



Comprehensive Plan is updated, vetted by the public, and adopted.



Zoning ordinance and subdivision ordinance match the plan, are legally airtight, and enforceable.



Administrative procedures are efficient, coordinated across departments, and understood by the public.

(Deep Breath)

Ready ...

Set ...

Go!

Catching up to Growth

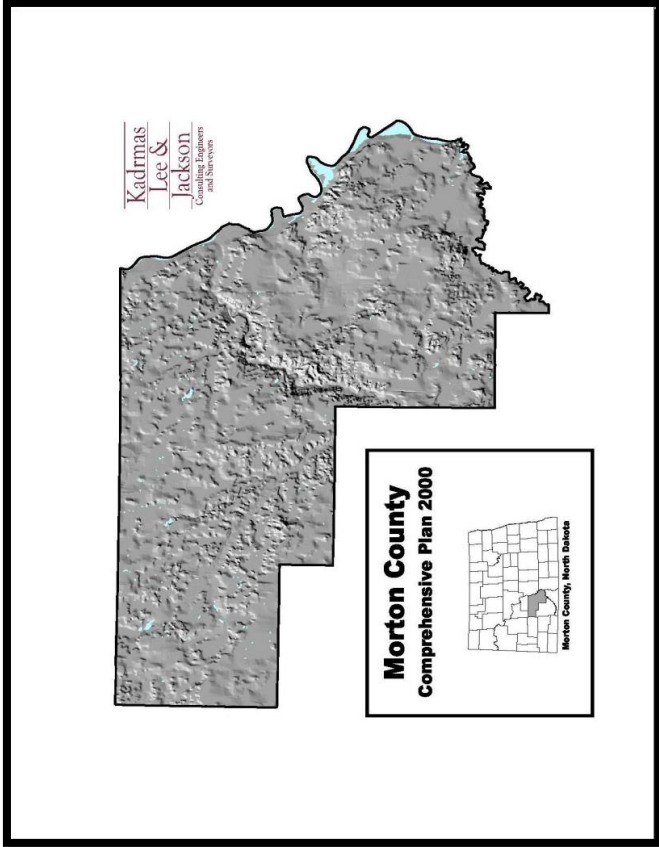
Strategies for land use planning along the way ...

Daniel Nairn, AICP

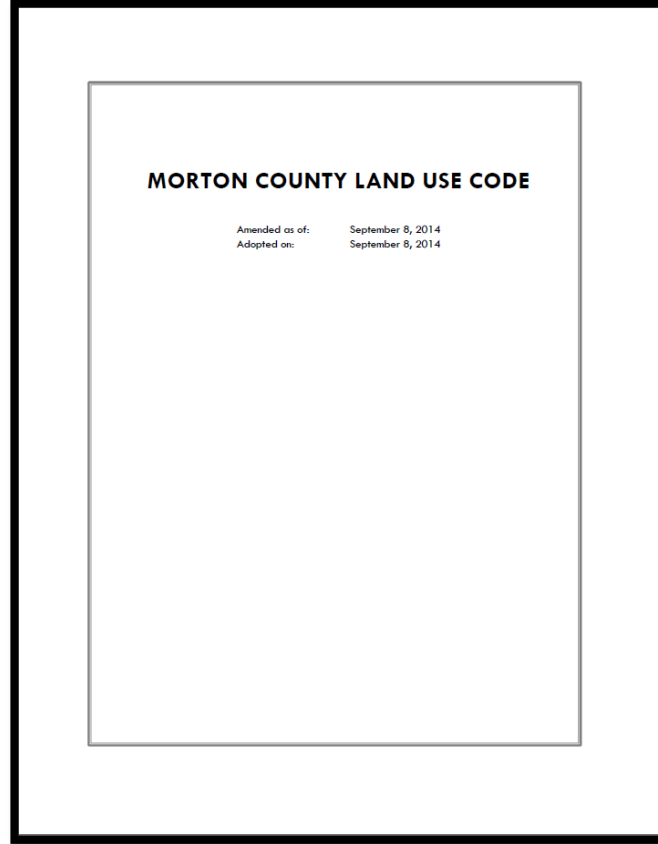
Morton County Planning and Zoning

Quick primer on ...

