



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

**PLANNING AND ZONING COMMISSION
MEETING AGENDA
Monday, January 29th, 2024
6:00 PM City Hall, Heritage Room**

- **CALL TO ORDER REGULAR MEETING**
- **APPROVE AGENDA**
- **APPROVE MINUTES**
December 18, 2023 – Regular Meeting
- **CALL TO ORDER PUBLIC HEARING**

The Public Hearing will be held to hear comments on the following agenda item:

1. Land Use Application for a Conditional Use Permit (CUP) submitted by Tina Kostad, dba Snapping Turtle Photography, for property located at 1316 W Pheasant Ridge Dr. (PID 82-55-02600), Watford City, North Dakota. An application has been submitted to consider an indoor photography studio within a R-1 (Single-Family Dwelling) home.

- **CLOSE PUBLIC HEARING**
- **CONTINUE REGULAR MEETING**
- **PERMIT RECORDS**
December 2023 - January 2024 Permits
- **OLD BUSINESS**
Staff update on Chapter 15 ordinance overhaul, schedule
- **NEW BUSINESS**
- **ADJOURNMENT**

Minutes

December 18th 2023



**PLANNING AND ZONING COMMISSION
MEETING MINUTES
Monday, December 18th, 2023**

The Watford City Planning & Zoning Commission meeting was held on Monday, December 18th, 2023, at City Hall in the Heritage Room. In attendance: Chairman Jesse Lawrence and Commission Members: Troy Knutson, Lance Renville, Ross Sundeen, Jacob Jellesed, and Marco Pelton. Also in attendance: City Planner Jake Walters, Planning Administrative Assistant Chelsa Bixby, City Building Inspector Steve Williams, and City Attorney Wyatt Voll. Absent: Commission Members Warren Hovland and Sam Huebner.

With the above-mentioned present, the regular meeting hearing was called to order at 6:02 P.M. by Chairman Lawrence.

1. Call for new or old business.
2. Call to approve agenda.

Agenda was reviewed as presented. There were no comments or changes.

MOTION: Pelton SECOND: Knutson

VOICE VOTE:

AYES: all in favor

NAYS: none

1. Call to approve November 27th, 2023, Meeting Minutes.

Minutes were reviewed as presented. There were no comments or changes.

MOTION: Sundeen SECOND: Pelton

VOICE VOTE:

AYES: all in favor

NAYS: none

Call to order Public Hearing at 6:03 P.M. by Chairman Lawrence

Under consideration was the following Agenda item:

1. Land Use Application – Conditional Use Permit – 404 14th St SW, submitted by Knife River- North Central

Walters discussed the reason for the application and gave a brief description of what Knife River is proposing. He conveyed the steps outlined by the operators to help combat dust, noise, and general nuisances to the public. Walters explained that Knife River will be conducting the crushing activities for a total of three (3) weeks over the course of the three (3) month period requested and that the Commission had recommended approval of similar CUPs at this location in the past.

No further discussion.

MOTION: Sundeen SECOND: Pelton

There are no recommended conditions for this agenda item.

Approval shall be contingent upon the following recommendations and conditions:

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;
6. The conditional use shall conform to all special provisions of the district in which it is located;
7. No violations of City ordinances occur, including those related to noise, fugitive dust, and track-out of materials; and
8. The Conditional Use Permit shall be approved for a period of no more than three (3) months running from January 1st, 2024, through April 1st, 2024.

ROLL CALL VOTE:

AYES: Pelton, Knutson, Sundeen, Lawrence, Jellested, Renville

NAYS: none

MOTION: CARRIED

CLOSE PUBLIC HEARING: 6:07 by Chairman Lawrence

CONTINUATION OF REGULAR MEETING:

PERMIT RECORDS:

Permits were briefly discussed.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

There was no new business.

ADJOURNMENT: 6:12 P.M. **MOTION:** Pelton

The next regularly scheduled Planning and Zoning Commission Meeting will be held on
Monday, January 29th, 2024, at 6:00 PM

Jesse Lawrence, Chairman

Jake Walters, City Planner

1.

