

Comprehensive Plan  
for  
Burleigh County

Updated 3/12/14  
Adopted ??/??/14

# Bismarck

Planning Department

COMPREHENSIVE LAND USE PLAN  
OF  
BURLEIGH COUNTY

This Comprehensive Land Use Plan, developed in accordance with Section 11-33-01 of the North Dakota Century Code, establishes the general policy for the use of land located within the boundaries of the following townships of Burleigh County:

Burnt Creek	Lyman
Fort Rice	Menoken
Gibbs	Phoenix
Glenview	Richmond
Hay Creek	Riverview
Lincoln	

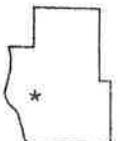
The boundaries of this land use plan are not limited to the above townships. Any of the other townships, upon relinquishing their zoning rights to Burleigh County, would automatically be included.

It should be stressed that cities or townships not listed above are in no way affected by this Land Use Plan; however, the plan is open-ended to include any other townships in Burleigh County who may wish to adopt this plan.

This Comprehensive Land Use Plan may be amended at any time by regular hearing procedures through the Burleigh County Planning Commission.

This Comprehensive Land Use Plan, when approved by the Burleigh County Commission, is to be implemented by amendments to the AMENDED ZONING ORDINANCE of Burleigh County.

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



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POLICY PLAN OUTLINE - BURLEIGH COUNTY

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  - 1.02 Intergovernmental Cooperation
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  - 1.04 County Ordinances
- II. RESIDENTIAL NEIGHBORHOODS
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## **I. Introduction**

### **History**

Burleigh County has been guided by a Comprehensive Land Use Plan since 1980. Since then the Bismarck metropolitan area has been in a continual state of growth and expansion. However, the rural area and smaller communities within the County have experienced only minor changes in population during the same period of time. This rural to urban shift is typical of the population trends in North Dakota. In addition to the rural to urban shift, the County has experienced extensive growth in rural subdivisions over the past decades, which have created a host of challenges for rural residents and local officials. The changing growth patterns have resulted in drainage problems and transportation issues that have led to a decision to update the Burleigh County Comprehensive Plan.

An attempt was made in 2008 to update the Burleigh County Comprehensive Plan. An extensive evaluation of the existing plan by both a Technical Advisory Committee and a Policy Advisory Committee was followed up by a series of Public Hearings which resulted in a document which included a large amount of planning data for the area and standard planning suggestions for area growth management. However, a majority of the County Board of Commissioners did not feel that the document met the needs of the County residents and it was not adopted. A copy of the un-adopted final draft of the Burleigh County Comprehensive Plan Update can be reviewed at the Burleigh County Building/Planning/Zoning office.

### **Current Update**

This Comprehensive Plan was developed in accordance with Section 11-33 of the North Dakota Century Code (NDCC) and establishes for the purposes of promoting health, safety, morals, public convenience, general prosperity, and public welfare. The plan applies to all areas under County zoning jurisdiction (see appendix A) within the following townships:

Burnt Creek	Lyman	Fort Rice
Menoken	Gibbs	Phoenix
Glenview	Hay Creek	Riverview
Lincoln	Crofte	

It should be stressed that cities or townships not listed above are in no way affected by this Plan; however, the plan is open-ended to include any other townships which choose to relinquish their zoning rights to Burleigh County. If they choose to do so they will automatically be included under this Plan.

When developing a comprehensive plan, a variety of topics may be addressed such as land use, transportation systems, parks, housing, community/economic development, and community facilities. These topics, and others, may be addressed in many different ways; however, Burleigh County has chosen to address them in a manner established in NDCC. The Code describes a comprehensive plan as "*a statement in documented text setting forth explicit goals, objectives, policies, and standards of the jurisdiction to guide public and private development within its control.*" This plan will focus on goals, objectives, and policies. The County standards will be addressed in other documents such as the County Zoning Ordinance and Board approved policies. In so choosing to present this plan in this

manner, the County has decided to focus the document on areas of extreme importance to the County that deal with health, safety, and the public welfare.

This Plan should be used as a guide when developing and implementing the County Zoning ordinances. The County Zoning ordinances, including the subdivision regulations, provide more detail about acceptable development, while the comprehensive plan goals and objectives provide policies that guide the daily decision-making process. Over time the character and needs of the County may change and a revised comprehensive plan should be prepared.

The North Dakota Century Code is very clear, and Burleigh County is in total support, that no part of this Plan shall be construed as prohibiting or restricting the use of any lands or buildings used for farming purposes.

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I. GOVERNMENT

GOAL "Increase the effectiveness of government decisions in order to improve the county's physical, social and economic environment."

1.01 COMMUNITY RELATIONS

POLICY A. Provide opportunities for Burleigh County's citizens to understand and participate in public affairs.

PROGRAMS 1. Publicize public meetings, proposals and decisions made by government.  
2. Encourage public participation by utilizing the following: citizen advisory committees, public displays and advertising.

1.02 INTERGOVERNMENTAL COOPERATION

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

PROGRAMS 1. Encourage interdepartmental participation by: joint city, township, county and state meetings, consolidation of government offices, and review procedures among departments.  
2. Consider the possibility of forming a council of governments to serve the Burleigh County-Bismarck and Morton County-Mandan metropolitan area.

1.03 PLANNING

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

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

1.04 COUNTY ORDINANCE

POLICY A. Ensure that the county codes and ordinances are amended and kept up-to-date.

PROGRAMS 1. Incorporate beneficial zoning and platting innovations into county ordinances.

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2. By amendments revise the Zoning Ordinance to reflect the changing goals and policies of the comprehensive plan.
3. Revise the Zoning Ordinance as needed to include a clear explanation of allowed uses within each zoning district.
4. Promote a joint city-county zoning ordinance.

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## II. Government

Goal: "Increase the effectiveness of government decisions in order to improve the County's physical, social, and economic environment"

Objective: #1 Provide opportunities for Burleigh County's citizens to understand and participate in public affairs.

