McKENZIE COUNTY

Planning and Zoning Commission

#018-19COMP/CUP Knife River Corporation-North Central Par#110013650

Application:	August 13, 2019
Hearing Date:	October 14, 2019
Description:	SE1/4SE1/4 Township 150N,Range 99W,Section 28 Parcel # 110013650 McKenzie County, ND.
Owner(s)/Applicant:	#018-19COMP/ZC Knife River Corporation-North Central Par#110013650
Reason for Request:	Knife River Corp-North Central is seeking a Comprehensive Plan Amendment and Conditional Use Permit as they intend to purchase this property and develop it to operate an asphalt hot mix plant, ready mix concrete plant, crushing operation and stockpiling. The preliminary plan is to develop 25th St NW for 1200 ft from the bypass, construct two approaches on 25th St NW, grade the parcel to be level leaving the intermittent stream in place, berm the topsoil around the parcel perimeter and along the stream, construct crossings over the stream, and place the plants.

Comprehensive Plan Land Use: Residential 1
Zoning: Agriculture

Findings of Fact:

1. Per P&Z Board request, public notification to a 1 mile radius from site has been satisfied.
2. Project is not in an organized township.

Conditional Use Permit Criteria:

No conditional use permit shall be recommended by the Planning Commission or approved by the County Commission unless the applicant shall have met all the following criteria:

a. The establishment, maintenance, or operation of the conditional use shall not be detrimental to or endanger the public health, safety, comfort or general welfare.

The application will not be detrimental or endangering to the public health, safety, comfort or general welfare.

b. The proposed conditional use shall not substantially impair or diminish the value and enjoyment of other property in the area.

The Conditional Use Permit & Comp Plan adjustment will not diminish or impair the value and enjoyment of other property in the area. The surrounding property is zoned Agriculture and the Comp Plans are oil/Gas Infrastructure, Highway Commercial,Heavy Industrial and Hwy 85.

c. The proposed conditional use shall not impede the normal orderly development of the surrounding property.

The proposed Conditional Use and Comprehensive Plan adjustment along Highway 85 shall not impede the normal orderly development of the surrounding property.

d. Adequate utilities, access roads, drainage or other necessary site improvements have been or are being provided to accommodate the proposed conditional use.

Adequate utilities, access roads and drainage are in process between Knife River, the State of ND and McKenzie County.

e. Adequate measures will be taken to provide ingress and egress to the property without adverse effects on the adjoining properties and traffic congestion in the public street.

Ingress and egress to the property via Highway 85 are in process between Knife River and NDDOT in concert with McKenzie County.

f. The proposed conditional use shall conform to all applicable regulations of the district within which it is located.

The proposed use is conditionally allowed in the Agriculture District.

Comprehensive Plan Consistency:

The subject land area is designated in the land use plan as Residential 1.

Staff Recommendation:

Staff recommends **Approval** for this Conditional Use Permit.

Suggested motion: ""Recommend approval of Comprehensive Plan Amendment and Conditional Use Permit #018-19 Comp/CUP, Knife River Corporation-North Central, to the County Commission to change the Comprehensive Plan to Light Industrial and a Conditional Use Permit to develop the property to operate an asphalt hot mix plant, ready mix concrete plant, crushing operation, and stockpiling. Adopt the findings and conditions as provided in the staff report.""

Conditions:

FINAL APPROVAL IS NOT VALID UNTIL AN INSPECTION OF THE SITE IS CONDUCTED AND APPROVAL OF THESE CONDITIONS COMPLETION IS SIGNED OFF ON BY A PLANNING & ZONING STAFF MEMBER.

1. Building permits/waivers would be required for any buildings added to the site.
2. The entire site shall be free of trash at all times.
3. Adhere to the noxious weed containment plan as submitted to the County Weed Control Officer.
4. The applicant shall submit a reclamation bond equaling 150% of an engineer's estimate to remediate/reclaim the site when the use is not planned to be utilized any further. The bond shall be in to the County Planning & Zoning department within (60) days of County Commission approval and shall be kept current and up to date. No work shall commence until the bond is presented to the Planning & Zoning department.
5. The applicant shall keep the site free of garbage, from within the site and/or outside sources.

6. The applicant shall follow all Federal, State and Local Laws, Regulations and Conditions for the operation of the proposed facility.
7. The applicant shall not deposit any snow or water onto the neighboring properties and dispose of storm water onsite through an approved engineering method, Additionally, the applicants shall design a storm water and culvert system to convey a 25 year event.
8. The applicant shall adhere to Sign Ordinance 4.2 - 4.2.8 and apply for a permit,post the address clearly onsite. Also, label each building clearly for identification by Emergency Personnel ie: Building A,B,C.
9. The applicant shall share all final approvals and continuing approvals/reviews with County, State, Federal agencies as they are obtained or altered, along with any violations as it relates to this Conditional Use approval for the CUP file.
10. All security lighting on site shall be downward facing and shall not glare on adjacent property owners or the public travel way.
11. This Conditional Use Permit will remain in force, but can be placed before the County Commission for revocation if there are violations or changes of the approved conditions.
12. Prior to being operational the facility shall be inspected by the County Fire Inspector for fire compliance and there shall be an annual fire inspection thereafter.
13. Any changes in area volume will require an amendment to the existing Conditional Use Permit per Section 5.8.5 of the McKenzie County Zoning Ordinance.
14. Applicant is to receive approval by the County Engineer and NDDOT for Ingress and Egress due to heavy loads and traffic. Discuss with County Engineer the best solution for the road, truck parking/staging area and parking area surface for this facility to negate tracking onto County and State Highway. A report of findings/requirements are to be delivered to the Planning & Zoning Office before a CUP will be granted.
15. The applicant shall paint all site improvements in an earth tone scheme to better blend in with the surroundings.
16. Adhere to the Highway Corridor Overlay District-Zoning Ordinance 3.11-3.11.3.
17. Adhere to Buffering and Landscaping Zoning Ordinance 2.12-2.12.8
18. Adhere to Parking Standards per Zoning Ordinance 2.11.
19. No trailers or workforce housing is allowed on the site.

