

1994
COMPREHENSIVE LAND USE PLAN
OF
WARD COUNTY

PLAN/POLICY OUTLINE - WARD COUNTY

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I. Purpose and Plan Administration

1.01 Purposes and Application of the Plan

This Comprehensive Land Use Plan, developed by the Ward County Planning Commission in accordance with Section 11-33 of the North Dakota Century Code, establishes the general policies for the use of land located within the boundaries of Ward County except in the areas within the zoning jurisdiction of any incorporated city. It reflects the values and desires of the County's residents and its purpose is to promote the health, safety, morals, public convenience, general prosperity, and welfare of its people and preservation of its natural resources. It is the intention of this plan to establish goals, objectives and policies to enable development to occur in a planned, deliberate environment.

It is recognized that certain townships in Ward County have or in the future may adopt zoning regulations of their own. This Plan is intended to supplement and compliment township zoning regulations not replace them. To that end, developers of land shall be subject to the provisions of this Plan as well as any which have or may in the future be adopted by townships in Ward County.

1.02 Amendment of the Plan

This Comprehensive Land Use Plan may be amended at any time by the Board of Ward County Commissioners upon recommendation by the Ward County Planning Commission following the public hearing procedures described in NDCC 11-33.

1.03 Implementation

This Comprehensive Land Use Plan and all future amendments hereto, upon approval by the Board of Ward County Commissioners, shall be implemented by amendments to the then current Zoning Resolutions of Ward County and shall apply to all current and future Ward County zoning resolutions or amendments thereto.

1.04 Agricultural Exemption

No part of this plan shall be construed as prohibiting or restricting the use of any lands or buildings used for farming purposes.

1.05 Severability

If any section, paragraph, clause, phrase, or part of this Comprehensive Land Use Plan is for any reason held invalid, such decision shall not affect the validity of the remaining provisions of this plan; and the application of those provisions to any persons or circumstances shall not be affected thereby.

II. GOVERNMENT

GOAL Increase the effectiveness of local governments' land use decisions in order to improve the county's physical, social and economic environment.

2.01 COMMUNITY RELATIONS

OBJECTIVE A. Provide opportunities for Ward County's citizens to understand and participate in land use decisions.

POLICIES

1. Publicize public issues, meetings, proposals and decisions made by government.
2. Invite and encourage public participation.

2.02 INTERGOVERNMENTAL COOPERATION

OBJECTIVE A. Promote cooperation among city, township, county and state governmental departments.

POLICIES

1. Encourage interdepartmental participation by: joint city, township, county and state meetings and consolidation of government plans, programs and services.
2. Consider the possibility of forming a council of governments to serve the Ward County-Minot metropolitan area.

2.03 PLANNING

OBJECTIVE A. Emphasize a sound planning process as a means of managing future county growth in the most rational, efficient manner possible.

POLICIES

1. All applications for development will be treated equally with the county's best interest of primary importance.
2. Adopt a comprehensive plan to guide future growth and development within Ward County.

2.04 COUNTY RESOLUTIONS

OBJECTIVE A. Ensure that the County's zoning resolutions are amended and kept up-to-date.

POLICIES

1. Incorporate beneficial zoning and platting innovations into county resolutions.
2. By amendments, revise the zoning resolutions to reflect the changing goals and policies of the comprehensive plan.

3. Revise the zoning resolutions as needed to include a clear explanation of allowed uses within each zoning district.
4. Promote zoning cooperation among the cities, townships and the County

III. RESIDENTIAL NEIGHBORHOODS

GOAL Preserve property values and maintain an adequate stock and variety of housing.

3.01 NEW HOUSING

OBJECTIVE A. Growth of new residential areas and redevelopment of existing neighborhoods should be orderly, systematic and consistent with the needs of the county and its residents.

- POLICIES
1. Encourage the development of vacant areas within or near community corporate limits
 2. Residential development will be encouraged to locate within city zoning jurisdictions.
 3. The county shall make reasonable efforts to prevent illegal discrimination in the housing market.
 4. Low income housing should not be concentrated in any one area of the county or its communities.
 5. The location of elderly housing units should be determined by ease of access to shopping, service facilities and transportation.

OBJECTIVE B. Encourage the use of sound planning principles and modern practices in subdivision platting and housing developments.