Policy: #1. Publicize (through media outlets, web sites, and other electronic media) the public meetings, proposals, agendas, and decisions made by government.

#2. Encourage public participation by utilizing the following: citizen advisory committees, public displays, public hearings and advertising.

#3 Encourage both the public and County staff to meet and discuss various county policies, procedures, and ordinances in order to create a better understanding of county government.

Objective: #2 Promote cooperation among township, city, county and state governmental departments.

Policy: #1 Encourage interdepartmental participation in joint township, city, county and state meetings.

#2 Review the consolidation of government offices to enhance "one stop shopping" for residents.

#3 Encourage the review and updating of departmental policies and procedures.

#4 Remain involved in various councils of governments that to serve the Burleigh County, City of Bismarck, City of Lincoln, Morton County and City of Mandan metropolitan areas.

#5 Encourage staff to establish and renew contacts with other governmental departments

Objective: #3 Emphasize a sound planning process as a means of managing future county growth in the most rational, efficient manner possible.

Policy #1 All future subdivision developments will be treated equally, with the County's best interest of primary concern.

#2 Adopt a Comprehensive Plan and a Land Use Plan to guide the future growth within Burleigh County.

#3 Continue the public notification of proposed land use changes to all levels of local government.

Objective: #4 Ensure that the County codes and ordinances are amended as needed and kept up to date.

Policy #1 Incorporate and promote beneficial zoning and platting innovations into the County Ordinances.

#2 By amendments, revise the Zoning Ordinance to reflect the changing goals and policies of the comprehensive plan.

#3 Revise the Zoning Ordinance as needed to include a clear explanation of allowed uses within each zoning district.

#4 Develop clear and understandable procedure for changes and amendments to plans as well as ordinances.

#4.5 Promote complementary city – county zoning ordinance.

Objective 5: Ensure that the County is prepared to address Emergency Management incidents.

Policy #1 Review and update contingency plans for all hazards identified in the Burleigh County Multi-Hazard Mitigation Plan.

#2 Review and address opportunities for mitigation of potential damage, such as, prohibiting developments in areas of high flood probability.

#3 Encourage County Departments and Boards to review and update emergency policies and procedures.

#4 Ensure that all developments are established with the safety of current and future users in mind.

II. RESIDENTIAL NEIGHBORHOODS

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

2.01 NEW HOUSING

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

- PROGRAMS
1. Encourage the development of vacant areas within or near a community's corporate limits (such as Menoken, Baldwin, etc.).
  2. Residential development, as needed, will be encouraged to locate within the Urban Service Area.
  3. The county shall make reasonable efforts to prevent discrimination in the housing market.
  4. Low income housing should not be concentrated in any one area of the county or its communities.
  5. The location of elderly housing units should be determined by ease of access to shopping and service facilities.

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

- PROGRAMS
1. Encourage the use of Planned Unit Development (PUD) techniques in residential developments, such as consideration of the natural characteristics of the site.
  2. Local residential streets should be designed to fit the lay of the land, serve as access to abutting property, and discourage through traffic.

3. Housing projects requiring extensive land modification should be discouraged.
4. Builders and developers are encouraged to work closely with government to insure that developments are consistent with applicable ordinances, plan, documents and adjacent land uses.

2.02 NEIGHBORHOOD REHABILITATION AND PRESERVATION

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

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

2.03 NEIGHBORHOOD COMMERCIAL DEVELOPMENT

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

- PROGRAMS
1. Require adequate buffers as a transition between commercial and residential uses.
  2. Residential neighborhood commercial zoning should be considered only if the need for such zoning clearly exists.
  3. Discourage any use which will substantially depreciate the surrounding residential land values or generate high traffic volumes.

4. Discourage the expansion of neighborhood commercial centers into the surrounding residential area.
5. Encourage neighborhood commercial uses to locate at major street intersections.

### III. Residential Neighborhoods

Goal: "Preserve property values and maintain an adequate stock and variety of housing"

Objective: #1 To ensure that the growth of new residential areas and redevelopment of existing neighborhoods should be orderly, systematic, and consistent with the needs of the County.

Policy: #1. Encourage the development of vacant areas within, or near, a community's corporate limits (such as Menoken, Baldwin, etc.)

#2. Residential development, as needed, will be encouraged to locate within a cities' Urban Service Area.

#3. The County should make every effort to prevent discrimination in the housing market.

#4. ~~Low income housing should not be concentrated in any one area of the County or its communities.~~

#5. ~~The location of elderly housing units should be determined by ease of access to shopping and service facilities.~~

Objective: #2 Encourage the use of sound planning principles and modern practices in subdivision platting and housing development.

Policy: #1 Encourage the use of Planned Unit Development (PUD) techniques in residential development, such as consideration of the natural characteristics of the site.

#2 Local residential streets should be designed to fit the lay of the land, serve as access to abutting property, and discourage through traffic.

#3 Housing projects requiring extensive land modification should be discouraged.

#4 Builders and developers are encouraged to work closely with government to ensure that developments are consistent with applicable ordinances, plans, documents and adjacent land use.

~~Objective: #3 Encourage the maintenance and rehabilitation of housing and improvements for all residential areas.~~

~~Policy #1 Create historical districts to protect significant residential areas.~~

~~#2 Apply for housing rehabilitation grants/loans from the Federal Government.~~

~~#3 Encourage the planting and maintenance of trees and vegetation in residential areas.~~

Objective: #43 ~~Neighborhood~~ Commercial development in neighborhoods should conform to the residential character of the area.

Policy #1 Require adequate buffers as a transition between commercial and residential uses.

#2 ~~Residential neighborhood~~ Commercial zoning in residential neighborhoods should be considered only if the need for such zoning clearly exists.

#3 Discourage any uses which will substantially depreciate the surrounding residential land values or generate high traffic volumes.

#4 Discourage the expansion of ~~neighborhood~~ commercial centers into the surrounding residential area.

