

Development Checklist

Commercial CUP's

McKenzie County, ND Planning & Zoning Department
(701) 444-2420, pandz@co.mckenzie.nd.us



All items listed below need to be submitted to the McKenzie County Planning and Zoning Department pandz@co.mckenzie.nd.us in 1 packet in order to begin the CUP process. All items must have approval (email accepted) from the appropriate party.

If project does not begin within 1 year from approval of the CUP, it will expire and you will need to restart the application process.

1. ☐ Completed Application (attached) pandz@co.mckenzie.nd.us
2. ☐ ND Department of Health (Storm Water Program): Dallas Grossman dgrossma@nd.gov (701) 328-5242 (www.ndhealth.gov) **Permit required prior to CUP approval**
3. ☐ State Food & Lodging: Julie Wagendorf (701) 328-2523 foodandlodging@nd.gov (man camps, hotels, restaurants, etc.)
4. ☐ McKenzie County Weed Control Officer: Amber Higgins (701) 842-4131 weedcontrol@co.mckenzie.nd.us (attached)
5. ☐ McKenzie County Engineer: (County Road or Approach Permit) (701) 444-7427 permits@co.mckenzie.nd.us
6. ☐ ND DOT - If on State Highway (Highway Road Approach Permit <https://www.dot.nd.gov/>)
7. ☐ ND Industrial Commission: Gunther Harms (701) 774-4380 gdharms@nd.gov
8. ☐ Secretary of State Certificate of Good Standing <https://firststop.sos.nd.gov/> (example attached)
9. ☐ School Districts – From your district (only for subdivisions)
10. ☐ A list of all adjacent property owners **(within** Select Distance **of the property lines of the project) and their address.**
11. ☐ Sign Permit (attached)
12. ☐ **Fee Payment - \$750.00**

Email approval from the following – send an email with an explanation of your project and ask if there are any concerns

1. Emergency Manager: Karolin Jappe (701) 444-7483 kjappe@co.mckenzie.nd.us
2. Fire Districts – **From your district:** <https://county.mckenziecounty.net/Department/Emergency/Emergency-Management/Local-Area-Fire-District-Information>
3. McKenzie County Sheriff's Department: (701) 444-3654: 911coordinator@co.mckenzie.nd.us
4. Township Acknowledgement **from your Township:** <https://county.mckenziecounty.net/Department/Townships>

Please submit one copy of each of the following materials to the planning department with your application and above required materials.

- Copy of Water Permit Application to North Dakota Department of Environmental Quality
- Copy of Construction Permit Application to State of North Dakota
- Plat Map(s)
- **Detailed** Site Plan (to include a landscaping, fencing, and security lighting plan)
- Building Plans/Floor Plans
- Title Report/Ownership Acknowledgement/Lease or Purchase Agreement
- A photograph of the site (a screenshot from Google will be sufficient).

*** All applications/required materials need to be submitted prior to 12 noon on the 15th of each month (for the next month's meeting) No late or incomplete applications will be allowed on the next month's meeting agenda. If the 15th of the month is on a weekend or we are closed, applications will need to be submitted the work day before.**

DEVELOPMENT CHECKLIST CONTACT INFO

Water and Sewer:

- McKenzie County Rural Water: <https://county.mckenziecounty.net/Department/Water> (701) 842-2821
- ND Dept. of Health (Water, Sewer for 15 or more (subdivision): Karl Rockeman krockema@nd.gov (701) 328-5225
- Upper Missouri District Health: Dana Brekhus danab@umdh.org (701) 774-6407 or (701) 774-6400
- State Water Commission (private wells): (701) 328-2750
- Watford City Water: (701) 444-2533

Township: - <https://county.mckenziecounty.net/Department/Townships> **choose your district**

ND DOT: - (Highway Road Approach Permit) <https://www.dot.nd.gov/>

- **Dickinson:** 1700 3rd Ave W Ste. 101 Dickinson, ND 58601 (701) 227-6500
- **Williston:** 605 Dakota Pkwy W. PO Box 698 Williston, ND 58802 (701) 774-2700

