie County

Final Plats

LSS Housing (Bolken RV Park)



Division of Land APPLICATION
 City of Watford City Planning Department

GRAY AREA FOR STAFF USE ONLY

Subdivision Preliminary Plat

Subdivision Final Plat		P&Z: 10.26.15 CC: 11.2.15
Amend Final Plat	FEE:	ADVERTISE DATE: J
Simple Lot Split	RECEIPT #:	PROPERTY OWNERS NOTIFIED:
Other:	SECTION / TOWNSHIP / RANGE:	

FINAL ACTION MEMORANDUM MAILED:

DOES THIS USE CONFORM TO THE MASTER PLAN?

RECEIVED
 OCT 20 2015
 MW

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: McKenzie County
 APPLICANT: John Phillips (Lutheran Social Services Housing, Inc.)

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Chris Sievert (Consolidated Construction Co., Inc.)
 ADDRESS: 1355 Airport Road
 CITY: Bismarck STATE: North Dakota ZIP CODE: 58504
 TELEPHONE: 920-851-8932 EMAIL: csievert@1call2build.com

ASSESSOR'S PARCEL NUMBER(S): 82-20-03050, 82-20-03600, 82-20-04300, 82-20-04450

LEGAL DESCRIPTION: Lots 7-12 and Lot 17 of Block 2, and Lots 3-6 of Block 3, Cherry Creek Second Addition

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 1017 2nd Ave SE, 1025 2nd Ave SE, 1008 4th Ave SE, 1009 4th Ave SE
 Near the intersection of 2nd Ave SE and 11th St SE

GROSS/NET ACREAGE: 3.65 acres (net) PRESENT ZONE CLASSIFICATION: R-4 High Density Residential

SOURCE OF Water / Sewer: City water on 4th Ave SE. City sanitary sewer on 2nd Ave SE.

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.

Linda Sivikovec Auditor

Property Owner Signature
[Signature]

Property Owner Signature

Linda Sivikovec, Auditor

Print Owner Name
Douglas Nordby, Vice Chair

Print Owner Name

NOTARY

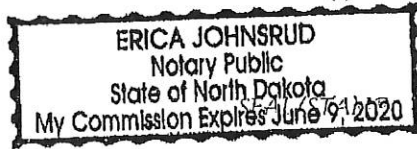
State of North Dakota

County of McKenzie

This instrument was acknowledged before me on 10/01/2015 by Douglas Nordby & Linda Sivikovec
Date Name of Person(s)

[Signature]

Signature of Notary



SURVEYOR / ENGINEER

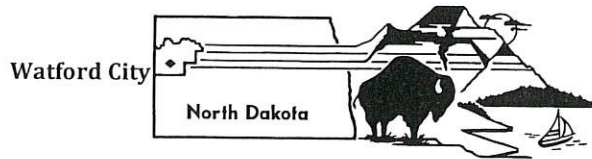
Name: Kevin G. Nelson, PE, PLS (Wenck Associates, Inc.) License: LS-3638

Address: 301 1st Street NE, Suite 202

City: Mandan State: North Dakota Zip: 58554

Phone: 701-751-3370 Email: knelson@wenck.com

SEAL



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

October 22, 2015

STAFF REPORT

Final Plat LSS Cherry Creek Subdivision

Re-plat of Lots 7-12 and Lot 17, Block 2; and Lots 3-6, Block 3 of Cherry Creek Second Addition

Applicant

John Phillips (LSS)
C/O Chris Sievert
Consolidated Construction Co.
1355 Airport Road
Bismarck, ND 58504

Property Owners

McKenzie County, North Dakota

Property Address:

1017 2nd Ave SE; 1025 2nd Ave SE; 1008 4th Ave SE; 1009 4th Ave SE

Discussion:

Chris Sievert of Consolidated Construction Co. (CCC) filed a final plat application on behalf of John Phillips & Lutheran Social Services, and the County of McKenzie County, North Dakota. The property is located in the Cherry Creek Second Addition in Watford City having the addresses 1017 2nd Ave SE; 1025 2nd Ave SE; 1008 4th Ave SE; 1009 4th Ave SE. This is a re-plat of Lots 7-12, and Lot 17 of Block 2, and Lots 3-6 of Block 3 of the Cherry Creek Second Addition. The proposed development is affordable housing that offered to County employees first, and then the public. The project is on 4.04 acres that belongs to the County of McKenzie County, North Dakota.

All requisite paperwork is in order. CCC and utility engineers identified all existing utility easements. The utility companies have agreed to relocate utility infrastructure crossing the development area. The County provides an addition 4-foot easement along the south plat boundary to accommodate the relocation.

MDU issued *Intent to Serve* letters for both gas and electric service.