#5 Encourage ~~neighborhood~~ commercial uses to locate at major road intersections.

III. PARKS AND RECREATION

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

3.01 OPEN SPACE

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

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

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

PROGRAMS 1. Encourage the retention of natural features in design of subdivisions.

3.02 RECREATION AND SPECIAL FACILITIES

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

PROGRAMS 1. Encourage developers of fringe area subdivision to designate land for parks.

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

POLICY B. Discourage the conversion or sale of existing park and public open space lands to conflicting uses.

## IV. Parks and Recreation

Goal: “Conserve and expand the County’s recreational and scenic areas, natural features, parks, and open spaces for the benefit and enjoyment of the public”

Objective: #1 To provide public access to natural and scenic areas.

Policy: #1. Encourage bike trail/walkway easements in subdivision plats to ensure reasonable access to amenity areas.

#2 Encourage the Highway Department to work with State and Federal agencies and others to identify, construct, and maintain high quality roadway access points to the Missouri River.

Objective: #2 Preserve open space and natural features in private and public developments.

Policy: #1 Encourage the retention of natural features and the creation of recreation areas and open spaces in the design of subdivisions.

#2 Encourage special provisions for the acquisition and maintenance of recreational easements within the County.

#3 Preserve and enhance the historic, scenic, recreational and valuable natural and wildlife areas in the County.

#4 Encourage the planting and maintenance of trees and vegetation throughout the county.

Objective: #3 Adequate parks and recreation facilities should be provided to meet the needs of County residents.

Policy #1 Encourage developers of fringe area subdivisions to designate land for public parks.

#2 The various County and City departments should work closely together in planning for future parks and recreational areas.

#3 Promote tourism by enhancing local features of interest and conserving the natural beauty of the area.

Objective: #4 Discourage the conversion or sale of existing park and public open space lands to conflicting uses.

Policy #1 Encourage the Park Board & Planning Commission to establish policies that support the maintenance and creation of existing parks & open spaces.

IV. TRANSPORTATION

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

4.01 AUTOMOBILE

POLICY A. Maintain roadway quality, and assure adequate road

widths to serve present and forecasted traffic demands.

- PROGRAMS
1. Require sufficient road right-of-way widths at the time of initial subdivision approval.
  2. Roadway surfaces should be maintained and preserved for maximum utility.
  3. Encourage rural subdivisions to locate in areas presently served by roads which can accommodate traffic load.

4.02 AIRPORT

POLICY A. Plan and regulate fringe growth in the vicinity of Bismarck Municipal Airport.

- PROGRAM
1. Allow only compatible land uses within the various airport noise zones.
  2. Follow the recommendations of the Aircraft Noise Impact Study and Airport Master Plan.

## V. Transportation Public Works

Goal: “Establish a county-wide transportation system which provides the capacity to move people and material goods with maximum efficiency, comfort, and safety”

Objective: #1 Provide a safe and efficient roadway system.

- Policy: #1. Maintain roadway quality, and ensure adequate road widths and surface conditions to serve present and forecasted traffic demands.
- #2. Require sufficient road right-of-way widths, from developer initiated subdivisions, at the time of initial subdivision approval.
- #3 Require subdivisions to provided multiple access points in order to ensure emergency entrance and egress for residents and emergency vehicles.
- #4 Encourage rural subdivisions to locate in areas presently served by roads which can accommodate the additional traffic load.
- #5 Require developers to provide paved roadway access to the existing paved highway system.

Objective: #2 Coordinate the master planning of all roads within the County.

- Policy: #1 Roads in rural subdivisions shall be dedicated for public use, unless an exception is granted by the County Commission.
- #2 Roads in Urban Service Area subdivisions will be platted to conform with existing road master plans.
- #3 Roads within rural subdivisions should be maintained by the developer, township government, or by contract with the County.
- #4 3 Encourage the formation of special assessment districts to pave roadways within rural subdivisions.
- #6 The City/County Planning Department shall exercise final approval of proposed road names in new subdivisions.
- #7 New subdivision plats must be accompanied by an approved master road plan for the adjacent area.

Goal: “Encourage the development of high quality water supply systems to all residents of the County.”

Objective: #1 Provide a safe, high quality water supply.

- Policy: #1 Coordinate new development proposals with rural water system resources.

#2 Where appropriate, work with the rural water system to coordinate future land use and roadway infrastructure plans with rural water system expansion plans.

#3 Avoid development in areas with poor water supply or quality.

Goal: "Encourage sound airport development within the County"

Objective: #1 Plan and regulate fringe growth in the vicinity of the Bismarek Municipal Airport.

Policy: #1 Allow only compatible land uses within the various airport noise zones.

#2 Follow the recommendations of the Aircraft Noise Impact Study and Airport Master Plan.

V. BUSINESS AND INDUSTRY

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

5.01 COMMERCIAL

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

- PROGRAMS
1. Encourage highway oriented commercial development to locate in shopping centers, or in locations serviced by an interior road system.
  2. Require a landscape or land use buffer between strip commercial development and adjacent non-commercial property.

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3. Encourage business to cluster and develop in depth, (such as at road intersections) rather than in a narrow strip along roads.

4. Discourage uses which will interfere with the flow of traffic.

POLICY B. Promote the quality growth of commercial uses.

PROGRAMS 1. Eliminate unneeded or inappropriate commercial zoning.

2. Provide for commercial expansion by zoning areas which are suitable for such uses.

3. Ensure that all commercial developments provide for adequate off-street parking spaces, circulation patterns, and loading areas.

4. Commercial facilities should be designed to enhance the appearance of the surrounding area.

5. Buffers should be provided between commercial development and adjacent land uses.

6. Encourage multi-use commercial facilities.

5.02 MANUFACTURING AND INDUSTRY

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

PROGRAMS 1. Encourage industry to locate in planned manufacturing and industrial parks.

