

**WALSH COUNTY  
COMPREHENSIVE PLAN**

**JULY 1994**

# WALSH COUNTY COMPREHENSIVE PLAN

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# **WALSH COUNTY COMPREHENSIVE PLAN**

## **I. INTRODUCTION**

This comprehensive plan has been prepared by the Red River Regional Council and reflects the values and desires of the county residents. The purpose of this plan is to promote health, safety, morals, public convenience, general prosperity, and public welfare in Walsh County.

A comprehensive plan is a public document adopted by a local government as a policy guide to decisions about the development of a city or county. It is concerned with future land use, transportation, and public facilities. It establishes plans and policies to achieve the goals and objectives which county residents have for the future. It also guides development in a planned, orderly, and rational fashion.

### **A. Organization**

This plan is organized into four sections. Section I is the introduction, designed to explain the purpose, format and use of the plan. Section II contains the background of existing characteristics of Walsh County. Section III contains the county plan. It lists the goals and objectives of the plan, and the projections for future uses and needs of the county. Section IV contains the implementation information and the zoning regulations.

### **B. Use of Plan**

This plan is designed to be used by the elected and appointed officials of Walsh County when making decisions about the development of the county.

### **C. Legal Authority**

The legal authority for county governments to create a planning commission, and to develop and adopt a comprehensive plan is contained in Chapter 11-33 of the North Dakota Century Code.

## **II. BACKGROUND**

### **A. Description**

Walsh County is in the northeastern part of North Dakota. It borders on Minnesota to the east at the Red River of the North, and is approximately 40 miles south of the Canadian border. The county occupies 1,287 square miles or 823,680 acres.

The population of Walsh County in 1990 was 13,840. Grafton is the county seat.

## **B. Regional Setting**

The present landscape of Walsh County was formed by the action of ice and water during the late Wisconsin glacial period. Glaciers that descended from the north pushed earth material across the area that is now Walsh County. The Edinburg moraine and the rolling ground moraine resulted from the movement of glaciers. Except that soils have formed on the surface, these moraines have not changed much since they were formed.

As the glacier melted, water accumulated along its southern edge, forming Lake Agassiz. At its greatest extent, this lake filled the basin now referred to as the Red River Valley, which extends through North Dakota, Minnesota, and South Dakota. The width of Lake Agassiz in what is now Walsh County was about 33 miles from east to west. The lake covered approximately 506,000 acres, or about 60 percent of the present county.

## **C. Historical Development:**

The first settlement in the area that is now Walsh County was on the site of Grafton, in 1879. Thomas Cooper, who started the settlement, named the place Grafton in honor of his wife's former home in New Hampshire. In 1881, Walsh County was formally organized from parts of Pembina and Grand Forks Counties, and Grafton was selected as the county seat.

## **D. Physical Features and Resources:**

### Climate:

Walsh County has a continental climate, characterized by long cold winters and warm summers. The frost-free growing season is approximately 120 days, from late May to mid-September. Annual precipitation averages 18 inches annually, with 45 percent of that falling in the months May through July. Yearly snowfall averages 36 inches.

### Agricultural Resources:

Most of the land in the county is used for agriculture. The 1987 Census data indicates 928 farms in the county with average acreage of 818, for a total of 759,104 acres, or 92% of the land. Table I shows the distribution of the farms by size.

**Table I**

**Distribution of Farms By Size  
Walsh County, Region IV, North Dakota**

Size	Number of Farms	Percent of Total Farms	Percent change 1982-1987
1 to 49 acres	56	6	24
50 to 499 acres	341	36.3	-8.1
500-999 acres	247	26.6	-16.6
1000+ acres	284	30.6	8

*Source: US Census Bureau, 1987 reported in Population Bulletin, ND Census Data Center*

Soils:

The soil types in Walsh County can be categorized in three general types, glacial till, outwash beach and glacial lake plain. The eastern half of the county contains lake deposits ranging from clay and silt in the east to fine sand, silt and silty clay loam in the west. The land is very level, with changes of only a few feet per mile.

Soils of the glacial till plain cover the western half of the county. The topography is nearly level to rolling and undulating.

These two types are separated by a 6 to 14 mile wide band running north to south through the central portion of the county. These sandy, gravelly and loamy soils contain materials that the glacial melt water carried into the glacial lake and deposited in the deltas, fans and beach areas.

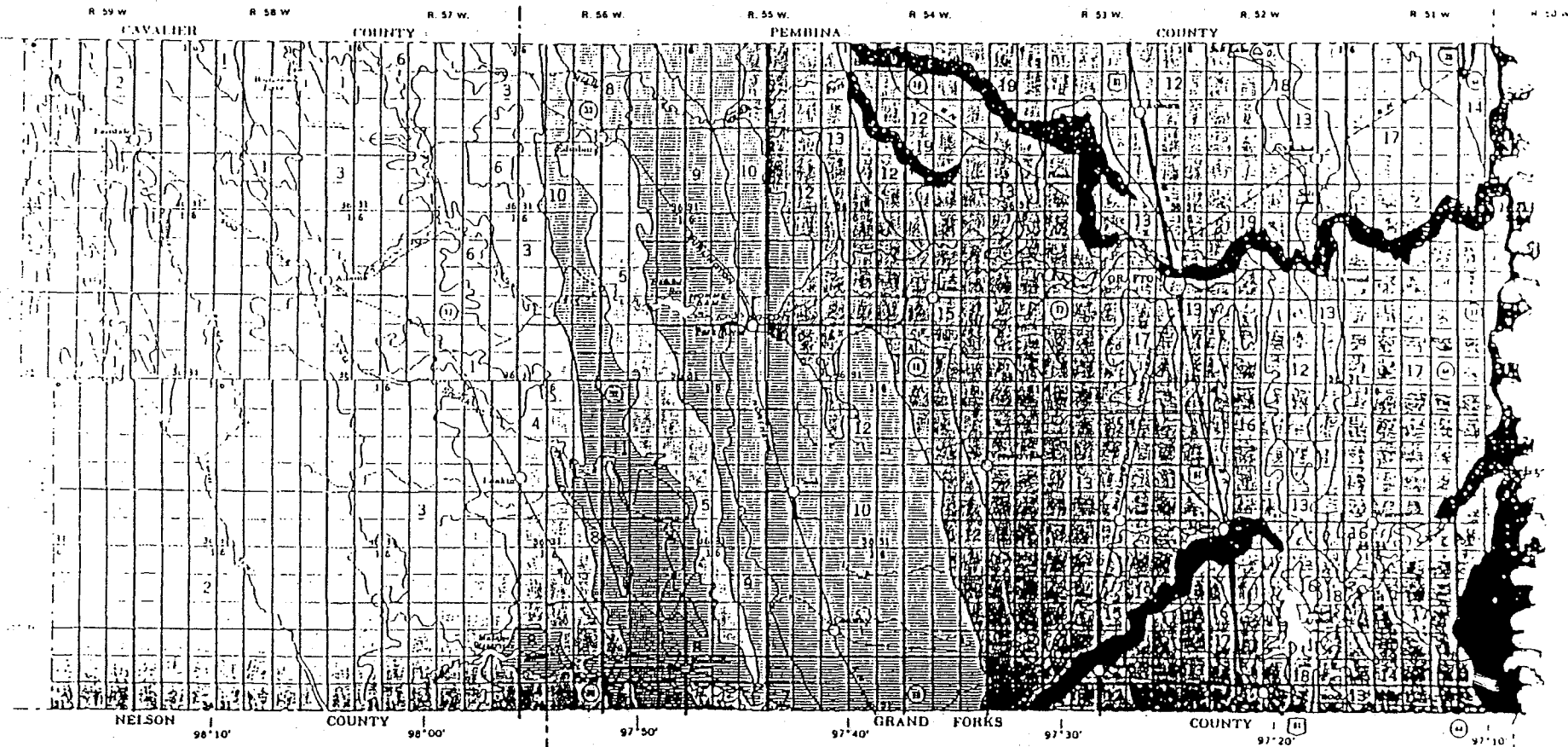
The floodplains of the Park River and Red River contain recently deposited alluvium that ranges from light loam to clay in texture.

A soil map is included which provides more detail as to the soil types.

Water Resources:








Walsh County is primarily drained by the Park River and the Forest River, which join the Red River of the North on the eastern border of the county. The extreme southwestern portion of the county drains into the Devils Lake basin.

The three branches of the Park River provide drainage to approximately the northern half of the county. The three join just west of Grafton. The city of Park River uses the Park River, at the Homme Reservoir as its source of water. Grafton can use the Park River as a secondary source, and uses the Red River as its primary source. Forest River and its tributaries provide drainage to the southern half of Walsh County. Figure 1 provides a three dimensional view of the physiography of the county.







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**SOILS OF THE GLACIAL TILL PLAINS**

-  Crestford-Hamery-Sveo association: Deep, nearly level, moderately well drained and somewhat poorly drained loamy soils
-  Hamery-Sveo-Barnes association: Deep, nearly level to rolling, somewhat poorly drained to well-drained loamy soils
-  Barnes-Sveo-Parnell association: Deep, nearly level to rolling, well drained and moderately well drained loamy soils and nearly level, deep, very poorly drained loamy and clayey soils
-  Sveo-Barnes association: Deep, nearly level and gently sloping, moderately well drained and well drained loamy soils
-  Barnes-Buse association: Deep, gently undulating to steep, well-drained and excessively drained loamy soils on the Edinburg moraine
-  Kloten-Edgetay association: Shallow to deep, nearly level to undulating and steep, well-drained loamy soils over shale bedrock
-  Buse-Fardale association: Deep, nearly level to steep, excessively drained and moderately well drained loamy soils

**SOIL ASSOCIATIONS \***






-  **SOILS OF THE OUTWASH, INTERBEACH, DELTA, AND VALLEY AREAS**  
Renshaw-Bransford-Slovak association: Shallow, nearly level to steep, excessively drained and well-drained loamy soils underlain by sand and gravel
-  Embden-Itecta-Ulen association: Deep, nearly level to sloping, moderately well drained and somewhat poorly drained loamy and sandy soils
-  Lankin-Gilby association: Deep, nearly level to gently sloping, somewhat poorly drained and poorly drained loamy soils
-  Walsh association: Deep, level to sloping, well drained and moderately well drained loamy soils formed in shaly alluvium

**SOILS OF THE GLACIAL LAKE PLAIN**



-  Glyndon-Gardena association: Deep, nearly level to gently sloping, moderately well drained and somewhat poorly drained loamy soils
-  Bearden-Overly association: Deep, nearly level to gently sloping, somewhat poorly drained and moderately well drained silty soils

\* Texture is that of surface layer

Published 1971

-  Bearden-Glyndon association: Deep, nearly level, moderately well drained and somewhat poorly drained, calcareous clayey and loamy soils
-  Overly-Bearden fans association: Deep, nearly level, moderately well drained and somewhat poorly drained silty and clayey soils on alluvial fans
-  Bearden-Glyndon moderately saline association: Deep, nearly level, somewhat poorly drained and moderately well drained silty and loamy soils that are saline
-  Hegne-Fargo association: Deep, nearly level to gently sloping, poorly drained clayey soils
-  Ogata-Hegne saline association: Deep, nearly level, poorly drained silty and clayey soils that are strongly saline

**SOILS OF THE FLOOD PLAINS AND LOW TERRACES**

-  Fardale-LaPrairie association: Deep, nearly level to gently sloping, moderately well drained loamy soils on flood plains
-  Wahpeton-Cassel-Fargo association: Deep, nearly level to gently sloping, moderately well drained to poorly drained clayey soils on flood plains and low terraces

U. S. DEPARTMENT OF AGRICULTURE  
SOIL CONSERVATION SERVICE

NORTH DAKOTA AGRICULTURAL EXPERIMENT STATION

**GENERAL SOIL MAP**  
WALSH COUNTY, NORTH DAKOTA

Scale 1:250,000  
1 2 3 4 5 6 7 8 9 10

This map is for general planning only. The major scale and does not sufficient detail for operations.

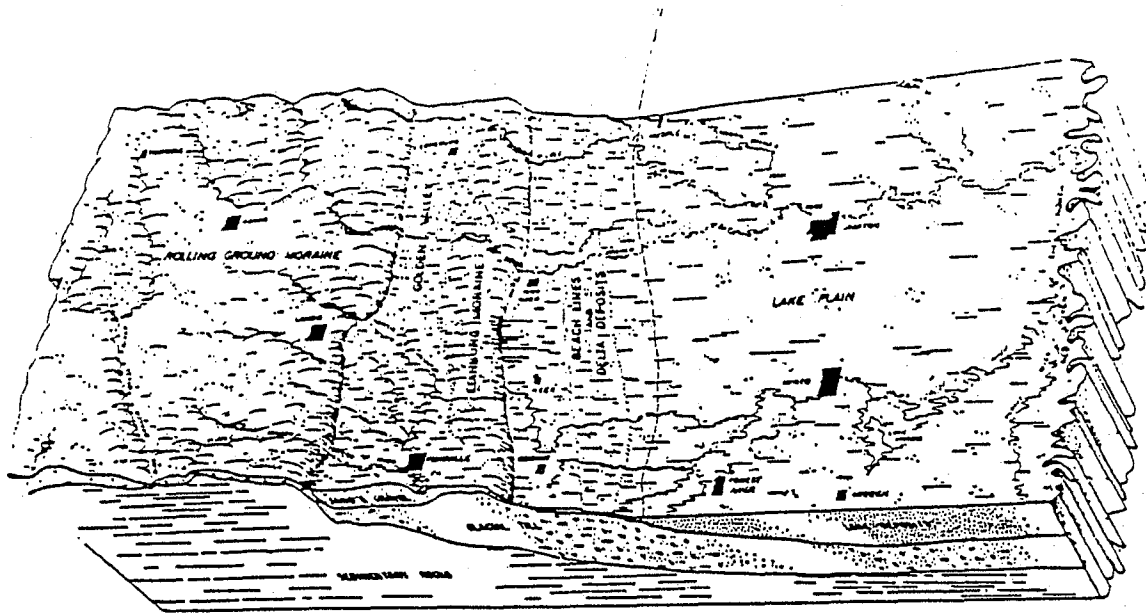


Figure 2.--Physiographic features of Walsh County, ND

Groundwater Resources:

The most valuable groundwater resources in Walsh County are the three aquifers that are located in the Glacial Drift. These aquifers are the Edinburg, Fordville, and Medford aquifers. All three have good water quality. The Edinburg aquifer supplies up to 250 gallons per minute, and parts of the Fordville aquifer provide up to 500 gallons per minute. Figure 2 shows the location of these aquifers.