The lots are currently zoned R-4 – High Density Residential District.

The site is in the Watford City corporate limits.

Surrounding Land Use Inventory:

West: Zoning -	R-2M, Watford City
Use -	Mobile Home Park
South: Zoning -	R-2M, Watford City
Use -	Mobile Home Park

North: Zoning - CF, Watford City
Uses - Fair Grounds
East: Zoning - R-2M, Watford City
Uses - Mobile Home Park

Site Development

Access:

The properties are currently accessed via 2nd Ave SE, 4th Ave SE, 10th St SE, and 11th St SE. Barring a substantive reason why 4th has to remain a through street, the planning department will propose abandoning 4th Ave SE, as it would otherwise unnecessarily run through the development effecting safety, and negatively impact the project.

Sewer & Water:

City water, sanitary sewer, and storm sewer service the development area.

Recommendation:

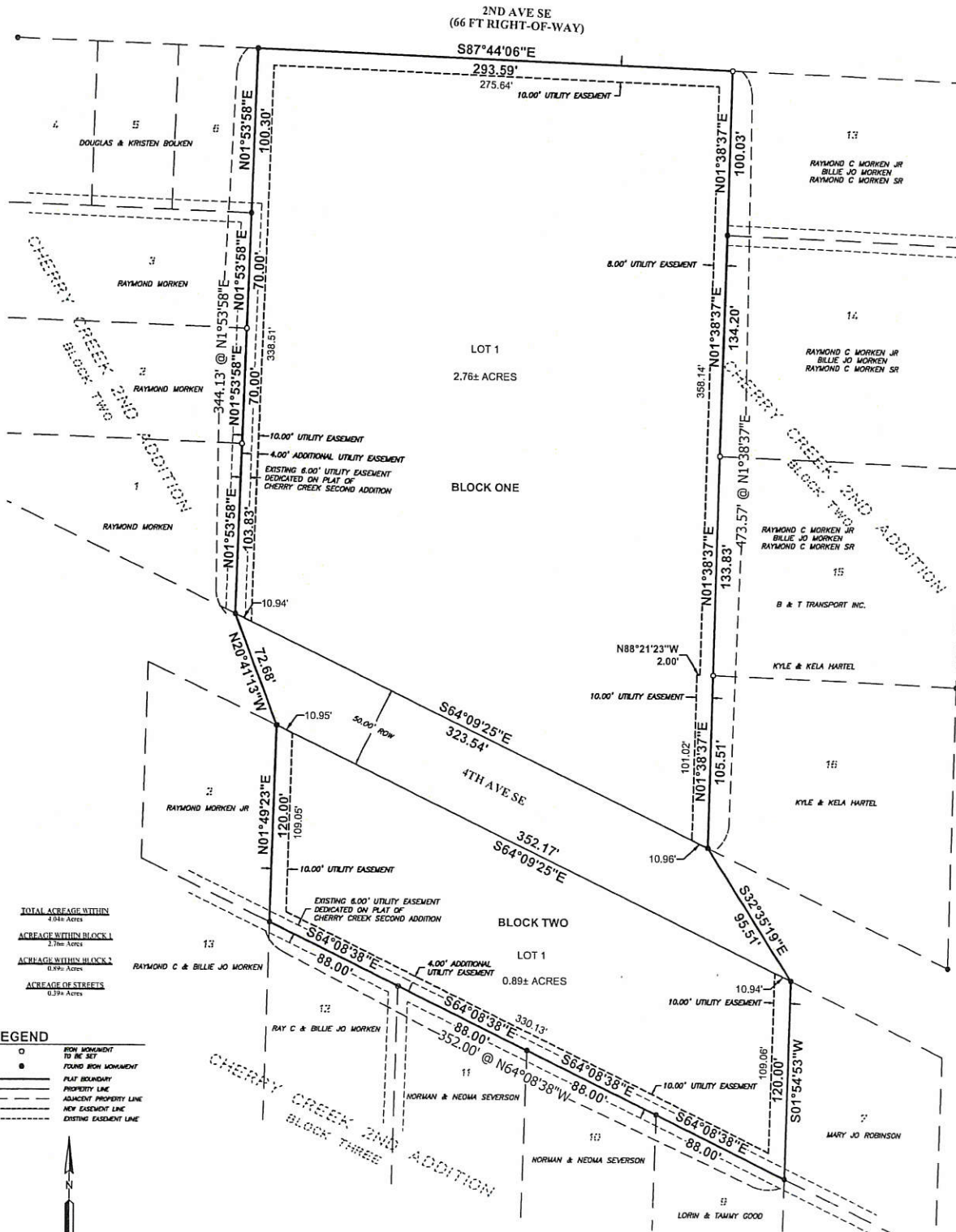
It is recommended that the Watford City Planning Commission *approve* Subdivision Final Plat of the Cherry Creek Fourth Addition, a Re-plat of Lots 7-12, and Lot 17 of Block 2, and Lots 3-6 of Block 3 of the Cherry Creek Second Addition.