MCKENZIE COUNTY

Planning and Zoning Commission

#018-19COMP/CUP Knife River Corporation-North Central Par#110013650

Reason for Request	Applicant is seeking a Comprehensive Plan Amendment and Conditional Use Permit for property located along Highway 85. Knife River Corp-North Central intends to purchase this property and develop it to operate an asphalt hot mix plant, ready mix concrete plant, crushing operation, and stockpiling. The preliminary plan is to develop 25th ST NW, grade the parcel to be level leaving the intermittent stream in place, berm the topsoil around the parcel perimeter and along the stream, construct crossings over the stream, and place the plants.
Hearing Date:	October 14, 2019
Location	SE 1/4 SE 1/4, Township 150N, Range 99W, Section 28 Parcel # 110013650
Owner(s)/Applicant:	#018-19COMP/CUP Knife River Corporation-North Central Par#110013650

Existing:		**Proposed:**	
CP Land Use:	Residential 1	**CP Land Use:**	Light Industrial
Zoning:	Agriculture	**Zoning:**	Agriculture
Setbacks:	One hundred thirty three (133)feet from the section line. Twenty five (25) feet from all property lines. One hundred(100) feet from the highway right of way.	**Setbacks:**	One hundred thirty three (133)feet from the section line. Twenty five (25) feet from all property lines. One hundred(100) feet from the highway right of way.
Lot Area:	Parcel #110013650 35.65 acres	**Lot Area:**	Parcel #110013650 35.65 acres

McKENZIE COUNTY

Finding of Fact:

1. Per P&Z Board request, public notification to a 1 mile radius from site has been satisfied.
2. Project is not in an organized township.

Growth Management Plan Consistency

The land area is designated in the land use plan as a Residential area. Parcels to the south are Highway Commercial and Light Industrial. To the west are Oil Gas Infrastructure.

Suggested Motion:

"Recommend approval of Comprehensive Plan Amendment and Conditional Use Permit #018-19Comp/CUP, Knife River Corporation-North Central, to the County Commission to change the Comprehensive Plan to Light Industrial and a Conditional Use Permit to develop the property to operate an asphalt hot mix plant, ready mix concrete plant, crushing operation, and stockpiling. Adopt the findings and conditions as provided in the staff report."

From: Laura Dahl
Sent: Monday, October 14, 2019 1:17 PM
To: Todd Foster
Cc: nnd@restel.com; AALaura; Kirk Wold
Subject: Knife River

Todd,

Please pass along my concerns regarding the Knife River facilities proposed to be built next to our subdivision, Countryside Estates. I would echo the same health and noise concerns that have been raised with its current location in the city.
I am against Knife River relocating to this proposed sight.

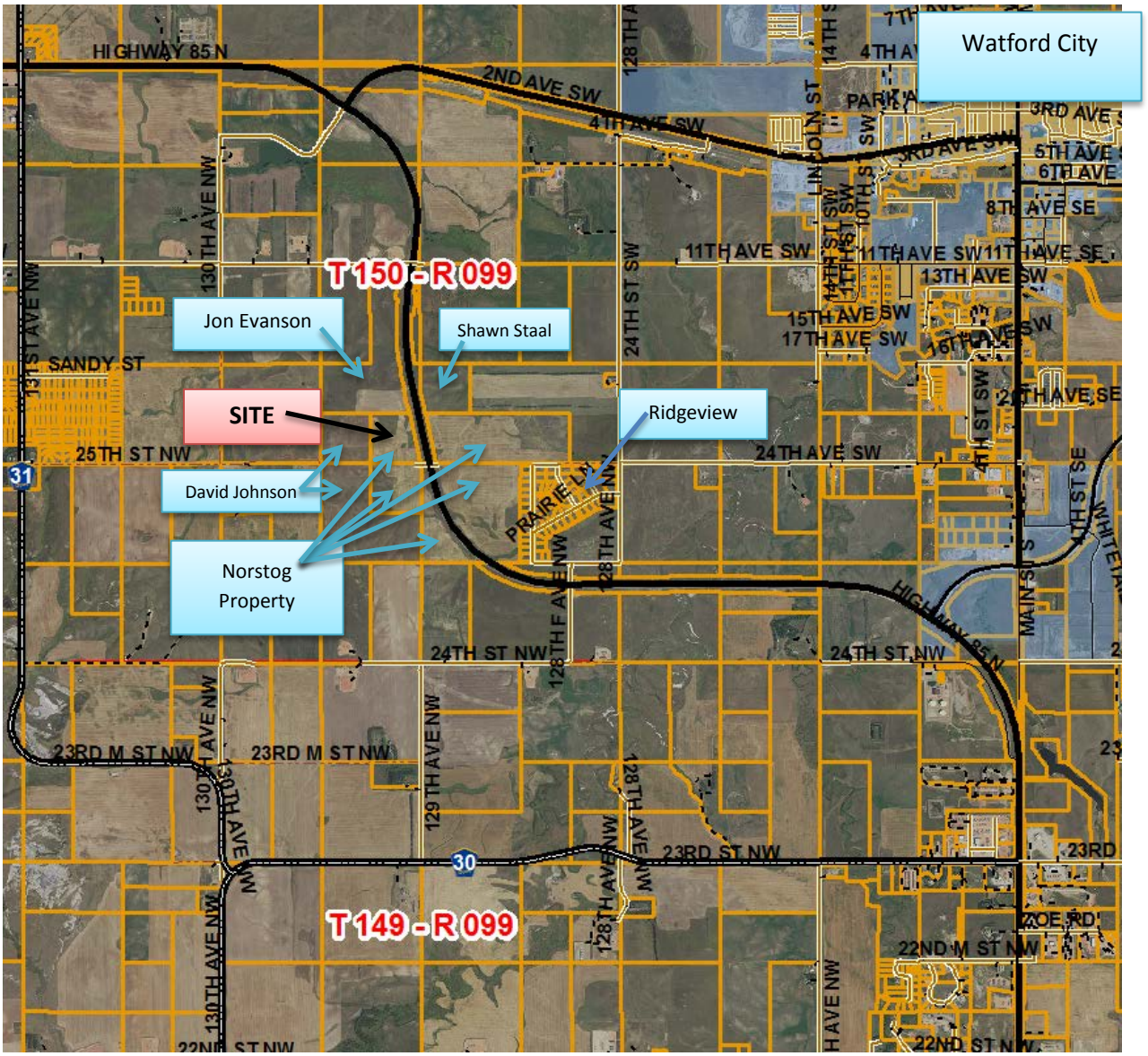
Thank you.
Nevin and Laura Dahl
Puma Properties/Kirk Wold