PLANNING AND ZONING BASICS



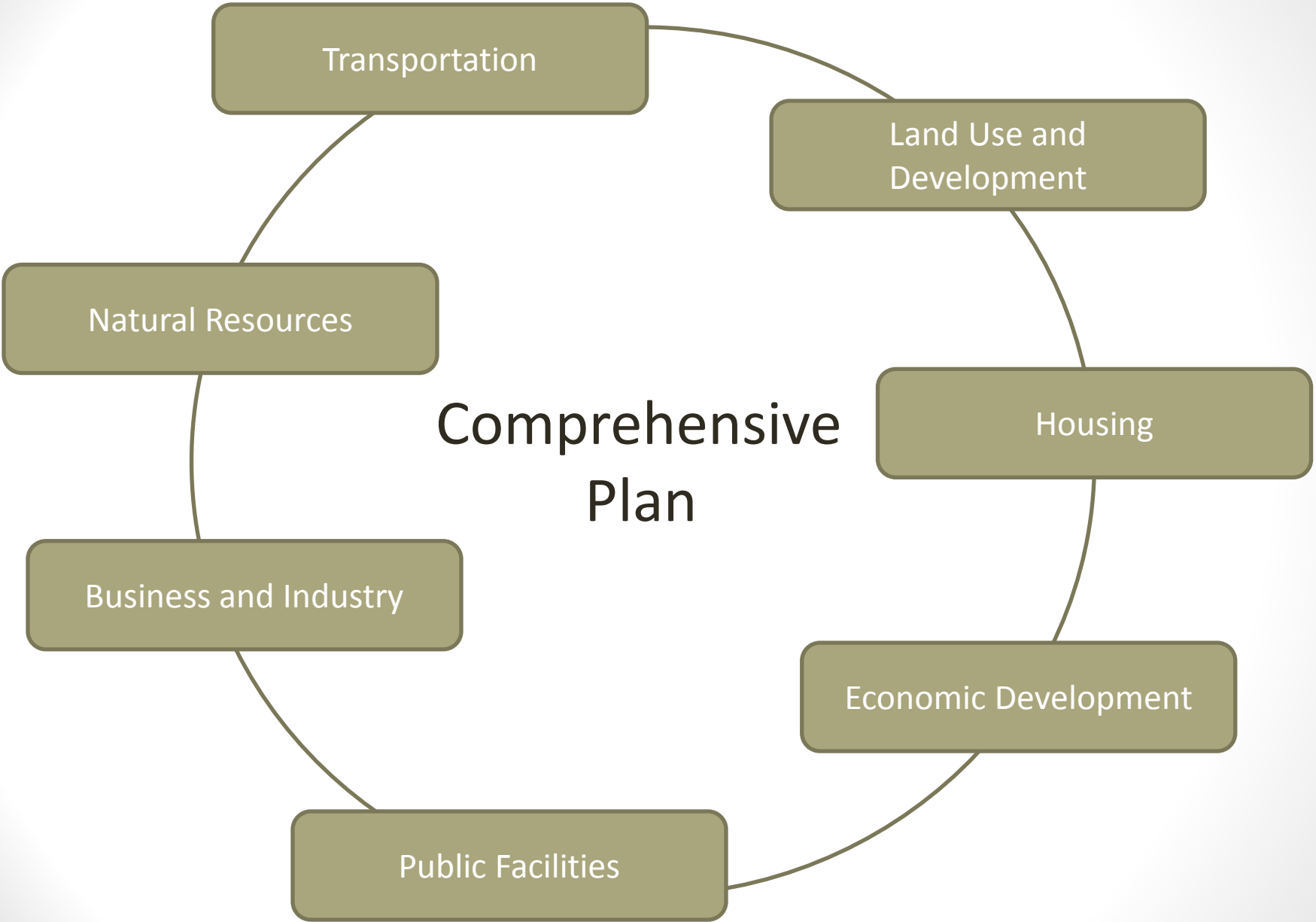
Plan



Law

Comprehensive Plan

- “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”
- Required by state law to provide a rational basis for zoning (NDCC 11-33-03)
- Establish long-term (20 – 30 years) vision for the whole community.
- General guidance, not specific application.