Contact:

Chris York
Assistant City Planner
cyork@nd.gov

CHERRY CREEK FOURTH ADDITION

A Replat of Lots 7-12 and Lot 17 of Block 2, and Lots 3-6 of Block 3, Cherry Creek Second Addition
Watford City, McKenzie County, North Dakota



TOTAL ACREAGE WITHIN
4.04± Acres

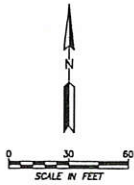
ACREAGE WITHIN BLOCK 1
2.76± Acres

ACREAGE WITHIN BLOCK 2
0.89± Acres

ACREAGE OF STREETS
0.39± Acres

LEGEND

- IRON MONUMENT TO BE SET
- FOUND IRON MONUMENT
- PLAT BOUNDARY
- PROPERTY LINE
- - - ADJACENT PROPERTY LINE
- - - NEW EASEMENT LINE
- - - EXISTING EASEMENT LINE



Bearings are based on N.D. State Plane Coordinate System (North Zone)

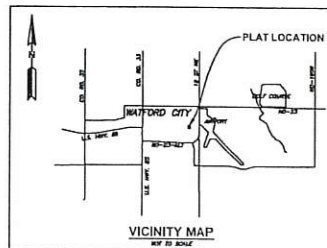
Ground distances are shown and are in terms of International Feet

Vertical Datum is NAVD 88

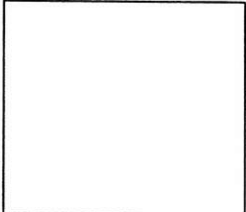


Responsive partner. Exceptional outcomes.

301 1st Street NE, Suite 202 P.O. Box 751-3370
Ward, ND 58554 Fax: 701-751-3372



MCKENZIE COUNTY RECORDER



SURVYOR'S SEAL



PROJ. #3284-0007
SHEET 1 OF 2

CHERRY CREEK FOURTH ADDITION

A Replat of Lots 7-12 and Lot 17 of Block 2, and Lots 3-6 of Block 3, Cherry Creek Second Addition
Waford City, McKenzie County, North Dakota

PLAT DESCRIPTION

LOTS 7-12 AND LOT 17 OF BLOCK 2, AND LOTS 3-6 OF BLOCK 3, CHERRY CREEK SECOND ADDITION IN THE CITY OF WAFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA, ACCORDING TO THE RECORD PLAT THEREOF, CONTAINING 4.04 ACRES, MORE OR LESS.

BOUNDARY DESCRIPTION - METES & BOUNDS

COMMENCING AT THE NORTH WEST CORNER OF LOT 7, BLOCK 2, CHERRY CREEK SECOND ADDITION TO THE CITY OF WAFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA LOCATED IN THE SOUTH EAST 1/4 OF SECTION 19, TOWNSHIP 150 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WHICH IS THE POINT OF BEGINNING; THENCE S87°44'08"E ALONG THE SOUTH RIGHT OF WAY LINE OF SECOND AVENUE SOUTH EAST A DISTANCE OF 293.59 FEET; THENCE S01°58'53"W ALONG THE WEST PROPERTY LINE OF LOTS 13, 14, 15, AND 16, BLOCK 2 A DISTANCE OF 423.57 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE FOR FOURTH AVENUE SOUTH EAST; THENCE S32°35'19"E A DISTANCE OF 95.51 FEET TO THE NORTH WEST PROPERTY CORNER OF LOT 7, BLOCK 3; THENCE S01°54'53"W ALONG THE WEST PROPERTY LINE OF SAID LOT 7 A DISTANCE OF 120.00 FEET; THENCE N64°00'30"W ALONG THE NORTH PROPERTY LINE FOR LOTS 9, 10, 11, AND 12, BLOCK 3 A DISTANCE OF 352.00 FEET TO THE SOUTH EAST PROPERTY CORNER OF LOT 2, BLOCK 3; THENCE N01°49'23"E ALONG THE EAST PROPERTY LINE OF SAID LOT 2 A DISTANCE OF 120.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF FOURTH AVENUE SOUTH EAST; THENCE N02°41'11"W A DISTANCE OF 72.80 FEET TO THE SOUTH EAST PROPERTY CORNER OF LOT 1, BLOCK 1; THENCE N01°53'58"E ALONG THE EAST PROPERTY LINES OF LOTS 1, 2, 3, AND 6, BLOCK 2 A DISTANCE OF 344.13 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS 4.04 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, KEVIN G. NELSON, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THE SURVEY PLAT SHOWN HEREON WAS COMPLETED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS THE CORRECT REPRESENTATION OF THE SURVEY SHOWN HEREON, AND THAT THE MONUMENTS ARE PLACED AS SHOWN, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA.