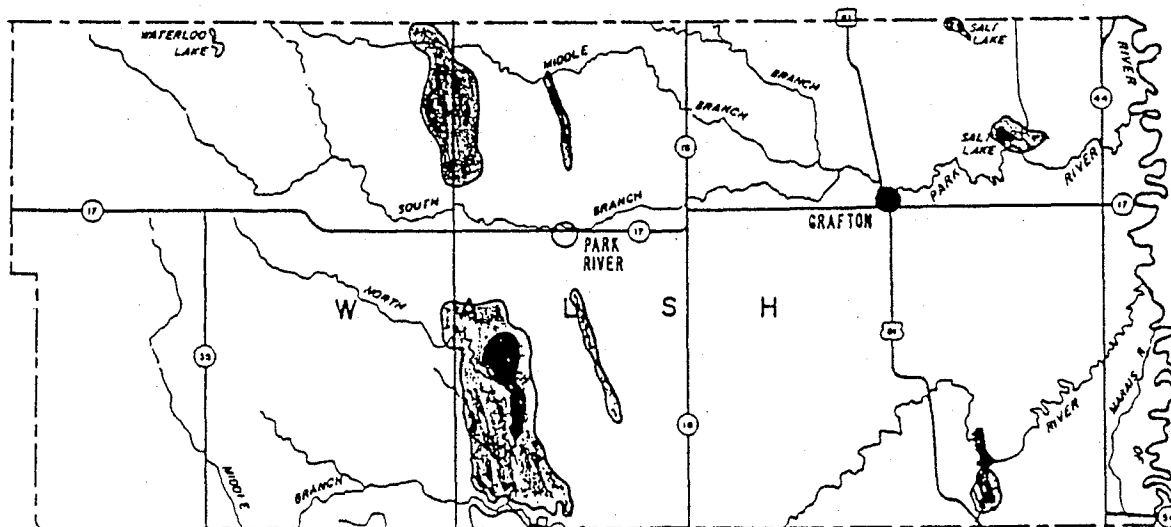


Figure 3.--Location of Aquifers

**E. Population:**

Population statistics provide information that is vital to effective planning. This section of the plan provides an overview of the trends in population changes and related factors for the county. The trend in population change over the past 50 years has been a steady decline in numbers. Table II compares the population changes in Walsh County with the Region and the State for the same period.

**Table II**  
**Population Change**  
**Walsh County, Region IV, North Dakota**  
**1900-1990**

YEAR	WALSH COUNTY		REGION IV		NORTH DAKOTA	
	NUMBER	PERCENT CHANGE	NUMBER	PERCENT CHANGE	NUMBER	PERCENT CHANGE
1900	20,288	--	69,932	--	310,146	--
1910	19,491	-3.9	72,268	3.3	577,056	80.8
1920	19,078	-2.1	73,412	1.6	646,872	12.1
1930	20,047	5.1	76,963	4.8	680,845	5.3
1940	20,747	3.5	80,065	4.0	641,935	-5.7
1950	18,859	-9.1	80,382	0.4	619,636	-3.5
1960	17,997	-4.6	86,654	7.8	632,446	2.1
1970	16,251	-9.7	93,857	8.3	617,761	-2.3
1980	15,371	-5.4	97,103	3.5	652,717	5.6
1990	13,840	-9.9	98,171	1.1	638,800	-2.1

Source: U.S. Bureau of Census (1991)

In addition to total population, a closer look at the changes in Walsh County indicates that only two cities in the county show positive growth since 1940. Table III provides population of the 13 incorporated communities in Walsh County for that period.

**TABLE III**  
**POPULATION OF INCORPORATED PLACES**  
**WALSH COUNTY**  
**1940-1990**

INCORPORATED PLACE	POPULATION						NET	% OF CHANGE 1940-90
	1940	1950	1960	1970	1980	1990		
Adams	355	411	360	284	303	248	-107	-30.1
Ardoch	119	137	106	70	78	49	-70	-58.8
Conway	120	107	67	57	33	24	-96	-80.0
Edinburg	378	343	330	315	300	284	-94	-24.9
Fairdale	187	131	126	102	97	76	-111	-59.4
Fordville	439	376	367	361	326	299	-140	-31.9
Forest River	207	236	191	169	152	148	-59	-28.5
Grafton	4,070	4,901	5,885	5,946	5,293	4,840	+770	+18.9
Hoople	346	447	334	330	350	310	-36	-10.4
Lankin	283	287	303	221	175	152	-131	-46.3
Minto	630	592	642	636	592	560	-70	-11.1
Park River	1,408	1,692	1,813	1,680	1,844	1,725	+317	+22.0
Pisek	242	215	176	154	156	130	-112	-46.3
<b>TOTAL</b>	<b>8,784</b>	<b>9,875</b>	<b>10,700</b>	<b>10,325</b>	<b>9,699</b>	<b>8,845</b>	<b>+61</b>	<b>+ .7</b>

Source: U.S. Bureau of Census, 1990

Another perspective on the population issue is to look at the changes in three categories of residential settings; urban, rural non-farm and rural farm. The trend since 1940, as expected, is an increase in the urban population and decrease in the rural population. In Walsh County, the increase in the urban population has not been as great as expected. This could be due in part to the downsizing of a large employer in the city, the State Developmental Center. It may also be due to the same trend at a regional level, that is the migration toward the city of Grand Forks. Table IV summarizes the trends in population shifts in the county over the period 1940 to 1990.

**TABLE IV**  
**POPULATION SHIFTS IN WALSH COUNTY**

PLACE OF RESIDENCE	YEAR					
	1940	1950	1960	1970	1980	1990
Urban - Grafton	4,070	4,901	5,885	5,946	5,293	5,000
Rural - Non-Farm (12 smaller communities)	4,714	4,979	4,815	4,379	4,404	4,005
Rural - Farm	11,963	8,979	7,297	5,926	5,674	4,835
<b>TOTAL</b>	<b>20,747</b>	<b>18,859</b>	<b>17,997</b>	<b>16,251</b>	<b>15,371</b>	<b>13,840</b>

*Source: Red River Regional Council*

Migratgion out of the county has had a considerable impact on the population of the county. During the period 1980 to 1990, the county recorded a loss of 5,933 people due to outmigration. The movement out of the county is most pronounced in the 20-29 year age group. Table V compares migration rates for Walsh County to the other couties in the Region and to the state average.

**TABLE V**  
**MIGRATION - 1980 to 1990**

**Migration in or out of county per 1,000 population.**

COUNTY	AGE GROUP									
	Overall	0-9	10-19	20-29	30-39	40-49	50-59	60-69	70-79	80+
Grand Forks	-74	-178	-28	+516	-348	-204	-73	-41	+16	+28
Nelson	-118	-80	-57	-588	-19	-67	-16	-16	-23	+31
Pembina	-141	-78	-149	-467	-13	-110	-59	-63	-40	+9
Walsh	-132	-58	-79	-386	-59	-126	-96	-75	-64	-3
STATE	-110	-125	-80	-148	-187	-118	-92	-128	-228	+1

Source: Population Bulletin, November 1991 - ND Census Data Center

The age composition reflects the impact of out-migration. Table VI provides the number of persons in several age groups. Following a group from one decade to the next provides a clear picture of the effects of migration. The 5 to 14 year-olds number 3,418 in 1970. These same people make up the 15 to 24 year old population in 1980, but the total number is only 2,473. The same group is recorded in the 1990 figures as the 25 to 34 year old population, numbering only 1,990.

**TABLE VI**  
**AGE COMPOSITION IN WALSH COUNTY**

AGE GROUP	1970	1980	1990
Under 5 yrs.	1,165	1,122	973
5-14	3,418	2,275	2,270
15-24	2,349	2,473	1,467
25-34	1,603	2,198	1,990
35-44	1,675	1,552	1,900
45-54	2,002	1,537	1,323
55-64	1,767	1,752	1,322
65 and over	2,272	2,521	2,605

Source: Population Bulletin, July 1991 - ND Census Data Center

## F. Housing

Housing is always important to a county. It is necessary to house the individuals already in the county, as well as to attract new businesses or new people to the area. A study of housing changes from 1970 to 1990 shows an overall increase of 17.8% in Walsh County, and a 153% increase in mobile home units alone.

**TABLE VII**  
**CHANGES IN HOUSING UNIT TYPES**  
**1970 TO 1990**  
**WALSH COUNTY, REGION IV, NORTH DAKOTA**

WALSH COUNTY	1970		1990		CHANGE - 1970-90	
	NUMBER UNITS	% OF TOTAL	NUMBER UNITS	% OF TOTAL	NUMBER UNITS	% OF CHANGE
Single Family	4,411	85.3%	4,558	74.8%	147	3.3%
Multi-Family	501	9.7%	871	14.3%	370	73.8%
Mobile Home	262	5.0%	664	10.9%	402	153.4%
TOTAL UNITS	5,174		6,093		919	+ 17.8%
REGION IV	NUMBER UNITS	% OF TOTAL	NUMBER UNITS	% OF TOTAL	NUMBER UNITS	% OF TOTAL
Single Family	19,436	66.7%	21,742	54.7%	2,306	11.9%
Multi-Family	8,379	28.7%	14,807	37.3%	6,428	76.7%
Mobile Home	1,327	4.6%	3,184	8.0%	1,857	140.0%
TOTAL UNITS	29,142		39,733		10,590	36.3%

*Source: 1970 and 1990 Census of Housing, ND Census Data Center, NDSU, Fargo, ND*

Of the 39,733 total housing units counted during the 1990 census in Region IV, 6093, or 15.3%, were in Walsh County.

On a Walsh County basis, from 1970-1990, single family housing units increased 3.3%, multi-family increased 73.8%, and mobile homes by 140%.

Multi-family and mobile home housing units showed dramatic increases in all counties of Region IV. This shows that a larger percent of the population turned to rental units and mobile homes as a more economical means of living.

Table VIII gives information about housing tenure and vacancy status in Walsh County and Region IV in 1970 and 1990.

**TABLE VIII**  
**HOUSING TENURE AND VACANCY STATUS**  
**WALSH COUNTY AND REGION IV**

WALSH COUNTY	1970		1990		CHANGE - 1970-90	
	NUMBER UNITS	PERCENT	NUMBER UNITS	PERCENT	NUMBER UNITS	PERCENT
Owner-Occupied	3,641	70.4%	3,920	64.3%	279	7.7%
Renter-Occupied	992	19.2%	1,308	21.5%	316	31.9%
Vacant	541	10.4%	865	14.2%	324	60.0%
<b>TOTAL UNITS</b>	<b>5,174</b>		<b>6,093</b>		<b>919</b>	
REGION IV	NUMBER UNITS	PERCENT	NUMBER UNITS	PERCENT	NUMBER UNITS	PERCENT
Owner-Occupied	16,329	56.0%	20,414	51.4%	4,085	25.0%
Renter-Occupied	10,430	35.8%	15,552	39.1%	5,122	49.1%
Vacant	2,383	8.2%	3,767	9.5%	1,384	58.1%
<b>TOTAL UNITS</b>	<b>29,142</b>		<b>39,733</b>		<b>10,591</b>	

*Source: 1970 and 1990 Census of Housing, ND Census Data Center, Fargo, ND*

### Housing Availability in Region IV

Because the region has been experiencing a long-term population decline, housing is generally available in all parts of the region, if the family searching for housing has the means to purchase it.

Adequate, safe and healthy housing throughout the region for purchase or rent for families with lesser means is generally not available. Multi-family and single-family rent-subsidized units for households falling within the low to moderate income (LMI) range is critically short. There is also a shortage of homes for sale within the moderate price range that also meet local, state, and federal building, health and safety codes.

Most single-family dwellings throughout the region which are owned or rented by LMI families are in need of weatherization, health and safety code repairs. The chronic low pay and underemployment of these LMI families makes it unlikely that the families themselves will make

the repairs. Landlords are reluctant to make repairs themselves because of the low value that the real estate market places upon rural homes, because many are absentee owners, and because many landlords themselves fall within the LMI category.

Community Development Block Grant, HOME, and other federal housing rehabilitation programs are inadequately funded to meet the needs of rural North Dakota. Also, the mechanisms which determine funding priority, when yearly competition for the limited funds occurs, are weighted toward urban areas.

## G. The Economy

**TABLE IX**  
**ECONOMIC BASE**  
**SALES FOR FINAL DEMAND BY TYPE OF BASIC SECTOR ACTIVITY,**  
**TOTAL IN MILLIONS, 1991**  
**WALSH COUNTY, REGION IV, NORTH DAKOTA**

COUNTY	** PERCENT OF TOTAL **					TOTAL \$ IN MILLIONS
	AGRICULT	ENERGY	FEDERAL OUTLAY	MANUFACT	TOURISM	
Grand Forks	22.3	--	58.0	12.8	6.9	658.0
Nelson	65.1	--	31.4	1.0	2.4	86.9
Pembina	58.8	--	25.0	15.0	1.1	274.1
Walsh	62.1	--	33.7	3.2	.9	283.7
REGION IV	41.5	--	44.0	10.4	4.1	1,302.7
STATE	35.4	18.9	33.6	7.9	4.2	9,194.4

*Source: ND 1993: Patterns and Trends in Economic Activity,  
Dept. of Agriculture Economics, NDSU*

The economic base for North Dakota is comprised of all activities that bring money into the state. In our state, it is mostly in the following five sectors: agriculture, federal funds, tourism, energy, and manufacturing.

### Characteristics

Throughout Region IV, economic prosperity has been based primarily on agriculture. The region's large amount of good fertile farmland was initially a blessing. But the region's continuing reliance on it all but stopped the development of a more diverse and solid economic base on which the region can sustain continuing growth.

As shown by the percent of the total, federal outlays now dominate Region IV's economy. Federal outlays consist of government transfer payments, as well as government-funded construction projects and payrolls. Grand Forks Air Force Base is a major contributor to this number. Agriculture is also a dominating contributor to the Region's economic base, at over 30% (\$363.5 million) of the total. Manufacturing, which also includes agricultural processing, offers potential for growth, as does the tourism sector. Walsh County's economic base consists of over 60% agriculture and 33% federal funds. Tourism and manufacturing are small numbers, but they both offer great potentials for growth.

**TABLE X**  
**INCOME**  
**WALSH COUNTY, REGION IV, NORTH DAKOTA**

AREA	TOTAL INCOME		ANNUAL AVERAGE INCOME		PER CAPITA INCOME	
	1990	% FARM 1990	1991	% CHANGE 1985-91	1989	% CHANGE 1979-89
Grand Forks	970,390	2.0	17,851	-8.1	11,414	2.5
Nelson	70,575	19.6	12,917	-12.1	9,590	1.6
Pembina	175,263	23.8	17,674	-7.9	11,308	8.5
Walsh	247,086	15.5	14,441	-7.2	10,766	2.1
Region IV	1,463,614	7.7	17,257	-7.6	11,231	5.8
State	9,775,107	8.8	18,132	-9.2	11,051	0.1

*Source: ND 1991: Patterns and Trends in Economic Activity and Population, NDSU*

Farming accounts for less than 8% of Region IV's total income, generating a little less than 1.5 billion in 1990. The annual average earnings declined by almost 10%, but the per capita income showed a positive change. Both of these give light to the fact that there has been either negative or slow growth in economic diversity. Walsh County showed the smallest decrease in annual average income of all the counties in Region IV. Table X also shows that Walsh County has many other economic factors that contribute to total income other than farm income.