Transportation

Land Use and
Development

Housing

Economic Development

Public Facilities

Business and Industry

Natural Resources

Comprehensive
Plan

Law: Land Use Code

- Enabled through NDCC 11-33 Zoning and 11-33.2 Subdivision
- Nationwide trend of combining into “Land Development Code” or “Land Use Code.”
- Includes:
 - Zoning Districts (referencing a zoning map)
 - Subdivision Regulations
 - Floodplain Management (if part of NFIP)
 - Stormwater Management
 - Building Permits (in reference to State Building Code)
 - Approach Permits
 - Administration and Enforcement
 - Definitions

Zoning Districts

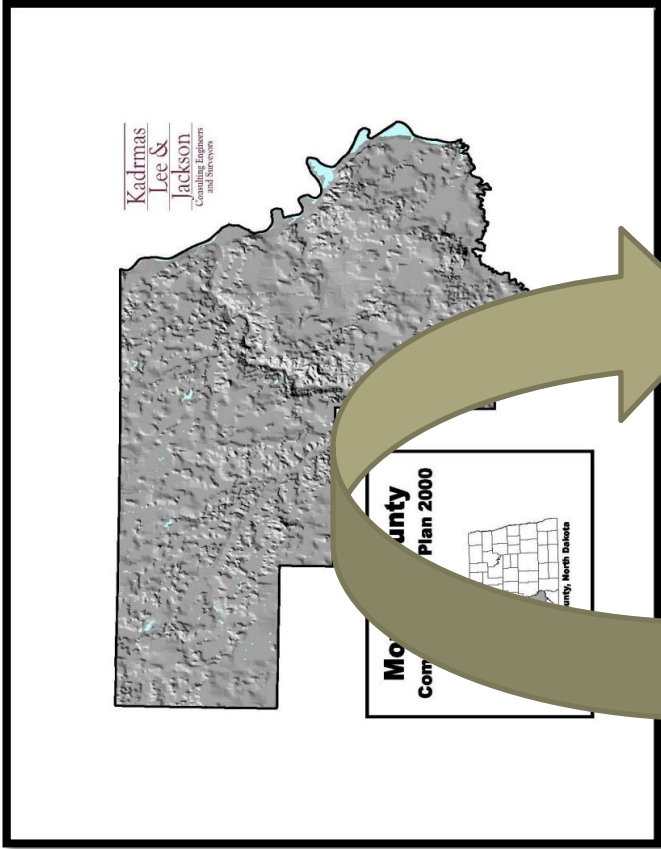
Sec. 2-100 Use Table

Zoning Districts

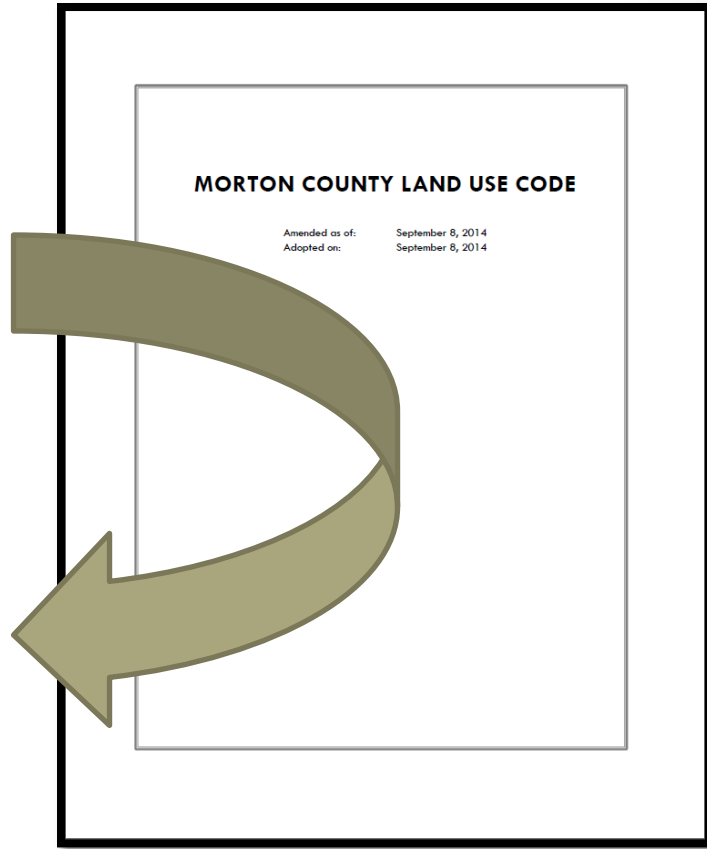
Use (with reference to applicable standards)	A	R	RC	C	CL	I	IL
Agricultural Uses							
Farming or Ranching	P	-	-	-	-	-	-
Animal Feeding Operation (Sec. 4-030)	S/C	-	-	-	-	-	-
Grain Elevator	S	-	-	-	-	-	-
Plant Nursery or Greenhouse	P	-	-	-	-	-	P
Winery/Distillery/Brewer Taproom (Sec. 4-040)	P/C	-	S/C	-	-	-	-
Agricultural Recreational Use (Sec. 4-040)	P/C	-	S/C	-	-	-	-
Residential Uses							
Single Family Home	P	P	P	-	-	-	-
Multifamily Housing	-	S	-	-	-	-	-
Group Care	S	-	-	-	-	-	-
Temporary Crew Housing	S/C	-	-	S/C	-	S/C	-
Commercial Uses							
Animal Boarding Kennel	S	-	-	P	-	-	P
Bank	-	-	-	P	P	-	-
Gas Station	-	-	-	P	P/C	P	-
Livestock Sales Pavilion	S	-	-	-	-	P	-
Hotel or Motel	-	-	-	P	-	-	S
Parking Lot or Garage, Commercial	-	-	-	P	-	-	-
Retail or Rental, Automotive	-	-	-	P	-	P	-
Retail, Building Materials						P	S
Retail or Rental, Tools	-	-	-	-	-	P	P
Retail or Rental, Farm Supply and Implement				P	-	P	P
Retail, General	-	-	-	P	P	-	-
Retail, Grocery	-	-	-	P	P	-	-