SURVEYOR SIGNATURE
REGISTERED LS-3638

SURVEY DATE & STAMP:

STATE OF NORTH DAKOTA)
COUNTY OF) SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, _____, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE, IN WITNESS WHEREOF, I HAVE HERELINTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST ABOVE WRITTEN.

(NOTARIAL SEAL)

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA
RESIDING AT _____
MY COMMISSION EXPIRES _____

OWNER(S) CERTIFICATE

WE, (I) THE UNDERSIGNED, BEING SOLE OWNER(S) AND MORTGAGE HOLDER(S) OF THE LAND PLATTED HEREIN, DO HEREBY CONSENT TO THE EXECUTION OF THIS PLAT AND AGREE TO NOT VACATE ANY PORTION OF THIS PLAT WITHOUT THE CONSENT OF THE CITY OF WAFORD CITY, DATED THIS _____ DAY OF _____, 20____.

OWNER(S) SIGNATURE

STATE OF NORTH DAKOTA)
COUNTY OF) SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, _____, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE, IN WITNESS WHEREOF, I HAVE HERELINTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST ABOVE WRITTEN.

(NOTARIAL SEAL)

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA
RESIDING AT _____
MY COMMISSION EXPIRES _____

RESERVATION TELEPHONE COOPERATIVE

WE THE UNDERSIGNED UTILITY DOES HEREBY APPROVE OF THE UTILITY EASEMENTS AS SHOWN ON THE PLAT AS PRESENTED, DATED THIS _____ DAY OF _____, 20____.

Reservation Telephone Cooperative, Authorized Agent

PRINTED NAME _____

STATE OF NORTH DAKOTA)
COUNTY OF) SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, _____, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE, IN WITNESS WHEREOF, I HAVE HERELINTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST ABOVE WRITTEN.

(NOTARIAL SEAL)

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA
RESIDING AT _____
MY COMMISSION EXPIRES _____

MONTANA DAKOTA UTILITIES COMPANY

WE THE UNDERSIGNED UTILITY DO HEREBY APPROVE OF THE UTILITY EASEMENTS AS SHOWN ON THE PLAT AS PRESENTED, DATED THIS _____ DAY OF _____, 20____.

Montana Dakota Utilities Company, Authorized Agent

PRINTED NAME _____

STATE OF NORTH DAKOTA)
COUNTY OF) SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, _____, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE, IN WITNESS WHEREOF, I HAVE HERELINTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST ABOVE WRITTEN.

(NOTARIAL SEAL)

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA
RESIDING AT _____
MY COMMISSION EXPIRES _____

WAFORD CITY APPROVAL

THE CITY OF WAFORD CITY, NORTH DAKOTA, HAS APPROVED THE ATTACHED PLAT AS SHOWN HEREON, AND LYING WITHIN THE JURISDICTION OF THE CITY OF WAFORD CITY, HAS APPROVED THE STREETS, ALLEYS, AND OTHER PUBLIC WAYS AND GROUNDS OF THE ATTACHED PLAT, SHOWN HERE AS AN AMENDMENT TO THE COMPREHENSIVE STREET AND HIGHWAY PLAN AND OTHER APPROPRIATE PORTION OF THE COMPREHENSIVE PLAN OF THE CITY OF WAFORD CITY, NORTH DAKOTA, ALL STREETS, ALLEYS AND OTHER PUBLIC WAYS AND GROUNDS OF THE ATTACHED PLAT ARE DEDICATED, BUT NOT ACCEPTED AT THIS TIME WITH THE OFFER TO REMAIN OPEN.

DATE: _____
BRENT SANFORD, MAYOR

DATE: _____
PENI PETERSON, CITY AUDITOR

STATE OF NORTH DAKOTA)
COUNTY OF MCKENZIE) SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, _____, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE, IN WITNESS WHEREOF, I HAVE HERELINTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST ABOVE WRITTEN.

(NOTARIAL SEAL)

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA
RESIDING AT _____
MY COMMISSION EXPIRES _____

PLANNING AND ZONING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WAFORD CITY IS HEREBY APPROVED THIS _____ DAY OF _____, 20____, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF WAFORD CITY, NORTH DAKOTA, AND REGULATIONS OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF WAFORD CITY, NORTH DAKOTA.