**TABLE XI**  
**FINANCIAL INDICATORS**  
**WALSH COUNTY, REGION IV, NORTH DAKOTA**

AREA	TAXABLE SALES	% CHANGE (1980-91)	FINANCIAL INDICATORS			PERCENT FEMALES IN WORK- FORCE
			TOTAL ASSETS (MILLIONS)	BANK LOANS TO DEPOSITS	NON- PERFORMING LOANS	
Grand Forks	536,898,426	28	591,592	60.5	1.01	44
Nelson	16,509,375	-43	99,130	35	.69	41
Pembina	35,688,389	-14	151,065	56	3.52	43.9
Walsh	60,574,970	-27	175,907	51	2.72	43.9
Region	649,671,160	14	1,017,694	55.8	1.64	43.8
State	31,816,171,659	-14	7,611,911	52.1	2.82	44.4

*Source: The Economic Base of ND Counties, NDSU, 1991*

In North Dakota only the easternmost regions showed any positive growth in sales, while all nonmetropolitan areas lost sales. Region IV's banking sector is very strong, making up about 15% of the total statewide assets. Bank loans to deposit ratios show a bank's ability to give more loans to qualified borrowers. The Region's relatively low ratio suggests that the banks do have the ability to loan more of their assets. (The nonperforming loan percent is the amount to which an area is feeling financial stress).

The percent of females in the work force shows the potential of a household to have two wage earners. This is important as families move to a more urban setting and begin to depend on a larger income base.

**TABLE XII**

**JOBS**

AREA	NUMBER OF JOBS			SHORT TERM	LONG TERM	UNEMPLOYMENT
	1981	1990	1991	1990-91	1981-91	
Walsh	7,607	7,329	6,725	-8.2%	-11.1%	4.2%
Region IV	40,640	48,352	46,945	-2.9%	15.5%	3.9%
State	294,995	311,999	304,000	-2.6%	3.1%	4.1%

*Source: Red River Regional Council*

The primary source of income for most North Dakotans is jobs, and this has caused some concern in rural areas of North Dakota, where the base of employment is constantly changing. The lowest unemployment rates are found in our eastern one-third of the state (less than 4%), but these numbers may actually be higher because of a migration of unemployed workers to the state's larger metro areas.

Short-term employment in Walsh County has decreased, and long-term employment has decreased from 1981-1991 by over 10%, but Walsh County's unemployment rate is almost the same as the state average, at about 4.2%.

One major problem is underemployment. There is a minimal amount of quality employment opportunities available in the area, and this helps contribute to the area's high rate of outmigration. It is very hard to fill the needs of a dual career family in a rural area. Additionally, there is a minimal amount of quality employment available to recent college graduates.

**TABLE XIII**  
**COVERED EMPLOYMENT**  
**1985 AND 1993**  
**WALSH COUNTY**

SECTOR	WALSH COUNTY			REGION IV			NORTH DAKOTA		
	1985	1993	PER CENT CHANGE	1985	1993	PER CENT CHANGE	1985	1993	PER CENT CHANGE
Agriculture	485	479	-1.2	957	1,023	+7	2,246	2,686	+19.6
Mining Construction	202	163	-19.3	1,686	1,882	+11.6	18,361	15,547	-15.3
Manufacturing	127	185	+45.7	2,086	2,773	+32.9	15,450	19,477	+26
Transportation Communicat Utilities	210	254	+20.9	1,622	2,050	+26.4	14,538	16,027	+10.2
Wholesale Trade	373	374	--	2,144	2,370	+10.5	19,937	19,301	-3.2
Retail Trade	878	799	-9.1	8,293	9,775	+17.8	47,645	55,514	+16.5
Financial Insurance	241	221	-8.3	1,462	1,596	+9.2	12,014	13,003	+8.2
Services	770	1,062	+37.9	7,420	9,719	+31	52,620	70,455	+33.9
Government	1,941	1,603	-17.4	9,348	10,201	+9.1	49,978	52,992	+6.0
<b>TOTAL</b>	<b>5,227</b>	<b>5,139</b>	<b>-1.7</b>	<b>35,262</b>	<b>41,389</b>	<b>+17.4</b>	<b>232,988</b>	<b>265,003</b>	<b>+13.7</b>

*Source: ND Job Service Research and Statistics Dept., 1985 and 1993*

These figures represent data on the change in average annual employment from 1985 to 1993. In Walsh County, manufacturing jobs increased by close to 50%, the transportation/communication/utilities sector increased by over 20%, and the services sector in Walsh County increased by 40%. The construction sector showed the biggest loss, of 19.3%, and that is reflected across the state as the whole state showed a 15.3% decrease also.

H. Land Use

**TABLE XIV**  
**LAND USE IN WALSH COUNTY**

WALSH COUNTY		
LAND USE	NUMBER ACRES	PERCENT
Cropland*	680,667.85	82.71%
Woodland	22,671.06	2.75%
Range and Pasture	62,575.18	7.60%
Urban	14,816.35	1.80%
Other	41,475.56	5.04%
<b>TOTALS</b>	<b>822,976</b>	<b>100%</b>

Source: Farms, Land in Farms, and Land Use, 1987 Census of Agriculture

\* All lands used for crop production, summer fallow, or where tame hay or native grasses are regularly cut for hay

Agriculture

Cropland amounts to over 82% of the county's 822,976 acres. Water and forest land are insignificant.

**TABLE XV**  
**NUMBER OF FARMS - REGION IV**  
**1900 - 1987**

COUNTY	NUMBER OF FARMS			
	1900	1950	1974	1987
Grand Forks	2,368	1,962	1,136	893
Nelson	1,216	1,186	762	564
Pembina	2,106	1,589	920	763
Walsh	2,636	2,132	1,210	928
STATE	44,039	65,401	42,710	35,289

Source: The State of North Dakota: Economics and Demographics, NDSU

Walsh County has been slowly losing its number of farms, as shown in Table XV, but what has also been happening is the average size of the individual farm has been increasing, as shown in Table XVI.

**TABLE XVI**  
**AVERAGE SIZE OF FARMS IN ACRES**  
**1930 - 1987**  
**REGION IV**

COUNTY	AVERAGE ACRES OF FARMS			
	1930	1950	1974	1987
Grand Forks	395	444	762	904
Nelson	453	516	854	1,062
Pembina	357	411	730	839
Walsh	318	383	675	818
STATE	496	630	992	1,143

*Source: The State of North Dakota, Economic and Demographic, NDSU*

Commercial

Most commercial land use is within an incorporated town.

Industrial

There are several industrial-type companies located throughout Walsh County. In Grafton, there is Alchem (an ethanol plant), Sand Iron & Steel (manufacturing), and Hart Manufacturing (truck boxes). In Park River there is Northern Mushrooms, Inc. and the Kellgard Potato Manufacturing Company (potato flakes and starch). There is also a farm machinery manufacturer in Minto, Harriston Industries, as well as several grain elevators located throughout the county.

Solid Waste

The North Dakota State Department of Health is the policy-making and enforcement organization for solid waste management. The District IV Solid Waste Management Board is responsible for setting policy at the regional level. The county and townships have overlapping zoning authority for landfills and disposal facilities.

Two permitted inert waste landfills serve the county. A transfer station in Grafton is operating currently, and another is planned in Park River. Municipal solid waste is hauled to the Grand Forks landfill.

## **I. Transportation**

### Roads

In 1992, there were 1,661.9 miles of roadway in Walsh County, approximately 690.8 miles of which comprise state roads, 515.6 miles of municipal roads, and 455.5 of miles county roads.

State Highway #17 and U.S. Highway #81 pass through the city, and Interstate Highway #29 is ten miles east of Grafton. County Road #14 from Lankin to Nelson County will be resurfaced in 1995.

### Airports

There are 14 municipal airports in the region, and 54 private airports. Walsh County's private airports can only handle small single-engine aircraft. The municipal airport in Park River can handle small twin-engine planes, and the Grafton Municipal Airport can handle twin-engine planes as well as light general aviation jets.

**TABLE XVII**  
**AIRPORTS IN WALSH COUNTY**  
**1990**

CITY	NAME OF AIRPORT	LENGTH OF AIRPORT*	TYPE OF RUNWAY
Ardoch	Mondry	N/A	Grass
Edinburg	Windingland	N/A	Grass
Fairdale	Kerr	N/A	Grass
Fordville	Fordville	N/A	Grass
Forest River	Halverson	N/A	Grass
	Seilstad	N/A	Grass
Grafton	Kelly Field	N/A	Grass
	Grafton Municipal	3,900' x 75'; Rwy 17/35	Asphalt
	Grafton Municipal	4,300' x 150'; Rwy 8/26	Grass
	DeSautel	N/A	Grass
Hoople	Anderson	N/A	Grass
	Fagerholt	N/A	Grass
	Carson	N/A	Grass
	Hunt	N/A	Grass
Minto	Minto Municipal	2,600' x 100'; Rwy 17/35	Grass
Park River	Park River Municipal	3,100' x 60'; Rwy 12/30	Asphalt
	Park River Municipal	2,500' x 100'; Rwy 3/21	Grass
	Walser	N/A	Grass
Pisek	Sobolik	N/A	Grass

*Source: Aeronautics Commission, State of North Dakota.*

\* Private airstrips are generally 2,600' x 60' and accommodate only small, single-engine aircraft.

**J. Facilities**

Several public facilities are offered in Walsh County, as well as facilities operated by other areas of government such as cities, schools and fire departments.

The County Courthouse is located in Grafton, as well as the County Law Enforcement Center. The County Administration Building is also located in Grafton, and the County Extension

Office is located in Park River. There are six County Shops in Walsh County that house the road maintenance equipment. These are located in Grafton, Minto, Lankin, Adams, and two in Park River.

### Fire

There are several fire protection districts in Walsh County. They are Park River, Grafton, Fairdale, Hoople, Adams, Brocket-Lawton, Fordville, Edinburg (GLT), Lankin, Minto, Michigan, and Dahlen.

### Recreation

Recreational facilities in Walsh County include nine-hole golf course, swimming pools, tennis courts, two winter sports arenas, many walking trails, and the Elmwood Mansion, which is on the National Register of Historic Places, along the Park River. Other interesting sights include the Minto Museum, St. Joseph's Chapel located east of Warsaw, and Heritage Village, which recreates the lifestyle of Grafton's early days. There are also several dams in the area: Bylin, Homme, Matejcek, Fordville, and Whitman Dams. The Red River also provides catfish fishing.

### Schools

The population of the schools on Walsh County is 2,437 students, with 1,698 students in elementary school and 739 students in high school. There are six high schools, nine elementary schools, the North Valley Vocational School and the Upper Valley Special Education.

### Libraries

Supported by a local mill levy, the city/multi-county Carnegie Bookmobile in Grafton provides a full range of library materials, including periodicals, films, film strips, discs, tapes and microfilm. Park River also has a library.

## Hospitals

Walsh County has eight physicians, with an approximate population per physician of 1,730 patients. Region IV has one of the largest bases of physicians in the state, and one of the lowest rates of population per physician.

**TABLE XVIII**  
**AVAILABILITY OF PHYSICIANS AND HOSPITAL BEDS**

AREA	NUMBER OF PHYSICIANS	POPULATION PER PHYSICIAN	NUMBER OF HOSPITAL BEDS	POPULATION PER HOSPITAL BED
Grand Forks Co.	119	594	355	199
Nelson County	1	4,410	14	315
Pembina County	4	2,310	30	308
Walsh County	8	1,730	49	282
Region IV	132	744	448	219
North Dakota	981	651	3,281	195

*Source: State of North Dakota Economic, Demographic, Public Service, and Fiscal Conditions, November, 1992, NDSU, Fargo.*

## **K. Utilities**

### Petroleum Pipelines

Lakeland Pipeline Company, which runs northeast to Pembina, carries both crude and refined oil. This is part of a system that runs from western Canada to Buffalo, NY.

### Natural Gas

Montana Dakota Utilities Company (MDU) gets supplies from Wyoming, Montana and North Dakota. These are obtained from two sources: dry natural gas wells, and byproducts of petroleum refining.

### Electrical

Five power groups service Region IV: Minnkota Power Co-op, Nodak Rural Electric, NSP, Ottetail Power, and United Power Co-op.

### Telephone

Telephone companies servicing the area are Northwestern Bell, Polar Rural Telephone, and Lake State Telephone Company.

### Sewage Treatment

One-cell or two-cell lagoons service the area, except for Grafton, which has a three-cell lagoon. Many communities have individual septic tanks for treating waste water materials.

### Water Systems

The area water supply comes from surface water (rivers) and wells, both municipal and private. Sources in Walsh County include the Park River, Agassiz Water Users Association, Walsh Water Users, Inc., and private wells.

Urban sprawl is very apparent in the areas of Grafton and Park River, and is partly due to the availability of rural water systems. It can only be limited or confined through effective administration of land use planning controls.

### **III. COUNTY PLAN**

#### **A. Looking Ahead 20 Years - Goals and Objectives**

##### **Goal I**

Promote and enhance agricultural activity, by preserving farmland and farm businesses and services, and by recognizing the importance of agriculture.

##### **Policies:**

1. Discourage non-farm development in farming areas.
2. Protect farm operators from possible interference in farming activities by limiting the number of future non-farm rural residents.
3. Maintain low traffic volumes on rural roads carrying farm machinery.
4. Insist on utility easements locations which will minimize interference with farming activities.
5. Protect the economic base of local agri-business, service and marketing firms, encouraging their growth and expansion.

##### **Goal II**

Preserve property values and maintain an adequate housing stock.

##### **Policies**

1. Reinforce present development and investment patterns by discouraging diffused growth.
2. Prevent junkyards, unsightly or offensive or offensive industries and other incompatible uses from locating in or near residential areas and, where necessary, provide buffer zones or barriers between adjacent uses.
3. Promote proper standards of design, construction, and maintenance.
4. Protect residential areas from heavy through traffic.
5. Minimize advertising and noise disturbances.
6. Encourage both public and private housing development and investment.
7. Support action which will provide for variety in housing opportunities and types suitable for a wide cross-section of the population.

8. Require that private developers provide assistance in relocating persons displaced by their actions.

### **Goal III**

Stabilize the tax burden and county government operating costs.

#### **Policies**

1. Steer development and growth to areas where substandard public and private investment already exist.
2. Deter development from location which will increase the service costs of local government unnecessarily (e.g., sewer and water extensions, police and fire protection, schools and busing routes and street and highway maintenance).
3. Locate sources of financing for public service demands prior to approving plans for large development.
4. Protect farmers and other residents from having to pay excessive property taxes or assessments to finance public services extended to new rural residents.
5. Discourage growth from occurring in areas when the cost of providing and/or maintaining access roads is excessive.
6. Emphasize planning for multiple use facilities.
7. Locate schools, institutions and other public facilities in proper relation to present and future population distribution.

### **Goal IV**

Prevent conflicts between adjacent land uses.

#### **Policies:**

1. Prevent incompatible uses from locating in close proximity to one another.
2. Provide buffer zones to separate conflicting uses where necessary.
3. Keep noisy, traffic-generating activities away from hospitals, clinics, rest and nursing homes, churches and schools.

## **Goals V**

Maintain adequate levels of water quality and quantity.