Subdivision of Land

- Century Code defines subdivision as “the division of a lot, tract, or parcel of land, creating one or more lots, tracts, or parcels for the purpose, whether immediate or future, of sale or of building development.”
- Divide “Divisions of Land” into different types:
 1. Exempt Completely (e.g. lots over 35 acres in Agricultural zone)
 2. Minor Subdivisions (e.g. single lot subdivisions with no public roads)
 3. Major Subdivisions (e.g. multi-lot subdivisions)
- What improvements may be required with a subdivision? Who pays for them? When must improvements be completed?
- Townships do not have this authority, only counties and cities.



Plan



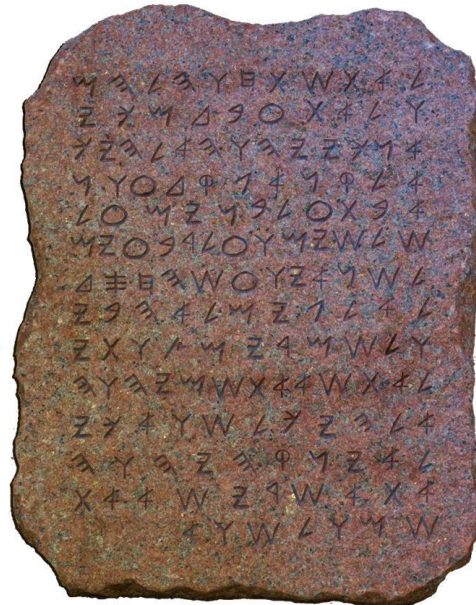
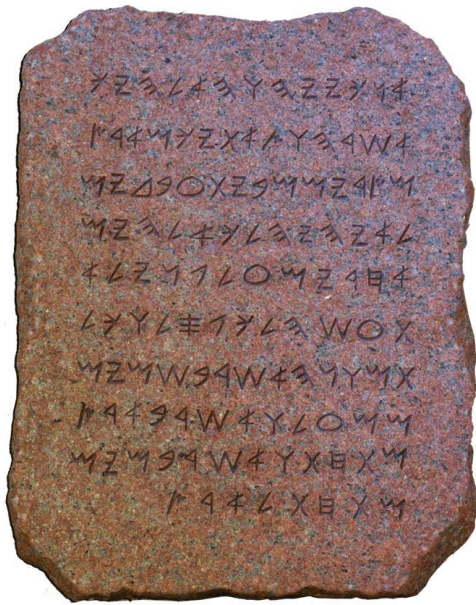
Law

Suggestions for ...

