





PLEASE
KEEP OFF
SEPTIC
FIELD

5.

Land Use Application

Conditional Use Permit

Rolfson Oil GT Investments

2418 Schilke Dr.

ORIGINAL

#5
Rolfson oil
originals

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

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE	DATE FILED: 7.8.14	APPLICATION NUMBER: CU 2B-2014
ZONE CHANGE	PROCESSES BY: MW	MEETING DATES: P&Z: 7.28.2014 CC: 8.4.2014
CONDITIONAL USE PERMIT	FEE: \$25.00	ADVERTISE DATE: 7.16 + 7.23
VARIANCE	RECEIPT #: CW 2511	PROPERTY OWNERS NOTIFIED: Y
VACATION & ABANDONMENT	SECTION/TOWNSHIP/RANGE: S29 T150N R98W lot 6	
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: GT Investments, Inc.
APPLICANT: Rolfson Oil, LLC

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Rolfson Oil, LLC Attn: Leigh Jennings
 ADDRESS: 124 E. Fulton St., Ste 404
 CITY: Grand Rapids STATE: MI ZIP CODE: 49503
 TELEPHONE: (616) 425-5679 EMAIL: Jennings@rolfsonoil.com
 ASSESSOR'S PARCEL NUMBER(S): (to be assigned after sale + lot split)
 LEGAL DESCRIPTION: (See attached)
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: GT1 Subdivision, Lot 6, 112th St. SE + 24th Ave.
 GROSS/NET ACREAGE: 4.66 (lot 6) PRESENT ZONE CLASSIFICATION: Industrial
 DESIRED ZONE CLASSIFICATION: Heavy Industrial CURRENT LAST USE: Unimproved lot

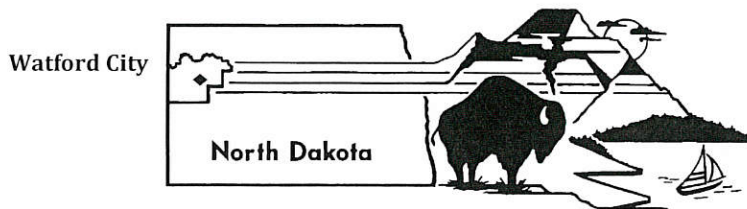
DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS (USE ADDITIONAL PAGES IF NEEDED)

See attached Testification letter

DESCRIBE THE SOURCE OF WATER/SEWER: (Lot 6 unoccupied) Well + Septic drain Do you have a will serve letter YES NO
field on Lot 1

Watford City Planning Department
213 2nd St NE / PO Box 494
Watford City, ND 58954

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



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

August 22, 2018

STAFF REPORT 17-2018 ANNUAL REVIEW for Conditional Use Permit

APPLICANT:

Rolfson Oil, LLC.
P.O. Box 1257
Watford City, ND 58854

PROPERTY OWNERS:

Rolfson Oil, LLC.
124 E Fulton St. Suite B
Grand Rapids, MI 49503

PROPERTY LOCATION:

Parcel ID: 20-17-04000, 20-17-0450 Section 29, Township 150N, Range 98W, GTI Subdivision, Lot 6 and Lot 1, 2414 and 2418 Schilke Drive, Watford City, McKenzie County, North Dakota.

REQUEST:

A Land Use Application for Conditional Use Permit was originally submitted for the consideration of operating a bulk fuel plant in HI-Heavy Industrial Zoning District.

ZONING:

The current zoning is HI-Heavy Industrial.

CURRENT USE:

A building containing Rolfson Oil's offices, shop, and maintenance facility is located on Lot 1. The bulk petroleum fuel plant consisting of a 12 unit tank farm and truck distribution area is located on Lot 6.

REFERENCES:

- Watford City Municipal Code of Ordinances Chapter XV Zoning Ordinances Article XIX (A) Heavy Industrial Zoning, Section E: Uses Subject to a Conditional Use Permit: bulk fuel plant.

- Watford City Municipal Code of Ordinances Chapter XV Zoning Ordinances, Article XXV, Conditional Uses, Section 1-Requirements for 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.

SITE DEVELOPMENT:

- Access: The property is accessible from 12th St SE/125th Ave NW and Schilke Drive
- Sewer: The property uses a private septic system. Access to City Sanitary Sewer is not available in this area.
- Water: The property uses a private water well. Access to City water is not available in this area.

SURROUNDING LAND USE:

- North: Zoning – AG, Agriculture
Use - Undeveloped, Farm land
- East: Zoning – IP, Industrial Park
Use – Shop Building
- South: Zoning – IP, Industrial Park
Use - Shop Buildings
- West: Zoning – AG, Agriculture, and C1 General Commercial
Use - Undeveloped, Commercial Shop Buildings

DISCUSSION:

The original Land Use Application for Conditional Use Permit was submitted in 2014 for the consideration of operating a bulk fuel plant within Heavy Industrial Zoned property. The original application was submitted in conjunction with the proposed plans to move Rolfson's pre-existing bulk fuel plant which was located in the center of the City, out to this new location in the GTI Industrial Park Subdivision. The original application was approved by City Council on August 4, 2014 for a period of five (5) years.

The Conditional Use Permit was not reviewed in 2015 or 2016. However, in January 2017, a review of the Conditional Use was prompted due to complaints/reports received by the City.

It was reported that in the spring of 2016, a valve controlling a containment drain near the tank farm was left opened causing the release of overflow. This overflow spilled over onto the adjacent property owned by Triangle Electric, Inc. The initial and subsequent overflow spills resulted in contaminated soils on Triangle's property. The procedures, costs of labor and equipment, as well as the time-frame for reporting and clean-up were disputed between Rolfson and Triangle.

Also in the spring of 2016, a second incident was reported regarding the property located to the north of Rolfson Oil, owned by Sonia, Denise, and Lori Hegg and farmed by Lawler Farms. An overflow of a wash bay containment area caused substances to flow out through a culvert onto the farm field. The spill resulted in contaminated soils within the farm land. The procedures, costs of labor and equipment, as well as the time-frame for reporting and clean-up were disputed between property representative, Howdy Lawler and Rolfson.

Moving forward, the Conditional Use Permit was reviewed: January 25, February 21, March 21, July 31, and August 28 in 2017 at Planning and Zoning Commission Public Hearing Meetings. Recommendations were not able to be made during several of the meetings due to additional unanswered questions and issues. During the Conditional Use Permit reviews, Rolfson was to submit copies on the Environmental Incident Reports as well as proof of compliance checks and reports from the North Dakota Department of Health and all Federal, State, and City regulations. Rolfson was also asked to prove the implementation of Operational procedures and maintenance logs including a new lock out/tag out system for the valve responsible for the spill onto Triangle property. Proof of the lock on the valve was also submitted. A Spill Prevention, Control, and Countermeasure Plan (SPCC) was also submitted by Rolfson. The results from soil sample testing from the spill affected properties was also submitted. Rolfson had TD&H Engineering help with the redesign and reconstruction the two retention ponds to ensure they meet the needs in the event of another overflow as well as maintain their original design for stormwater containment. The ponds were lined with sheeting and Oil/water separators were also installed. The culvert drain pipe to the farm field was capped. In addition, the pipe in the containment area by the tank farm was also capped. As-built drawings and an Alta Survey were requested and received by the City. The impermeability of the liner used for the ponds was also questioned. Specific details and data of the pond liner were submitted and deemed satisfactory. Rolfson also resolved the outstanding issues involving the adjacent properties to the owners' satisfaction. On September 5, 2017, City Council approved the renewal of the Conditional Use Permit.