Sent from my iPhone

McKENZIE COUNTY

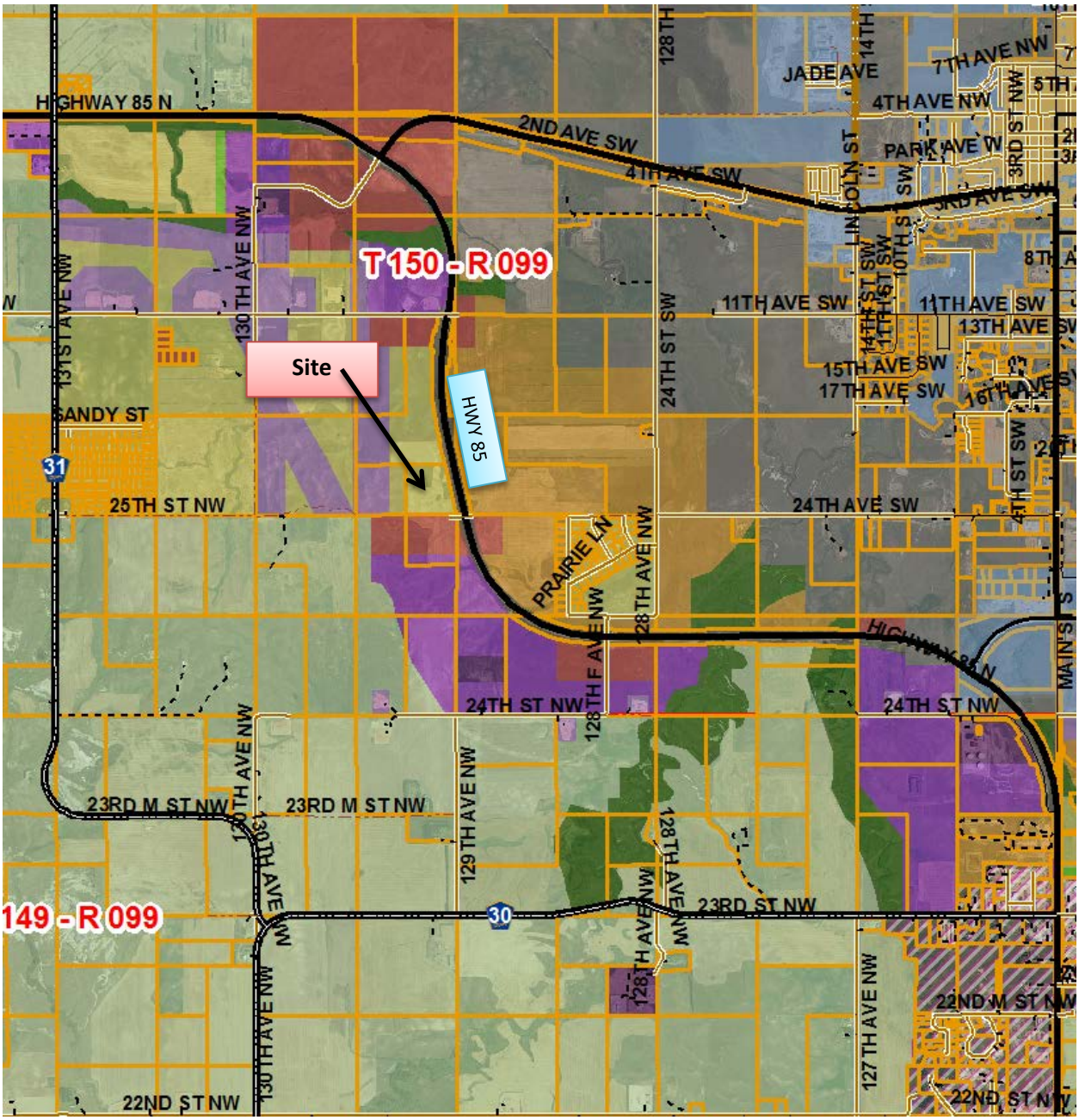
018-19 Knife River Corp-North Central

Vicinity Map



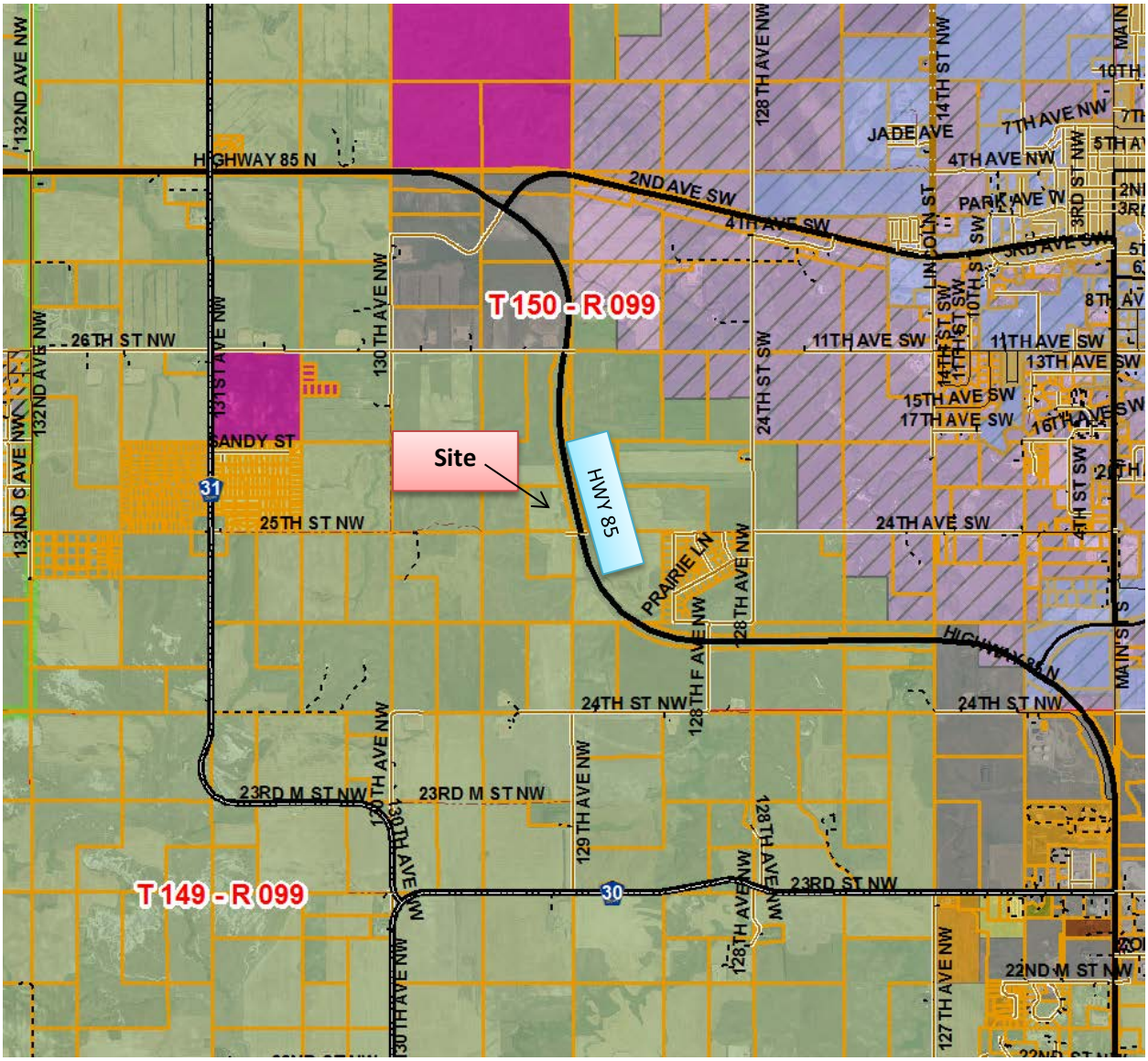
MCKENZIE COUNTY

Comp Plan is Rural Residential



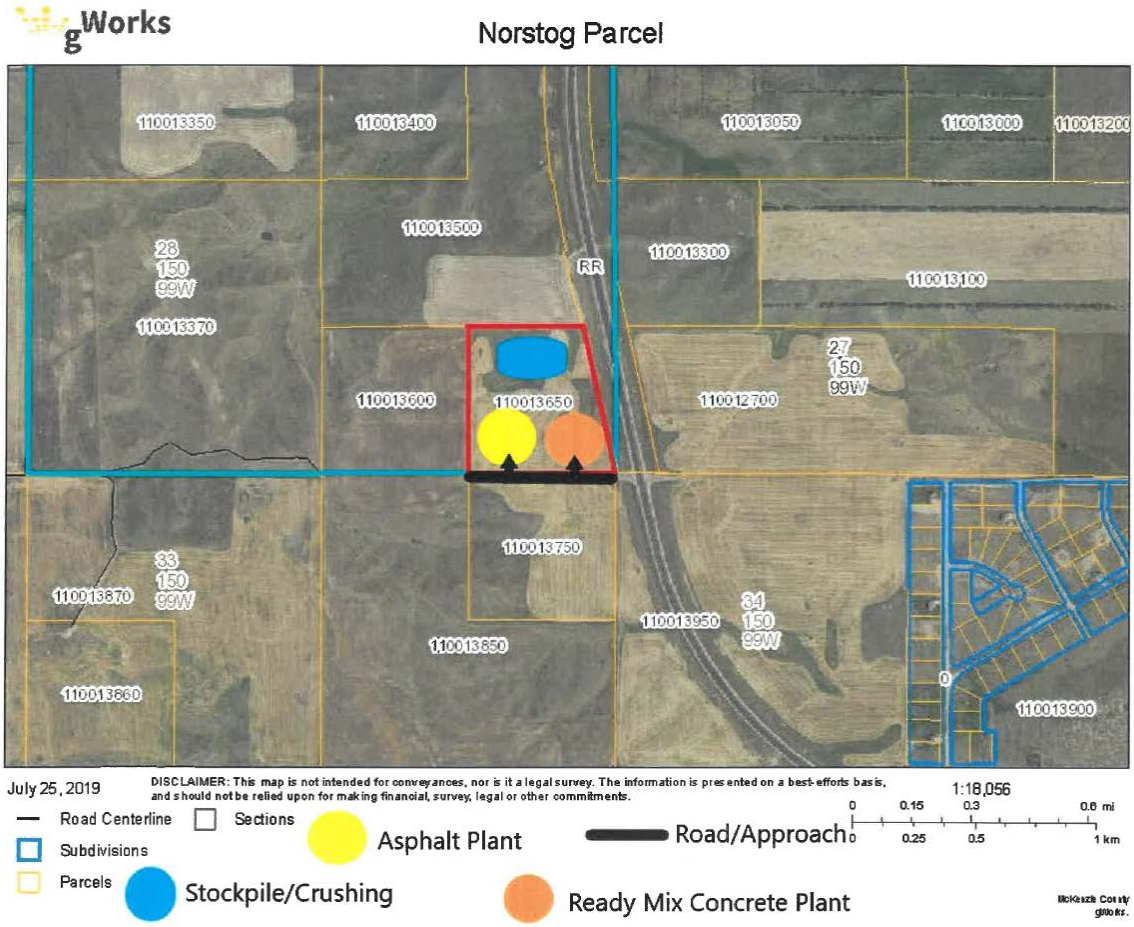
MCKENZIE COUNTY

Zoned Agricultural



McKENZIE COUNTY

Knife River Corporation-North Central Plant Setup



McKENZIE COUNTY

#018-19 Site Map

MCKENZIE COUNTY

Planning and Zoning Commission

#020-19CUP Cherry Creek Water, LLC Parcel #580002300

Application:	September 13, 2019
Hearing Date:	October 14, 2019
Description:	S1/2SE1/4, NW1/4SE1/4.Section 8, Township 149N, Range 97W. Parcel #580002300
Owner(s)/Applicant:	#020-19CUP Cherry Creek Water, LLC Parcel #580002300
Reason for Request:	Applicant is requesting to build a 430 acre ft ground storage reservoir to store treated non-potable water for use in hydraulic fracturing. The holding pond would be earthen, and lined with an earthen berm around the pond.

Comprehensive Plan Land Use: Agriculture
Zoning: Agriculture

Findings of Fact:
1. All requirements for public notification have been satisfied.
2. Project is not in an organized township.

Conditional Use Permit Criteria:

No conditional use permit shall be recommended by the Planning Commission or approved by the County Commission unless the applicant shall have met all the following criteria:

a. The establishment, maintenance, or operation of the conditional use shall not be detrimental to or endanger the public health, safety, comfort or general welfare.

The pond shall be fenced and shall not be detrimental to or endanger the public healthy, safety, comfort or general welfare.

b. The proposed conditional use shall not substantially impair or diminish the value and enjoyment of other property in the area.

The use should not impair nor enhance the value and enjoyment of the surrounding properties.

c. The proposed conditional use shall not impede the normal orderly development of the surrounding property.

The proposed conditional use shall not impede the normal orderly development of the surrounding property.

d. Adequate utilities, access roads, drainage or other necessary site improvements have been or are being provided to accommodate the proposed conditional use.

Adequate access is being worked on with the US Forest Service and McKenzie County. Application for Storm Water discharge is in process. Applicant is working with County Engineer regarding ingress/egress.

e. Adequate measures will be taken to provide ingress and egress to the property without adverse effects on the adjoining properties and traffic congestion in the public street.