- POLICIES
1. Encourage the use of Planned Unit Development (PUD) techniques in residential developments, including consideration of the characteristics of each site.
 2. Local residential streets should be designed to fit the lay of the land, serve as access to abutting property, and discourage through traffic.
 3. Housing projects requiring extensive land modification should be discouraged.

4. Builders and developers are encouraged to work closely with all levels of local government to insure that developments are consistent with applicable plans, ordinances, resolutions, and adjacent land uses.

3.02 NEIGHBORHOOD REHABILITATION AND PRESERVATION

OBJECTIVE A. Encourage the maintenance and rehabilitation of housing and improvements for all residential areas.

- POLICIES
1. Create historical districts to protect significant residential areas.
 2. Support and/or apply for housing rehabilitation grants and/or loans from the Federal Government.
 3. Encourage the planting and maintenance of trees and vegetation in residential areas.

3.03 NEIGHBORHOOD COMMERCIAL DEVELOPMENT

OBJECTIVE A. Neighborhood commercial development should conform to the residential character of the area.

- POLICIES
1. Require adequate buffers as a transition between commercial and residential uses.
 2. Residential neighborhood commercial zoning should be considered only if the need for such zoning clearly exists.
 3. Discourage any use which will substantially depreciate the surrounding residential land values or generate high traffic volumes.
 4. Discourage the expansion of neighborhood commercial centers into the surrounding residential area.
 5. Encourage neighborhood commercial uses to locate at major street intersections.

IV. PARKS AND RECREATION

GOAL Conserve and expand the county's recreational and scenic areas, natural features, parks, and open space for the benefit and enjoyment of the public.

4.01 OPEN SPACE

OBJECTIVE A. Provide public access to natural and scenic areas.

POLICIES 1. Provide bike trail/walkway easements in subdivision plats to ensure reasonable access to amenity areas.

OBJECTIVE B. Preserve open space and natural features in private and public development.

POLICIES 1. Encourage the retention of natural features in the design of all developments and subdivisions.

4.02 RECREATION AND SPECIAL FACILITIES

OBJECTIVE A. Adequate parks and recreation facilities should be provided to meet the needs of county residents.

POLICIES 1. Encourage developers of fringe area subdivision to designate land for parks upon consultation with city and County agencies.

2. The various County and city agencies should work closely together in planning for future parks and recreational areas.

OBJECTIVE B. Discourage the conversion or sale of existing park and public open space lands.

V. TRANSPORTATION

GOAL Establish a county-wide transportation system plan which provides the capacity to move people, materials and goods with maximum efficiency, comfort, and safety.

5.01 AUTOMOBILE

OBJECTIVE A. Maintain roadway quality, and assure adequate road widths to serve present and forecasted traffic demands.

POLICIES 1. Require ample road right-of-way widths at the time of initial subdivision approval.

2. Roadway surfaces should be maintained and preserved for maximum utility.

3. Encourage rural subdivisions to locate in areas presently served by roads which can accommodate traffic load and are regularly maintained.

4. Soil stabilization for streets and thoroughfares is encouraged.

5.02 AIRPORT

OBJECTIVE A. Plan and regulate fringe growth in the vicinity of Minot International Airport and other County airports or airstrip facilities.

- POLICIES
1. Allow only compatible land uses within various airport noise and hazard zones.
 2. Study and consider studies, plans and ordinances of the City of Minot in conjunction with development near Minot's airport.

VI. BUSINESS AND INDUSTRY

GOAL Maintain a balanced and sustained growth of commercial, industrial and manufacturing development in the county.

6.01 COMMERCIAL

OBJECTIVE A. The creation or extension of poorly designed and located strip commercial developments will be discouraged.

- POLICIES
1. Encourage highway oriented commercial development to locate in shopping centers or in locations serviced by an interior road system.
 2. Require a landscape or land use buffer between strip commercial development and adjacent non-commercial property.
 3. Encourage business to cluster and develop in depth, (such as at road intersections) rather than in a narrow strip along roads.
 4. Discourage uses which will interfere with or slow the flow of traffic.

OBJECTIVE B. Promote quality growth of commercial uses.

- POLICIES
1. Eliminate unneeded or inappropriate commercial zoning.
 2. Provide for commercial expansion by zoning areas which are suitable for such uses.
 3. Ensure that all commercial developments provide for adequate off-street parking spaces, circulation patterns, and loading areas.
 4. Commercial facilities should be designed to enhance the appearance of the surrounding area.