### **Policies**

1. Cooperate with federal and state water quality programs.
2. Discourage land use practices that damage water quality of any aquifer (landfill on an aquifer).
3. Minimize water erosion and sedimentation through utilization of effective soil conservation practices.
4. Deter development of locations with high water tables.
5. Ensure that proper measures are taken to reduce runoff and retain natural vegetation at construction sites.
6. Encourage development tied to existing sewer and water facilities.
7. Lessen the chance of groundwater pollution or excessive nutrient enrichment by requiring that lots, unable to tie into public sewer and water facilities, be of adequate size for ground sewage disposal/septic tank systems, used oil/fluids.
8. Runoff from areas of concentrated impervious cover shall be collected and transported to a natural drainage with sufficient capacity to discharge without undue erosion.

## **Goal VI**

Reinforce the economic base and direct growth to existing areas of substantial public and private investment.

### **Policies**

1. Steer growth to vacant areas adjacent to or near existing development.
2. Discourage non-farm development in farming areas.
3. Foster the growth and expansion of local agri-business, service and marketing firms, encourage cooperation with the county Job Development Authority.
4. Plan sewer and water facilities and streets in a manner allowing for extension to areas of future adjacent growth.
5. Concentrate commercial development in established commercial zones.

## **Goal VII**

Plan and provide for needed public facilities and adequate levels of public health and safety.

### **Policies**

1. Prohibit uses which will endanger the physical well-being of residents due to flood hazards, fire, erosion, or other avoidable danger.
2. Restrict those uses which will adversely affect air and water quality and noise levels.
3. Assure adequate lot sizes necessary for the separation of future wells, septic tanks, etc.
4. Assure minimum side, front and rear yards for safety purposes.
5. Discourage direct development on major roads which would result in increased congestion and hazards.
6. Make streets and highways safer and snow plowing easier by requiring setbacks for residences, businesses and other structures.
7. Maintain clear driving sight lines.
8. Provide for off-street parking.
9. Support multiple use school facilities.
10. Establish priorities for recognized needs.

## **Goal VIII**

Identify and preserve historic sites, scenic areas and valuable natural and wildlife areas.

### **Policies**

1. Preserve and enhance places of historic and cultural importance.
2. Contact the State Historical Society before approving significant land modification which might damage or alter archaeological or historic sites.
3. Promote growth of tourism by preserving local features of interest and by conserving the natural beauty of the community.

## Goal IX

Develop a transportation system which will support and serve future land uses and residents of the county.

### Policies

1. Provide a road system that efficiently and economically serves the needs of county residents.
2. Develop a land use plan which utilizes the existing road system to serve new development.
3. Promote adequate standards of design and construction for new roads and bridges constructed in the county.
4. Discourage development in areas where the costs of providing or maintaining roads is excessive.
5. Replace unsafe bridges according to their importance to the overall transportation system.

## B. Population Projections

Below is a table of future population projections for Region IV and its counties.

**TABLE XIX**  
**POPULATION PROJECTIONS**  
**WALSH COUNTY, REGION IV, NORTH DAKOTA**

AREA	1990	1995	2000	2010
Nelson County	4,410	4,128	3,871	3,432
Pembina County	9,238	8,888	8,482	7,699
Walsh County	13,840	13,386	12,826	11,841
Grand Forks County	70,683	73,862	76,172	77,123
Region IV	98,171	100,264	101,351	100,095
North Dakota	638,800	628,494	613,747	583,365

*Source: NDSU Population Bulletin*

These projections were based on present population trends, as well as future projections on economic development.

The study of a county's population is very important in making future decisions about any aspect of the county. Earlier, we discussed population trends, age distribution, and population migration patterns of the county. This population information can give a general picture of the future housing, land use and facility needs.

The expected trend in population is a continuing decrease in the region. The size of farms is expected to increase, as is the populations of incorporated towns. All this is leading to a very large decline in the rural populations and the rural towns.

**TABLE XX**  
**POPULATION PROJECTIONS - WALSH COUNTY**  
**RURAL FARM AND NON-FARM**  
**1940 - 2010**

TYPE	1940	1950	1960	1970	1980	1990	2000	2010
Urban (Grafton)	4,070	4,901	5,885	5,946	5,293	5,000	4,805	4,512
Rural Non-Farm	4,714	4,979	4,815	4,379	4,404	4,005	3,897	3,750
Rural Farm	11,963	8,979	7,297	5,926	5,674	4,835	4,292	3,820
TOTAL	20,747	18,859	17,997	16,251	15,371	13,840	12,944	12,082

*Source: Red River Regional Council*

Based on the above population projections, Table XX shows a projected breakdown in rural farm and rural non-farm for the years 1940 through the future 2010. It still predicts a decline in population, but the rate of decline is beginning to slow.

### **C. Future Housing Trends**

With the increase in single families in the area, there is also a need for increased single family housing. As shown earlier, there was a 76.7% increase in multi-family housing for 1970-1990.

People in the region are turning to apartments, duplexes, and mobile homes as a more economical way to live.

Because of the decrease in population, there is also an increased number of homes available.

### **D. The Economy**

Throughout Region IV, economic prosperity has been based primarily on agriculture. The region's large amount of good fertile farmland was initially a blessing. But the region's continuing reliance on it had all but stopped the development of a more diverse and solid economic base on which the region can sustain continuing growth.

Even though Region IV has some of the richest and most productive soil in the world, and the prospect of a high world demand for food is encouraging, the region still continues to have large economic imbalances due to the boom and bust cycles of agriculture, the continuing shift of land into fewer hands, and the movement of people into more urban areas.

In the future, continued economic dependence on agriculture is projected, even though the long-term trends toward larger farms and less employment in the major economic base areas will continue.

Two ways to generate economic growth into the areas are: growth in the basic industry, and growth in an industry of a product or service that was previously imported into the area.

### **E. Future Transportation**

In the future, upgrading roads and building new roads should be a low priority. Emphasis should be placed on maintaining existing roads. The numbers of farms and rural residents in the county is declining, so there is little need for expanding the road system.

The county should begin to work with township and other officials to prioritize roads according to their importance. Transportation dollars should then be concentrated on high priority roads. County, township and other local officials should identify unimportant roads and designate them as minimum maintenance roads. Minimum maintenance roads would only be maintained in order to serve occasional or intermittent traffic. A minimum maintenance road should not be designated if it is the only access to an existing residence or business.

### **F. Facilities and Utilities**

The county facilities in Walsh are adequate for the present needs of the community. At the present time, the public buildings are being remodeled to meet Section 504 of the Americans with Disabilities Act, so that all buildings will be accessible to all people.

Future development in rural areas should also occur in locations where the cost of providing public facilities and services will be of the least burden to the county. The development should occur on an existing road, and in areas where other facilities and services can be provided at a lower cost.

### **G. Future Land Use Plan**

This plan for future land use is not specific. Instead, it contains general policies which should be used as a guide for future county development. As new land uses are proposed, the county should review the goals, objectives, and policies of this plan to make sure that the proposed land use is in conformance with this plan.

Existing land use in Walsh County is primarily agriculture or natural land use. Because this land is important to the economic base of the county, it should be maintained and protected from uses that would have an adverse effect on it. There is sufficient land in more developed areas of the county that can provide for the commercial, industrial and residential areas in and adjacent to existing cities and existing rural subdivisions. Also, these areas can be served with public facilities and services at lower costs than in less developed rural areas.

While most future land use need should be able to be accommodated in the more developed areas of the county, there will be a need to allow for some special development in the rural areas. These could include agricultural processing or other large-facility sites, certain transportation facilities, or facilities that need to be located next to certain natural resources. It could also include special uses located in undeveloped areas that may have an adverse effect on adjacent land, such as landfills, but the effect of these should be minimized as much as possible.

Other special uses may include rural recreation areas, such as lake residences, campgrounds, parks, recreation facilities, and businesses which serve people using the recreation areas.

Development should not occur in areas where the development could be damaged by flooding. Development should not result in inadequate drainage, severe soil erosion, groundwater pollution, or other adverse effects on the environment or adjacent land uses. The Commission will consult the Department of Health, UND, and NDSU.

Other factors to be considered when contemplating construction are: composition of surface materials, water table depth, permeability of the materials, compactibility, and salinity of the surface materials.

## IV ZONING REGULATION

### • INTRODUCTION

- A. AUTHORITY -The Walsh County Zoning and Subdivision Regulations and Zoning District Map are granted by Chapter 11-33 of the North Dakota Century Code.
- B. TITLE - This Regulation shall be known and may be sited and referred to as the "Walsh County Land Development Code-Zoning and Subdivision Regulations."
- C. PURPOSE AND INTENT - The purpose and intent of this regulation shall be to promote the health, safety, morals, general welfare and orderly development of Walsh County.
- D. SEVERABILITY - If any section, provisions or portion of this regulation is adjudged invalid by a court of competent jurisdiction, the remainder of this regulation shall not be affected thereby.
- E. REPEAL - All other regulations or parts of regulations of Walsh County inconsistent or in conflict with this regulation, to the extent of inconsistency or conflict only are hereby repealed.
- F. EFFECTIVE DATE - This regulation shall be effective after Notice and Public Hearing and adoption by the Walsh County Board of Commissioners.
- G. DEFINITIONS - For the purpose of this regulation, certain words and terms used herein are defined as follows:
1. Accessory Building - A subordinate building or portion of the main building, the use of which is incidental to that of the main building or to the main use of the premises, such as garages and tool sheds.
  2. Agriculture - The art or science of cultivating the soil and activities incident thereto; the growing of soil crops in the customary manner on open tracts of land; the accessory raising of livestock and poultry.

3. Airport - Any area of land or water which is used or intended for use for the landing and taking off of aircraft; and any accessory areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.
4. Alley - A public or private throughfare which affords only a secondary means of access to property abutting thereon.
5. Amendment - Any change, revision or modification of the text of the regulation or the zoning district map.
6. Basement - A story having part of its height below the average grade of the adjoining ground. A basement shall be counted as a story for purpose of height measurements.
7. Board - the Board of County Commissioners of Walsh County, North Dakota.
8. Boarding House - A building other than a hotel, where for compensation and by pre-arrangement for definite periods, meals, or lodging and meals, are provided for three or more persons, but not exceeding twenty persons.
9. Building - Any structure designed or intended for support, enclosure, shelter or protection of persons, animals, chattels, or property.
10. Building Area - That portion of the lot that can be occupied by the principal use, thus excluding the front, rear and side yards.
11. Building Height - The vertical distance from the grade to the highest point of the coping of a flat roof or deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip and gambrel roofs.
12. Code Administrator - The administrative official designated by the Walsh County Board of Commissioners to administer and enforce the provisions of these regulation; the County Auditor.

13. Community Water & Sewer Systems - Utilities systems serving a group of buildings, lots, or an area of the county or more than 25 persons, with the design and construction of such utilities systems as approved by the County and the State of North Dakota.
14. Conditional Use - Any use for which the Walsh County Planning & Zoning Commission shall set specific conditions, all of which must be met prior to the approval of said use in the district.
15. District - A section of the County for which the regulations governing the height, area use of buildings and premises are the same.
16. Dwelling - Any building or portion thereof which is designed and used exclusively for residential purposes.
17. Dwelling, Multi-Family - A building having accommodations for and is occupied by two or more families.
18. Dwelling, Single-Family - A building having accommodations for and is occupied by one family.
19. Family - One individual or group of two or more persons related by blood or marriage living together as members of a single housekeeping unit and doing their cooking in a single kitchen on the premises, as distinguished from a group occupying a boarding and rooming house, lodging house, hotel, club, fraternity or sorority house.
20. Feedlot - The confinement of horses and feed animals in building lots or pens which normally are not used for raising crops or grazing animals.
21. Flood Plain - That continuous area adjacent to a stream or stream bed or other natural drainage channels or areas, which is low-lying, difficult to drain, or subject to flooding.
22. Floor Area - The total number or square feet of floor space within the exterior walk of a building, not including space in cellars, basements, carports or garages.

23. Garage, Private - An accessory building or portion of a main building designed or used for storage of not more than four vehicles owned and used by the occupants of the buildings to which it is accessory.
24. Garage, Public - A building or portion thereof, other than a private or storage garage, designed or used for equipping, repairing, hiring, servicing, selling or storage of vehicles.
25. Garage Storage - A building or portion thereof, designed or used exclusively for housing more than four vehicles.
26. Home Occupation - Any occupation of a service character which is clearly secondary to the main use of the premises as a dwelling, and does not change the character thereof or have any exterior evidence of such secondary use.
27. Hotel or Motel - A building used as a transient abiding place for persons who are lodged for compensation.
28. Institution - A building occupied by a non-profit corporation or non-profit establishment for public use.
29. Junkyard - Land or buildings where waste, discarded or salvaged materials are brought, sold, exchanged, stored, cleaned, packed, disassembled, or handled, including but not limited to, scrap metal, rugs, paper, rubber products, glass products, lumber products, and products resulting from the wrecking of automobiles or other vehicles, except those facilities listed as transfer stations, inert waste landfills, or recycling facilities, in the District IV Solid Waste Management Plan.
30. Land Use Plan - The comprehensive long-range plan for the desirable use of land in the county, as officially adopted and as amended from time to time by the Walsh County Board of Commissioners; the purpose of such plan being, among other things, to serve as a guide to the zoning and progressive changes in the zoning of land to meet changing needs, in the subdividing and use of undeveloped land, and in the acquisition of land for such public purposes as streets, parks, schools and other public buildings or public uses.

31. Lot - A parcel of land, abutting on a street, whose area, in addition to the parts thereof occupied or hereafter to be occupied by a building and its accessory buildings, is sufficient to provide the yards and courts required by these regulations.
32. Lot, Area - The horizontal area within the lot lines of the lot.
33. Lot, Corner - A lot of which at least two adjacent sides abut for their full lengths upon a street, provided that the interior angles at the intersection of such two sides is less than 135 degrees.
34. Lot, Depth - The mean horizontal distance between the front and rear lot lines.
35. Lot, of Record - A lot, the description of which is recorded in the County Register of Deeds Office.
36. Lot, Width - The mean horizontal distance across the lot between lot lines at the building line measured at right angles to the depth.
37. Mobile Home - A structure, able to be transported in one or more sections to be used as a dwelling with or without a permanent foundation.
38. Mobile Home Park - A tract of land designed and developed to accommodate mobile homes on lots on a purchase, lease or rental basis.
39. Motel - A building or group of buildings used primarily for the temporary residence of motorists or travelers.
40. Non-conforming Uses - Any building or land lawfully occupied by a use at the time of passage of these regulations or amendment thereto, which does not conform after the passage of these regulations or amendment thereto with the use regulations of the district in which it is situated.
41. Nursing Home, Convalescent Home - A home for the aged or infirm where occupants are provided with food, shelter and care, for hire or compensation.