Ingress/egress for the site is in process between County Engineering and US Forest Service. Ingress/egress will not impede public roadway.

f. The proposed conditional use shall conform to all applicable regulations of the district within which it is located.

The proposed use is conditionally allowed in the Agricultural District.

Comprehensive Plan Consistency:

The subject land area is designated in the land use plan as Agriculture.

Staff Recommendation:

Staff recommends **Approval** for this Conditional Use Permit.

Suggested motion: ""Recommend approval of Conditional Use Permit #020-19CUP, Cherry Creek Water, LLC to the county Commission to allow the construction of a freshwater containment pond not exceeding 430 acre-ft. Adopt the findings and conditions as provided in the staff report.""

Conditions:

FINAL APPROVAL IS NOT VALID UNTIL AN INSPECTION OF THE SITE IS CONDUCTED AND APPROVAL OF THESE CONDITIONS COMPLETION IS SIGNED OFF ON BY A PLANNING & ZONING STAFF MEMBER.

1. The applicant shall mark the site with address/project identification (4'X8' sign) visible from the road, this must be completed within thirty (30) days from County Commission approval.

2. The applicant shall adhere to the noxious weed containment plan as submitted to the County Weed Control Officer.

3. The applicants shall allow the local fire departments access to water in case of emergencies.

4. The applicant shall adhere to all Federal, State and local laws, regulations and conditions for the operation of the proposed facility.

5. The applicant shall provide the County Planning Department with all Federal and State approvals or denials, along with any violations relating to the project.

6. The applicants shall fence around the holding pond with a barbed wire fence to be completed prior to pond storing measurable water.

7. This site through this Conditional Use Permit shall not be used as a truck depot.

8. The applicant shall maintain a site free of garbage, from with the site and from outside sources,

during and after construction.

9. The applicant shall submit a bond equaling 150% of an engineer's estimate to remediate/reclaim the site when the development is not planned to be utilized any further or after six months of abandonment. The bond shall be in to McKenzie County Panning & Zoning Department within thirty (30) days of approval date.

10. The applicant shall mag-chloride during the construction of the pond for dust control and shall submit receipts to the Planning Director as proof of completion.

11. This site through this Conditional Use Permit shall not be used as a truck depot.

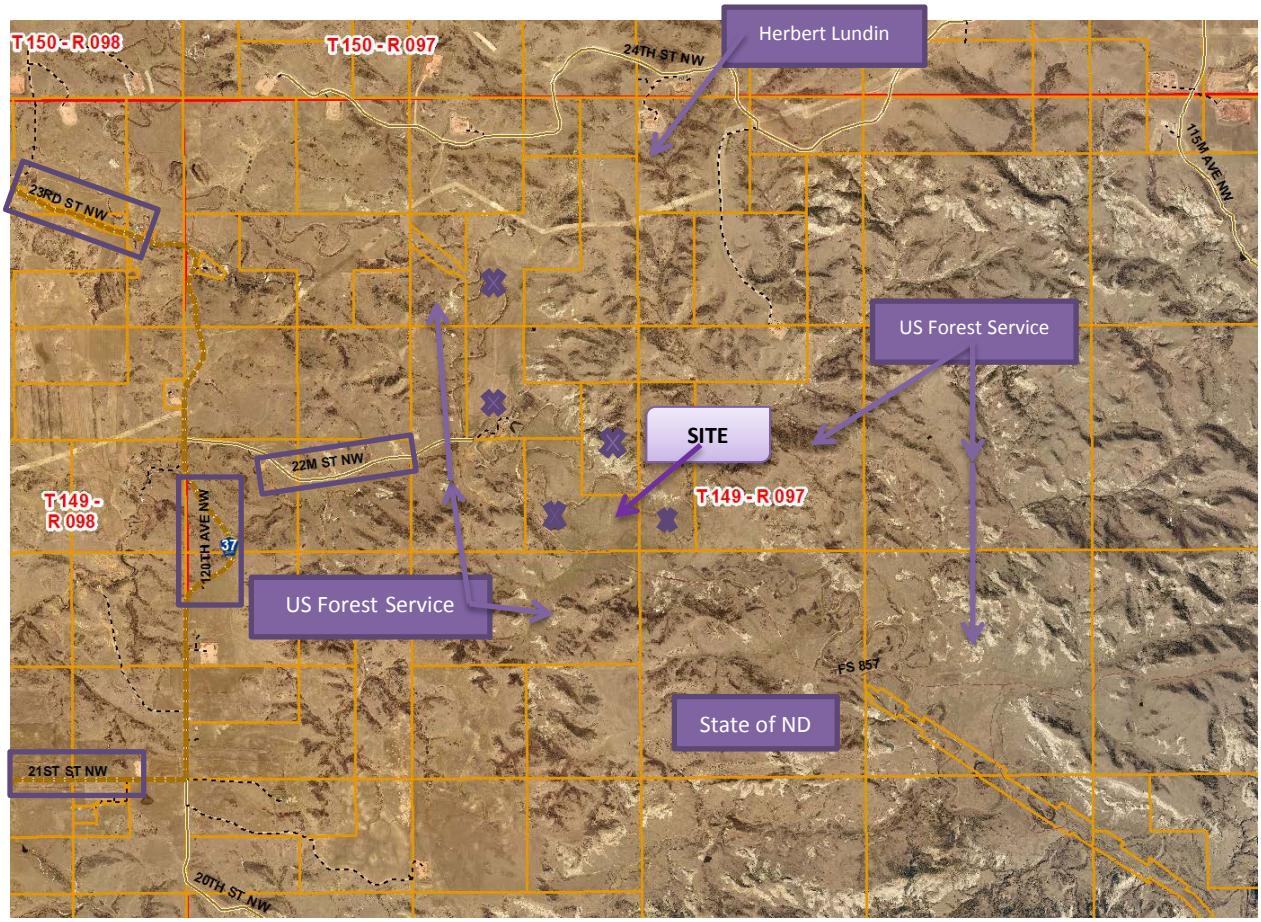
12. Any changes in area or volume will require an amendment to the existing Conditional Use Permit per Section 5.8.5 of the McKenzie County Zoning Ordinance.

13. Ingress/egress for the site will be completed to the satisfaction of the County Engineering Department and if applicable, the US Forest Service. Ingress/egress will not impede public roadway.