2. Manufacturing and industrial uses should be located convenient to transportation facilities.

3. Buffers should be provided between manufacturing and industrial development and adjacent land uses.

4. Ensure that sufficient off-street parking and loading space is provided.

5. Encourage the screening of outside storage of material and equipment.

## **VI. Business and Industry**

**Goal:** “Maintain a balanced and sustained growth of commercial, industrial and manufacturing development in the County”

~~Objective: #1 The creation or extension of poorly designed and located strip commercial developments will be discouraged.~~

~~Policy: #1 Encourage highway-oriented commercial development to locate in shopping centers, or in locations serviced by an interior road system.~~

~~#2 Require a landscape or land use buffer between strip commercial development and adjacent non-commercial property.~~

~~#3 Encourage business to cluster and develop in depth, (such as at road intersections) rather than in a narrow strip along roads.~~

~~#4 Discourage uses which will interfere with the flow of traffic.~~

**Objective: #1 Enhance and diversify Burleigh County’s economy**

**Policy: #1 Coordinate plans to ensure an adequate supply of industrial and commercial land in appropriate locations.**

**#2 Emphasize the importance of agriculture-related industries and businesses.**

**#3 Encourage workforce development and training efforts to retain a viable workforce for economic growth.**

**#4 Maintain a high level of environmental integrity while considering industrial and commercial development.**

**#5 Consider the potential for an expanded tourism industry in land use and transportation decisions.**

**Objective: #2 Promote the quality growth of commercial uses.**

**Policy: #1 Eliminate unneeded or inappropriate commercial zoning.**

**#2 Provide for commercial expansion by zoning areas which are suitable for such uses.**

**#3 Ensure that all commercial development provides adequate off street parking spaces, circulation patterns, and loading access.**

**#4 Commercial facilities should be designed to enhance the appearance of the surrounding area.**

**#5 Buffers should be provided between commercial development and adjacent land uses.**

#6 Discourage commercial uses which will interfere with the flow of traffic.

Objective: #3 Promote the quality growth of manufacturing and industrial uses.

Policy: #1 Encourage industry to locate in planned manufacturing and industrial parks.

#2 Manufacturing and industrial uses should be located conveniently to transportation facilities.

#3 Buffers shall be provided between manufacturing and industrial development and adjacent land uses.

#4 Ensure that sufficient off street parking and loading space is provided.

#5 Encourage the screening of outside storage of material and equipment.

VI. FACILITIES AND SERVICES

COAL "Develop and maintain the facilities and services to meet

the county's cultural, education, health and social needs.

6.01 EDUCATION

POLICY A. Provide the necessary health care and education services and facilities for area residents.

- PROGRAMS
1. Health care facilities should be located so as to permit convenient access from the surrounding area.
  2. Promote the continued expansion of medical facilities in Bismarck.
  3. Study the problem of school district boundary conflict between city and rural district.

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

- PROGRAMS
1. Encourage the consolidation of local law enforcement operations when feasible.
  2. Permit a level of rural development that will not strain the county's ability to provide adequate police and fire protection.

6.02 FACILITIES

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

- PROGRAMS
1. Support attempts to combine city and county offices into one administrative center when feasible.
  2. Governmental facilities should be located so as to allow convenient access from the surrounding area.
  3. Encourage rural water system outside Bismarck's Urban Service Area. \* See Map

## VII. Facilities and Services

Goal: “Develop and maintain the facilities and services to meet the County’s cultural, educational, health, and social needs.”

Objective: #1 Provide the necessary health care and educational services and facilities for area residents.

Policy: #1 Health care facilities should be located so as to permit convenient access from the surrounding area.

#2 Promote the continued expansion of medical facilities in Bismarck.

#3 Encourage cooperation in solving ~~Study the problem of~~ school district boundary conflict between city and rural districts.

Objective: #2 Maintain a level of police and fire protection to meet the security needs of the County’s citizens.

Policy: #1 Encourage the ~~consolidation~~ coordination of local law enforcement operations when feasible.

#2 Permit a level of rural development that will not strain the County’s ability to provide adequate police and fire protection.

Objective: #3 Provide a level of governmental services as needed by County residents.

Policy: #1 ~~Support attempts to combine City and County offices into one administrative center when feasible.~~

#2 1 Governmental facilities should be located so as to allow convenient access from the surrounding area.

#3 2 Encourage rural water systems outside ~~Bismarck’s Urban Service Area~~ the County’s communities.

VII. URBAN FRINGE GROWTH \* See Map

GOAL "Encourage orderly development of the urban fringe area."

7.01 Fringe Land Use

POLICY A. Discourage high density development beyond the corporate limits of the communities of the county.

PROGRAMS 1. Carefully evaluate the number and location of

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Farmer's Home Administration housing proposals in rural areas.

2. Promote growth in the existing communities of the county.
3. Discourage rezonings and subdivisions beyond the Urban Transition Area unless they abut previously non-agriculturally zoned properties.
4. Assure that residential subdivisions, beyond a community's service area are rural in nature. (See R-1 district regulations)
5. Discourage new subdivisions, beyond the Urban Transition Area, which require new or upgraded public thoroughfares.
6. Outside the Urban Transition Area, only R1-Residential district rezoning requests will be considered unless need is clearly demonstrated by the applicant.
7. Burleigh County recognizes that cities offer a form of government best able to handle rapid growth and urbanization. Therefore, the county will encourage future development to locate within or near existing cities in order to control urban sprawl, to control excessive costs for servicing urban communities, to maintain productive agricultural land, and to provide for orderly growth in all of the county. Burleigh County will continue to emphasize its agricultural economic base.

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

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

POLICY C. Create an "Urban Service Area" around Bismarck to accommodate the short range expansion of the city.

PROGRAMS 1. The City Commission shall determine its ability to extend services into the Urban Service Area.  
2. Encourage growth and development within the Urban Service Area and the existing communities of the county.