DATE: _____
GLEN BEARD, CHAIRMAN

STATE OF NORTH DAKOTA)
COUNTY OF MCKENZIE) SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, _____, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE, IN WITNESS WHEREOF, I HAVE HERELINTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST ABOVE WRITTEN.

(NOTARIAL SEAL)

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA
RESIDING AT _____
MY COMMISSION EXPIRES _____

AUDITOR'S CERTIFICATE OF TAXES

TAXES, DELINQUENT TAXES, DELINQUENT SPECIAL ASSESSMENT OR INSTALLMENTS OF SPECIAL ASSESSMENTS OR TAX ESTIMATES FOR THE PROPERTY DESCRIBED ON THE ATTACHED INSTRUMENT ARE UNPAID IN THE AMOUNT OF \$ _____ PLUS PENALTY AND INTEREST, CERTIFIED THIS _____ DAY OF _____, 20____.

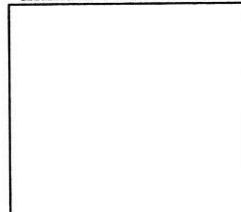
LINDA SYHOVEK, MCKENZIE COUNTY AUDITOR

CERTIFICATE OF MCKENZIE COUNTY RECORDER

I HEREBY CERTIFY THAT THE ABOVE INSTRUMENT WAS FILED IN THE OFFICE OF THE MCKENZIE COUNTY RECORDER IN THE STATE OF NORTH DAKOTA AT _____ O'CLOCK A.M./P.M. ON THE _____ DAY OF _____, 20____, AND WAS RECORDED AS DOCUMENT NUMBER _____.

ANN M. JOHNSRUD, MCKENZIE COUNTY RECORDER

MCKENZIE COUNTY RECORDER



SURVEYOR'S SEAL



Responsive partner. Exceptional outcomes.

301 1st Street NE, Suite 202 | Ph: 701-751-3370
Waford, ND 58504 | Fax: 701-751-3372

PROJ. #3284-0007
SHEET 2 OF 2

PERMITS

Building Permits issued for last days of September and October as of date of printing.

3522	Sign	September	9/29/2015	Watford Center LLC	Miller Architects & Builders / Econ Signs	1005 Main St S			Install 23x7 pykon display sign	\$	-	\$	100.00	Check #1306
3523	Bldg	September	9/30/2015	McKenzie County HealthCare	C. Wilder Construction Inc	508 2nd St NE			Interior remodel of home & replace windows	\$	30,000.00	\$	440.00	Check #33804
3524	Bldg & WS	September	9/30/2015	OK Implement Co	St. Joseph Building LLC	301 Main St N			Interior Construction for Bakery	\$	22,000.00	\$	2,071.24	Check #1391
3458	Bldg	September	9/30/2015	Whiting Oil & Gas	Mendham Commercial Construction	701 4th Ave NW		Previously issued AT RISK	Office Addition	\$	2,500,000.00	\$	12,365.00	Check #310124746
3525	Excavation	October	10/2/2015	City of Watford City	HUS Industries Corporation	Alleys near Main St / 2nd St / 3rd Ave / 4th Ave			Prep-Work for Alley resurfacing	\$	30,000.00	\$	150.00	Check #1346
3526	Bldg	October	10/2/2015	E&M Services	Bethel Machobla	313 12th St SE			Residing East Side of Building	\$	6,500.00	\$	128.00	Card
3527	Bldg	October	10/5/2015	Richard & Nancy Wiessness	Precision Siding & Construction	504 3rd St NE			New vinyl siding, soffit, fascia, & replacing windows	\$	38,947.00	\$	529.47	Card
3528	Utility Occurrence	October	10/5/2015	Dakota West Credit Union	Winn Construction	Parking Lot near 340 Main St N			Bury Electrical Line	\$	-	\$	-	No Fee
3529	Cons/Repair	October	10/5/2015	Donna & JB Johnson	Hanson Masonry	500 2nd Ave SE			Replace Concrete driveway & curb	\$	-	\$	10.00	Cash
3530	Building	October	10/8/2015	Jim & Darcy Hanson	Hanson Concrete & Masonry	205 Park Ave W			36x36 Garage	\$	56,000.00	\$	685.00	Check #1430
3097	RENEW	October	10/9/2015	Kevin & Shelly Burin	Self	1710 12th St NW			Single Family Home	\$	-	\$	20.00	Check #2119
3098	RENEW	October	10/9/2015	Kevin & Shelly Burin	Self	1706 12th St NW			Single Family Home	\$	-	\$	20.00	Check #2119
3395	RENEW	October	10/13/2015	Watford Third Street Housing	New Orleans Sand LLC	501 2nd St NE			Addition to House & Garage	\$	-	\$	20.00	Card
3531	Sign	October	10/15/2015	Madison Heights Apartments	Indigo Signworks	1406 Main St N			Install Monument Sign	\$	-	\$	100.00	Card
3532	Building	October	10/19/2015	Dakota West Credit Union	Winn Construction	313 2nd St NE	Lot 16 Bk 2		New Employee Overflow Parking Lot	\$	-	\$	10.00	Check #20666
3533	Building	October	10/19/2015	Darwin & Sharon Krabbenhoft	Self	413 10th St SE			10' x 18' Deck off front door	\$	1,000.00	\$	40.00	Check #4270
3534	Building	October	10/19/2015	Darwin & Sharon Krabbenhoft	Firefly Properties & Construction	509 10th St SE			Remove existing and build new garage	\$	54,593.00	\$	677.50	Check #4270
3535	Building	October	10/19/2015	Darwin & Sharon Krabbenhoft	Premier Portable Buildings	208 13th Ave SW			New 14' x 30' storage shed	\$	10,500.00	\$	191.00	Check #4270
3536	Bldg & WS	October	10/20/2015	Grant Family Trust	First Dakota Enterprises	1901 S Main St			New apartment building - 9 apartment units	\$		\$	8,742.74	Check #62584
3537	Building	October	10/21/2015	Rausser Family Farm Trust	Grant Wheeler / Grant Contractors,	322 8th St NE			30' x 30' garage addition	\$	38,997.00	\$	529.97	Check #1018