5. Ensure adequate streets, highways, and/or rail facilities are available to accommodate additional traffic.
6. Buffers should be provided between commercial development and adjacent land uses.
7. Encourage multi-use commercial facilities.

6.02 MANUFACTURING AND INDUSTRY

OBJECTIVE A. Promote the quality growth of manufacturing and industrial uses.

- POLICIES
1. Encourage industry to locate in planned manufacturing and industrial parks.
 2. Manufacturing and industrial uses should be located convenient to transportation facilities.
 3. Buffers should be provided between manufacturing and industrial development and adjacent land uses.
 4. Ensure that sufficient off-street parking and loading space is provided.
 5. Encourage the screening of outside storage of material and equipment.
 6. Ensure adequate streets, highways, and/or rail facilities are available to accommodate additional traffic.

6.03 ECONOMIC DEVELOPMENT AND JOBS

OBJECTIVE A. Encourage businesses, industry, and manufacturing to locate, expand, or develop in Ward County

- POLICIES
1. Work with economic development agencies, chambers of commerce, and other business people and groups to identify locations and areas suited for the proposed development.
 2. Assist developers in liaison with business and property owners in finding properties and locations suited to their plans .
 3. Within the scope and confines of this plan, encourage and assist in the location and development of businesses which offer new, well-paying jobs to the people of Ward County.

VII. FACILITIES AND SERVICES

GOAL Develop and maintain the facilities and services to meet the county's cultural, educational, health and social needs.

7.01 EDUCATION AND HEALTH CARE

OBJECTIVE A. Encourage and support health care and education services and facilities for area residents.

- POLICIES
1. Encourage quality, life-long educational programs and opportunities for all the people of Ward County
 2. Study the problem of school district boundary conflict between city and rural districts.
 3. Promote continued high quality medical services and facilities in Ward County.
 4. Health care and education facilities should be located so as to permit convenient access from the surrounding areas.

OBJECTIVE B. Maintain a level of police and fire protection to meet the security needs of the county's citizens.

- POLICIES
1. Encourage the consolidation of local law enforcement operations where feasible.
 2. Permit levels and locations of rural development that will not strain the county's ability to provide adequate police and fire protection.

7.02 FACILITIES

OBJECTIVE A. Provide a level of governmental services as needed by county residents.

- POLICIES
1. Support attempts to combine city and County operations where feasible.
 2. Governmental facilities and services should be located so as to allow convenient access.
 3. Encourage rural water systems outside the corporate limits of municipalities.

VIII. URBAN FRINGE GROWTH

GOAL Encourage orderly development of the urban fringe areas.

8.01 FRINGE LAND USE

OBJECTIVE A. Discourage high density development beyond the zoning jurisdictions of cities in the County.

- POLICIES
1. Carefully evaluate the number and location of Farmer's Home Administration housing proposals in rural areas.
 2. Promote growth in the existing communities of the county.
 3. Discourage rezoning and subdivisions beyond the zoning jurisdictions of cities unless they abut previously non-agriculturally zoned properties.
 4. Assure that residential subdivisions beyond a community's zoning jurisdiction are rural in nature.
 5. Discourage new subdivisions beyond the zoning jurisdictions of cities which require new or upgraded public thoroughfares.
 6. Outside the zoning jurisdictions of cities, only single-family residential district rezoning requests will be considered unless need is clearly demonstrated by the applicant.
 7. Ward County recognizes that cities offer a form of government best able to handle rapid growth and urbanization. Therefore, the county will encourage future development to locate within or near existing cities in order to control urban sprawl, to control excessive costs for servicing urban communities, to maintain productive agricultural land, and to provide for orderly growth in all of the county. Ward County will continue to emphasize its agricultural economic base.

OBJECTIVE B. Discourage efforts to increase the number of municipalities or special service districts near existing communities.

- POLICIES
1. Encourage the State Legislature to increase requirements for the incorporation of new cities in close proximity to existing major cities.

OBJECTIVE C. Utilize guidelines for managing new development.