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3. Agricultural productivity data for soils will not be considered in processing subdivision applications within the Urban Service Area.
4. Large lot subdivision plats within the Urban Service Area will delineate the future replatting of lots when annexed to the city.
5. When platting subdivisions, developed tracts of land adjacent to the proposal are encourage to join in the plat.
6. The boundaries of the Urban Service Area will be adjusted as the city's ability to provide services is determined.

POLICY D. Create an "Urban Transition Area" around Bismarck to provide fir the desire for a rural residential life-style, as well as the long-range growth of the city.

- PROGRAMS
1. Agricultural productivity data for soils will be considered in processing subdivision applications within the Urban Transition Area.
  2. Encourage rural residential subdivisions to locate within the Urban Transition Area.
  3. The boundaries of the Urban Transition Area will be adjusted as the city's corporate limits expand.

POLICY E. Establish guidelines for managing new development.

- PROGRAMS
1. Development beyond the Urban Transition Area may be considered if:
    - a. The area is not economically viable for agricultural use.
    - b. The change in land use should not cause conflicts with existing agricultural uses on adjacent properties.
    - c. The area is of such size or shape that it is impractical to cultivate.
    - d. Existing or planned activities on adjacent properties are presently incompatible with agricultural uses.
    - e. The proposed development should not place an undue burden upon the local government to provide services (schools, police, fire ect.)

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- f. The proposal should not result in significant water or air pollution.
  - g. The proposal should have good quality water available.
  - h. The proposal should not cause unreasonable soil erosion.
  - i. The proposal should not cause unreasonable highway congestion or unsafe conditions.
  - j. The proposal should not have significant adverse effect on the scenic or natural beauty of the area, historical sites, or rare and irreplaceable natural areas.
  - k. The proposal is not located in a floodway.
  - l. The structure located in the proposal should be elevated if lying within a flood plain.
  - m. The proposal should not require new or up-graded thoroughfares to serve the area.
  - n. Access onto major roads should be limited.
  - o. The proposal conforms to all applicable ordinances.
  - p. The proposal should abut a previously non-agriculturally zoned area.
  - q. The applicant clearly demonstrates there is a sufficient demand or need for additional development.
2. Development within the Urban Transition Area may be considered if:
- a. The area is not economically viable for agricultural use.
  - b. The proposed development should not place an undue burden upon the local government to provide services (schools, police, fire, etc.)
  - c. The proposal should not result in significant water or air pollution.
  - d. The proposal should have good quality water available.

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- e. The proposal should not cause unreasonable soil erosion.
  - f. The proposal should not cause unreasonable highway congestion or unsafe conditions.
  - g. The proposal should not have significant adverse effect on the scenic or natural beauty of the area, historical sites or rare and irreplaceable natural areas.
  - h. The proposal is not located in a floodway.
  - i. The structures located in the proposal should be elevated if lying within a flood plain.
  - j. The proposal conforms to the Aircraft Noise Impact Study regulations.
  - k. Access onto major roads should be limited.
  - l. The proposal conforms to all applicable ordinances.
3. Development within the Urban Service Area may be considered if:
- a. The applicant understands his development could be extended urban services when feasible.
  - b. The proposal should not result in significant water or air pollution.
  - c. The proposal should not cause unreasonable highway congestion or unsafe conditions.
  - d. The proposal should not have an undue adverse effect on the scenic or natural beauty of the area, historical sites or rare and irreplaceable natural areas.
  - e. The proposal is not located in a floodway.
  - f. The structures located in the proposal should be elevated, if lying within a flood plain.
  - g. The proposal conforms to the Aircraft Noise Impact Study regulations.
  - h. The proposal conforms to all applicable ordinances.

Burleigh County  
Comprehensive Land Use Plan

7.02 ANNEXATION

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

- PROGRAMS
1. Plats will be approved with the understanding that they should be annexed as a city's corporate limits expand.
  2. City limits should be comprehensively extended as extension of municipal services becomes feasible and desirable to all parties involved.
  3. Large vacant tracts of land, if annexed by a city, should retain the extraterritorial zoning designation.

7.03 SERVICES & FACILITIES

POLICY A. Plan and construct public services to guide development patterns.

- PROGRAMS
1. Allow only annexed land to be served by city services.
  2. Discourage development from locations which will substantially increase public service costs.
  3. Encourage rural water and central sewer service to be installed in all communities of the county.
  4. Small lot development shall not be allowed outside incorporated areas unless it provides for utility service equivalent to urban standards. (higher density than R1 - Residential standards)

7.04 STREETS & ROADS

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

- PROGRAMS
1. Roads within subdivisions that are in the Urban Service Area should be considered future city streets.
  2. Roads in rural subdivisions when constructed to county standards for subdivisions and approved by the county shall be dedicated for public use, unless an exception is recommended by the County Planning Commission or County Commission.
  3. Roads in Urban Service Area subdivisions will be platted to conform with existing road master plans.

Burleigh County  
Comprehensive Land Use Plan

4. Roads within rural subdivisions should be maintained by the developer, township government or by contract with the County.
5. Encourage the formation of special assessment districts to pave roads within rural subdivisions.
6. The City/County Planning Department shall exercise final approval of proposed road names in new subdivisions.
7. New subdivision plats must be accompanied by an approved master road plan for the adjacent area.

## VIII. Urban Fringe Growth Within Burleigh County

Goal: "Encourage orderly development of the urban fringe area in Burleigh County."

Objective: #1 Discourage high density development beyond the corporate limits of the communities of the County.

Policy: #1 Carefully evaluate the number and location of Farmer's Home Administration housing proposals in rural areas.

#2 1 Promote growth in the existing communities of the County

#3 Discourage rezonings and subdivisions beyond the Urban Transition area unless they abut previously non-agriculturally zoned properties.

#4 2 Assure that residential subdivisions, beyond a community's service area are rural in nature.

#3 Promote an understanding of rural services and how they differ from urban services.