As specified within the 2017 contingencies of the renewal, monthly and bi-monthly reviews of compliance were conducted. City Planning Department Staff also recently met on-site on August 21, 2018 with Rolfson Oil representatives: Ron Shaffer and Jennifer P. as well as TD&H Engineering representative, Matt Beard. Previous concerns were re-addressed and the current operational procedures were reviewed. Procedure books and current maintenance and inspection logs were shown to City Staff and located in an out-building right next to the tank farm containment area. Additional copies were also told to be kept in the office as well. City Staff requested current copies be sent for City records. Locks were also noted to still be in place on the release valve in this area. Rolfson representative Ron Shaffer stated that there has been an oil/water separator installed in the wash bay containment area at the shop building and also within the past year, this containment area has been expanded by three-times its original size. He also noted that due to this spring's snow melt and heavy rains there was some water being contained in the ponds. Ron said they have kept in contact with

Howdy Lawler and confirmed it to only be stormwater runoff. City staff recently spoke to Howdy Lawler on the phone and he explained that Rolfson has upheld their agreement and has appeared to keep up with their maintenance. Howdy said he did not have any issues this year and was able to successfully farm his field. Howdy also stated that he would like it to be on record that he would give Rolfson a “thumbs up” for being better neighbors.

Additionally, during the site visit, an issue was brought up by TD&H representative, Matt Beard. Matt noted that since the drain pipe located in the containment area by the tank farm had been capped, it is defeating its intended purpose of allowing the overflow to be piped to the retention pond if the need were to arise. Rolfson representative, Ron Shaffer stated that they have been having to use vac-truck companies to empty the containment area. Since Rolfson’s implementation of operational procedures, a lock out/tag out system controlling/limiting the opening of the valve which would release the overflow, as well as the installation of an oil/water separator, the need for this particular pipe being capped can now be seen as unnecessary. Due to the satisfactory changes of procedures, City staff has agreed with Matt’s reasoning and recommends Rolfson be able to remove the cap.

In conclusion of the recent site visit, City staff found the property to be in satisfactory compliance and had all questions answered. City staff has also not had any reported complaints. The City also mailed the property owners who hold an interest in the subject property as well as the adjacent property owners a notice regarding the property’s Conditional Use Permit renewal. At the time of this report, none of the noticed property owners had contacted the City regarding the renewal of this application.

RECOMMENDATION:

It is the recommendation of City Planning Department Staff to **APPROVE** the Land Use Application for Conditional Use Permit annual review for Bulk Fuel Plant.

Approval will be contingent upon the following items:

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.
7. The Conditional Use Permit shall be approved for the renewal period of one (1) year/ 12 months given that Rolfson remains in compliance all Federal, State, and local City laws, regulations, and ordinances with no reports or evidence of incidents, violations, or complaints.

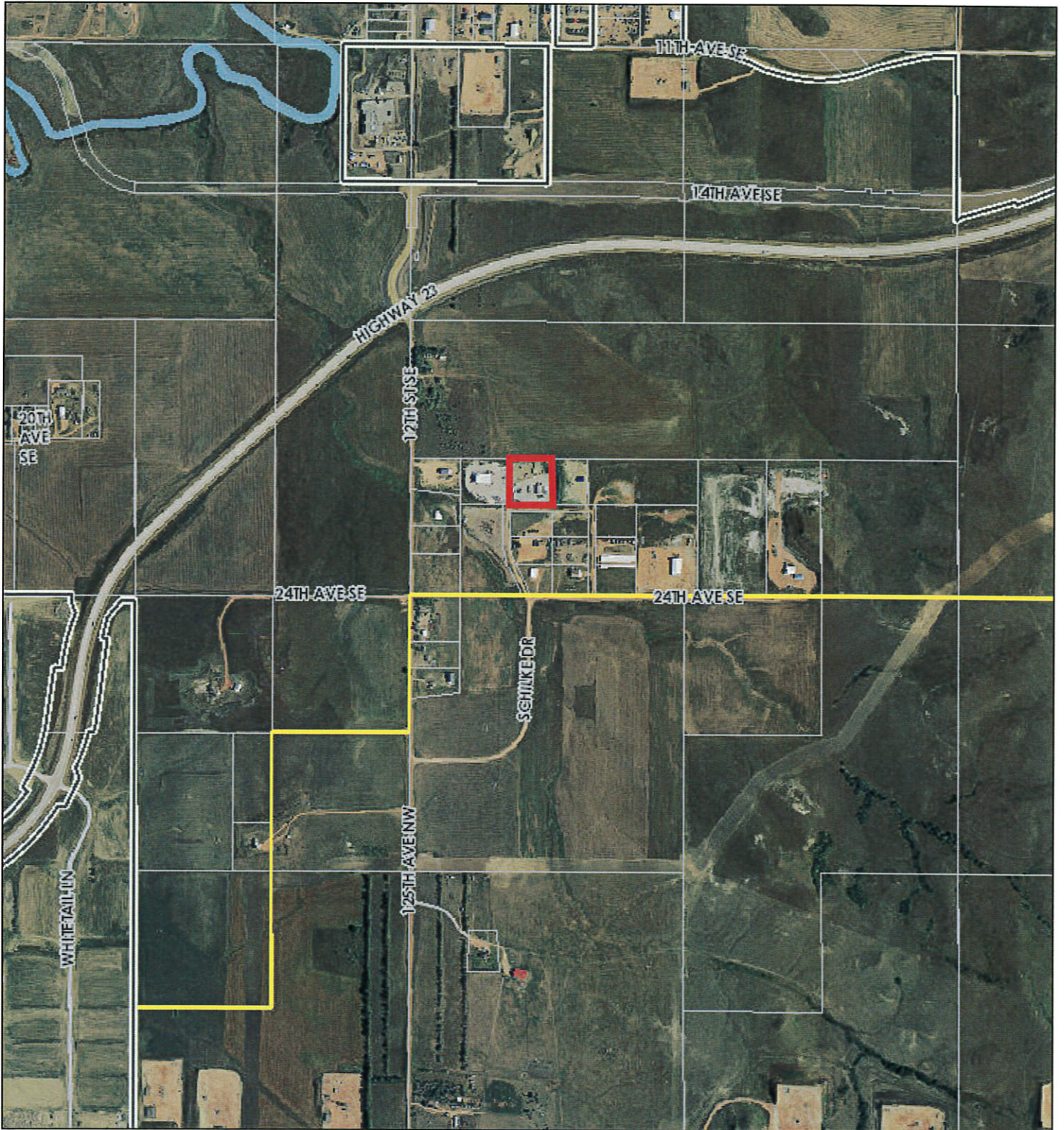
8. Copies of current records of operational manuals and log sheets of maintenance and inspections continue to be submitted to the City.