McKENZIE COUNTY

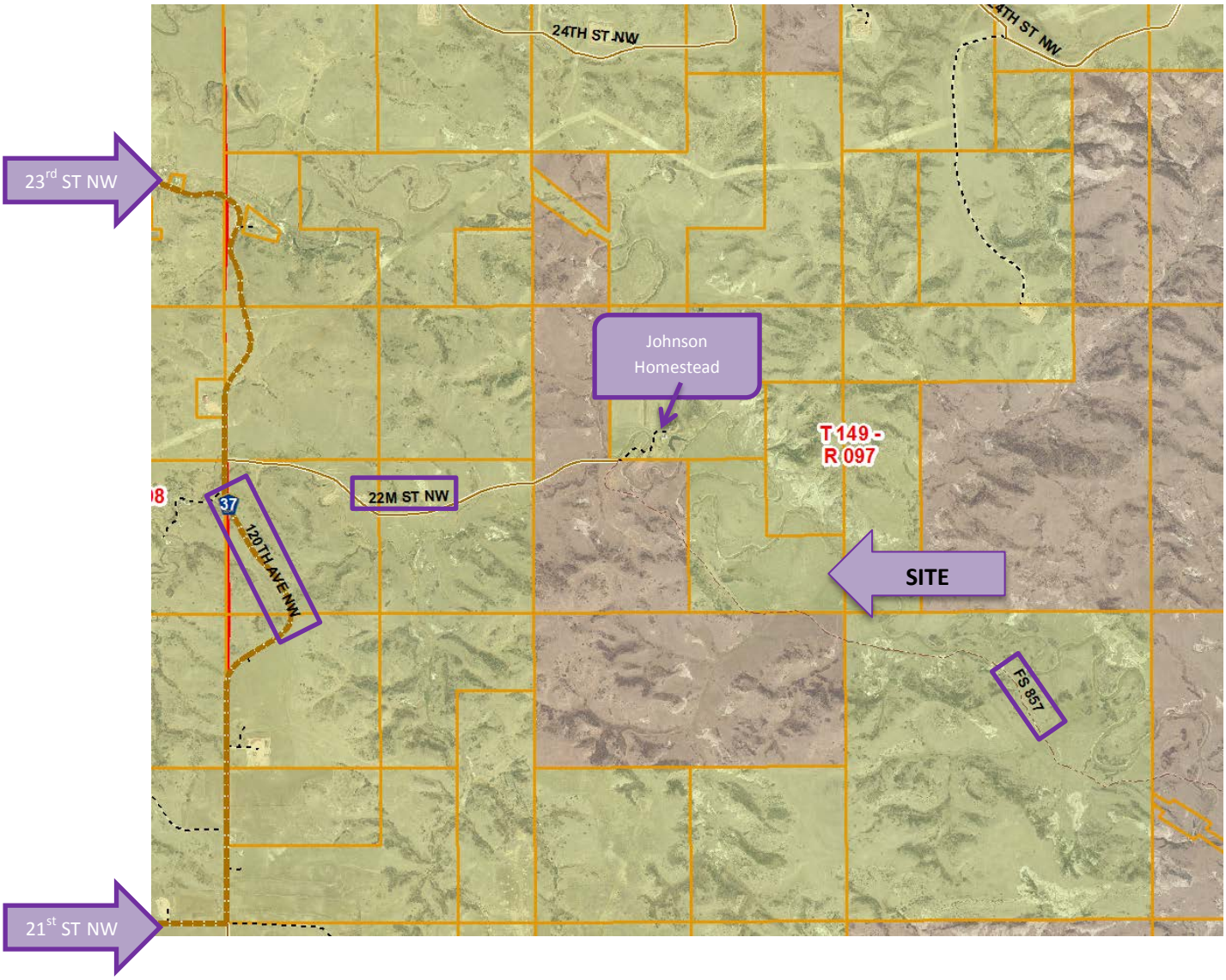
#020-19CUP Cherry Creek Water, LLC/Johnson Pond Vicinity Map