PLANNING & ZONING COMMISSION MEETING MINUTES

September 29, 2015

The regular monthly meeting of the Watford City Planning & Zoning Commission was held on Tuesday September 29, 2015 at 6:00 p.m. at City Hall in the Heritage Room. In attendance: Chairman Glen Beard, Commission Members: William Carlson, Rick Holm, Shane Homiston, Cory Johnson, Jesse Lawrence, and Jason Taylor. Also present: Assistant City Planner Mildred (Mili) Williams, Assistant City Planner Chris York, Planning Assistant Becky O'Neill-Smith, and City Attorney Wyatt Voll. Absent: City Planner Curtis Moen and Building Inspector Steven Williams.

With the above mentioned present, the Public Hearing was called to order at 6:01 p.m. by Chairman Glen Beard.

Under consideration were the following:

1. Public Hearing to hear comment on Land Use Application-Variance submitted by Wolf Run Village on property located at 301 3rd St SE Watford City, ND. Applicant requests a reduction of rear setback from 25' to 12.5' a requested reduction of 50%.

The building is already under construction, proceeding at risk. It wasn't until the land purchase and platting of the property were finalized did they have an actual determination for how much of a variance they would need. Additionally, the building's position had to be adjusted further to the north to accommodate for a necessary large storm drain. Concerns from Commission Members were raised about the balconies of the building facing towards the public pool. Wolf Run Village representative Jake Walters, explained that the balconies will only reach to the height of the existing sidewalk path. They will not be any higher to be overlooking the pool. Having the balconies be level with the sidewalk will allow for appropriate buffers such as shrubbery and fences for the privacy of both pool guests and apartment residents.

MOTION by S. Homiston, SECOND by J. Taylor to recommend APPROVAL to City Council of the Variance Application without any additional contingencies from the Planning Department Staff Report.

**Roll Call Vote: Ayes; G. Beard, W. Carlson, R. Holm, S. Homiston, C. Johnson, J. Lawrence, J. Taylor
Nays; None.**

MOTION Carried.

Public Hearing to hear comment on Conditional Use Permit Application Annual REVIEW submitted by Warren Hovland of One Way Services and Brad Arntson of Knife River, on the following described property: 401 14th St SW, Watford City, McKenzie County, ND. Under consideration is Review of Conditional Use Permit allowing concrete batch plant at the above described property.

The City has been trying to monitor the ongoing dust control issues. The City has the right to fine up to \$500 per instance of violation. Commission Member Jason Taylor commented that he lives near this area and the dust is definitely not under control. He has seen the bag house full and had the hose blown off causing a lot more dust. On the other hand, Taylor says he has never had a problem with the traffic or drivers. Drivers are always courteous; not pulling out in front of cars. Assistant City Planner Mili Williams commented that the City knows this is not the most ideal location for the plant but unless they see violations or hear of complaints the Planning Department cannot do much to change it. Chairman Glen Beard also commented that their road is always dusty. The road was determined to still be a County Road therefore it is under County Maintenance. Suggestions to ask County to apply dust control to the road was also mentioned by members.