PLANNING DEPARTMENT STAFF CONTACT:

Becky Smith
basmith@nd.gov
(701)444-8402

LaRissa Bertram
lbertram@nd.gov
(701) 444-8406

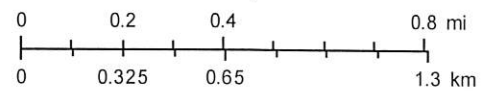
Rolfson Oil



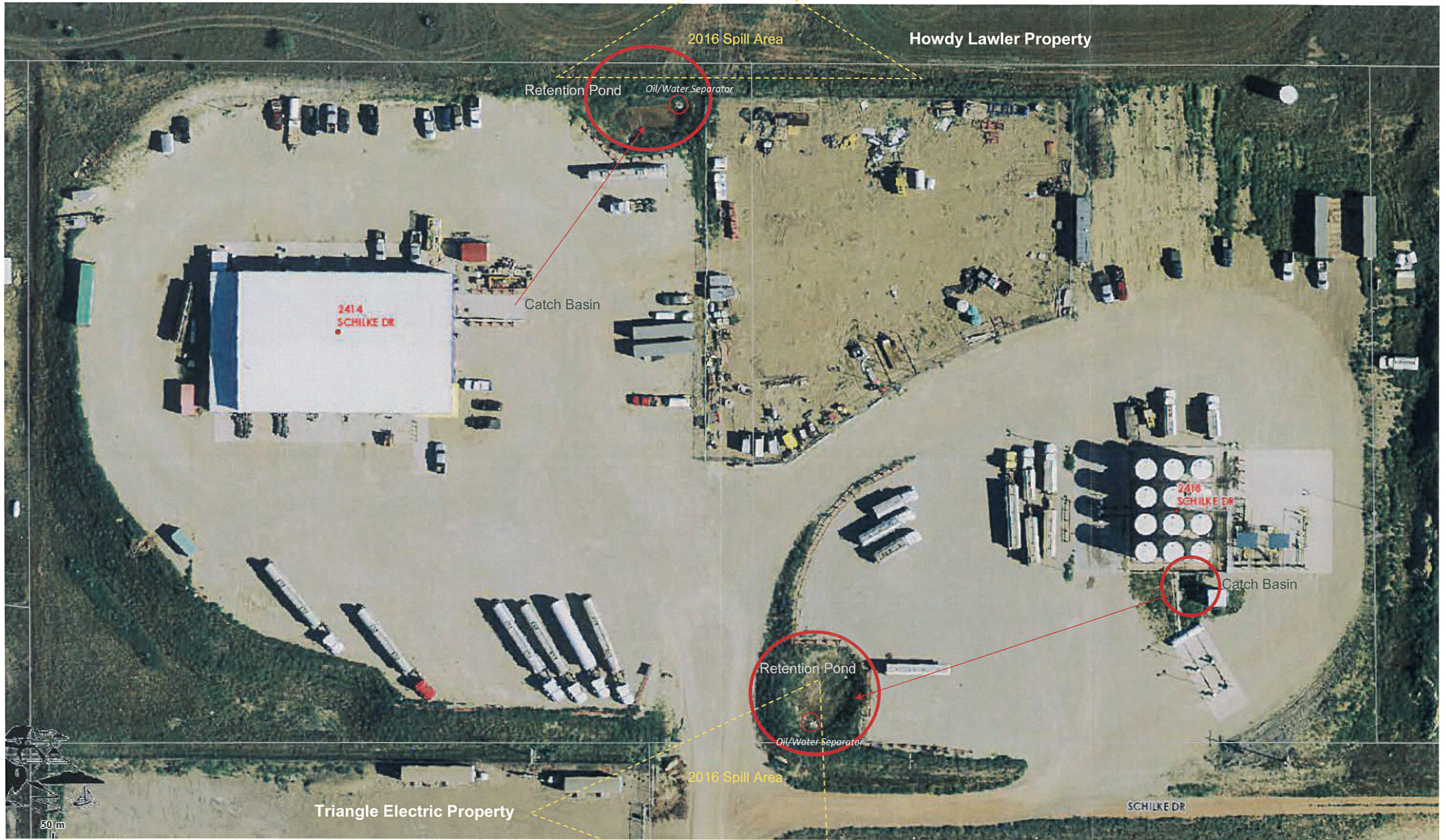
August 21, 2018

1:24,075

- StreetCenterlines
- Watford City Limits
- Extra-Territorial Area (ETA)
- Cherry Creek
- Parcels from McKenzie County



GIS, Watford City, AE2S



2016 Spill Area

Howdy Lawler Property

Retention Pond

Oil/Water Separator

Catch Basin

2414
SCHILKE DR

2418
SCHILKE DR

Catch Basin

Retention Pond

Oil/Water Separator

2016 Spill Area

Triangle Electric Property

SCHILKE DR

50 m







6.

Land Use Application

Conditional Use Permit

Kathleen Tretter SewFine

2601 2nd St. NE

ORIGINAL

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
CONDITIONAL USE PERMIT	FEE: \$575.00	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 Tretter
APPLICANT: Kathy Tretter

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Kathy Tretter / Sew Fine Embroidery
ADDRESS: PO Box 1155
CITY: Watford City STATE: ND ZIP CODE: 58854
TELEPHONE: 701-361-8274 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 - 20th 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 or businesses)
Capability of alterations or custom sewing.

DESCRIBE THE SOURCE OF WATER/SEWER: Not in office space 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

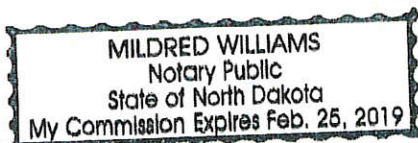
Kathleen Treffer
Print of Type Owner Name

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

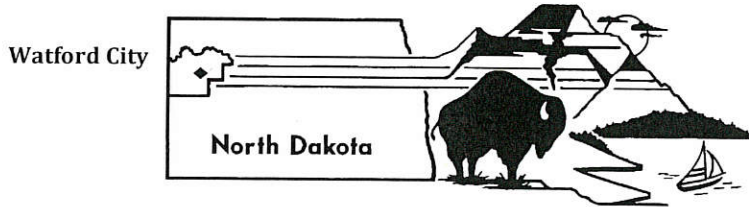
Documents Required for Submitting Land Use Applications

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	PDF	Supplemental Info.	Application Fees
<i>*</i> Conditional Use Permit	1 ^G	1 ^F	1	1 ⁹	1 ⁸	1 ¹¹	1 ¹² N/A	1 ¹³ floor plan sent	1 ¹⁴ N/A	\$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:

- After assembling the required materials as outlined above, only completed applications shall be accepted for filing.
- 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.
- Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- 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.
- 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.
- 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.
- Site Development Plan Application is required on all Conditional Use Applications.