- POLICIES
1. Development beyond the zoning jurisdictions of cities may be considered if:
 - a. the applicant clearly demonstrates there is a sufficient demand or need for additional development.
 - b. The change in land use should not cause conflicts with existing agricultural uses on adjacent properties.
 - c. The area is of such size or shape that it is impractical to cultivate.
 - d. Existing or planned activities on adjacent properties are presently incompatible with agricultural uses.
 - e. The proposed development should not place an undue burden upon the local government to provide services (schools, police, fire, road maintenance etc.)
 - f. The proposal should not result in significant water, soil or air pollution.
 - g. The proposal should have good quality water available.
 - h. Soil testing is encouraged to ensure stability for development. The proposal should not cause unreasonable soil erosion.
 - i. The proposal should not cause unreasonable highway congestion or unsafe conditions.
 - j. The proposal should not have significant adverse effect on the scenic or natural beauty of the area, historical sites, or rare and irreplaceable natural areas.
 - k. The proposed development is not located in a floodway.
 - l. Structure(s) proposed in the development should be elevated if lying within a flood plain.
 - m. The proposal should not require new or upgraded thoroughfares to serve the area.

- n. Access onto major roads should be limited.
 - o. The proposal conforms to all applicable ordinances.
 - p. The proposal should abut a previously non-agriculturally zoned area.
 - q. The area is not economically viable for agricultural use.
2. Development within the zoning jurisdictions municipalities shall be determined by the municipalities.
- a. Development just within the boundaries of the zoning jurisdictions of cities or which may effect properties beyond a city's zoning limits should be reviewed in cooperation with the County Planning Commission and the applicable township boards.

8.02 ANNEXATION

OBJECTIVE A. Areas urban in character are encouraged to become annexed to the adjacent municipality.

- POLICIES
- 1. Plats will be approved with the understanding that they should be annexed as a city's corporate limits expand.
 - 2. City limits should be comprehensively extended as extension of municipal services becomes feasible and desirable to all parties involved.

8.03 SERVICES & FACILITIES

OBJECTIVE A. Plan and encourage construction of public services to guide development patterns.

- POLICIES
- 1. Discourage development of locations which will substantially increase public service costs.
 - 2. Encourage rural water and central sewer service to be installed in all communities of the county.
 - 3. Small lot (less than two acres) development shall be discouraged outside incorporated areas unless the developer provides for utility services and roads equivalent to urban standards.

8.04 STREETS & ROADS

OBJECTIVE A. Coordinate the master planning of all roads within the county.

- POLICIES
1. Roads within subdivisions near city zoning jurisdictions should be planned as future city streets.
 2. Roads in rural subdivisions shall be constructed to county road standards.
 3. Platted roads in subdivisions shall be platted to conform with existing road master plans.
 4. Roads within rural subdivisions shall be maintained through prior written agreement by the developer, township government or by contract with the County.
 5. Encourage the formation of special assessment districts to pave roads within rural subdivisions.
 6. The City and County Planning Departments shall jointly exercise final approval of proposed road, avenue and street names in new subdivisions.
 7. New subdivision plats should be accompanied by an approved master road plan for the adjacent areas.

IX. ENVIRONMENT

GOAL Emphasize environmental and agricultural considerations as major factors in the decision making process.

9.01 LANDMARKS & HISTORIC FEATURES

OBJECTIVE A. Identify and preserve important natural and historic features in Ward County.

- POLICIES
1. The County Planning Commission, with assistance from the State Historical Society, should document the important historical features in the county.
 2. Developers will be encouraged to retain the natural site characteristics in their subdivisions.
 3. Preservation of historic and natural features will be important as part of the development review process.

4. Publish and distribute a guide to historic buildings and sites in Ward County.

9.02 AGRICULTURAL

OBJECTIVE A. Ward County contains a variety of productive agricultural soil types which should not be lost unnecessarily to growth and development.

- POLICIES
1. Outside the zoning jurisdiction of cities, use S.C.S. soil survey information when considering zoning and subdivision requests.
 2. Encourage rural residential development, as needed, to locate outside of productive agricultural areas.

OBJECTIVE B. Support and promote agricultural production and the marketing and distribution of agricultural products.

- POLICIES
1. Encourage the development and maintenance of efficient transportation, including roads and highways, for agricultural products.
 2. Encourage development of agricultural related industries, processing, and manufacturing.

9.03 ENVIRONMENTAL PROTECTION

OBJECTIVE A. Encourage the development, utilization, and conservation of natural and agricultural resources of the County while protecting water, land, and the air from contamination and exploitation.