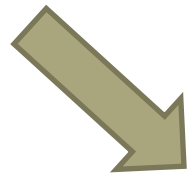
PLANNING ALONG THE WAY

1. Update Laws Incrementally

- Build a habit of regular revisions:
 - A few public process requirements to meet
 - Create a record of changes
- Reasons:
 - Debugging –unclear language, inconsistencies, found loophole
 - Conform to Comprehensive Plan
 - Giving too many variances
 - Too difficult to administer or enforce
 - Change in state or federal law
 - Reaction to a controversy (use caution)
- Caveat: Don't change the rules on an applicant in the middle of a review process.



Etched in Stone



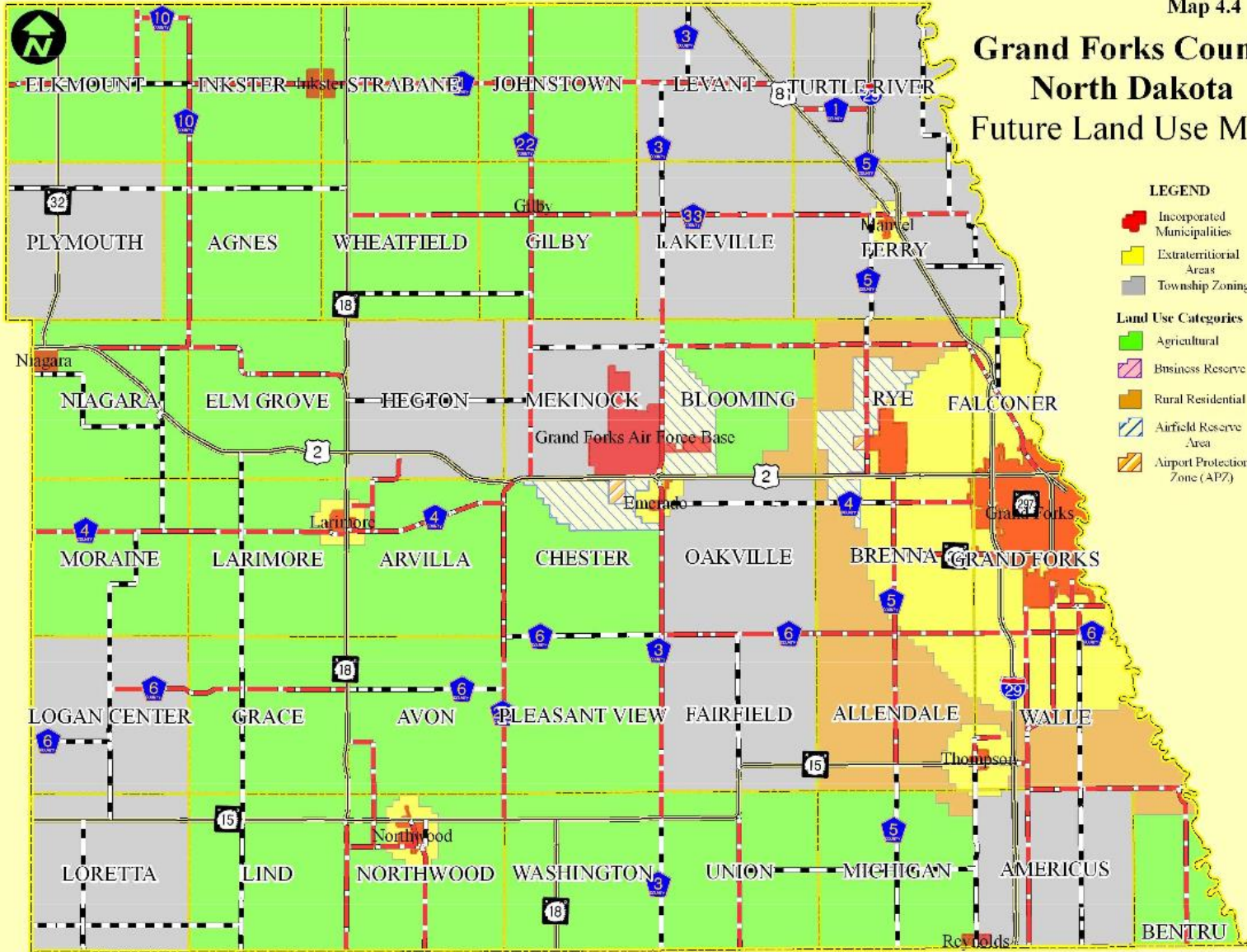
Dynamic Process

2. Simplify the Comp Plan

- Meant to be used; should function as a quick reference.
- Do as much background research as possible, but keep most of the supporting details out of the plan.
- Don't skimp on public participation.
- Language and visuals are accessible and attractive.
- Future Land Use Map?