✖ = Johnson Revocable Living Trust Ownership



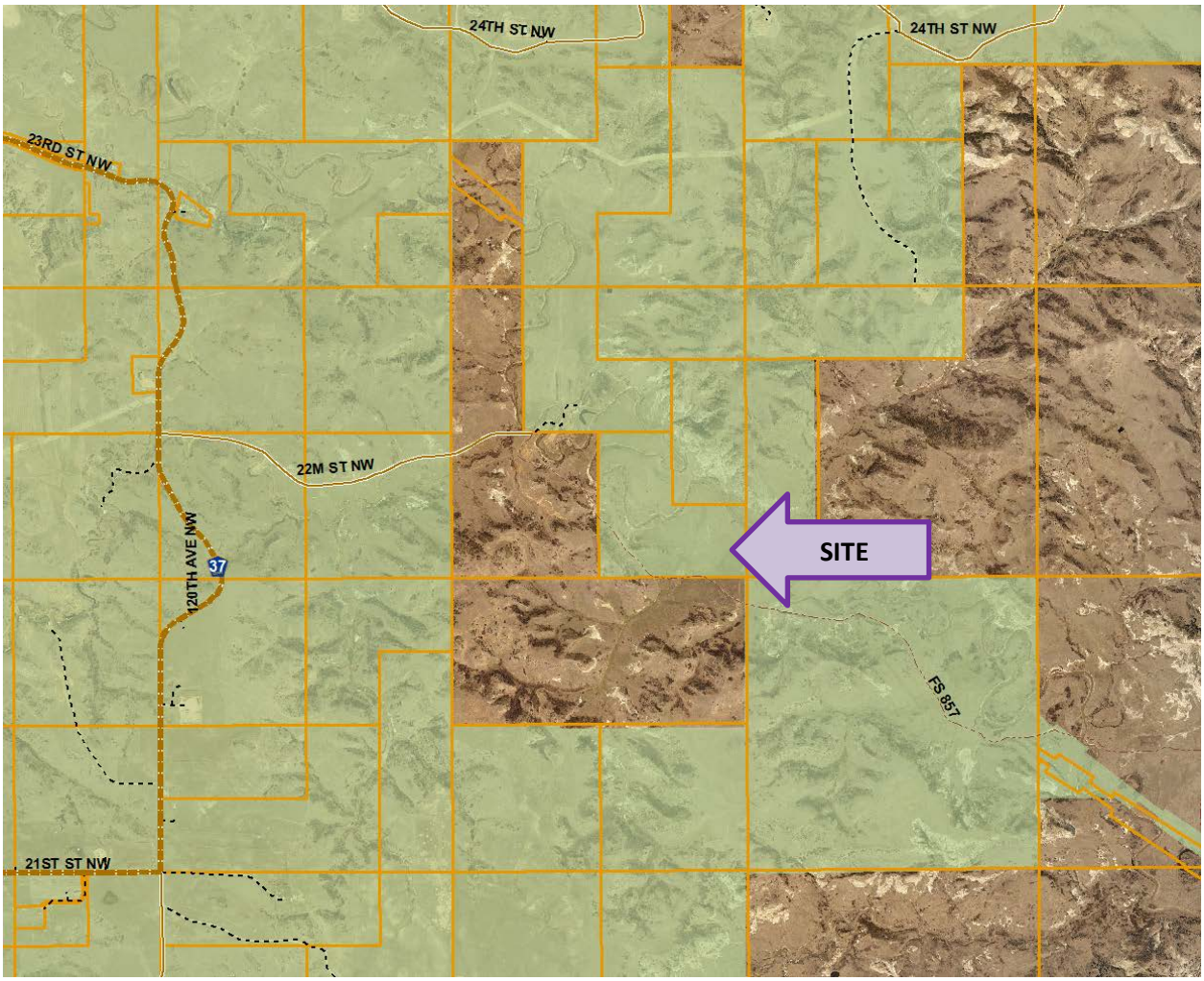
McKENZIE COUNTY

Comp Plan is Agriculture



MCKENZIE COUNTY

Zoned Agriculture



McKENZIE COUNTY

Aerial Location

McKENZIE COUNTY

Fire Service Road 857

MCKENZIE COUNTY

Planning and Zoning Commission

#021-19CUP Ames Savage/Tim Dwyer Pond Par#350014600

Application:	September 9, 2019
Hearing Date:	October 14, 2019
Description:	Township 149N, Range 100W, Section 33 SW1/4 SW1/4 Parcel #350014600
Owner(s)/Applicant:	#021-19CUP Ames Savage/Tim Dwyer Pond Par#350014600
Reason for Request:	Applicant plans to install a 30.2 acre-feet fresh water storage pond for frac water storage. There would be two pick-up trucks accessing the area daily to maintain the location.

Comprehensive Plan Land Use: Agriculture
Zoning: Agriculture

Findings of Fact:
1. All requirements for public notification have been satisfied. 2. Project is not in an organized township.

Conditional Use Permit Criteria:

No conditional use permit shall be recommended by the Planning Commission or approved by the County Commission unless the applicant shall have met all the following criteria:

a. The establishment, maintenance, or operation of the conditional use shall not be detrimental to or endanger the public health, safety, comfort or general welfare.

The site is surrounded by Agricultural uses and this use will not be detrimental.

b. The proposed conditional use shall not substantially impair or diminish the value and enjoyment of other property in the area.

The use shall not impair, nor enhance the value and enjoyment of surrounding properties.

c. The proposed conditional use shall not impede the normal orderly development of the surrounding property.

The normal orderly development of the surrounding property shall not be impeded, as it is in an area which is surrounded by agricultural uses and well pads

d. Adequate utilities, access roads, drainage or other necessary site improvements have been or are being provided to accommodate the proposed conditional use.

Access will be right off of County Road 27.

e. Adequate measures will be taken to provide ingress and egress to the property without adverse effects on the adjoining properties and traffic congestion in the public street.

The site shall not be used as a truck depot so should not cause any traffic congestion.

f. The proposed conditional use shall conform to all applicable regulations of the district within which it is located.

The proposed use is conditionally allowed in the agricultural district.

Comprehensive Plan Consistency:

The subject land area is designated in the land use plan as Agricultural.

Staff Recommendation:

Staff recommends **Approval** for this Conditional Use Permit.

Suggested motion: ""Recommend approval of Conditional Use Permit #021-19CUP to the County Commission to allow the freshwater holding pond. Adopt the findings and conditions as provided in the staff report.""

Conditions:

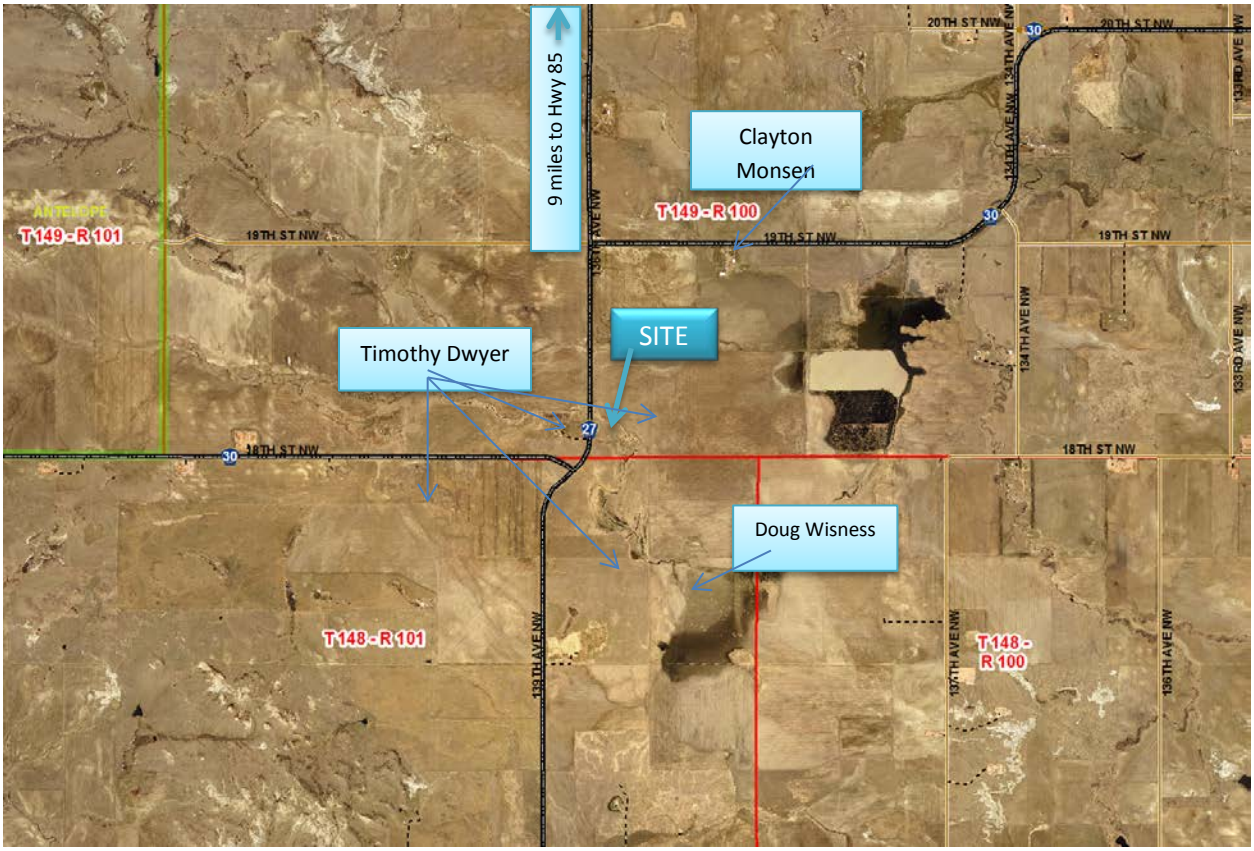
FINAL APPROVAL IS NOT VALID UNTIL AN INSPECTION OF THE SITE IS CONDUCTED AND APPROVAL OF THESE CONDITIONS COMPLETION IS SIGNED OFF ON BY A PLANNING & ZONING STAFF MEMBER.