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

August 15, 2018

STAFF REPORT
12-2018 ANNUAL REVIEW for Conditional Use Permit

APPLICANT:

Kathy Tretter
PO Box 1155
Watford City, ND 58854

PROPERTY OWNERS:

Duane and Kathleen Tretter

PROPERTY LOCATION:

Parcel ID: 82-26-01700, Section 7, Township 150N, Range 98W, Lot 15, Block 1, Dakota Ridge Subdivision, 2601 2nd St. NE, Watford City, McKenzie County, North Dakota.

REQUEST:

A Land Use Application for Conditional Use Permit was originally submitted for a Home Occupation for operating an embroidery shop in R1 – Single Family Residential District zoning.

ZONING:

At this time, current zoning is R1- Single Family Residential.

CURRENT USE:

Single Family home

REFERENCES:

Watford City Municipal Code of Ordinances Chapter XV Zoning Ordinances, Article X- Single Family Residential District, Section 3-Conditional Uses, #7: Home Occupation.

Watford City Municipal Code of Ordinances Chapter XV Zoning Ordinances, Article XXV, Conditional Uses, Section 1-Requirements for 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.*

SITE DEVELOPMENT:

- Access: The property is accessible from 2nd St NE
- Sewer: The property has access to City sanitary sewer service.
- Water: The property has access to City water service.

SURROUNDING LAND USE:

- North: Zoning – R-1 Single Family Residential Use - Single Family Home
- East: Zoning – R-1 Single Family Residential Use – Single Family Home
- South: Zoning – R-1 Single Family Residential Use - Single Family Home
- West: Zoning – R-1 Single Family Residential Use - Single Family Home

DISCUSSION:

The original Land Use Application for Conditional Use Permit was submitted in 2014 for the consideration of operating a home-based business named “Sew Fine Embroidery”. The business does custom embroidery for clients (individual, clubs, or business), and is capable

of alterations, and custom sewing. The business is located in a separate shop area which is attached to the home's garage. The client traffic is very minimal and does not seem to cause a disturbance to neighbors. The original application was approved by City Council on August 20, 2014. The application has been continuously reviewed each year since this time.

The conditional use does not seem to detract from the current neighborhood development. After a recent site visit from City Staff, the site appears to be in compliance with requirements set forth in the preceding staff reports, zoning ordinances, and standards of site maintenance. The City has not been notified of any complaints regarding this home-based business.

The City of Watford City mailed the property owners that hold an interest in the subject property and the adjacent property owners a notice regarding the property's Conditional Use Permit renewal. At the time of this report, none of the noticed property owners contacted the city regarding the application.

RECOMMENDATION:

It is the recommendation of City Planning Department Staff to **APPROVE** the Land Use Application for Conditional Use Permit Annual Review for Home Occupation.

Approval will be contingent upon the following items:

1. The conditional use will not be detrimental to or endanger the public health, safety or general welfare of community.
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.
7. The Conditional Use Permit shall be approved for a period of 1 year (12 months) after which time, the permit will be reviewed for renewal/non-renewal.

PLANNING DEPARTMENT STAFF CONTACT:

Becky Smith
basmith@nd.gov
(701)444-8402

LaRissa Bertram
lbertram@nd.gov
(701) 444-8406

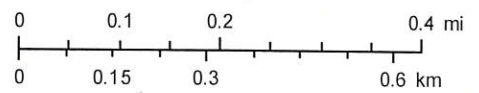
Kathleen Tretter Sew Fine



August 23, 2018

1:12,037

-  Street Centerlines
-  Watford City Limits
-  Extra-Territorial Area (ETA)
-  Cherry Creek
-  Parcels from McKenzie County



GIS, Watford City, AE2S



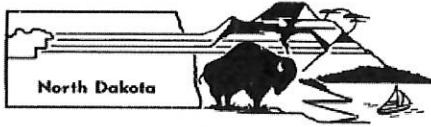
7.

Division of Land
Application

Subdivision Preliminary Plat

Stepping Stone Inc.

Section 17, Township 150N, Range 98W



DIVISION OF LAND

SUBDIVISION PRELIMINARY PLAT

APPLICATION
 THE CITY OF WATFORD CITY
 213 2ND ST NE / PO BOX 494
 WATFORD CITY, NORTH DAKOTA

APPLICATION FEE:
\$1,125.00 + \$15.00 PER LOT

REQUIREMENTS: All applications must be legible, printed in ink or typed, and suitable for reproduction. *Original application with original signature is required. A Subdivision Preliminary Plat Application may be submitted in order to begin the Subdivision process to plat parcels within the Corporate City limits and the designated Extra Territorial Area (ETA). All Preliminary Subdivision Plats shall be subject to conform to the regulations as set within the City of Watford City Municipal Code of Ordinances and Chapter 40-48 of the North Dakota Century Code. Along with this application, please submit the following: N.D. Professionally Engineered/ Surveyed map of subdivision parcels in both .PDF format and 11"x17" size paper for review, a brief justification letter explaining the request for Preliminary Subdivision Plat and a copy of current property deed(s) and/or title report. Once approved by City Council, a Final Subdivision Plat must be submitted for additional review and approval before Subdivision Plat recordation. For specific details regarding this process, please refer to the City of Watford City Municipal Code of Ordinances: **CHAPTER XV ARTICLE XXX: SUBDIVISION REGULATIONS.***

PROPERTY OWNER INFORMATION

OWNER NAME(S): Dakota Gold Properties LLC	PHONE NUMBER: 760-401-1389	EMAIL: paulficara@gmail.com
MAILING ADDRESS: Po Box 1742 Watford City, ND 58854		

APPLICANT INFORMATION

Same as Owner

APPLICANT NAME: Stepping Stone Inc - Paul Ficara	PHONE NUMBER: 760-401-1389	EMAIL: paulficara@gmail.com
MAILING ADDRESS:		

DEVELOPER INFORMATION

DEVELOPER NAME: Stepping Stone Inc	PHONE NUMBER: 760-401-1389	EMAIL: paulficara@gmail.com
MAILING ADDRESS: Po Box 1742 Watford City, ND 58854		

PROPERTY INFORMATION

PROPERTY ADDRESS/LOCATION: 17th Ave NE Stepping Stone Subdivision		ZONING DISTRICT: R4
PARCEL NUMBER(S): 832501000 & 832502000	PROPOSED SUBDIVISION NAME: Stepping Stone	
LEGAL DESCRIPTION: (SECTION, TOWNSHIP, RANGE) Block 1 & 2 of Stepping Subdivision		
EXISTING ACREAGE/SQ.FT.: 69.6 Acres	NEW ACREAGE/SQ.FT.: 69.6 Acres	PROPOSED # OF LOTS: 51 + 5 = 56
CURRENT USE OF PROPERTY: Vacant Ground	PROPOSED USE OF PROPERTY: Residential Development	

DESCRIPTION

Please give a brief description of the Preliminary Subdivision Plat.

