

**BRAMPTON
TOWNSHIP
ZONING REGULATIONS**

**SARGENT COUNTY
NORTH DAKOTA
April 2006**

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- 6.7.2.1 All publicly owned and non-profit agency wildlife management areas established after adoption of these regulations require a conditional use permit subject to the provisions of Section 8.2.
- 6.7.2.2 If the area is leased for this purpose, the public agency is required to provide the following as a part of the petition for a conditional use permit:
 - (1) A road maintenance agreement specifying duties and responsibilities of the owner/lessee for access and through roads
 - (2) Duties and responsibilities of the owner/lessee for the control of noxious weeds in the wildlife management area.
- 6.7.2.3 If the land is purchased by a public agency for such a purpose, the public agency shall arrange for compensating the township for the loss of the property tax.
- 6.7.2.4 When a township road provides access to the wildlife management area, a road maintenance agreement specifying the duties and responsibilities of the public agency shall be a part of the conditional use permit.

6.8 Commercial Feedlots

6.8.1 Purpose

These regulations are designed to allow commercial feedlots for feeding of livestock, fur bearers and poultry at the same time protect the adjoining uses against odor, run off and other incompatible characteristics associated with feedlots.

6.8.2 General Requirement

- 6.8.2.1 All feedlots as defined by these regulations are only permitted as conditional uses subject to the provisions of Section 8.2 and the requirements of the North Dakota Health Department.

its finding, the Zoning Commission shall ascertain as to whether the proposal for zoning district amendment is consistent with the township Comprehensive Plan and meets all requirements of these regulations and other regulations of the township.

8.2 Conditional Use Permits

8.2.1 Purpose

The development of these regulations is based upon division of the township into districts, within which district the use of land and building bulk and locations of building and structures are mutually compatible and substantially harmonious. However, there are certain uses which, because of their unique characteristics, cannot be properly classified as permitted uses in any particular district, without consideration, in each case, of impact of those uses upon neighboring premises. Such uses, nevertheless, may be necessary or desirable to be allowed in a particular district provided that due consideration is given to location, development and operation of such uses.

8.2.2 Public Hearing Notice

Shall be the same as the provisions set forth for public hearing notice for zoning district amendment in Section 8.1.1.

8.2.3 Public Hearings

Shall be the same as the provisions set forth for public hearing for zoning district amendment in Section 8.1.2.

8.2.4 Data Submission Requirements

Shall be the same as the provisions set forth for data submission requirements for zoning district amendment in Section 8.1.3.

8.2.5 Deliberation and Decision

Shall be the same as the provisions set forth for deliberation and decision for zoning district amendment in Section 8.1.4

8.2.6 Standards

No application for conditional use shall be approved unless the zoning commission finds that all of the following conditions are present.

- 8.2.6.1** That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

- 8.2.6.2 That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use.
- 8.2.6.3 That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- 8.2.6.4 That adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.
- 8.2.6.5 That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic impact on the area.
- 8.2.6.6 That the conditional use shall substantially conform to all applicable regulations of the district in which it is located.

8.2.7 Conditions and Guarantees

- 8.2.7.1 Prior to the decision on any conditional use, the Zoning Commission may stipulate such conditions and restrictions upon the establishment, location, construction, maintenance and operation of the conditional use as deemed necessary to promote the public health, safety and general welfare of the township and to secure compliance with the standards and requirements specified in Section 8.2.6. In all cases in which conditional uses are granted, the Zoning Commission shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.
- 8.2.7.2 No alteration of a conditional use shall be permitted unless approved by the Zoning Commission. Where the Zoning Commission has approved or conditionally approved an application for a conditional use, such approval shall become null and void within 12 (twelve) months of the date of the Zoning Commission action unless the use is commenced, construction is underway or the current owner possesses a valid building permit.

8.3 Variances

Variance from the terms of these regulations may be granted provided that the applicant establishes proof of practical difficulty or undue hardship.

8.3.1 Public Hearing Notice

The Zoning Commission shall hold a public hearing, a notice of which shall be published at least 15 (fifteen) days prior to the hearing in the official newspaper of the county. The notice of hearing shall include: (1) the time and place of hearing; (2) description of the property by street address for platted lands and clearly identifiable location for the unplatted lands; (3) the proposed use and