- POLICIES
1. Protect the County's productive agricultural land from encroachment of non-agricultural uses.
 2. Encourage the development of mineral resources in a way which will not impair or damage the long-term viability of other resources.
 3. Subject all proposed development to minimal environmental assessments and more extensive assessments if warranted.
 4. Prohibit development or land uses which pose an unacceptable risk of contaminating or exploiting natural resources
 5. Maintain the quality and quantity of ground and surface water resources.

6. Protect agricultural operations from non-agricultural development or land uses which would hinder farm operations or productivity.
7. Support programs and activities which reduce soil erosion and fight noxious weeds and prevent their spread.

OBJECTIVE B. Aggressively regulate inoperable and junk vehicles, machinery, equipment, appliances, building debris, and other junk on private property to prevent health and safety hazards as well as the degradation of surrounding property values.

- POLICIES
1. Encourage and support legislation authorizing local governments to adopt regulations to prohibit and control the storage of junk and debris except in areas designated and regulated as salvage yards.
 2. Encourage and support authorization of the First District Health Unit to enforce such laws and regulations.

9.04 SOLID WASTE DISPOSAL AND INCINERATION FACILITIES

OBJECTIVE A. Solid waste disposal and commercial incineration facility sites shall be allowed only in locations geologically suited for such facilities and where soils and water will not be subjected to possible contamination from such operations.

- POLICIES
1. All elements of proposed sites shall be thoroughly tested and reviewed as part of a permitting process.
 2. The public shall have the opportunity to review proposed sites and make comments and present data and information before a permit decision is made.
 3. Permits for such facilities shall be issued on a conditional basis only and subject to modifications. Permits may be suspended or revoked for cause.

OBJECTIVE B. Protecting public health and safety are of paramount concern in considering, granting, modifying, or revoking waste disposal and/or incineration facility permits.

- POLICIES
1. The concerns expressed by people of the County shall be given high priority in the decision making process, especially when supported by factual data.

2. Water, soil, and air on the surface, downstream, and down-wind shall be monitored to detect contamination.
3. Potentially hazardous levels of contamination as determined by the First District Health Unit or the N.D. State Health Department shall be grounds for modification, suspension, or revocation of a permit.

OBJECTIVE C. All costs associated with applying for permits, monitoring sites, operating, settling claims and closing solid waste disposal and incineration facilities shall be born by the applicants or operators and not by the people of Ward County except as those costs may be recovered in the fees charged by the operator for disposal.

- POLICIES
1. Applicants and/or operators of solid waste disposal and incineration facilities shall have sufficient bonds in place to indemnify the public including County and local government for any costs not paid by the applicant/operator which are associated with the operation of the facility and which they are obligated to pay.
 2. Operators of solid waste disposal and incineration facilities shall have liability insurance deemed sufficient by the Board of Ward County Commissioners in place before accepting waste.

9.05 FLOOD PLAIN MANAGEMENT

OBJECTIVE A. Growth and development in the flood plain shall be limited to avoid exposure to the risk of flooding and so property owners will have flood insurance available to them.

- POLICIES
1. The County shall maintain flood plain zoning for the safety and security of the people of the County.
 2. Construction shall be allowed in the flood plain only as permitted by flood plain zoning.
 3. Use of the flood plain for parks, recreation and agriculture shall be encouraged.

OBJECTIVE B. Where a "floodway" is designated by the U.S. Army Corps of Engineers, construction shall be permitted only under very limited circumstances as provided for in the County's flood plain zoning regulations.

- POLICIES
1. Permanent improvements in the floodway shall be discouraged
 2. Use of the floodway shall be encouraged for parks, recreation, and agriculture.

X. MINOT AIR FORCE BASE

GOAL To retain and enhance the mission of the U.S. Air Force at Minot Air Force Base.

10.01 AIR BASE COOPERATION

OBJECTIVE A. Maintain liaison and cooperation with the U.S. Air Force and base command to ensure the base remains attractive and viable for the missions assigned there.

- POLICIES
1. Recognition of the importance of Minot Air Force Base to the economic and social structures of Minot, Ward County and North Dakota and support the presence of the Air Force, its personnel, and its missions.
 2. Limit the development of land around the Air Base perimeter to agricultural uses.
 3. Limit development in the runway glidepath at the ends of the base runways to agricultural uses.
 4. Work with the Air Force in designating and maintaining roads to missile facilities.
 5. Allow the use of land in agricultural areas for missile facilities.
 6. Remain ready to work with and accommodate the Air Force with any new or revised missions assigned to the base.