This is the first phase of development. A majority of the 51 lots will be situated on what is currently Block 1. Currently a portion of the 51 lots are located in Block 2. This re-plat of Block 1 & 2 will subdivide to create the 51 lots and made adjustments to Block 2 to ensure all the lots are located on Block 1.

APPLICANT SIGNATURE: (IF DIFFERENT THAN OWNER)
 As the applicant, I certify that all City Ordinances will be complied with and that the information given within this application as well as the plans submitted are in all respects true and correct to the best of my knowledge and belief.

APPLICANT SIGNATURE: [Signature] DATE: 8 / 7 / 18

APPLICANT PRINT NAME: Stepping Stone Inc APPLICANT TITLE: Secretary/Treasurer

PROPERTY OWNER(S) AFFIDAVIT
 I/We, the undersigned, swear that I am / we are, the owner(s) and/or Mortgage holders of the property described within this application. I/We will make provisions to ensure compliance with the disclosure and recording requirements of McKenzie County and the City of Watford City. I/We certify that all information contained within this application are in all respects true and correct to the best of my/our knowledge and belief. I/We also hereby authorize City of Watford City Staff and/or its designee to access my property or premise for the purpose of gathering and verifying information in relation to this application and submitted plans.

PROPERTY OWNER SIGNATURE: [Signature] DATE: 8 / 7 / 18

PROPERTY OWNER SIGNATURE: PAOLO FICARA DATE: / /
Dakota Gold Properties LLC - Managing member

PROPERTY OWNER NOTARY

On this 7 day of August, 2018 before me, the undersigned, a notary public for the state of North Dakota, personally appeared, Paolo Ficara known to me to be the person(s) who executed the certificate in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first written above.

[Signature]
 Notary Public (NOTARIAL SEAL)

Notary Public for the state of ND
 Residing at Watford City
 My Commission Expires 1-1-21

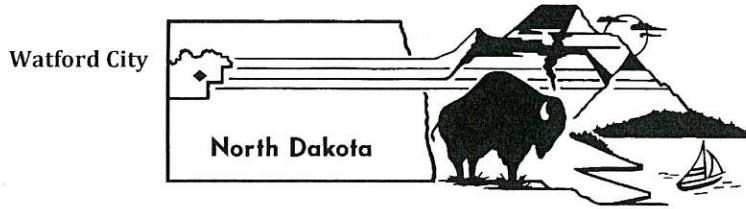
BECKY A. SMITH
 Notary Public
 State of North Dakota
 My Commission Expires Jan. 1, 2021

▼ OFFICE USE ONLY ▼

<input type="checkbox"/> COPY OF PROPERTY DEED <input type="checkbox"/> COPY OF TITLE REPORT <input type="checkbox"/> COPY OF TITLE MEMORANDUM <input type="checkbox"/> .PDF & LEDGER SIZE REVIEW COPY OF PLAT <input type="checkbox"/> VICINITY MAP <input type="checkbox"/> LEGAL DESCRIPTION <input type="checkbox"/> JUSTIFICATION LETTER <input type="checkbox"/> ORIGINAL SURVEYOR STAMP & SIGNATURE ON 24"X36" PLAT	LEGAL NOTICE DATES: <u> / / </u> <u> / / </u>	MEETING DATES: PLANNING COMMISSION: <u>8 / 27 / 18</u> CITY COUNCIL: <u> / / </u> *
	<input type="checkbox"/> ADJACENT PROPERTY OWNER NOTICES MAILED	INVOICE: INVOICE NUMBER: <u>3544</u> DATE CREATED: <u>8 / 7 / 18</u> BY: <u>[Signature]</u>
PAYMENT: \$1,125.00 + \$15.00 PER LOT DATE RECEIVED: <u>8 / 7 / 18</u> AMOUNT: \$ <u>1,965.00</u> <input type="checkbox"/> CARD <input type="checkbox"/> CASH <input checked="" type="checkbox"/> CHECK # <u>1114</u>		

56 lots
 x \$ 15⁰⁰

 \$ 840.⁰⁰



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

August 20, 2018

STAFF REPORT
Subdivision Preliminary Re-plat

APPLICANT:

Stepping Stone INC.
Paul Ficara
P.O. Box 1742
Watford City ND, 58854

PROPERTY OWNERS:

Dakota Gold Properties LLC
P.O. Box 1742
Watford City ND, 58854

PROPERTY LOCATION:

Section 16, Township, 150 Range 98W, PID: 832501000, 832502000; Block 1 and 2 of Stepping Stone Development, 17th Ave. NE Stepping Stone Subdivision, Watford City, McKenzie County, North Dakota.

REQUEST:

Preliminary Re-plat review of the subdivision plat for Stepping Stone LLC.

ZONING:

R4- High Density Residential

CURRENT USE:

Undeveloped

REFERENCES:

City of Watford City Municipal Code of Ordinances: *CHAPTER XV- ZONING ORDINANCE, ARTICLE XXX- SUBDIVISION REGULATIONS, SECTION 5- APPROVAL OF PLATS AND SECTION 6- PROCEDURE FOR APPROVAL OF PLATS: "Plat approval as required herein and in conformity with statutory authority within the Planning Commission's territorial jurisdiction, shall be by the Planning Commission, with confirmation approval by the City Council. In all cases where land is offered for dedication for streets, utilities, or other public purposes, the governing body affected shall act to accept or reject the offer of dedication and the deed for the fee to such lands. The approval of other jurisdictional Planning Commissions shall be required on all plats of land situated within the unincorporated jurisdiction of the City of Watford City, North Dakota."*

DISCUSSION:

This re-plat is to will create 51lots with an additional 5 lots (lettered) to be reserved as green space, designated to future HOA. Plat also adjusts the boundary lines of Block 1 and 2 so that all lots can be within Block 1 as this time some are split. Upon site visit the process of dirt work has begun and moving forward for future development.

This property is currently zoned R4 High Density Residential District and is located off of 17th Ave. NE. Stepping stone subdivision will be an acreage of 69.6 acres and will be the first phase to this project.

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 city’s zone change request. None of the noticed property owners contacted the city regarding the application.

SITE DEVELOPMENT:

Access: *The property is accessible from 17th Ave NE.*

Sewer: *The property does not have access to City sanitary sewer.*

Water: *The property does not have access to City water.*

SURROUNDING LAND USE:

North: Zoning – IP- Industrial Park
Use - Premium Oilfield Services LLC

East: Zoning – R-1: Single Family Home/ R4- High Density Residential
Use - Undeveloped

South: Zoning – AG: Agriculture/ R4: High Density Residential
Use - Undeveloped

West: Zoning – R4: High Density Residential
Use - Undeveloped

RECOMMENDATION:

It is the recommendation of the Planning Department Staff to Approve Stepping Stone LLC Replat for Subdivision Preliminary Plat. Contingent upon the following items.

1. According to the City of Watford City Municipal Code of Ordinances: *Chapter XV, Article XXX, Section 6-5:* Approval of the Preliminary Subdivision Plat shall be effective for a maximum period of

twelve (12) months. A Final Subdivision Plat must be submitted for approval by City Council within the time limit.