#5 4 Discourage new subdivisions, beyond the Urban Transition Area, which require new or upgraded public thoroughfares.

#6 Outside the Urban Transition Area, only R1 Residential district rezoning requests will be considered unless need is clearly demonstrated by the applicant.

#7 5 Burleigh County recognizes that cities offer a form of government best able to handle rapid growth and urbanization. Therefore, The County will encourage future development to locate within or near existing cities in order to control urban sprawl, to control excessive costs for servicing urban communities, to maintain productive agricultural land, and to provide for orderly growth within the County. Burleigh County will continue to emphasize its agricultural economic base.

Objective: #2 Discourage efforts to increase the number of municipalities or special service districts near existing communities.

Policy: #1 Encourage the State Legislature to increase requirements for the incorporation of new cities in close proximity to existing major cities.

Objective: #3 Create an "Urban Service Area" around Bismarek to accommodate the short range expansion of the city.

Policy: #1 The City Commissions shall determine its ability to extend services into the Urban Service Area.

#2 Encourage growth and development within the Urban Service Area and the existing communities of the county.

~~#3 Agricultural productivity data for soils will not be considered in processing subdivision applications within the Urban Service Area.~~

~~#4 Large lot subdivision plats within the Urban Service Area will delineate the future replatting of lots when annexed to the city.~~

~~#5 When platting subdivisions, developed tracts of land adjacent to the proposal are encouraged to join in the plat.~~

~~#6 The boundaries of the Urban Service Area will be adjusted as the city's ability to provide services is determined.~~

~~Objective: #4 Create an "Urban Transition Area" around Bismarek to provide for the desire for a rural residential lifestyle, as well as the long-range growth of the city.~~

~~Policy: #1 Agricultural productivity data for soil will be considered in processing subdivision applications within the Urban Transition Area.~~

~~#2 Encourage rural residential subdivisions to locate within the Urban Transition Area.~~

~~#3 The boundaries of the Urban Transition Area will be adjusted as the city's corporate limits expand.~~

~~Objective: #5 2 Establish guidelines for managing new development.~~

~~Policy: #1 Development beyond the Urban Transition Area may be considered if The Planning Commission should take the following items into account before approving a new development:~~

- ~~a. Is the area is not more economically viable for agricultural use?~~
- ~~b. The change in land use should not cause significant conflicts with existing agricultural uses on adjacent properties.~~
- ~~c. The area is of such size or shape that it is impractical to cultivate.~~
- ~~d. Are the existing or planned activities on adjacent properties are presently incompatible with agricultural use.~~
- ~~e. The proposed development should not place an undue burden upon the local government to provide services (schools, police, fire, etc.)~~
- ~~f. The proposal should not result in significant water or air pollution.~~
- ~~g. The proposal should have good quality water available.~~
- ~~h. The proposal should not cause unreasonable soil erosion.~~
- ~~i. The proposal should not cause unreasonable highway congestion or unsafe conditions.~~
- ~~j. The proposal should not have significant adverse effects on the scenic or natural beauty of the area,~~

- historical sites, or rare and irreplaceable natural areas.
- k. The proposal is not located in a floodway.
- l. The structure located in the proposal should be elevated if lying within a flood plain.
- m. The proposal should not require new or upgraded thoroughfares to serve the area.
- n. Access onto major roads should be limited.
- o. The proposal conforms to all applicable ordinances.
- p. The proposal should abut a previously non-agriculturally zoned area.
- q. The applicant clearly demonstrates there is a sufficient demand or need for additional development.

~~#2~~ Development within the Urban Transition Area may be considered if:

- ~~a. The area is not economically viable for agricultural use.~~
- ~~b. The proposed development should not place an undue burden upon the local government to provide services (school, police, fire, etc.)~~
- ~~c. The proposal should not result in significant water or air pollution.~~
- ~~d. The proposal should have good quality water available.~~
- ~~e. The proposal should not cause unreasonable soil erosion.~~
- ~~f. The proposal should not cause unreasonable highway congestion or unsafe conditions.~~
- ~~g. The proposal should not have significant adverse effect on the scenic or natural beauty of the area, historical sites, or rare and irreplaceable natural areas.~~
- ~~h. The proposal is not located in a floodway.~~
- ~~i. The structures located in the proposal should be elevated if lying within a flood plain.~~
- ~~j. The proposal conforms to the Aircraft Noise Impact Study regulation.~~
- ~~k. Access onto major roads should be limited.~~
- ~~l. The proposal conforms to all applicable ordinances.~~

~~#3~~ Development within the Urban Service Area may be considered if:

- ~~a. The applicant understands his development could be extended urban services when feasible.~~
- ~~b. The proposal should not result in significant water or air pollution.~~
- ~~c. The proposal should not cause unreasonable highway congestion or unsafe conditions.~~
- ~~d. The proposal should not have an undue adverse effect on the scenic or natural beauty of the area, historical sites, or rare and irreplaceable natural areas.~~
- ~~e. The proposal is not located in a floodway.~~
- ~~f. The structures located in the proposal should be elevated, if lying within a flood plain.~~
- ~~g. The proposal conforms to the Aircraft Noise Impact Study regulations.~~
- ~~h. The proposal conforms to all applicable ordinances.~~

Objective: #6 3 Areas urban in character are encouraged to become annexed to the adjacent municipality.

Policy: #1 Plats may be approved with the understanding that they should be annexed as a city's corporate limits expand.

#2 City limits should be comprehensively extended as extension of municipal services become feasible and desirable to all parties involved.

~~#3 Large vacant tracts of land, if annexed by a city, should retain the extraterritorial zoning designation.~~

Objective: #7 4 Plan and construct public services to guide development patterns.

Policy: #1 ~~Allow only annexed land to be served by city services.~~

#2 1 Discourage development from locations which will substantially increase public service costs.

#3 2 Encourage rural water and central sewer service to be installed in all communities of the County.