42. Ordinance/Resolution/Regulation - Any legally enacted regulation adopted or amended by ordinance, by resolution, or by regulation.
43. Parking Space - An area enclosed or unenclosed, sufficient in size to store one automobile, together with a driveway connecting the parking space with a street or alley, and permitting ingress and egress of an automobile.
44. Persons - Any individual, firm partnership, corporation, company association, joint stock association or body politic, includes any trustee, receiver, assignee or other similar representative thereof.
45. Place - An open unoccupied space other than an alley or street permanently reserved as the principal means of access to abutting property.
46. Plat - A map of a subdivision recorded in the office of the County Register of Deeds.
47. Premises - A lot or plot with the required front, side and rear yards for a dwelling or other use as allowed under these regulations.
48. Setback - The minimum horizontal distance between a building and a highway or road center line.
49. Sign - Any outdoor advertising having a permanent location on the ground or attached to or painted on a building, including bulletin boards, billboards and name plates.
50. Street Line - A dividing line between a lot, tract or parcel of land and a contiguous street.
51. Story - That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, the space between the floor and the ceiling next above it.
52. Structure - Anything built, constructed, or erected which requires permanent location on the ground, but not including fences.

53. Subdivision - The division of land into two or more lots for the purpose of sale or lease for building development.
54. Use - The purpose for which land or premises or a building thereon is designated, arranged or intended, or for which it is or may be occupied or maintained.
55. Variance - The grant of relief from the requirements of the ordinance where it can be shown that, due to unusual conditions of the property, strict application of the regulations would result in undue hardship.
56. Yard - An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of the side yard, the depth of a front yard, or the depth of a rear yard, the minimum horizontal distance between the lot line and the main building shall be used.
57. Yard, Front - A yard extending across the front of a lot between the side lot lines, and being the minimum horizontal distance between the front lot line and the front of the main building or any projection of the usual steps, unenclosed balconies, or open porch.
58. Yard, Rear - A yard extending across the rear of a lot, measured between the side lot lines, and being the minimum horizontal distance between the rear lot line and the rear of the main building including any projections other than steps, unenclosed balconies or unenclosed porches. On corner lots, the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots, the rear yards shall in all cases be at the opposite end of the lot from the front yard.

• GENERAL PROVISIONS

- A. JURISDICTION - The jurisdiction of this regulation shall apply to all areas of Walsh County outside the zoning jurisdiction authority accepted by the municipalities and townships. Solid waste regulation is county-wide.
- B. ZONING NOT TO EFFECT NORMAL INCIDENTS OF FARMING - Nothing in this regulation shall be applied for the purpose of preventing or restricting the use of land or buildings for agriculture or any of the normal incidents of agriculture.
- C. AMENDMENTS - The Walsh County Planning & Zoning Commission, from time to time on its own motion or on petition, may supplement or repeal provisions of this regulation after notice and public hearing as provided in Chapter 11-33, Section 11-33-08 of the North Dakota Century Code.
- D. NON-CONFORMING USES
1. Lawful non-conforming uses of land or buildings existing at the date of adoption of this ordinance may continue, provided no structural alterations, except for normal maintenance, are made, and such non-conforming use shall be extended to occupy a greater area of land than occupied at the time of adoption.
  2. No building or structure where a non-conforming use has been discontinued for a period of two years, or has changed to a permitted use, shall again be devoted to a non-conforming use.
  3. A non-conforming structure destroyed or damaged less than 50% of its fair market value may be reconstructed within one year of such casualty. If damaged more than 50% of its fair market value, such building shall be reconstructed in conformance to those regulations.
- E. CONTINUING EXISTING USE - Within the restrictions of Subsection D, nothing in this regulation shall prevent the strengthening or restoring to a safe condition any part of any building or structure declared unsafe by the Code Administrator, or the North Dakota State Fire Marshall.
- F. ZONING EFFECTS EVERY STRUCTURE AND USE - Except as provided in Subsection B and D herein, no building structure or land shall be used, and no building or part thereof or structure, shall be erected, constructed, reconstructed, occupied,

moved, altered, or repaired, unless it conforms with the regulation specified for the class of district in which it is located.

G. DEVELOPMENT - The following activities or uses shall constitute development and will require a building permit prior to commencement.

1. A change in the type of use of building or structure.
2. A reconstruction or alteration of the size of a building or structure.
3. Commencement of excavation for pipelines or placing of poles for utility lines.
4. Commencement of excavation on a parcel of land upon which a structure may be constructed.
5. Demolition of a structure.
6. Deposit of refuse, solid or liquid waste, or fill on a parcel of land.
7. Alteration of a use which has been abandoned for a period of 24 months.

The following activities or uses do not constitute development and do not require a building permit.

1. The maintenance or improvement of a public road or railroad track not involving substantial engineering redesign if the work is carried out on land within the boundaries of the right-of-way.
2. Work by any utility not involving substantial engineering redesign for the purpose of inspection and repair on established rights-of-way of any streets, mains, pipes, power lines, towers, poles, tracts or the like.
3. Work for the maintenance, renewal, improvement or any building or structure, if the work affects only the interior or the decoration of the exterior of the building or structure.

H. WATER AND SEWER FACILITIES - To protect the surface and subsurface water supply from pollution, and to protect the public health and abate nuisance and odor construction, privies and cesspools shall be approved or denied by the Walsh County Planning & Zoning Commission.

I. CONDITIONALLY PERMITTED USES - Applications for approval of a conditional use shall be submitted to the Walsh County Planning & Zoning Commission. The Commission shall hold a public hearing before action is taken on the application for approval of a conditionally permitted use. Notice of such hearing shall be published in

the official county newspaper of general circulation at least one week prior to the hearing. No applications for a conditional use shall be granted unless the Walsh County Planning & Zoning Commission shall find all of the following conditions present:

1. The conditional use will not be detrimental to or endanger the public health, safety, morals or general welfare of the county residents.
  2. The existing permitted uses in the adjacent land 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 and improvement 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, and responsible parties identified.
  5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
  6. Any building/construction within the floodway/floodplain requires conditional permit.
  7. The conditional use shall conform to all applicable regulations of the district in which it is located.
  8. Based upon the findings of the above listed conditions, the Walsh County Planning & Zoning Commission shall grant or deny a conditional use.
- J. LAND SUITABILITY - No land shall be divided, subdivided or developed for a use which is not deemed suitable by the Walsh County Planning & Zoning Commission, for reasons of soil limitations, inadequate drainage or any other condition likely to be harmful to the health, safety or welfare of the future residents of the area, or harmful to the overall county.

The subdivider or developer, as a part of the pre-application procedure for subdivisions, must request a determination of land suitability providing that he shall provide all necessary maps, data and information for such a determination to be made.

- ZONING DISTRICTS

For the purpose of this zoning regulation, Walsh County is divided into the following zoning districts:

- A - Agricultural District
- B - Residential District
- RD - Restricted Development
- I - Industrial
- RMH - Mobile Home Residential
- C - Commercial

A. ZONING MAP - The location and boundaries of the zoning districts are hereby established and shown on maps entitled "Zoning District Maps" which accompany and are hereby made a part of this regulation. The Zoning District Maps shall also be filed with the governing bodies of the township and municipalities concerned. The Walsh County Planning & Zoning Commission shall regularly update the "Zoning District Map" to show any changes in the zoning district boundary line resulting from amendments to the zoning regulations.

1. Location of Zoning District Boundaries - The following rule shall apply with respect to the boundaries of the zoning districts as shown on the zoning district maps.
  - a. Unless otherwise indicated, the zone boundaries are the center lines of streets, roads, highways, alleys and channelized waterways, or such lines extended.
  - b. In unsubdivided property, zone boundaries shall be determined by use of the scale on the map. A legal description (section line, township line) acceptable to the enforcing officers of this regulation shall be made available if a controversy arises concerning zone district boundaries.
  - c. Where a district boundary is shown by a specific dimension as being located at any given distance from any right-of-way line, such specific dimensions shall govern.
  - d. Where conflict arises over district boundaries, the Walsh County Planning & Zoning Commission shall determine the actual boundary line.

B. A - AGRICULTURAL DISTRICT

1. Purpose - The purpose and intent of the A - Agricultural District is to provide a district that will:
  - a. Allow agricultural activities.
  - b. Prevent scattered non-farm growth.
  - c. Secure economy in governmental expenditures for public services, utilities and schools.
  
2. Permitted Uses - General farming operations including farm dwellings and agricultural buildings, nurseries and tree farms. Any shelter belts planted within 200 feet from the center line of roads shall require a permit.
  
3. Conditionally Permitted Uses
  - a. Single-family non-farm dwellings on a tract of land two acres or larger.
  - b. Churches and similar places of worship, including parish residences.
  - c. Golf course and other recreation land use.
  - d. Public and parochial schools.
  - e. Temporary structures incidental to construction work, but only for the period of such work.
  - f. Stands for the sale of agricultural products or commodities raised on the premises.
  - g. Fire, police stations and township halls.
  - h. Utility lines, facilities and pipelines necessary for public service provided that:
    - (1) All requirements put upon them by the Walsh County Planning & Zoning Commission shall be abided with.
    - (2) The Walsh County Planning & Zoning Commission shall consider the submission provided for herein and before authorizing the issuance of a permit shall determine that the proposed utilities or lines do not interfere:
      - (a) with the established future plans of adjoining townships;
      - (b) the orderly development and safety of the township if any modifications of said provisions appear necessary, such modifications shall be noted as a limitation on the zoning permit.

- i. Electric substations and gas regulator stations provided that, for each electric substation where transformers are exposed, there shall be an enclosing wall or fence of at least six (6) feet high.
- j. Airports and heliports.
- k. Cemetery or crematory.
- l. Radio, television, navigation or military control station, transmitter or tower.
- m. Grain elevators.
- n. Sanitary landfills and incinerator sites.
- o. Wrecking, salvage or junk yard.
- p. Skeet trap and rifle ranges.
- q. Hospital and sanitariums for contagious or infectious diseases.
- r. Livestock sales rings.
- s. Animal feed lots.
- t. Sand and gravel pits, reclamation required.
- u. Dog kennels.

C. R - RESIDENTIAL DISTRICT

1. Purpose - The purpose and intent of the R - Residential District is to regulate residential development within the township and the recognized unincorporated village(s).
2. Permitted Uses - Requires a permit
  - a. Single-family nonfarm dwellings with or without private garages, but not including mobile homes or trailer houses.
  - b. Churches, schools and related facilities.
  - c. Public parks, playgrounds and other recreational land uses.
  - d. Nursing homes and hospitals.
  - e. Water supply buildings, reservoirs, wells, elevated tanks and similar essential public utility and service structures.
3. Conditionally Permitted Uses - Public Hearing Required
  - a. Two or more family dwellings
  - b. Home occupations, provided that not more than twenty-five (25) percent of the dwelling is used for such purposes.
  - c. Fire and police station.

- d. Telephone exchange, without shops, garages or general administrative offices.
  - e. Electric substations and gas regulator stations, provided that, for each electric substation where transformers are exposed, there shall be an enclosing fence at least six (6) feet high.
4. Area Requirements
- a. The minimum lot area for single-family units shall be 10,000 square feet, and with a minimum lot width of 75 feet.
  - b. The minimum lot area for 2 or more family units shall be 10,500 square feet per unit, and with a minimum lot width of 100 feet.
5. Height Requirements - There shall be no height limitations except as imposed by the Walsh County Planning & Zoning Commission in light of other structures and units in the area of the proposed unit or units.
6. Minimum Floor Area - There shall be a maximum floor area of eight hundred (800) square feet per single-family dwelling and five hundred (500) square feet per unit in a multi-family complex.
7. Minimum Lot Frontage - There shall be a lot frontage of not less than seventy-five (75) feet per single-family dwelling and one hundred (100) feet for multi-family dwellings.
8. Minimum Front Yard
- a. No building shall be allowed one hundred (100) feet from the center of the county or township road.
  - b. In existing developed areas, the new development shall conform to the existing situation; however, the front yard shall not be less than twenty (20) feet measured from the center line of the dedicated street.
9. Minimum Rear Yard - Measured from the rear property line, there shall be a rear yard of not less than twenty (20) feet.
10. Minimum Side Yard - Measured from the side property lines, there shall be side yards of not less than eight (8) feet on each side of a lot.

D. RD - RESTRICTED DEVELOPMENT DISTRICT

1. Purpose and Intent - The purpose and intent of the RD - Restricted Development District is to
  - a. Preserve historic sites and areas.
  - b. Preserve subsurface aquifer areas.
  - c. Preserve lake and dam shore areas.
  - d. Protect the flightway of airports as mandated by Federal and State regulations.
  
2. No development except as herein permitted shall be located eight hundred (800) feet from a restricted development district. In the case of airports, no development shall occur twelve hundred (1200) feet from the end of the runway and eight hundred (800) feet from the sides of the runway as provided by State and Federal regulations.
  
3. Permitted Uses - Permit Required
  - a. Public parks, playgrounds and recreational areas.
  - b. Day camps or summer camps.
  - c. The erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, and other equipment necessary for furnishing adequate service for the public health, safety or general welfare, but not including buildings.

E. RMH - RESIDENTIAL MOBILE HOME

1. Purpose - The purpose of RMH - Mobile Home District is to regulate the development of mobile home parks within Walsh County.
  
2. Permitted Uses - Permit required - All regulations of North Dakota Regulatory Agencies and Departments relating to mobile homes shall be complied with.

F. C - COMMERCIAL DISTRICT

1. Purpose - The purpose and intent of the C - Commercial District is to regulate commercial development within Walsh County.
2. Permitted Uses - Permit Required.
  - a. Hotels, motels, restaurants and taverns.
  - b. Medical and dental clinics.
  - c. Banks
  - d. Hospitals and nursing homes.
  - e. Funeral homes.
  - f. Apartments on floors other than ground level.
  - g. Amusement places
  - h. Lumber yards and warehouses.
  - i. Retail and service uses including artist studios, appliance stores, clothing stores, theaters, automobile sales, service and repair, professional offices, bakeries, grocery stores and restaurants, auditoriums and similar places of public assembly, government buildings, florist shops, jewelry stores, and newspaper offices.
  - j. Any other business which, in the opinion of the Walsh County Planning & Zoning Commission, are of the same nature as those enumerated above.
3. Height Requirements - No building shall exceed sixty (60) feet in height.
4. Yard Requirements - Vehicular access around all buildings must be provided, and no front of a building shall be closer than one hundred (100) feet from the center line of any existing roads.

G. I - INDUSTRIAL DISTRICT

1. The purpose and intent of the I - Industrial District is to regulated industrial development within Walsh County.
2. Permitted Uses - Permit required.
  - a. Blacksmith and welding shops.
  - b. Lumber yards.
  - c. Fertilizer plants.

- d. Warehousing.
- e. Radiator repair shop.
- f. Heavy equipment sales, service and repair.
- g. Fuel storage tanks and chemical storage tanks.
- h. Manufacturing and processing of wood, agricultural products, metal, concrete and blacktop mix.
- i. Motor vehicle and farm implement sales, storage, service and repair.
- j. Seed processing and treating plants where there is no emission of dust, husks, or other particulate matter in the air.
- k. Truck and railroad terminals.
- l. Public utility and public service uses.
- m. Accessory uses customarily incident to the above uses and that, in the opinion of the Walsh County Planning & Zoning Commission, are the same nature as those enumerated above.