Map 4.4

Grand Forks County North Dakota Future Land Use Map

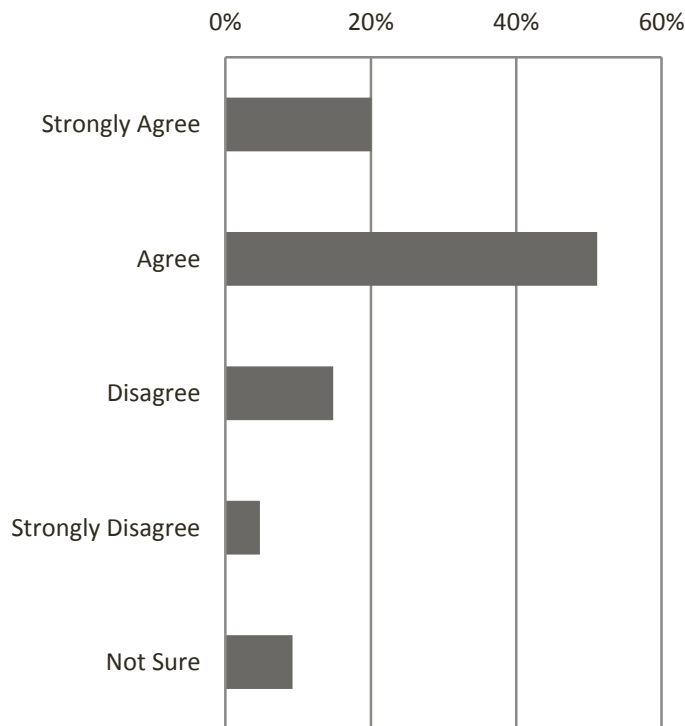


3. The Moratorium Option

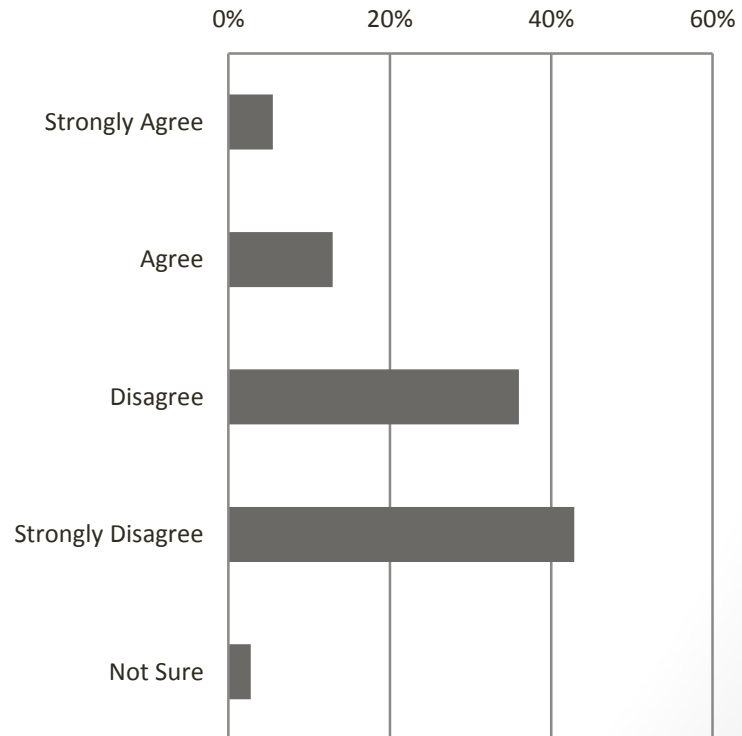
- Courts have determined that a temporary ban on building permits is permissible.
- Must be for a limited time and for a legitimate purpose.

4. Ask People What They Want

The county should have a stronger role in directing future growth and development to appropriate locations



Individuals and developers should be free to develop land without many restrictions



5. Clarify Administrative Procedures

- Keep an efficient pipeline of communication between departments, and with other jurisdictions.
- Clarify boundaries of extraterritorial areas.
- Make sure land development professionals are aware of all procedures.
- Enforcement.

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