MOTION by J. Taylor, SECOND by R. Holm to recommend APPROVAL to City Council of the Conditional Use Permit Application Annual Review with the following contingencies set forth in the Planning Department Staff Report:

1. The Conditional Use Permit shall be reevaluated after 1 year.
2. The site must comply with The City's dust control standards.

**Roll Call Vote: Ayes; G. Beard, W. Carlson, R. Holm, S. Homiston, C. Johnson, J. Lawrence, J. Taylor
Nays; None.**

MOTION Carried.

3. Public Hearing to hear comment on Conditional Use Permit Application Annual REVIEW originally submitted by Warren Hovland of One Way Services and Brad Arntson of Knife River, on property located 401 14th St SW, 36.53 acres, Watford City, McKenzie County, ND. Under consideration is Review of Conditional Use Permit allowing an asphalt batch plant on the above described property.

Chairman Glen Beard mentioned that he remembers last year the comment was brought up that they offered to pave or asphalt the approach into the road to help with the dust and track out onto the highway. Assistant City Planner Mili Williams replied that the City cannot require them to pave a County maintained road. Members again suggested to contact the County to help treat the road for dust control.

MOTION by R. Holm, SECOND by C. Johnson to recommend APPROVAL to City Council of the Conditional Use Permit Application Annual Review contingent with the following recommendations set forth in the staff report:

1. The Conditional Use Permit shall be reevaluated after 1 year.
2. The site must comply with the City's dust control standards.

Roll Call Vote: Ayes; G. Beard, W. Carlson, R. Holm, S. Homiston, C. Johnson, J. Lawrence, J. Taylor
Nays; None.

MOTION Carried.

4. Public Hearing to hear comment on a Conditional Use Permit Application Annual REVIEW originally submitted by Doug Kesler on property located at 1402 South Main St., Watford City, ND. Section 30, T150, R98, IT 805-PT Lots 1 & 2 .92 acres. For the purpose of compliance to city ordinances for RV Park within Commercial Zone.

Assistant City Planner Chris York explained that this property is a licensed RV Park with the State of North Dakota. Along with the RV spaces, Mr. Kesler has a shop building on the property which is currently rented out to a tenant for commercial business. Chris also mentioned he personally went to the site and noted miscellaneous items scattered around the property as well the road being in poor condition. The City also verified with the North Dakota Department of Health regarding this property's status as an RV Park. The Department of Health noted that during their May inspection, they had debris/items scattered on the property as well as improperly spaced RVs. The RVs need to be at least 10 feet apart. The Health Department mailed the citation to the property owner. The City also informed the owner of its findings including photos and staff report. Chris also noted that since his initial site visit, it appears that they have cleaned up some of the items/debris along the roadway and had already started looking better. Chairman Glen Beard raised concern that this property is only 0.92 acres a meaning they shouldn't be allowed to have a septic system since the property is not a full acre. Assistant City Planner Mili Williams explained that those requirement come from the State Health Department and since they are licensed with them and under their review, the property must have been in compliance with their septic system. The requirements might even be different for an RV Park than for a residence. Other members also raised concern that since this owner has been notified several times of the same issues: "how many chances will we keep giving until he makes it right?"

MOTION by J. Taylor, SECOND by R. Holm to recommend approval to City Council of the Conditional Use Permit Application Annual Review contingent with the recommendations set forth in the staff report.

Roll Call Vote: Ayes; J. Taylor, R. Holm

Nays; W. Carlson, S. Homiston, C. Johnson, J. Lawrence, G. Beard.

MOTION Failed.

After the motion failed, Commission members raised further discussion of whether or not the Planning & Zoning Commission can give the owner a specific time frame to get the property into compliance or otherwise the Conditional Use Permit would be revoked. This information was in fact already written as one of the many contingencies within Assistant City Planner Chris York's detailed staff report. Attorney Wyatt Voll noted that since the motion failed we still need to give a motion to City Council. The Commission could raise motion to deny the renewal instead.

MOTION by W. Carlson, SECOND by S. Homiston to recommend DENIAL to City Council of the Conditional Use Permit Annual Review.

Roll Call Vote: Ayes; W. Carlson, S. Homiston, C. Johnson, G. Beard

Nays; R. Holm, J. Lawrence, J. Taylor

MOTION Carried.

5. Public Hearing to hear comment on Conditional Use Permit Application Annual REVIEW originally submitted by Rolfson Oil LLC / GT Investments, Inc. on property located in Section 29, T150N, R98W, GTI Subdivision Lot 6, 4.16 acres, Watford City, McKenzie County, ND. The purpose of the conditional use permit application request is for a bulk fuel plant.

This application was pulled from the Agenda.

On August 4, 2014 City Council Approved the Conditional Use Permit for 5 Years. 2015 Annual Review is not necessary.