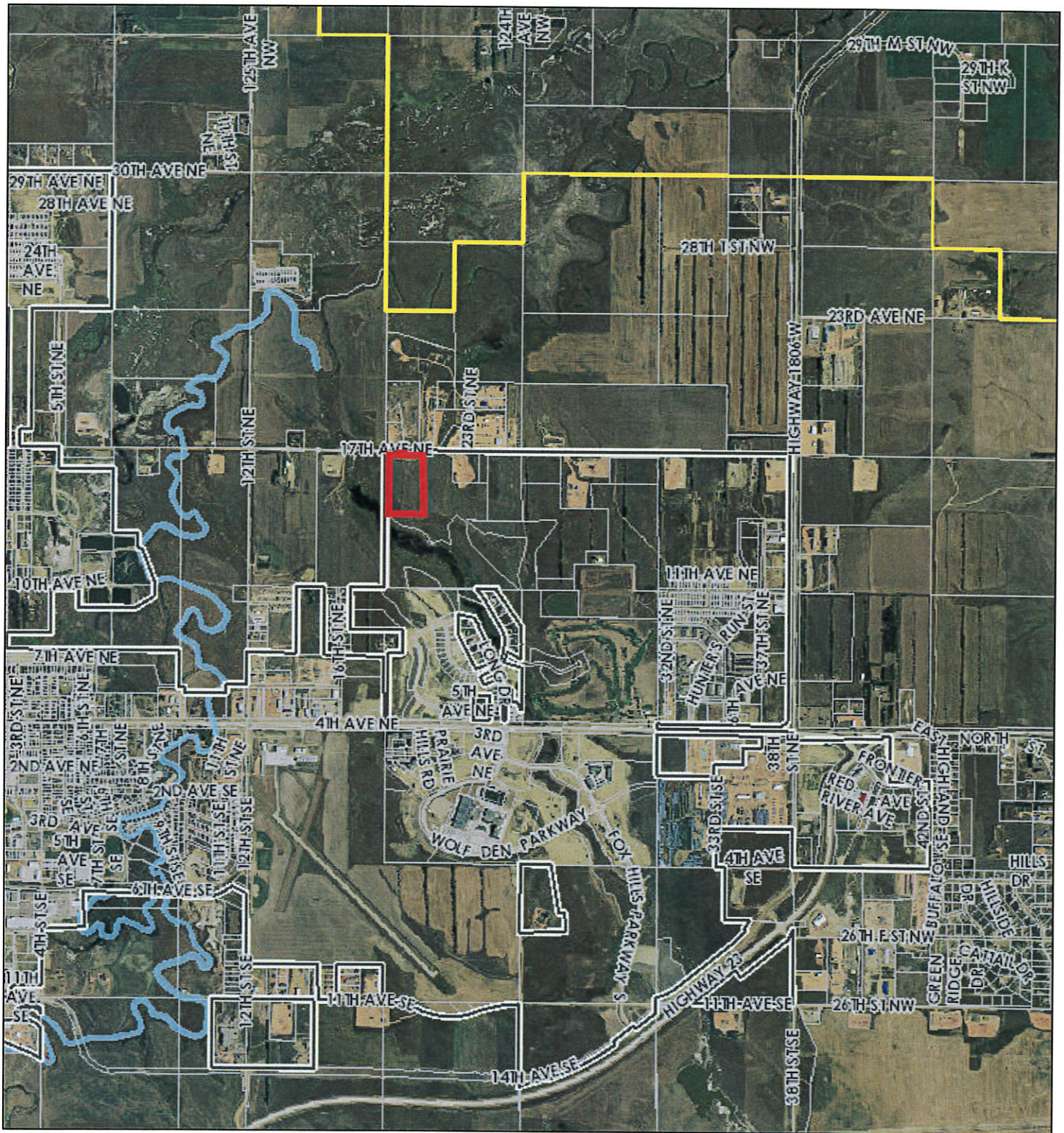
2. The Subdivision Plat must follow all regulations as set forth within the City of Watford City Municipal Code of Ordinances pertaining to Subdivision Regulations and the Approval of Plats: *Chapter XV, Article XXX, Sections 5 & 6.*
3. All bonding for infrastructure must be received before the Final Subdivision Plat is recorded.
4. A Development Agreement (DA) must be finalized and agreed upon between the City of Watford City and Developer before Final Subdivision Plat recordation.
5. A Subdivision Improvement and Warranty Agreement (SIA) must be finalized and agreed upon between the City of Watford City and Developer before Final Subdivision Plat recordation.

PLANNING DEPARTMENT STAFF CONTACT:

Becky Smith
basmith@nd.gov
(701)444-8402





LaRissa Bertram
lbertram@nd.gov
(701)444-8406

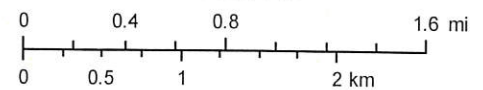
Stepping Stone



August 21, 2018

1:48,149

-  Street Centerlines
-  Watford City Limits
-  Extra-Territorial Area (ETA)
-  Cherry Creek
-  Parcels from McKenzie County