#4 3 Small lot development shall not be allowed outside incorporated areas unless it provides for utility service equivalent to urban standards. ~~(higher density than R1 Residential standards.)~~

Objective: #8 ~~Coordinate the master planning of all roads within the county.~~

Policy: #1 ~~Roads within subdivisions that are in the Urban Service Area should be considered future city streets.~~

~~#2 Roads in rural subdivisions when constructed to county standards for subdivisions and approved by the county shall be dedicated for public use, unless an exception is recommended by the County Planning Commission or County Commission.~~

~~#3 Roads in Urban Service Area subdivisions will be platted to conform with existing road master plans.~~

~~#4 Roads within rural subdivisions should be maintained by the developer, township government, or by contract with the County.~~

~~#5 Encourage the formation of special assessment districts to pave roads with rural subdivisions.~~

~~#6 The City/County Planning Department shall exercise final approval of proposed road names in new subdivisions.~~

~~#7 New subdivision plats must be accompanied by an approved master road plan for the adjacent area.~~

VIII. ENVIRONMENT

GOAL "Emphasize environmental consideration as major factors in the decision making process.

8.01 LANDMARKS & HISTORIC FEATURES

POLICY A. Identify and preserve important natural and historic features in Burleigh County.

- PROGRAMS
1. The Planning Department, with assistance from the State Historical Society, should document the important historical features in the county.
  2. Developers will be encouraged to retain the natural site characteristics in their subdivisions.
  3. Preservation of historic and natural features will be important as part of the development review process.
  4. Publish and distribute a guide to historic buildings in Bismarck.

8.02 AGRICULTURAL

POLICY A. Burleigh County contains a variety of productive agricultural soil types which should not be lost unnecessarily to the development of rural subdivisions.

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

## **IX. Environment**

**Goal:** “Emphasize environmental consideration as a major factor in the decision making process.”

**Objective: #1** Identify and preserve important natural and historic features in Burleigh County.

**Policy: #1** The County Building/Planning/Zoning Planning Department, with assistance from the State Historical Society, should document the important historical features in the County.

**#2** Developers will be encouraged to retain the natural site characteristics in their subdivisions.

**#3** Preservation of historic and natural features will be important as part of the development review process.

**Objective: #2** ~~Burleigh County contains a variety of productive agricultural soil types which should not be lost unnecessarily to the development of rural subdivisions.~~

**Policy: #1** ~~Outside of the Bismarck Urban Service Area, use S.C.S. soil survey information when considering zoning and subdivision requests.~~

**#2** ~~Encourage rural residential development, as needed, to locate outside of productive agricultural areas.~~

**Objective: #2** Protect the quality of water resources.

**Policy: #1** Ensure proper septic drain field design and operations for rural lots and for community (shared) waste water treatment systems.

**#2** Encourage connections to existing municipal waste water treatment systems whenever possible.

**#3** Protect or establish vegetation buffers along rivers, creeks, and bodies of water to improve water quality and prevent erosion.

**#4** Protect wetlands and aquifer recharge areas from pollution.

**#5** Continue collaboration and coordination with the Burleigh County Water Resource District with respect to drainage issues and new development.

**Objective: #3** Protect the Missouri River Corridor

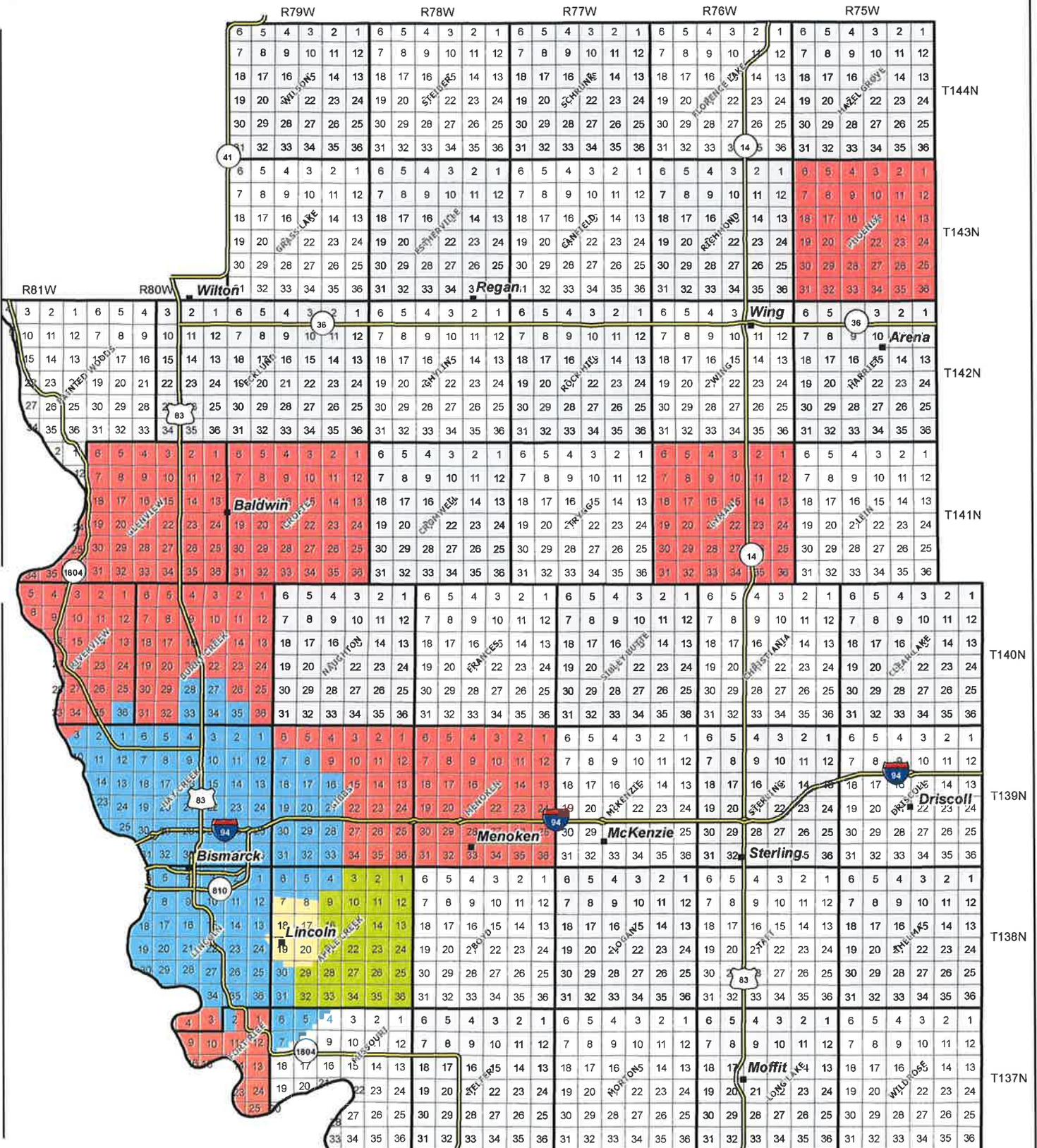
**Policy: #1** Identify the desired level of public access to the Missouri River and work toward preservation and creation of access at that level.