CLOSE PUBLIC HEARING: 6:24 PM

CALL TO ORDER REGULAR MEETING: 6:24 PM

MINUTES: September 3, 2015

No Comments from Commission.

MOTION by C. Johnson, SECOND by J. Taylor to APPROVE the Minutes as presented.

Roll Call Vote: Ayes; G. Beard, W. Carlson, R. Holm, S. Homiston, C. Johnson, J. Lawrence, J. Taylor

Nays; None.

MOTION Carried.

OLD BUSINESS:

The following items were previously tabled at the June 29, 2015 Planning & Zoning Commission Meeting:

1. 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.

Assistant City Planner Mili Williams explained: This renewal was tabled due to the question raised by The Sorenson's of whether Mr. Floyd's housing units were encroaching setback requirements on the section line. Since this item had been tabled, Mr. Floyd retained Circle H Engineering and Surveying to perform a survey of the property. A letter of Circle H's findings was provided to Commission Members. Circle H's survey determined Mr. Floyd's housing units to be farther west of the section line and were anywhere from 10-15 feet outside of the right of way proving this to be a non-issue.

MOTION by J. Taylor, SECOND by S. Homiston to APPROVE the Conditional Use Permit Annual Review with the following conditions set forth in the original June Planning Department 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 (8 homes)
3. The Conditional Use Permit shall be specific as to a 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 month if no action is taken.
7. Conditional Use Permit shall be reevaluated after 1 year.

Roll Call Vote: Ayes; G. Beard, W. Carlson, R. Holm, S. Homiston, C. Johnson, J. Lawrence, J. Taylor Nays; None.

MOTION Carried.

2. 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.

Assistant City Planner Mili Williams explained: This application is to add two housing units to the property for a total of ten. Commission members questioned amount of spacing and if property allowed. Mili Williams explained that Mr. Floyd has 10 acres and The City saw no issue with adding the two additional units.

MOTION by C. Johnson, SECOND by J. Taylor to APPROVE the Conditional Use Permit for the addition of two employee housing units with the following conditions set forth in the original June Planning Department 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.
3. The Conditional Use Permit shall be specific as to a number of parking spaces to be provided. A minimum of two 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 month if no action is taken.
7. Conditional Use Permit shall be reevaluated after 1 year.

Roll Call Vote: Ayes; G. Beard, W. Carlson, R. Holm, S. Homiston, C. Johnson, J. Lawrence, J. Taylor Nays; None.

MOTION Carried.

FINAL PLAT APPLICATION: Wolf Run Village 2

MOTION by S. Homiston SECOND by J. Taylor to APPROVE the Final Plat Application with no contingencies.

Roll Call Vote: Ayes; G. Beard, W. Carlson, R. Holm, S. Homiston, C. Johnson, J. Lawrence, J. Taylor Nays; None.

MOTION Carried.

NEW BUSINESS: JL Beers Renaissance Zone Application.

City Attorney Wyatt Voll explained that the Renaissance Zone was established in 2002 for a period of 15 years to give incentives to build or rehabilitate property in downtown Watford City with an effort to benefit the community. This application will allow for tax abatement for a period of 5 years. Chairman Glen Beard raised concern saying he thought the application and Renaissance Zone was supposed to be in place prior to the start of construction. Construction for JL Beers has already been started. Commission members also questioned the possible answers for the blank space on the application regarding the question "How does this project benefit our Community?" Members ultimately decided that it will be filling a corner that has been empty a long time and also bringing some people back to downtown since it seems most other new developments are pushed outwards from downtown.

MOTION by W. Carlson, SECOND by S. Homiston to APPROVE the Renaissance Zone Application with the following contingency set forth by the Planning & Zoning Commission:

1. The correct process for the application be verified.

**Roll Call Vote: Ayes; G. Beard, W. Carlson, R. Holm, S. Homiston, C. Johnson, J. Lawrence, J. Taylor
Nays; None.**

MOTION Carried.

REVIEW PERMITS:

Permits were reviewed as presented. No discussion from Commission.

OTHER BUSINESS:

1. *Chairman Glen Beard raised discussion: When will the City get around to replacing street signs? Some signs have been down or damaged for over 3 months now especially the Stop Sign on the frontage road at 14th St and the road names for Lincoln and 14th St.*
2. *Chairman Glen Beard raised discussion: The City needs to work on the issue of lights. Many areas have no lighting.*

Adjournment at 6:40 PM

MOTION by C. Johnson, SECOND by J. Taylor.

The next regularly scheduled Planning & Zoning Commission Meeting will be held
Monday October 26, 2015 at 6:00 p.m.

Glen Beard
Chairman

Becky O'Neill-Smith
Planning Assistant