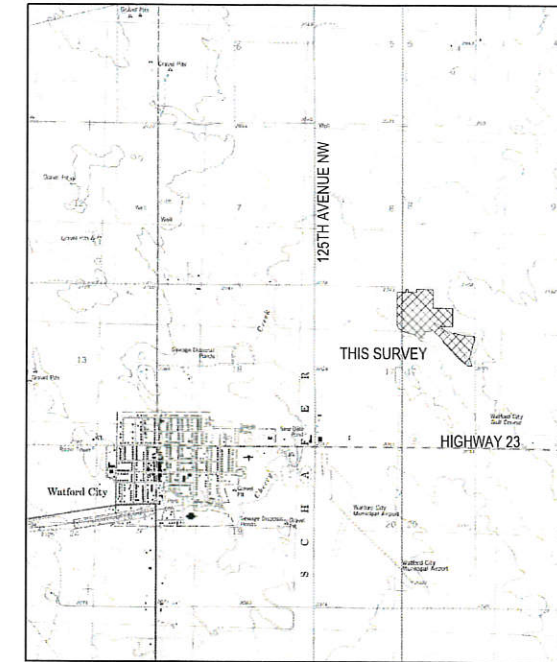
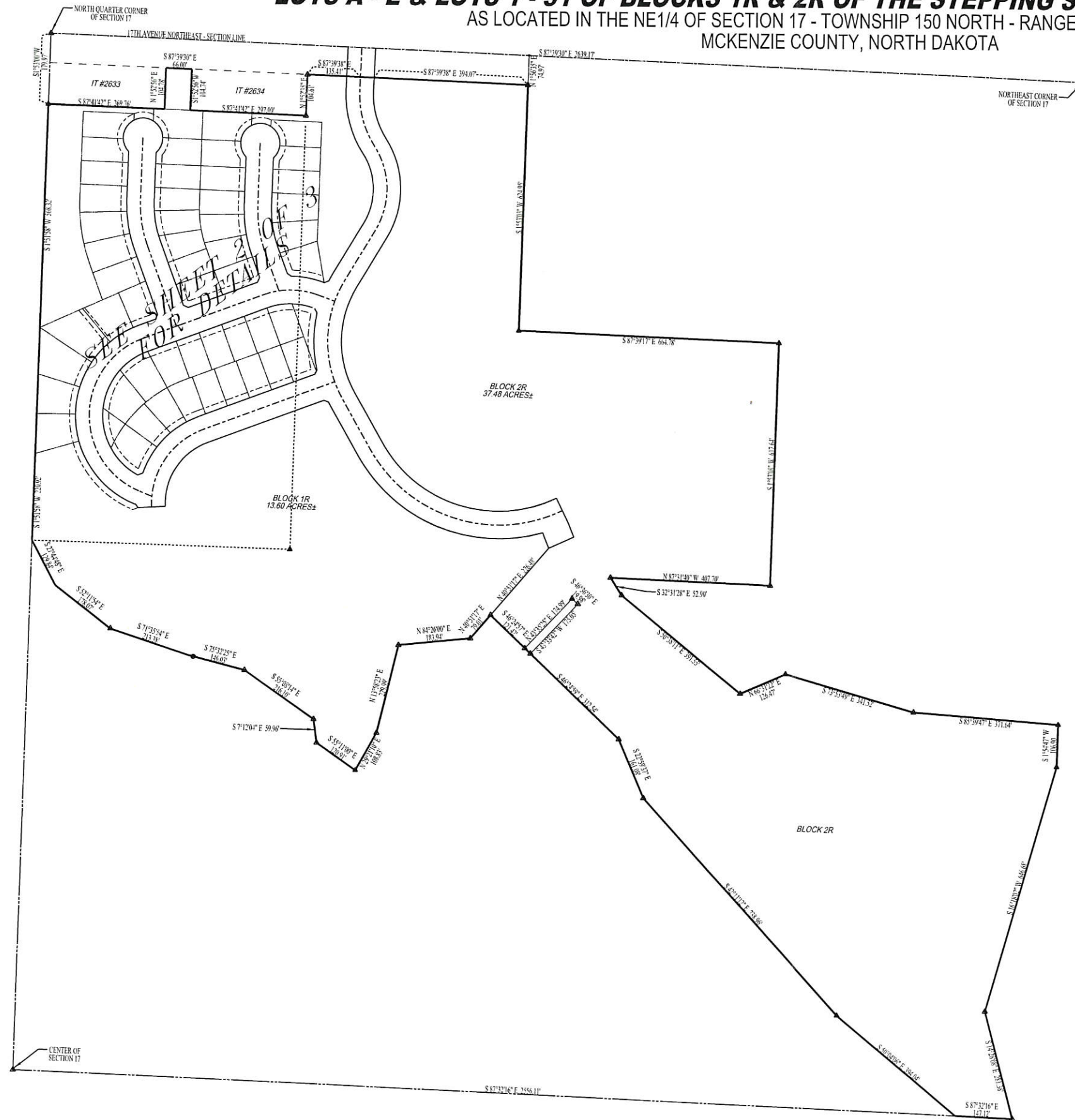


GIS, Watford City, AE2S

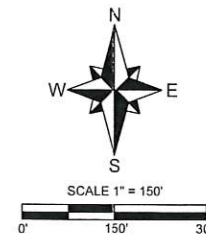




**PRELIMINARY REPLAT OF
BLOCKS 1 & 2 OF THE STEPPING STONE SUBDIVISION
NOW KNOWN AS
LOTS A - E & LOTS 1 - 51 OF BLOCKS 1R & 2R OF THE STEPPING STONE SUBDIVISION**
AS LOCATED IN THE NE1/4 OF SECTION 17 - TOWNSHIP 150 NORTH - RANGE 98 WEST - 5TH P.M.
MCKENZIE COUNTY, NORTH DAKOTA



VICINITY MAP
Not to Scale



- = REBAR & CAP SET
 - △ = PIN FOUND
 - = STONE FOUND
 - ⊠ = R.O.W. MARKER
 - x = COMPUTED
- BASIS OF BEARING: N.D. STATE PLANE - NORTH ZONE
GROUND DISTANCES SHOWN - C/F: 0.9998485
- = BOUNDARY LINE
 - - - = SECTION LINE
 - · - · = QUARTER LINE
 - · - · - · = SIXTEENTH LINE
 - · - · - · - · = PROPERTY LINE
 - · - · - · - · - · = RIGHT-OF-WAY LINE
 - · - · - · - · - · - · = ORIGINAL BLOCK LINE



PRELIMINARY REPLAT OF
BLOCKS 1 & 2 OF THE STEPPING STONE SUBDIVISION
NOW KNOWN AS
LOTS A - E & LOTS 1 - 51 OF BLOCKS 1R & 2R OF THE STEPPING STONE SUBDIVISION
AS LOCATED IN THE NE1/4 OF SECTION 17 - TOWNSHIP 150 NORTH - RANGE 98 WEST - 5TH P.M.
MCKENZIE COUNTY, NORTH DAKOTA

OWNER'S CERTIFICATE

I, (WE) THE UNDERSIGNED, BEING THE 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 WATFORD CITY. I (WE) DEDICATE EASEMENTS TO RUN WITH THE LAND FOR WATER, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON, OR OVER THE LAND DEDICATED HEREON AS "UTILITY EASEMENTS" WHETHER SHOWN OR EXISTING.

DAKOTA GOLD PROPERTIES LLC DATE

STATE OF COUNTY OF

ON THIS DAY OF 2018 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, FOR DAKOTA GOLD PROPERTIES LLC, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

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

SURVEYOR'S CERTIFICATE

I, DUSTIN JORDAN, REGISTERED LAND SURVEYOR NO. 10478, IN THE STATE OF NORTH DAKOTA ON THE BASIS OF MY KNOWLEDGE, INFORMATION, AND BELIEF, DO HEREBY CERTIFY THAT AT THE REQUEST OF SAID OWNER(S), THE SURVEY REPRESENTED BY THIS DRAWING IS IN ALL RESPECTS CORRECT, AND WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION, ON THE GROUND, TO THE NORMAL STANDARD CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN THE STATE OF NORTH DAKOTA. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD AS PERFORMED BY MYSELF OR BY BROSZ ENGINEERING.

DUSTIN JORDAN DATE REGISTERED LAND SURVEYOR NO. 10478

STATE OF COUNTY OF

ON THIS DAY OF 2018 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, DUSTIN JORDAN, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

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

PROPERTY DESCRIPTION

A TRACT OF LAND LOCATED IN BLOCKS 1 & 2 OF THE STEPPING STONE SUBDIVISION IN THE NE1/4 OF SECTION 17, T150N, R98W, 5TH P.M., MCKENZIE COUNTY, NORTH DAKOTA.

PLANNING AND ZONING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WATFORD CITY IS HEREBY APPROVED THIS DAY OF 2018 IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF WATFORD CITY NORTH DAKOTA, AND REGULATIONS OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF WATFORD CITY, NORTH DAKOTA.