School Districts: - <https://econdev.mckenziecounty.net/why-mckenzie-county/education/> **choose your district**

- McKenzie County #1: PO Box 589 Watford City, ND 58854 (701) 444-3626
- Alexander: PO Box 66 Alexander, ND 58831 (701) 828-3334
- Yellowstone: 301 2nd St S. Fairview, MT 59270 (406) 844-5649
- Earl: 995 E Bennie Pier Rd Sidney, MT 59270 (406) 565-2249
- Horse Creek: 1812 Horse Creek Road Cartwright, ND 58838 (701) 828-3080

Fire Districts: - <https://county.mckenziecounty.net/Department/Emergency/Emergency-Management/Local-Area-Fire-District-Information> **choose your district**

Other Resources:

- Tax Director: (701) 444-3616 Ext 4 kpaulson@co.mckenzie.nd.us
- McKenzie County Treasurer: (701) 444-3616 Ext 3 ejohnsrud@co.mckenzie.nd.us
- Recorder: (701) 444-3616 Ext 4 kpaulson@co.mckenzie.nd.us
- Montana Dakota Utilities: (800) 638-3278
- McKenzie Electric: (701) 444-9288
- Reservation Telephone Company (RTC): (701) 862-3115
- Auditor: (701) 444-3616 Ext 3 ejohnsrud@co.mckenzie.nd.us
- US Post Office: June Pemberton (406) 450-5480 (**Suggested if assigned a new address**)
- Army Corps of Engineers: 204 1st St Riverdale, ND 58565 (701) 654-7414
- City of Alexander: 701-828-3461-Brandi Gillespie cityofalexander@ruggedwest.com
- City of Arnegard: (701) 586-3500
- City of Watford: (701) 444-2533
- ND Department of Health: 600 E Boulevard Ave Bismarck, ND 58505 (701) 328-2368

McKenzie County Website: <https://county.mckenziecounty.net/>

McKenzie County GIS: <https://mckenziecounty.maps.arcgis.com/home/index.html>

McKenzie County Address Request: <https://county.mckenziecounty.net/usrfiles/AddressRequestForm.pdf>

Commercial Conditional Use Permit Application

Fee - \$ 750.00



Application Date: _____

McKenzie County CUP # _____ (office use only)

Name of Applicant: _____

Phone #: _____ Email: _____

Mailing Address: _____

Property Owner on Record: _____

Phone #: _____ Email: _____

Mailing Address: _____

Attorney: _____

Phone #: _____ Email: _____

Mailing Address: _____

Agent/Engineer/Surveyor: _____

Phone #: _____ Email: _____

Mailing Address: _____

Township: _____

Project Address: _____

Existing Zoning: _____ Existing Comprehensive Plan: _____

Existing Use: _____

Proposed Conditional Use: _____

Surrounding Land Uses: _____

Parcel Number(s): _____

Commercial Conditional Use Permit Application

Legal Description of property:

Quarter Section _____ Section _____ Township _____ Range _____

- Please provide a one paragraph narrative of the development project:

- Have any previous permits been applied for or granted for this property? ☐yes ☐No
If so please describe the nature of the request or any permits granted

- Please provide documents as required on the Development Checklist:

Applicant Signature: _____ Date: _____

McKenzie County Weed Management Plan

Purpose: This is a simplified weed management template that is specifically designed for small properties/areas. It is designed to assist in controlling noxious weeds by documenting areas at risk whether it be currently infested or could possibly become infected in the future. This weed management template is also to assist in coordinating efforts between McKenzie County Weed Control and landowners/operators/developers to accomplish noxious weed control goals in McKenzie County. A copy of this weed management plan will be kept on file with McKenzie County Weed Control as well as with all parties involved in the ownership and/or management of the property.