Land Use Application

Conditional Use Permit

Tina Kostad / Snapping Turtle Photography



City of Watford City

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

January 29th, 2024

STAFF REPORT **Land Use Application: Conditional Use Permit**

PROPERTY OWNER:

Todd & Tina Kostad
1316 W. Pheasant Ridge Dr.
Watford City, ND 58854

APPLICANT:

Tina Kostad, dba Snapping Turtle Photography
1316 W. Pheasant Ridge Dr.
Watford City, ND 58854

PROPERTY LOCATION:

1316 W. Pheasant Ridge Dr., Watford City, ND (PID 82-55-02600); Pheasant Ridge Subdivision

REQUEST:

Land Use Application: Conditional Use Permit to allow for an indoor photography studio within a home zoned R-1 (Single-Family Dwelling District)

CURRENT ZONING:

R-1 (Single-Family Dwelling District)

CURRENT USE:

Residential; owner-occupied, single-family home

SITE DEVELOPMENT:

Access: *The property is accessible from W. Pheasant Ridge St.*
Sewer: *The property does have City sanitary sewer service.*
Water: *The property does have City water service.*

SURROUNDING LAND USE:

North: Zoning – R-1 (Single-Family Dwelling District)
Use – Residential home
East: Zoning – R-1 (Single Family Dwelling District)
Use – Residential home

South: Zoning – R-1 (Single Family Dwelling District)
Use – Residential home
West: Zoning – R-1 (Single Family Dwelling District)
Use – Residential home

REFERENCES:

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

and

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.

DISCUSSION:

The applicant is asking to operate a home-based photography studio within a residentially-zoned neighborhood (Pheasant Ridge Subdivision). Businesses of this nature, located within an R-1 (Single-Family Dwelling District) zone, are not permitted by right, but rather require a Conditional Use Permit.

The owner/occupant, dba Snapping Turtle Photography, is looking to build-out a small studio in the basement of the home. The anticipated client traffic is minimal and intermittent, though

expected during typical business hours (8am – 5pm) while residential traffic tends to be at reduced levels. Little-to-no business-related deliveries are expected for the proposed operation.

Staff mailed adjacent property owners a notice regarding the CUP request. At the time of this report, no property owners have contacted staff regarding this application.

RECOMMENDATION:

It is the recommendation of City Planning Department staff to **APPROVE** the Land Use Application for Conditional Use Permit 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;
6. The conditional use shall conform to all special provisions of the district in which it is located; and
7. The Conditional Use Permit shall be approved, with no fixed review period(s), unless any of the following were to occur:
 - a. staff receives a substantive complaint about the business from a surrounding property owner;
 - b. there is a significant change in intensity of the business traffic generated;
 - c. change in ownership of the home or business occurs; or
 - d. staff determines review is required due to changes in ordinance(s) or applicable standards.

PLANNING DEPARTMENT STAFF CONTACTS:

Jake Walters
jwalters@nd.gov
(701) 444-8402

Chelsa Bixby
cbixby@nd.gov
(701) 444-8406



Planning Department - GIS

Snapping Turtle Photography Discussion Exhibit

- Subject Parcel
- General Parcel



Note: For informational purposes only. Any reliance upon this map is at user's own risk. Watford City does not warranty that the map or its features are spatially or temporally accurate nor fit for a particular use.

Permit Records

December-January

PERMIT #	PERMIT TYPE	ISSUE DATE	PROPERTY OWNER	CONTRACTOR	ADDRESS	LOT/BLOCK	SUBDIVISION	PARCEL #	DESCRIPTION OF WORK	VALUE	PERMIT FEE	INVOICE #
5650	RESIDENTIAL BUILDING	1/3/2024	Branch Construction Services LLC	Branch Construction Services LLC	1228 Tara Ln Sw	Lot 42, Block 2	Tara Estates		Construction of a residential home	\$ 320,000.00	\$ 1,223.50	6036
5651	CONSTRUCT/REPAIR	1/3/2024	Branch Construction Services LLC	Branch Construction Services LLC	1228 Tara Ln Sw	Lot 42, Block 2	Tara Estates		Pouring a driveway, approach and sidewalk to a residential home	\$ 8,400.00	\$ 79.80	6036
5652	WATER SEWER ACCESS	1/3/2024	Branch Construction Services LLC	Branch Construction Services LLC	1228 Tara Ln Sw	Lot 42, Block 2	Tara Estates		Connecting City sewer and city water to a residential home	\$ 3,196.01	\$ 3,196.01	
5653	RESIDENTIAL BUILDING	1/3/2024	Branch Construction Services LLC	Branch Construction Services LLC	1216 Tara Ln Sw	Lot 43, Block 2	Tara Estates		Construction of a residential home	\$ 320,000.00	\$ 1,223.50	6037
5654	CONSTRUCT/REPAIR	1/3/2024	Branch Construction Services LLC	Branch Construction Services LLC	1216 Tara Ln Sw	Lot 43, Block 2	Tara Estates		Pouring a driveway, approach and sidewalk to a residential home	\$ 8,400.00	\$ 79.80	6037
5655	WATER SEWER ACCESS	1/3/2024	Branch Construction Services LLC	Branch Construction Services LLC	1216 Tara Ln Sw	Lot 43, Block 2	Tara Estates		Connecting City sewer and city water to a residential home	\$ 3,196.01	\$ 3,196.01	
5656	MOVING	1/10/2024	McKenzie Health	Terence Oberle	200 8th St. NE		2nd annexation 150-98 to Watford City	82-15-17000	Deconstruct double wide module building and move to new location, then reconstruct		\$ 150.00	6041