GLEN BEARD, CHAIRMAN DATE

STATE OF NORTH DAKOTA COUNTY OF MCKENZIE

ON THIS DAY OF 2018, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, GLEN BEARD, CHAIRMAN, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

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

WATFORD CITY APPROVAL

THE CITY OF WATFORD CITY, NORTH DAKOTA HAS APPROVED THE ATTACHED PLAT AS SHOWN HEREIN, AND LYING WITHIN THE JURISDICTION OF THE CITY OF WATFORD 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 PORTIONS OF THE COMPREHENSIVE PLAN OF THE CITY OF WATFORD 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.

JUSTIN VOLL, MAYOR DATE

PENI PETERSON, CITY AUDITOR DATE

STATE OF NORTH DAKOTA COUNTY OF MCKENZIE

ON THIS DAY OF 2018, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, JUSTIN VOLL, MAYOR AND PENI PETERSON, CITY AUDITOR, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

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 INSTALLMENT OF SPECIAL ASSESSMENT OR TAX ESTIMATES FOR THE PROPERTY DESCRIBED ON THE ATTACHED INSTRUMENT ARE UNPAID IN THE THE AMOUNT OF \$ PLUS PENALTY AND INTEREST.

CERTIFIED THIS DAY OF 2018.

ERICA JOHNSRUD, 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 A.D., 2018 AND WAS RECORDED AS DOCUMENT NO.

ANN M. JOHNSRUD, MCKENZIE COUNTY RECORDER

RESERVATION TELEPHONE COOPERATIVE

WE HEREBY APPROVE OF THE UTILITY EASEMENTS WHICH MAY RUN UNDER, ON, OR OVER THE LAND AS DEDICATED HEREON AS "UTILITY EASEMENTS" WHETHER SHOWN ON THE PLAT AS PRESENTED OR EXISTING.

DATED ON THIS DAY OF 2018.

RESERVATION TELEPHONE COOPERATIVE, AUTHORIZED AGENT PRINTED NAME:

STATE OF NORTH DAKOTA COUNTY OF MCKENZIE

ON THIS DAY OF 2018, 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 HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

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

MONTANA DAKOTA UTILITIES COMPANY

WE HEREBY APPROVE OF THE UTILITY EASEMENTS WHICH MAY RUN UNDER, ON, OR OVER THE LAND AS DEDICATED HEREON AS "UTILITY EASEMENTS" WHETHER SHOWN ON THE PLAT AS PRESENTED OR EXISTING.

DATED ON THIS DAY OF 2018.

MONTANA DAKOTA UTILITIES COMPANY, AUTHORIZED AGENT PRINTED NAME:

STATE OF NORTH DAKOTA COUNTY OF MCKENZIE

ON THIS DAY OF 2018, 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 HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

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

MCKENZIE ELECTRIC COOPERATIVE, INC.

WE HEREBY APPROVE OF THE UTILITY EASEMENTS WHICH MAY RUN UNDER, ON, OR OVER THE LAND AS DEDICATED HEREON AS "UTILITY EASEMENTS" WHETHER SHOWN ON THE PLAT AS PRESENTED OR EXISTING.

DATED ON THIS DAY OF 2018.

MCKENZIE ELECTRIC COOPERATIVE, INC., AUTHORIZED AGENT PRINTED NAME:

STATE OF NORTH DAKOTA COUNTY OF MCKENZIE

ON THIS DAY OF 2018, 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 HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

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

WESTERN AREA WATER SUPPLY AUTHORITY

WE HEREBY APPROVE OF THE UTILITY EASEMENTS WHICH MAY RUN UNDER, ON, OR OVER THE LAND AS DEDICATED HEREON AS "UTILITY EASEMENTS" WHETHER SHOWN ON THE PLAT AS PRESENTED OR EXISTING.

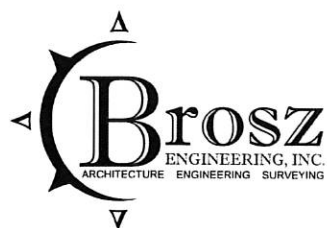
DATED ON THIS DAY OF 2018.

WESTERN AREA WATER SUPPLY AUTHORITY, AUTHORIZED AGENT PRINTED NAME:

STATE OF NORTH DAKOTA COUNTY OF MCKENZIE

ON THIS DAY OF 2018, 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 HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

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



8.

Amendment to City of
Watford City Municipal
Code Ordinance

*Chapter XV-Zoning
Article VII- Rules and Definitions,
Section 2, Subsection 21: Dwelling,
Townhome*

ARTICLE VII - RULES AND DEFINITIONS

SECTION 1. - RULES:

For the purpose of this Ordinance the following rules shall apply:

1. Words and numbers used singularly shall include the plural. Words and numbers used plurally shall include the singular.
Words used in the present tense shall include the future.
2. The word "persons" includes a corporation, members of a partnership or other business organization, a committee, board, trustee, receiver, agent or other representative.
3. The word "shall" is mandatory.
4. The words "use," "used," "occupy" or "occupied" as applied to any land or building shall be construed to include the words "intended," "arranged" or "designed" to be used or occupied.

SECTION 2: -

For the purpose of this Ordinance, certain terms or words used herein shall be interpreted or defined as follows, unless the context clearly indicates otherwise:

1. **ACCESSORY BUILDING:** A subordinate building or portion of the main building, the use of which customarily is incidental to that of the main building or to the main use of the premises.
2. **ADULT BOOKSTORE:** An enclosed building having as a substantial or significant portion of its stock in trade, books, magazines, or other periodicals which are distinguished or characterized by their emphasis on matter depicting or describing specified sexual activities or specified anatomical areas.
3. **ADULT CINEMA:** An enclosed building used on a regular basis for presenting pictorial materials or other visual images by way of direct or indirect projection, which materials are distinguished or characterized by an emphasis on the depiction of specified sexual activities or specified anatomical areas, for observation by patrons therein in return for the payment of consideration, irrespective of the number of patrons who may be able to view the presentation at one time.
4. **ADULT ENTERTAINMENT CENTER:** An adult bookstore or adult cinema, or both.
5. **ALLEY:** A way which affords only a secondary means of access to abutting property.
6. **ALTERATION:** Alteration, as applied to a building or structure, is a change or rearrangement in the structural parts of an existing building or structure. Enlargement, whether by extending a side, increasing in height, or the moving from one location or position to another, shall be considered as an alteration.
7. **ANIMAL HOSPITAL OR CLINIC:** An establishment where animals are admitted principally for examination, treatment, board or care, by a Doctor of Veterinary Medicine. This does not include open kennels or runs.
8. **APARTMENT:** A room or suite of rooms in a multiple dwelling used or designed for occupancy by a single family.
9. **BASEMENT:** A story having part, but not less than one-half ((), of its height below ground.
10. **BED AND BREAKFAST INNS:** An Owner occupied house or a portion thereof, where short term lodging rooms with or without meals are provided for compensation. The operator of the inn shall live on the premises or on adjacent premises. The unit shall contain no more than 7 guest rooms for lodging.