Date: _____

Circle or Check One: PRIVATE _____ COMMERCIAL _____

Name of Landowner: _____

**Name of Party Responsible
for Weed Control if Different than Landowner:** _____

Address of Responsible Party: _____

Phone Number: _____ **Email Address:** _____

Approximate Size of Property: _____

Legal Description of Property:

Quarter Section _____ **Section** _____ **Township** _____ **Range** _____

Purpose of Property: _____

Surface Movement for Commercial Construction Purposes: **Circle or check one**

Scoria _____ **Manure** _____ **Dirt** _____ **Sand** _____ **Gravel** _____

Construction _____ **Other** _____

1.0 Management Goals:

Management goals describe the purpose/use of the property and what you are trying to achieve. Having clear management goals is key to developing a weed management plan. (The minimum amount required by North Dakota and McKenzie County Weed Law is to mow noxious weeds to prevent them from going to seed. Another management goal may be to restore an area with native vegetation. Management goals might also include preventing contamination and/or spread of noxious weeds due to mining or storage of construction materials by a yearly or bi-yearly application of herbicide.)

Please list your management goals as they apply to this property:

2.0 Weed Control Objectives:

Knowing which weed species occur on your property and where they are located is very important in developing control priorities. Weed species vary considerably in the threat that they pose to the resource values of the property. In addition, weed species vary greatly in their susceptibility to control measures. Thus, weed species that pose the greatest threat to achieving the management goals for the property and which can be most easily controlled are the highest priority for management. To create weed control objectives for your weed management plan, first search your property for weeds (if you have not already done so).

3.0 Weed Control Objectives – 3-year plan

1st Year Weed Control Objective: _____

2nd Year Weed Control Objective: _____

3rd Year Weed Control Objective: _____

4.0 Evaluating Weed Control:

After you have created weed control objectives and have begun to control the priority weed species on your property, you should evaluate the results of your control methods. This requires follow-up visits to the areas where weeds were controlled and a re-assessment of the size and density of an infestation. (For example, compare the size of the infestation after a growing season has elapsed to the size before control actions were initiated.) In most cases, the elimination of an infestation will take several years with multiple treatments per year to kill the plants and eliminate the bank of weed seeds in the soil.

ND Law 4.1-47. Control of noxious weeds.

Each Person shall do all things necessary and proper to control the spread of noxious weeds.

In signing this document, I understand that I will be responsible for noxious weed control on the property listed above.

Responsible Party Signature: _____ Date _____

McKenzie County
Weed Board Approval: _____ Date _____

Please allow 48 hours for review of this plan prior to receiving confirmation of approval.

State of North Dakota

SECRETARY OF STATE



Certificate of Good Standing of

Business Name Here

SOS Control ID#:

Certificate #:

The undersigned, as Secretary of State of the State of North Dakota, hereby certifies that, according to the records of this office,

a Limited Liability Company - Business - Foreign was formed under the laws of DELAWARE and filed with this office effective July 1, 2000. This entity has, as of the date set forth below, complied with all applicable North Dakota law.

ACCORDINGLY, the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues this Certificate of Good Standing.

DATE: January 21, 2020

A handwritten signature in cursive script, reading "Alvin A. Jaeger".

Alvin A. Jaeger
Secretary of State

Commercial Sign Permit Application

Included with a Conditional Use Permit



Application Date: _____

McKenzie County Sign Permit # _____ (office use only)

Name of Applicant: _____ Phone # _____

Mailing Address: _____ Email: _____

Property Owner on Record: _____ Phone # _____

Mailing Address: _____ Email: _____

Township: _____

Type of Sign Usage: _____

Size of Sign: _____ Text on sign: _____

Materials used to make sign: _____

Will the sign be lit? ☐ Yes ☐ No If yes, how? _____

Address/Location of sign: _____

Legal description: Quarter Section _____ Section _____ Township _____ Range _____

Parcel Number _____

Current Zoning: _____ Comprehensive Plan: _____

***Please include the following items with your application**

1. Image of the proposed sign.
2. Map of the area showing setbacks
3. Landowner agreement or acknowledgment.

All signs must comply with Section 4.2 of the McKenzie County Ordinance. (attached)

- Signature required on last page of this application

4.2 SIGNS AND ADVERTISING

4.2.1 Intent

The intent and purpose of these regulations is to establish a reasonable framework for signage and to facilitate easy and agreeable communication, at the same time recognizing the need to protect the safety and welfare of the public, to maintain attractive appearance in the community and to allow adequate business identification. It is the further intent of these regulations to maintain a balance between the commercial needs of business enterprises and their visual impact on residents and visitors of the County.