#2 Promote access to and enjoyment of the River in a manner that enhances public safety, enjoyment, and integrity of the river environment.

## Appendix A

# BURLEIGH COUNTY, NORTH DAKOTA ZONING JURISDICTION

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09/26/2013

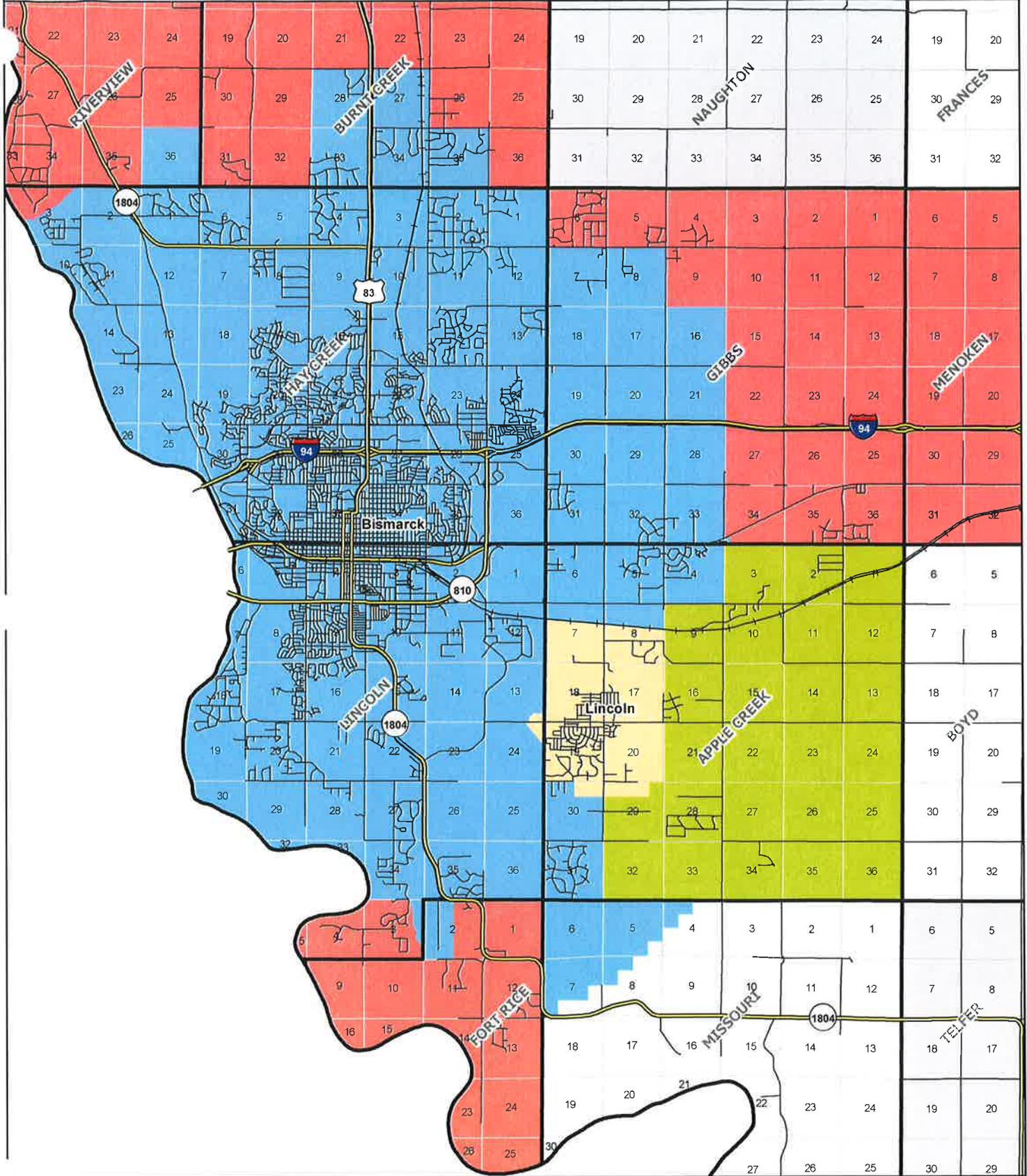


■ Apple Creek Township Zoning 
 ■ Burleigh County Zoning 
 ■ City of Bismarck Zoning 
 ■ City of Lincoln Zoning 
 ■ Other Township Zoning 
  Political Township Boundary

Map produced by Burleigh County GIS. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

# BURLEIGH COUNTY, NORTH DAKOTA ZONING JURISDICTION (BISMARCK AREA)

N  
09/26/2013



■ Apple Creek Township Zoning 
 ■ Burleigh County Zoning 
 ■ City of Bismarck Zoning 
 ■ City of Lincoln Zoning 
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