### 3. Intensity of Use Regulations

- a. When a building or structure is within one hundred fifty (150) feet of a residential district zone, said building and structure shall not exceed forty-five (45) feet in height.
- b. When a building or structure is more than one hundred fifty (150) feet from a residential district zone, said building or structure shall not exceed seventy-five (75) feet in height.
- c. Buffer Strip buffer-strip, which is approved by the Walsh County Planning & Zoning Commission, shall provide a sight and sound barrier when an industrial use is abutting a R - Residential District. The buffer zone shall be adequately maintained by the property owner.
- d. Storage - the open storage of materials other than waste materials or salvage automobiles may be permitted, when located at least one hundred (100) feet from any R - Residential District, and at least thirty (30) feet from any street right-of-way line or other lot line. All material shall be handled with care to control dust and odor. All combustible material shall be stored in such a way as to permit free access to fire-fighting equipment.
- e. Minimum Front Yard - measured from the rear property line, there shall be a rear yard of ten (10) feet, except where a rear property line adjoins a dedicated alley or easement, no rear yard is required.
- f. Minimum Side Yard - measured from the side property line, there shall be side yards of not less than ten (10) feet.

## H. SPECIAL REGULATIONS

1. General - The zoning district requirements hereinafter set forth in this section qualify or supplement, as the case may be, the District Regulations appearing elsewhere in these regulations.
  
2. Off-Street Parking and Unloading - No building shall be erected, enlarged to the extent of increasing the floor area by as much as fifty (50) percent, or changed in use unless there is provided on the lot space for the parking of automobiles or trucks in accordance with the following minimum requirements:
  - a. Bowling alley, five parking spaces for each alley.
  - b. Business, professional or public office building, studio, bank, medical or dental clinic, three parking spaces plus one additional parking space for each four hundred (400) square feet of floor area over one thousand (1,000) feet.
  - c. Church, one parking space for each eight seats in the main auditorium.
  - d. College or school, one parking space for each eight seats in the main auditorium or three spaces for each classroom, whichever is greater.
  - e. Community center, library, museum or art gallery, ten parking spaces plus one additional space for each three hundred (300) square feet of floor in excess of two thousand (2,000) square feet.
  - f. Dwellings, one parking space for each dwelling unit.
  - g. Hospital, sanitarium, home for the aged or similar institution, one parking space for each three beds.
  - h. Hotel, one parking space for each three sleeping rooms of suites plus one parking space for each two hundred (200) square feet of commercial floor area contained therein.
  - i. Manufacturing or industrial establishment, research or testing laboratory, creamery, bottling, plant, warehouse or similar establishment, one parking space for every two employees on the maximum working shift plus space to accommodate all trucks and other vehicles used in connection therewith.
  - j. Mortuary or funeral home, one parking space for each fifty (50) square feet of floor space in slumber rooms, parlors, and individual funeral service rooms.
  - k. Private club or lodge, one parking space for every ten members

- l. Restaurant, night club, cafe or similar recreation or amusement establishment, one parking space for each one hundred (100) square feet of floor area.
  - m. Retail store or personal service establishment, one parking space for each two hundred (200) square feet of floor area.
  - n. Sports arena, stadium or gymnasium (except school), one parking space for each five seats for seating spaces.
  - o. Theater or auditorium (except school), one parking space for each five seats or bench seating spaces.
- l. SIGN - The following regulation shall govern the location, area and type of signs permitted within Walsh County.

1. General Sign Requirements:

- a. All signs shall be structurally safe and shall be securely anchored or otherwise fastened, suspended, or supported so that they will not be a menace to the safety of persons or property.
- b. No sign, outdoor commercial advertising device or lighting device constituting a nuisance to an adjacent residential district, because of lighting glare, focus, animation or flashing of a sign, lighting or advertising device shall be erected or continued. in operation.
- c. No "revolving beacon" sign shall be permitted in any district.
- d. No sign in any district shall obstruct in any manner the clear and obvious appearance of public devices controlling public traffic.
- e. Ground signs shall not be located on public property except by specific approval of the Walsh County Planning & Zoning Commission.
- f. Temporary signs or banners on or over public property may be authorized by the Walsh County Planning & Zoning Commission for a period not to exceed ten (10) days.
- g. Signs projecting over a street, alley or other public space shall project not more than ten (10) feet, and be no closer than two (2) feet to a plumb line from curb line; clearance below such signs shall be a minimum of nine (9) feet.
- h. Roadside market signs advertising produce grown and sold on the premises on which they are located. Said signs shall not remain continuously erected more than six (6) months of any calendar year.

2. Residential Districts:
  - a. One identification sign shall be permitted per residential use, provided such sign does not exceed two (2) square feet in area; said sign may be wall, pedestal, ground, or projecting type (but not projecting over public property).
  - b. One sign of a temporary nature, such as "for sale" or "for rent" shall be permitted per residential use, provided such sign does not exceed six (6) square feet and is not lighted; said sign may be wall, pedestal or ground type.
  
3. Agricultural Districts: - Unless subject to more severe restrictions by other agencies, highway billboards or other such highway oriented advertising devices shall be permitted, providing such signs and devices are located at least one thousand (1,000) feet from any existing advertising sign or device.
  
4. Industrial Parks: - No billboards or advertising signs other than those identifying the name, business and products of the person or firm occupying the premises shall be permitted. All such signs must be wholly supported by and attached to the walls and supports of said building, except that a detached sign not to exceed (10) feet by twenty (20) feet in size offering the premises for sale or lease may be permitted.
  
5. RD, RMH, C and I Districts: - No restrictions except the general sign requirements of Section J above.

- SUBDIVISION REGULATIONS

For the purpose of this regulation, the County of Walsh has set forth the following procedures, requirements, and standards for the division of land and subdivision approval.

A. PROCEDURES FOR SUBDIVISION APPROVAL

1. Pre-application Procedure - Prior to the filing of an application for approval of a preliminary plat, the subdivider shall consult the Walsh County Planning & Zoning Commission for advice and assistance in reviewing the procedures and requirements of this regulation and other regulations, and any data or plans which may affect the proposed development.
2. Plat, When Required - It shall be unlawful for the owner, agent or other having control any land within Walsh County to subdivide or cause to be laid out any such land into lots, blocks, streets, avenues, alleys, public ways or grounds, unless by subdivision plat and in accordance with these regulations and the Walsh County Land Use Plan. No building permit shall be issued and no building shall be erected on any subdivided lot or tract of land without the street giving access thereto having first been accepted by the County's governing body.
3. Preliminary Plat Procedures
  - a. Prior to submitting a final plat for approval, the subdivider shall prepare a preliminary plat of the proposed subdivision and construction plans for improvement adequate to determine that sewer, water and street improvements which conform with the requirements set forth in this regulation. The subdivider shall file with the code administrator an application in writing seeking the approval of said plat, accompanied by three copies of the plat. Said application shall be submitted at least one week prior to a regularly scheduled meeting of the Walsh County Planning & Zoning Commission.
  - b. The preliminary plat shall cover the entire area owned or controlled by the subdivider, even though a small portion thereof is proposed for development. The code administrator will check the preliminary plat to insure that it conforms with the adopted land use plan, regulations and requirements set forth in this regulation.

- c. The Walsh County Planning & Zoning Commission, upon receipt of the recommendations and advice of the code administrator, shall approve, approve with modifications, or disapprove the preliminary plat within thirty (30) days of receipt of the plat.

4. Final Plat Procedure

- a. If the preliminary plat has been approved or conditionally approved, the subdivider shall submit to the Walsh County Planning & Zoning Commission three copies of the final plat or a certified survey map prepared by a registered land surveyor or engineer.
- b. All improvements required by this regulation shall be made or guaranteed in a manner acceptable to the Walsh County Planning & Zoning Commission.
- c. The Walsh County Planning & Zoning Commission shall hold a public hearing before action on the plat is taken, in accordance with the North Dakota State Century Code.
- d. After the final plat meets the requirements of this code and has been submitted within three months of the approval date of the preliminary plat and the conditions have been met, the Walsh County Planning & Zoning Commission shall approve the final plat of the subdivision.

B. PLAT AND DATA SUBMISSION REQUIREMENTS

1. Preliminary Plat - The preliminary plat shall be based on a survey and shall be submitted in three copies at a scale of four hundred (400) feet or less to one inch, and show correctly on its face the following:
  - a. The proposed name of the subdivision, which shall not duplicate or closely approximate the name of any other subdivision in the nearby community or area.
  - b. An accurate description of the property involved according to the real estate records of the county.
  - c. The names and addresses of the owners of record, the subdivider and registered surveyor who prepared the plat.
  - d. The names of adjoining subdivisions and the names of recorded owners of adjoining parcels of unplatted land.
  - e. The boundary lines, accurate in scale, of the tract to be subdivided.

- f. Existing sewers, water mains, culverts and other underground structures within the tract of land and immediately adjacent thereto with pipe sizes and grade indicated.
  - g. The location, widths, and names of all existing or platted streets or other public ways and easements within or immediately adjacent to the tract of land, corporate limits, section and quarter section lines, and other important features such as existing permanent buildings, water courses, railroad lines etc.
  - h. The layout, proposed names and widths of proposed streets, alleys, and easements, the location and approximate sizes of proposed water basins, culverts and other drainage structures, the layout, numbers and approximate dimensions of proposed lots.
  - i. Proposed front yard set-back and other set-back lines.
  - j. The width and approximate dimensions of all land intended to be dedicated or reserved for public use, or to be reserved in the deeds for the common use of property owners in the subdivision, with the purpose, conditions or limitations of such dedication or reservation indicated.
  - k. Copies of any proposed restrictions.
  - l. A notation stating "Preliminary Plat - Not for Record".
2. Final Plat - The final plat of the proposed subdivision shall be prepared by a registered surveyor or engineer, and shall conform to the requirements of the preliminary plat and any additions attached thereto by the Walsh County Planning & Zoning Commission.

## C. DESIGN STANDARDS

- 1. Streets
  - a. The arrangements, classification, intent, width, grade and location of all streets shall conform to the adopted county land use plan and shall be designed in relation to existing and planned streets, topographic conditions, public convenience and safety, and the proposed uses of the land to be served by such streets.
  - b. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas.
  - c. Minor streets should be so laid out that their use by through traffic will be discouraged.

- d. Dead-end streets shall not be permitted without a suitable turn-around with a diameter of no less than 75 feet.
  - e. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Walsh County Planning & Zoning Commission may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land. Such distances shall be determined with due regard for the requirements of approach grades and future grade separations.
  - f. All street names shall be subject to the approval of the Walsh County Planning & Zoning Commission.
2. Utility Easements - Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary and for such purposes shall be at least twenty (20) feet wide.
3. Drainage Way Easements - Where a subdivision is traversed by a water course, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course, as will be adequate for the purpose. Parallel streets or parking may be required in connection therewith.
4. Blocks - The length, width, and shape of blocks shall be suited to the planned use of land, zoning requirements, convenient access, control and safety of street traffic.
5. Lots
- a. The size, shape and orientation of lots shall be appropriate for the location of the proposed subdivision and for the type of development contemplated.
  - b. The subdividing of land shall provide each lot with access to a public street.
  - c. Corner lots shall have an extra ten (10) feet over the minimum requirement to permit adequate building set-backs from side streets.
  - d. Side lot lines shall be approximately at right angles to the right-of-way of the street on which the lot front.

D. REQUIRED IMPROVEMENTS

1. Survey Monuments - Monuments shall be placed at all block corners, angle points, points of curves in streets, lot corners and at the intermediate points as required by the Walsh County Planning & Zoning Commission and noted on plat plan.
2. Water Lines - The subdivider shall provide sanitary potable water to each lot within the subdivision.
3. Sewage System - The subdivider shall install adequate sanitary sewage facilities so as to provide service to each lot within the subdivision. The sewage system must meet the approval of the Walsh County Planning & Zoning Commission.
4. Installation of Improvements - The improvements specified herein shall be installed, and approval of the final plat shall be given, only after the work has been completed or there shall have been filed with the Walsh County Zoning Administrator, one of the following:
  - a. A duly completed and executed survey bond in the amount sufficient to complete the work with surety satisfaction to the Walsh County Planning & Zoning Commission.
  - b. Other arrangements satisfactory to the Walsh County Planning & Zoning Commission to complete the work.



- **ADMINISTRATION AND ENFORCEMENT**

The administration and enforcement of the zoning and subdivision regulations is hereby vested in the Walsh County Planning & Zoning Commission and the Walsh County Zoning Administrator.

A. WALSH COUNTY ZONING ADMINISTRATOR - The Walsh Zoning Administrator shall be appointed by the Walsh County Planning & Zoning Commission. Duties of the Walsh Zoning Administrator shall include:

1. Issuance of all permits.
2. Conduct inspection of buildings. Maintain records of the regulations and permits.
3. Transmit to the Walsh County Planning & Zoning Commission all applications for appeals, variances, or conditional use permits and all applications for amendments to the Walsh County Planning & Zoning Commission.

B. WALSH COUNTY PLANNING & ZONING COMMISSION - The Walsh County Planning & Zoning Commission shall consist of nine members, of whom at least two must be appointed from the governing body of the city that is the county seat, and of whom at most two may be appointed from the Board of County Commissioners. The remaining members shall be appointed from the county at large. Duties of the Walsh County Planning & Zoning Commission shall include:

1. Establishment of rules, regulations, and procedures for the purpose of administering the zoning and subdivision regulations.
2. Assist the Walsh County Zoning Administrator in conducting inspection of buildings and administering the zoning and subdivision regulations.
3. Hear and decide appeals where it is adjudged by the applicant that an error in judgment has been made by the Walsh County Zoning Administrator.
4. Review and study, from time to time, the provisions of the regulations.

C. BUILDING OR DEVELOPMENT PERMIT FEE

1. It shall be unlawful for any person to begin any development or building without obtaining a building permit, except for buildings and activities directly used in connection with farming operations.

2. Fees for building (development) permits shall be as follows:
  - a. For any development \$25.00
  - b. For review of subdivision preliminary plats \$100.00
  - c. For review of subdivision final plats \$100.00
3. Any building permit issued pursuant of these regulations shall expire one year from the date of issuance.

D. CERTIFICATE OF COMPLIANCE - No building or structure shall be occupied until a Certificate of Compliance shall have been issued by the Code Administrator for determining the conformity with the specification for which the development permit has been reviewed.

E. VIOLATIONS AND PENALTIES - It is declared unlawful for any person to violate any of the terms and provisions of these regulations or other official control adopted by the Walsh County Planning & Zoning Commission pursuant thereto. Violation thereof shall be a misdemeanor and may be punishable by a fine of not to exceed one hundred dollars (\$100.00) for each and every day that any violator fails to comply with the provisions of these regulations. Whenever a violation of these regulations occurs, any person may file a complaint in regard hereto. All fines for violation shall be paid to the Walsh County Treasurer and shall be credited to the general fund of Walsh County.

- **ADMINISTRATION OF BUILDING PERMITS**

- A. INTRODUCTION

Building permits are the administrative tool by which the county supervises the development taking place. As previously discussed, permits are required for all new construction and for construction involving a change in the plan of structure.