Unless otherwise noted herein the County follows the regulation as outlined in N.D.C.C. Ch. 24-17.

4.2.2 Compliance Requirement

- 1) Signs are a conditional use and must be approved.
- 2) No person, including any owner, lessee, or other occupant of any premises, shall erect, construct or display, or permit the erection, construction, or display of any sign within the County, other than in accordance with the provisions of this chapter. All signs, unless exempted herein, must be licensed by the County.
- 3) The Planning Director shall examine all applications for permits for the erection of signs and issue licenses for new signs and for continued use of signs which conform to the requirements of this chapter. He shall review all applications for permits with any accompanying plans and documents, make routine inspections of signs and make such reports as the Planning Commission may require.

4.2.3 Prohibited Signs

- 1) Signs of such design and location that they interfere with, compete for attention with or may be mistaken for a traffic signal.
- 2) Signs erected or located on, within or over any public right-of-way, unless specifically permitted herein.
- 3) Portable signs.

4.2.4 Exemptions

- 1) Traffic or other municipal signs, legal notices, railroad crossing signs, danger signs, and such temporary emergency signs as may be erected by the government or public utility employees in carrying out their official work.
- 2) Historic site and historic building plaques and markers.

- 3) Signs used on property warning the public against trespassing, parking, or soliciting thereon.
- 4) Temporary safety, traffic, directional, and warning signs approved by the governmental agency having jurisdiction.
- 5) Signs required by any provision of law or signs deemed necessary to the public welfare by the governing body.
- 6) For any residential premises for sale or rent, one temporary non-illuminated "for rent" or "for sale" sign not over six square feet in area and "open house" signs not over four square feet in area per sign.
- 7) A nameplate sign, situated within the property lines and bearing only the name and address of the principal occupant, provided that the sign does not exceed twelve (12") inches in height and twenty-four (24") inches in length. An additional sign, of the same size (12"x 24"), may be erected for a legally permitted home occupation.
- 8) The American flag, and governmental flags displayed by recognized governments or governmental agencies, provided such flags are displayed in a respectful manner and in accordance with established or recognized rules, standards and criteria.
- 9) Temporary signs no larger than five (5) square feet of sign area, advertising the sale of farm products produced on the premises, or advertising auctions or events of charitable, political or public service groups.
- 10) For the purposes of public safety, the County and municipalities within the county may be exempted from these regulations.

4.2.5 General Sign Provisions

- 1) No sign or other advertising structure as regulated by this chapter shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision; or at any location where by reason of the position, shape or color it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device, or which makes use of the words "STOP," "LOOK," "DRIVE-IN," "DANGER," or any other word, phase, symbol or character in such manner as to interfere with, mislead or confuse traffic.
- 2) Sign lighting. Illuminated signs may be directly or indirectly lighted, provided that they comply with the following standards:
 - a) Illumination of directly illuminated signs shall be of the diffused lighting type.
 - b) Indirectly illuminated signs with external spot or flood lighting must be arranged such that the light source is directed away from passersby. The light

source must be directed against the sign such that it does not shine into adjacent property or cause glare for motorists and pedestrians.