2023	
Month	# of Permits Issued
January	16
February	8
March	18
April	14
May	34
June	26
July	19
August	14
September	17
October	14
November	13
December	8
2022 TOTAL	201

2024		
Month	# of Permits Issued	Comparison
January	7	44%
February		0%
March		0%
April		0%
May		0%
June		0%
July		0%
August		0%
September		0%
October		0%
November		0%
December		0%
2023 YTD	7	3%

2023	
Month	Value
January	\$ 491,582.95
February	\$ 11,338,344.00
March	\$ 14,254,248.00
April	\$ 249,348.22
May	\$ 385,659.00
June	\$ 195,460.00
July	\$ 500,810.00
August	\$ 4,869,914.89
September	\$ 1,213,964.94
October	\$ 1,933,896.00
November	\$ 716,950.00
December	\$ 44,505.00
2022 TOTAL	\$ 36,194,683.00

2024		
Month	Value	Comparison
January	\$ 656,800.00	134%
February		0%
March		0%
April		0%
May		0%
June		0%
July		0%
August		0%
September		0%
October		0%
November		0%
December		0%
2023 YTD	\$ 656,800.00	2%

2023 Residential Permits			
Type	# of Units	# of Buildings	Value
Single-Family Home	4	4	\$ 1,870,000
Duplex	0	0	\$ -
Apartment 3-4 Units	0	0	\$ -
Apartment 5+ Units	0	0	\$ -
2022 TOTAL	4	4	\$ 1,870,000.00

2024 Residential Permits				
Type	# of Units	# of Buildings	Value	Comparison
Single-Family Home	4	4	640,000	34%
Duplex	0	0	0	0%
Apartment 3-4 Units	0	0	0	0%
Apartment 5+ Units	0	0	0	0%
2023 TOTAL YTD	4	4	\$ 640,000.00	34%

Old Business

- 1. Staff update on Chapter 15 ordinance overhaul, schedule*

Watford City Ordinance Update 2024

#	Task	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
1	Project Management	Active										
2	Meetings	Active	As Needed									
3	Document Prep	Active	Active	As Needed								
4	Preliminary Review	Active	Active	As Needed								
5	Zoning Districts	As Needed	Active	Active	Active	Active	As Needed					
6	Supplemental Regs	As Needed	As Needed	Active	Active	Active	As Needed					
8	Nonconformities	As Needed	Active	Active	As Needed	As Needed	As Needed					
9	Conditional Uses	As Needed	As Needed	Active	Active	Active	As Needed					
10	Landscaping Regs	As Needed	As Needed	As Needed	As Needed	Active	Active	Active	As Needed	As Needed	As Needed	As Needed
11	Variances	As Needed	Active	Active	As Needed	As Needed	As Needed					
12	Parking Regs	As Needed	Active	Active	Active	As Needed	As Needed	As Needed				
13	Signs	As Needed	Active	Active	As Needed	As Needed	As Needed					
14	Building Permits	As Needed	Active	Active	As Needed	As Needed	As Needed					
15	Subdivision Regs	As Needed	Active	Active	Active	Active	As Needed					
16	Other Sections (TBD)	As Needed	Active	Active	Active	Active						
*	Compilation & Review	As Needed	Active	Active	Active							
*	City Admin. Review	As Needed										
*	Adoption	As Needed										

Task 7 – Corridor Overlay removed from Schedule