- B. PERMIT APPLICATIONS

In establishing zoning administration, the county should require an application for a building permit. Enclosed in Appendix I is a sample form which provides the necessary information to the zoning administrator to evaluate the proposed building plans.

- C. PERMIT PROCEDURE

Figure I illustrates the procedure for issuing a permit. The first step in the procedure requires the applicant to file an application. The application should require sufficient information for review of the regulations by the zoning administrator. Frequently, a sketch plan is included as part of the application. This provides the zoning administrator a visual illustration of the construction plans, which facilitates a quick comparison of the plans and zoning regulations.

In evaluating a permit application, the permits must be granted if the applicant is in conformance with the zoning regulations. If not, the zoning administrator must deny the permit if the plans cannot be changed to meet the zoning requirements. The administrator would then forward the application to the zoning commission to initiate appeal proceedings.

Subsequent to the issuance of a building permit, the zoning administrator should check the lot layout for conformance with the approved plans. Upon completion of construction, the administrator issues an occupancy permit signifying construction conformance with the regulations and the authorization to occupy or use the facility.

# BUILDING PERMIT PROCEDURE

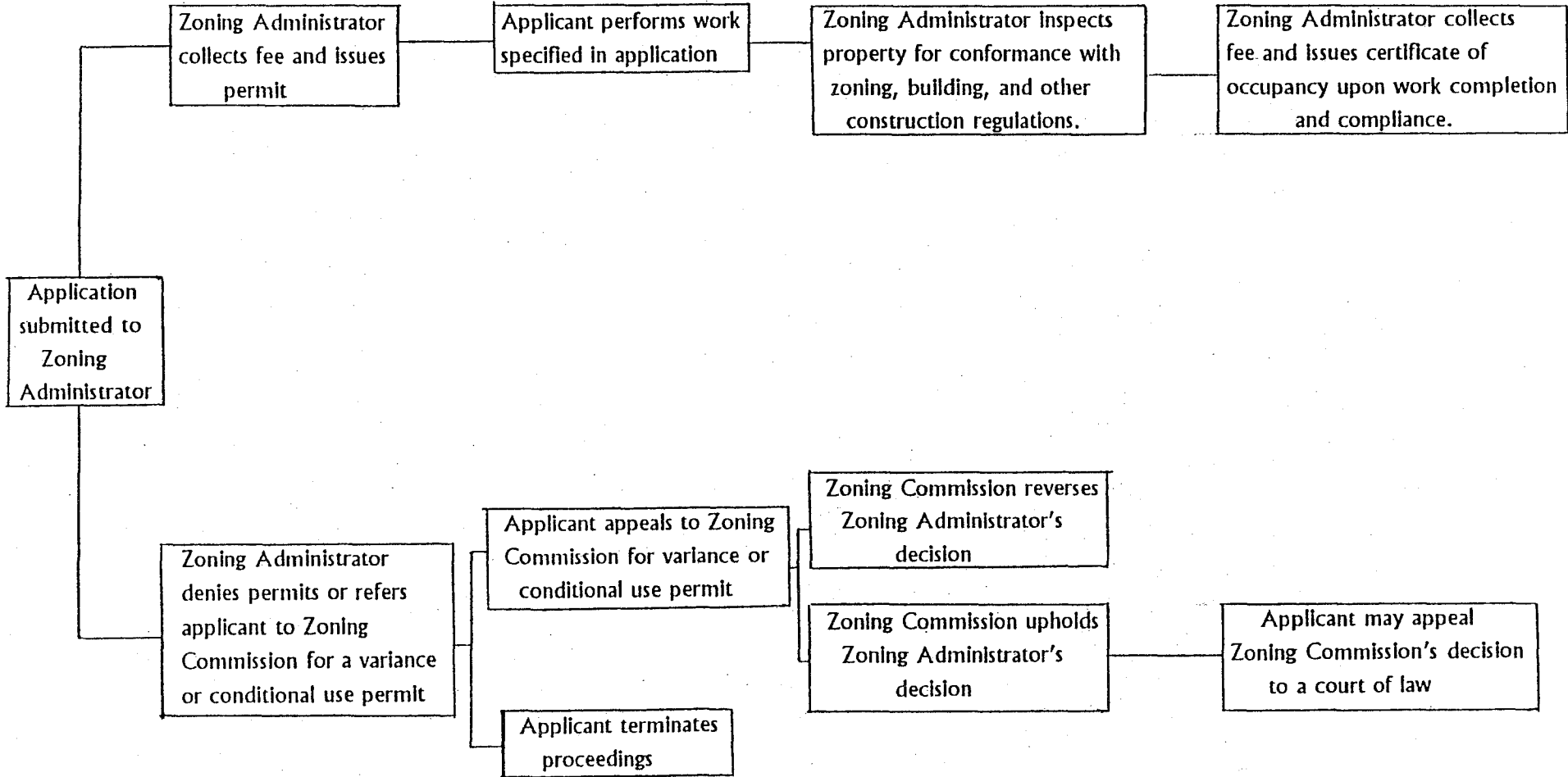


Figure 4

- ADMINISTRATION OF AMENDMENTS

- A. INTRODUCTION

Amendments are changes in the zoning regulation. As such, amendments constitute legislative changes, and must be considered by the Board of County Commissioners. There are two types of amendments - text and map amendments. Because the regulation contains one zoning district, map amendments would not become necessary until additional districts are drafted into the regulation.

- B. APPLICATIONS

Requests for amendments to the zoning regulation should be accompanied by a petition to the Board of County Commissioners. A sample petition form is provided in Appendix I. The form is appropriate for changes in the zoning map. Text amendments should be submitted in writing to the zoning administrator. Also included is a sample "Notice to Surrounding Property Owners" and a public hearing notice for an amendment petition that can be used for alerting interested parties.

- C. AMENDMENT PROCEDURES

Figure 2 presents a flow diagram of amendment procedures. The statute authorizes joint commissions to be established between cooperating counties. Membership requirements change, however, under this circumstance.

Once a zoning commission is formed, it becomes the commission's responsibility to report and make recommendations to the Board of County Commissioners and to any counties from adjoining communities. The enabling legislation requires submission of two reports, a preliminary report and a final report, by the zoning commission to the Board of County Commissioners. The preliminary report is prepared as a basis to hold public hearings. While no specifications are given as to what constitutes a "report", at minimum, a proposed zoning regulation should suffice this requirement.

Following the preparation of a preliminary report, a minimum of two public hearings are to be held. Additional hearings may be held, but this is left to the discretion of the zoning commission, and should take into consideration the need to gather input into the process. The hearings are held for the purpose of receiving comments on the provisions of a proposed regulation. Quite frequently, however, discussions and arguments become involved in debating the pros and cons of zoning, not in making recommendations for improving or organizing the regulation. While it is important to

determine public sentiment on zoning, this evaluation should be done informally, or be of a secondary purpose at a public hearing.

In holding a public hearing, it is also recommended that an attorney be present to answer legal questions. Legal counsel should be present to comment on the ramifications of the zoning regulation and any of its provisions. Similarly, if the regulation was drafted by other than an attorney, that individual should be present to answer questions.

Finally, notice of the public hearings must be published in the county's official newspaper at least 15 days prior to the hearing. (See Appendix I for a model notification).

The last step in the amendment (or adoption) process is the filing of the amendment with the Board of County Commissioners. Counties with incorporated communities should file the regulation with the municipalities. State law also requires the filing of a district boundary description for any rezoning amendments.

AMENDMENT PROCEDURE

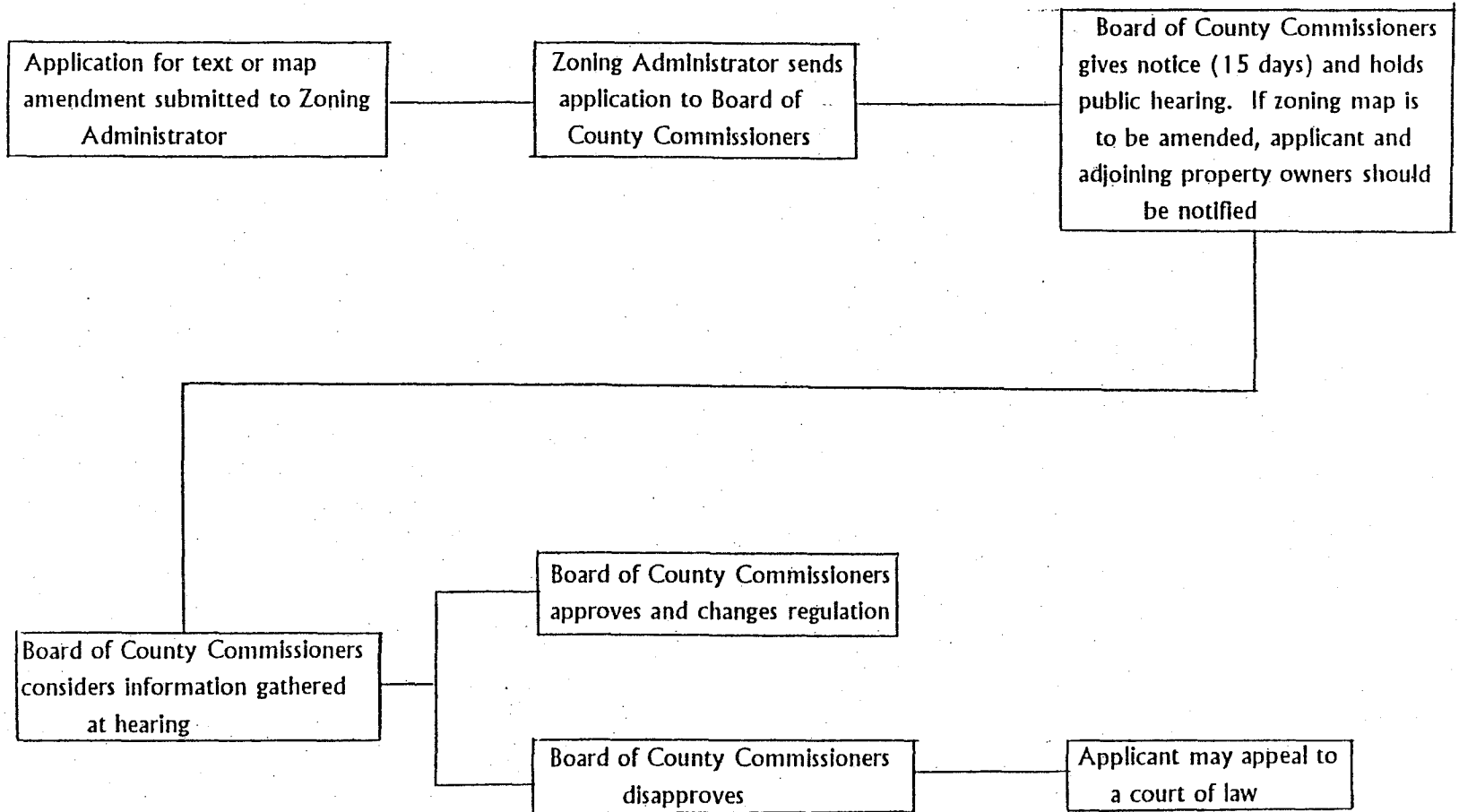


Figure 5

- **ADMINISTRATION OF VARIANCES**

- A. **INTRODUCTION**

Variations are one form of administrative relief - no change is made in the zoning regulation, but a decision is made upon an appeal from an applicant. Because the state enabling legislation does not specify procedure or standards for evaluation requests for variations, this section of the zoning manual has been prepared to assist township zoning boards.

- B. **APPLICATION FOR VARIANCE**

A sample application of variance consideration is included in Appendix I. The application is included as part of the application for a building permit in order to maintain a complete record of all permit requests on one form. A sample "Notice to Property Owners" is included with the form. An instruction sheet to applicants is also provided to explain legal aspects of a variance request.

- C. **VARIANCE PROCEDURE**

Figure 3 illustrates the procedure to be followed in reviewing a variance application. Upon application for a building permit, the zoning administrator would be required to deny the permit because the design of the proposed development would not conform to the zoning regulations.

The zoning administrator would forward the variance request to the zoning commission and place the notice of a public hearing in the county newspaper. Notice of hearing should be published at least 15 days prior to the hearing. Property owners on adjacent property should also be notified of the hearing and of the variance request being considered.

The public hearing is held for the purpose of gathering information concerning the variance and its possible effects on surrounding properties. The zoning commission is usually not required to reach a decision at a public hearing. For controversial decisions, it may be beneficial to decide at a special session in order to avoid pressure of personal interests. Decisions of the board should be based upon standards in order to avoid emotional decisions. Standards are listed in the zoning regulation. The zoning commission must reach a decision. In reaching a decision, the commission should decide if the standards for variance approval have been met.

## VARIANCE PROCEDURE

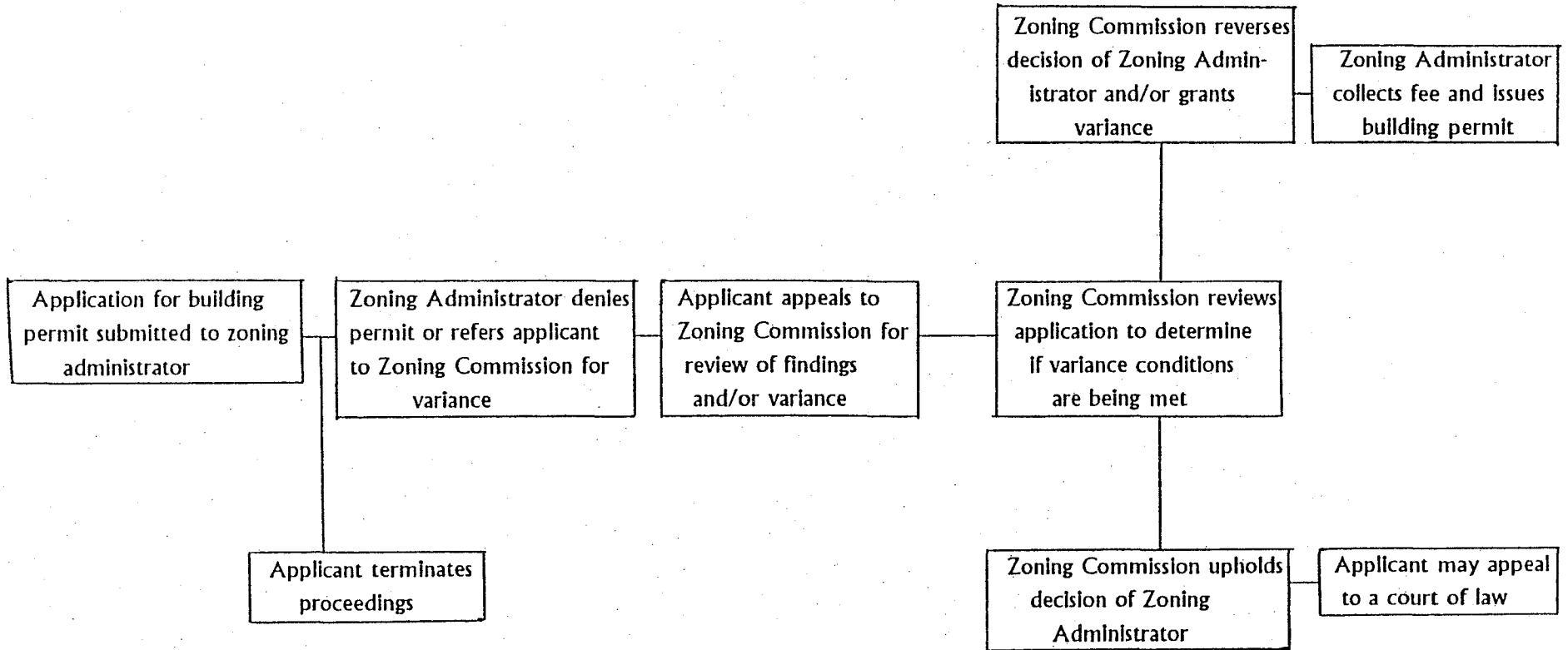


Figure 6

- **ADMINISTRATION OF CONDITIONAL USES**

Conditional uses are those uses which are required by law to receive special consideration by the zoning commission. This is for the purpose of minimizing any impact or adverse effects the use or development would have on surrounding property.