- c) Floodlights or spotlights used for the illumination of signs, whether such lights are attached to or separate from the building, shall not project light beyond the sign.
- 3) Places of worship, schools and other nonprofit, institutional facilities, where permitted, may display one freestanding and/or one wall sign not exceeding thirty-two (32) square feet in total area identifying the name of the facility and pertinent information relating to its activities. The freestanding sign shall be located no closer than fifteen (15') feet to a property line or street right-of-way line and shall not exceed six (6') feet in height.
- 4) Multi-family residential property or work force housing developments may display one freestanding identification sign at each street entrance to the development, designating only the name of the development, the address and name of the owner and the names of any buildings located therein, provided that the area of one side of said sign shall not exceed twenty-four (24) square feet and that the sign is set back ten (10') feet from the front property line.
- 5) Advertising signs are not allowed in any road right-of-way or road easement and shall be placed a minimum of ten (10') feet beyond said right-of-way or easement.
- 6) A maximum of one monument sign is permitted at each road frontage where there is vehicular access.
- 7) Signs providing directions for allowed uses shall not be larger than forty (40) square feet in area.
- 8) Signs providing directions for conditional uses shall not be larger than forty (40) square feet.
- 9) On-site advertising signs shall not be larger than ninety-six (96) square feet.
- 10) Off-premises signs are only allowable in Industrial and Commercial Districts and shall be limited to three hundred seventy-eight (378) square feet in size.
- 11) No sign may be permitted larger than four (4) square feet for a home occupation.
- 12) Billboards along state and federal highways shall be separated a minimum of one thousand (1,000') feet and shall be a maximum of seven hundred and fifty (750) square feet.
- 13) Billboards shall not be allowed in the County except within two (2) miles of the Watford City ETA boundary, or within one (1) mile of the Arnegard, Alexander or Keene boundaries or ETA.

- 14) Signs in the Commercial and Industrial Districts shall be limited to:
 - a) One general identification sign per business not exceeding fifty (50) square feet in area which may be wall, pedestal, ground, or projecting type;
 - b) Temporary signs including “For Sale”, political campaign signs, greeting signs, and rally signs not exceeding fifty (50) square feet in area;
 - c) Directory and advertising signs in the Agricultural, Commercial, and Industrial districts shall not be larger than ninety-six (96) square feet in area and placed closer than six hundred (600’) feet apart.
- 15) Placement of signs shall be subject to the setback requirements of the zoning district in which they are located.
- 16) Billboards with changing messages shall have a fifteen (15) second delay between messages.
- 17) No signage may advertise adult entertainment (sexually oriented businesses) or similar uses.
- 18) Signs if allowed in Residential Districts are limited to ten (10’) feet in height.
- 19) Signs in Commercial, and Industrial Districts shall be limited to forty-five (45’) feet in height.

4.2.6 Construction Requirements

- 1) Material. Signs shall be constructed of high-quality materials and completed with durable finishes.
- 2) Codes. All signs shall conform to the latest edition of the applicable building and electrical codes.
- 3) Lighting. External lighting shall be shielded from view and shall be focused upon the sign to avoid stray lighting.
- 4) Sanitation. Property surrounding any ground sign shall be maintained in a clean and sanitary condition. It shall be free from weeds, rubbish, and flammable material.
- 5) Responsibility for compliance. The owner of the parcel on which a sign is placed and the tenant are each fully responsible for the condition and the maintenance of the sign, and the area around the sign.

4.2.7 Non-Conforming Signs

- 1) This chapter is intended to encourage the eventual elimination of signs which do not comply with this chapter.
- 2) Nonconforming signs must comply with the regulations of this chapter if the use of the sign is abandoned for longer than six months.
- 3) Nonconforming grandfathered signs may remain in an agricultural, commercial or industrial zone for their normal life, subject to reasonable maintenance and repair. Signs which were erected without a sign permit and which are prohibited by this chapter shall be removed.
- 4) Continuance. A nonconforming sign may be continued if it is maintained in good condition. It shall not, however, be replaced by another nonconforming sign. A nonconforming sign may not be structurally altered so as to prolong the life of the sign.
- 5) Nuisance. An unsafe or abandoned sign is declared a public nuisance, which shall be abated by the owner within 30 days of receiving notice from the Building Inspector.

4.2.8 Variances and Appeals

- 1) Variance. The Planning Commission shall have the authority to vary the requirements and standards of these sign regulations in providing a variance is consistent with the intent.
- 2) Any variance granted by the Planning Commission which is not exercised by obtaining a corresponding sign permit within one year from the effective date of the variance shall be null and void.
- 3) Appeals. Decisions of the Planning Commission can be appealed to the Board of County Commissioners. All appeals shall be made within 30 days from the date of the decision of the Planning Commission.

Applicant Signature _____ **Date:** _____

Planning Director Signature: _____ **Date:** _____