- A. APPLICATION FOR CONDITIONAL USE

The application for conditional use review is included in application for a building permit. The "Notice to Property Owners" is also applicable to the conditional review procedure.

- B. PERMIT PROCEDURE

Figure 4 illustrates the procedure required to issue a conditional use permit. Similar to appeal cases, the zoning administrator must refuse to grant a conditional use permit. The authority is delegated to the zoning commission. The zoning commission is, therefore, charged with the responsibility of gathering information concerning the conditional use.

As part of the information-gathering process, a public hearing is required. In holding a public hearing, the commission must secure sufficient "findings of fact" to warrant making a decision.

Finally, the zoning commission may place conditions on the issuance of a permit. The conditional requirements, in addition to any stated in the regulation, must be met before the construction or use will be authorized for occupancy or utilization.

After the zoning commission authorized the conditional use permit, the zoning administrator issues a building permit based upon the conditions required by the regulation and the zoning board. Following the issuance of a building permit, the zoning administrator becomes responsible for monitoring the construction for conformance with the zoning regulations and any required conditions.

### CONDITIONAL USE PROCEDURE

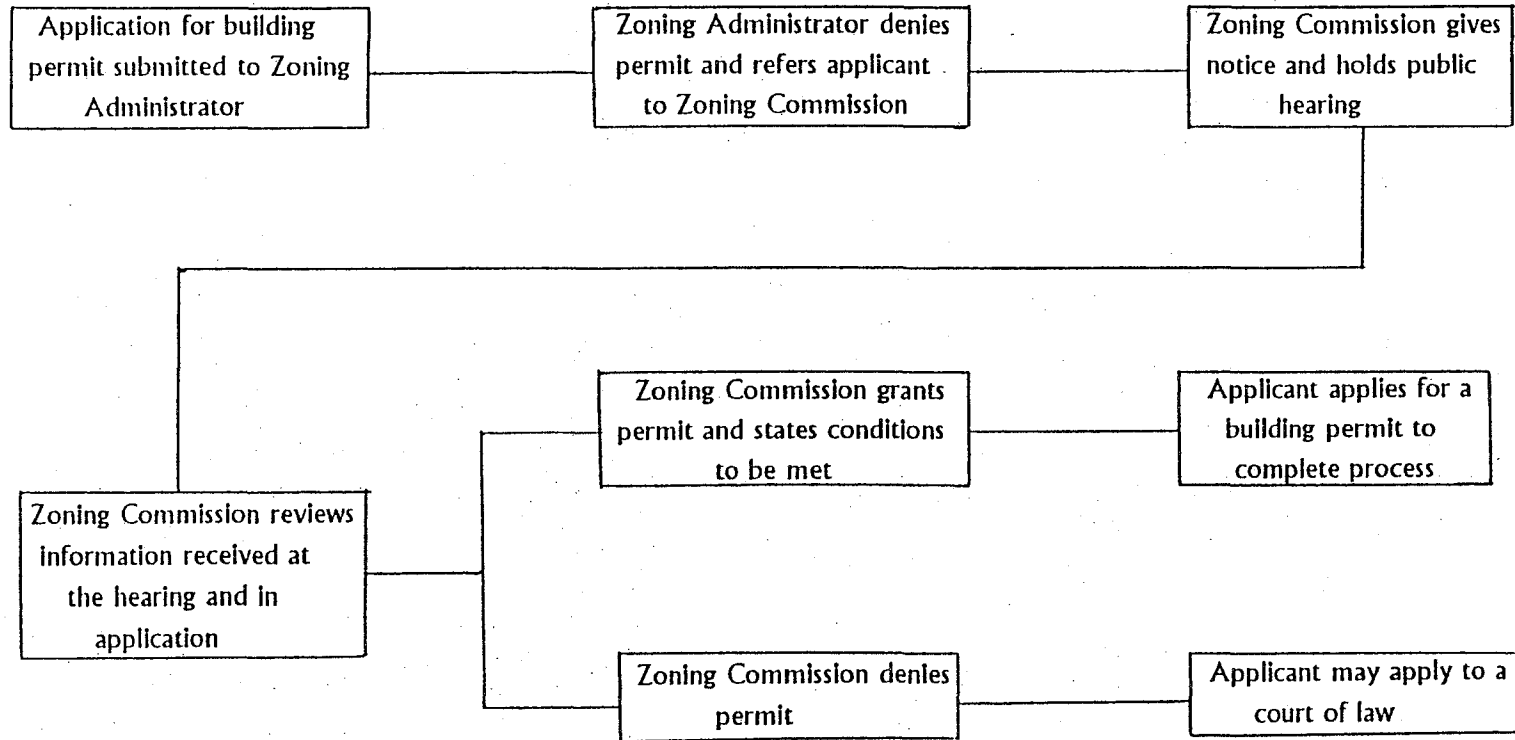


Figure 7

**APPENDIX I**  
**ZONING FORMS**

**BUILDING PERMIT FORM**

File No. \_\_\_\_\_ Permit No. \_\_\_\_\_ Date: \_\_\_\_\_

**APPLICANT**

Name	Address
Phone	

**OWNER**

Name	Address
Phone	

**LOCATION OF PROPERTY**

Legal Description \_\_\_\_\_

**PROPOSED LAND USE**

(Check one)

Residential _____	Number of Household Units _____
Commercial _____	Type of Business _____
Industrial _____	Type of Industry _____
Agricultural _____	
Other (Specify) _____	

**STRUCTURE PROPOSED**

Type of Structure(s): (If accessory, please indicate) \_\_\_\_\_

Accessory Structure to Also be Built?      \_\_\_\_\_ Yes      \_\_\_\_\_ No

Specify Type of Accessory Structure \_\_\_\_\_

Size of Lot: Length _____ Width _____	Structure Proposed:
Setback _____ feet	Height _____ No. Stories _____
	Length _____ Width _____

If accessory structure is proposed: Length \_\_\_\_\_ Width \_\_\_\_\_ Height \_\_\_\_\_

**(A sketch showing all proposed structures and their location on the lot must be attached.)**

Type of Action:    New Construction \_\_\_\_\_    Extend \_\_\_\_\_    Move \_\_\_\_\_

I certify that the information herein and attached hereto is true and correct to my best belief and knowledge:    Signature of Applicant \_\_\_\_\_  
 Date: \_\_\_\_\_

APPEAL RECORD  
\_\_\_\_\_ COUNTY PLANNING & ZONING COMMISSION

Type of Appeal:

Decision of Zoning Administrator \* \_\_\_\_\_  
Variance \* \_\_\_\_\_  
Conditional Use \*\* \_\_\_\_\_

Reason for Disapproval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ Date Appealed: \_\_\_\_\_

Hearing: \_\_\_\_\_

Decision: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Type of Amendment Requested: Text \_\_\_\_\_ Map \_\_\_\_\_

\_\_\_\_\_ Amendment Description: (Enclose separate sheet)

Zoning Commission Hearing Date: \_\_\_\_\_

Recommendation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\* On a separate sheet, enclose a description of the variance or a summary of the reason for requesting an appeal from the Administrator's decision.

\*\* On a separate sheet, enclose an accurate scale drawing or plan of the site, together with characteristics of the lot, structures and any additional information required by the Zoning Commission.

In a separate statement, indicate how proposed use or structure will have no more adverse effects on the health, safety, or comfort of persons living or working in the area; and will be no more injurious, economically or otherwise, to property or improvements in the surrounding area than any use permitted in the district.

## NOTICE TO APPLICANTS

A variation is a zoning adjustment which permits minor changes of district requirements where individual properties are both harshly and uniquely burdened by the strict application of the law. The power to vary is restricted and the degree of variation is limited to the minimum change necessary to overcome the inequality inherent in the property. Use variations are specifically prohibited. "Variation" means the modification of the requirements of a zoning district and does not include the substitution of uses assigned to other districts.

1. A variation recognizes that the same district requirements do not affect all properties equally; it was invented to permit minor changes to allow hardship properties to enjoy equal opportunities with properties similarly zoned. You must prove that your land is affected by special hardship and unequal treatment under the strict application of the zoning regulation. Where hardship conditions extend to other properties, a variation cannot be granted. The remedy for general hardship is a change of the map or the test of the zoning regulations.
2. You must prove that the combination of the zoning regulation and the uncommon conditions of your property prevents you from making any reasonable use of your land as permitted by your present zoning district. Since zoning regulates land and not people, the following conditions cannot be considered pertinent to the application for a variation:
  - (1) Proof that a variation would increase the financial return from the land,
  - (2) Personal hardship,
  - (3) Self-imposed hardship.In the last case, the recognition of conditions created after the enactment of the zoning ordinance would encourage and condone violation of the law.
3. No variation may be granted which would adversely affect surrounding property or the general neighborhood. All variations must be in harmony with the intent and purposes of the zoning regulation.

PUBLIC NOTICE

Notice is hereby given that on \_\_\_\_\_, the \_\_\_\_\_  
\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_  
\_\_\_\_\_, in the County Courthouse, the \_\_\_\_\_ County Planning & Zoning  
Commission will hold a public hearing on the application of \_\_\_\_\_  
\_\_\_\_\_ for an appeal of the Zoning Administrator's (decision) (variance)  
(conditional use) on the following described property: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Description of (appeal) (variance) (conditional use): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed By:

\_\_\_\_\_  
Secretary, \_\_\_\_\_ County Planning & Zoning Commission

NOTICE TO INTERESTED PROPERTY OWNERS

Refer to Appeal No. \_\_\_\_\_

Dear Property Owner:

An application for a variance to the \_\_\_\_\_ County Zoning Regulation has been filed with the \_\_\_\_\_ County Planning & Zoning Commission by: \_\_\_\_\_

\_\_\_\_\_. (Name & Address)

The property is situated in the \_\_\_\_\_ Zone District and is located at \_\_\_\_\_

The request, if approved, would authorize \_\_\_\_\_

The Zoning Administrator was required, under the provisions of the Zoning Regulation, to deny the permit because \_\_\_\_\_

However, the Zoning Commission, under certain conditions and safeguards, may have the authority to grant the request.

A public hearing will be held by the \_\_\_\_\_ County Planning & Zoning Commission on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ p.m. in the \_\_\_\_\_ County Courthouse, at which time you may submit your views on the matter in person, by writing, or by representative.

If you know of any interested property owner who, for any reason, has not received a copy of this letter, it would be greatly appreciated if you would inform them of the time and place of the hearing.

Sincerely yours,

\_\_\_\_\_ Zoning Commission

By: \_\_\_\_\_  
Secretary

Date: \_\_\_\_\_

NOTICE OF PETITION TO AMEND THE ZONING REGULATION  
OF \_\_\_\_\_ COUNTY, NORTH DAKOTA

TO: \_\_\_\_\_ County Board of Commissioners  
FROM: \_\_\_\_\_ County Planning & Zoning Commission

There is on file in the office of \_\_\_\_\_  
a petition submitted by \_\_\_\_\_ to  
amend the zoning regulation of \_\_\_\_\_ County, by  
changing the following described property: \_\_\_\_\_  
\_\_\_\_\_  
located at \_\_\_\_\_,  
from a \_\_\_\_\_ district to a  
\_\_\_\_\_ district.

EXAMPLE:

The East 300 feet of the South 250 feet of the S.W. 1/4 of the S.W. 1/4 of  
Sec. 23, T28N, R4E, of the 5th P.M.

The \_\_\_\_\_ County Planning & Zoning Commission will conduct a public hearing  
on this request on \_\_\_\_\_, in the \_\_\_\_\_  
at the \_\_\_\_\_ at \_\_\_\_\_ p.m.  
It is your privilege to attend said hearing to express your views concerning the proposed change,  
or you may submit your comments in writing not later than \_\_\_\_\_ on  
\_\_\_\_\_, 19\_\_\_\_.

Respectfully Submitted,

\_\_\_\_\_ County Planning & Zoning Commission

By: \_\_\_\_\_ Date: \_\_\_\_\_  
(Chairman)

NOTICE TO ADJOINING PROPERTY OWNERS  
FROM THE \_\_\_\_\_ COUNTY BOARD OF COMMISSIONERS

A petition for a change in the zoning regulation, as applied to the property described as \_\_\_\_\_

\_\_\_\_\_ has been filed by \_\_\_\_\_. The owner of this property is \_\_\_\_\_.

The petition has been submitted for a rezoning from the \_\_\_\_\_ District to the \_\_\_\_\_ District.

A public hearing will be held by the \_\_\_\_\_ County Board of Commissioners on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ p.m., in \_\_\_\_\_, at which time you may appear if you so desire, either in person or by agent or attorney, in opposition to or support of the proposed change of zoning.

The hearing of this appeal is not limited to those receiving copies of this notice, and if you know of any neighbor or affected property owner, who for any reason, has not received a copy, it would be greatly appreciated if you would inform them of this public hearing.

Respectfully,

\_\_\_\_\_ County Board of Commissioners

By: \_\_\_\_\_

Date: \_\_\_\_\_

PETITION FOR REZONING

TO: \_\_\_\_\_ COUNTY BOARD OF COMMISSIONERS

Gentlemen:

We (I), the undersigned, owner(s) of the property described in paragraph 1 below, do hereby respectfully petition your Honorable Body to amend the present Zoning Regulation as hereinafter designated, and in support thereof, the following facts are presented:

1. That the area to be rezoned is contained in the following legal description:

\_\_\_\_\_  
\_\_\_\_\_

2. That it is requested and desired that the foregoing property be rezoned from the \_\_\_\_\_ District to the \_\_\_\_\_

District.

3. That the reasons for requesting the change are as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

4. That the undersigned below own(s) property within the area which is requested to be rezoned.

5. That the undersigned have been fully appraised and acquainted with the uses to which the area to be rezoned may be put if the rezoning takes place.

6. That in addition to the name(s) given below, there is also attached a plat and an abstractor's certificate giving the names and mailing addresses of property owners within 200 feet of the perimeter of the proposed change.

Respectfully,

Name      Address      Phone      Description of Property

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_