1. The Applicant shall mark the site with address/project identification (4'x8' sign) visible from the road and must be completed within thirty (30) days from County Commission approval.
2. This site shall not be used as a truck depot.
3. The applicant shall adhere to noxious weed containment plan as submitted to the County Weed Control Officer.
4. The applicant shall fence around the holding pond with a 6'chain link fence to be completed prior to pond storing measurable water.
5. This conditional use permit will remain in force for one year but can be terminated if there are violations or changes of the approved conditions. Any violation can cause this CUP to be placed before the County Commission for revocation. This Conditional Use Permit will be inspected annually.
6. The applicant shall maintain adequate garbage control during construction.
7. The applicant shall share all final approvals and continuing approvals/reviews with all County/State/Federal agencies as they are obtained or altered, along with any violations and as it relates to this conditional use approval for the County permit file.
8. The applicant shall provide a reclamation bond equaling 150% of an engineer's estimate to remediate/reclaim the site when the development is not planned to be utilized any further or after six months of abandonment. The bond shall be in to McKenzie County Planning & Zoning Department within sixty (60) days of approval date. Reference #021-19CUP on the bond and all renewals.
9. All lay-flat pipes coming to/from the pond will need a separate Temp Waterline permit filed with McKenzie County Planning & Zoning.
10. Any changes in area or volume will require an amendment to the existing Conditional Use Permit per Section 5.8.5 of the McKenzie County Zoning Ordinance.
11. The applicant shall allow the local fire departments access to water in case of emergencies.

12. The applicant shall apply Mag-chloride during the construction of the pond for dust control and shall submit receipts to Planning Director as proof of completion.
13. Access permits will be required through McKenzie County Engineering.

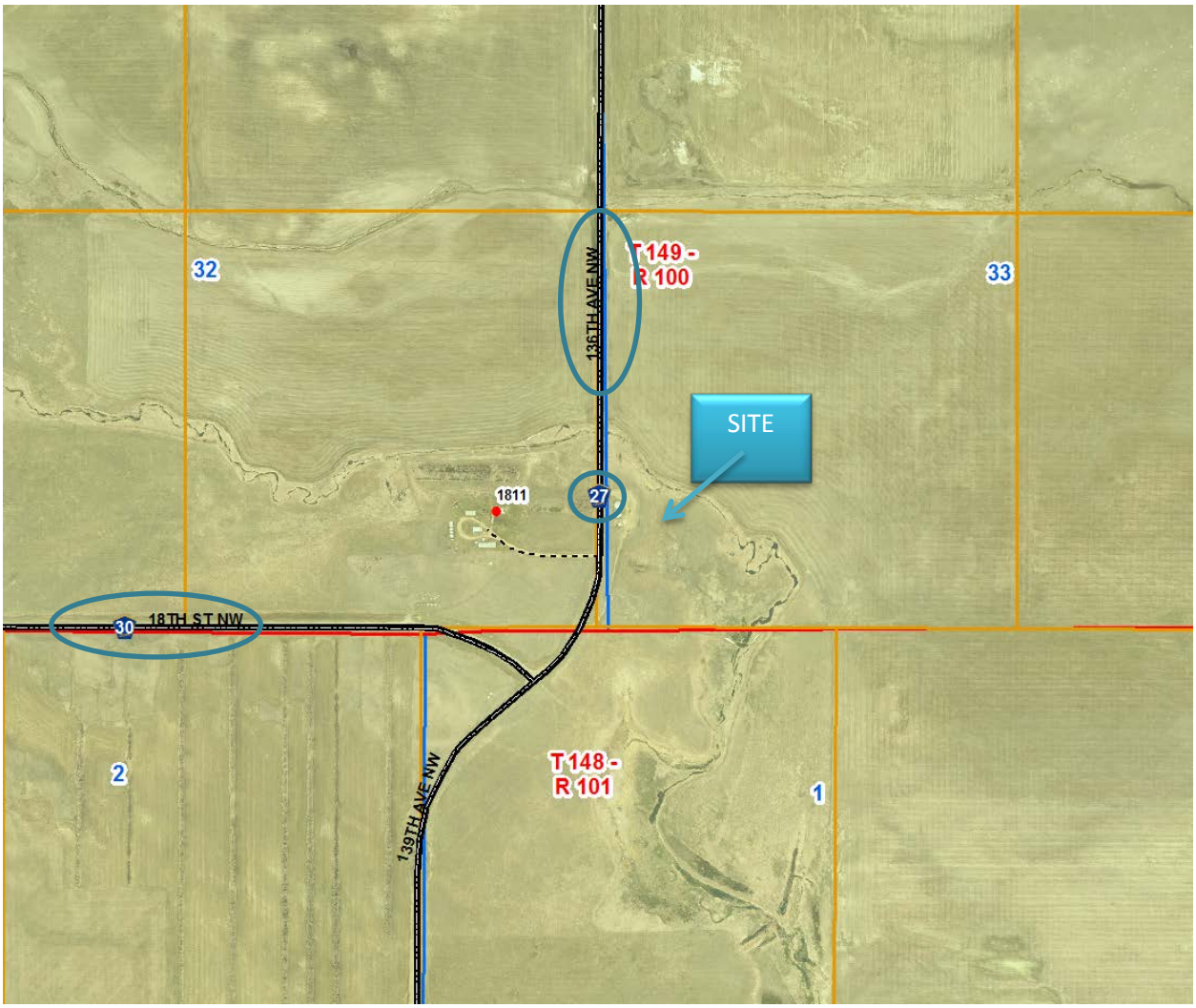
McKENZIE COUNTY

#012-19CUP Ames Savage/Tim Dwyer Pond
Vicinity Map



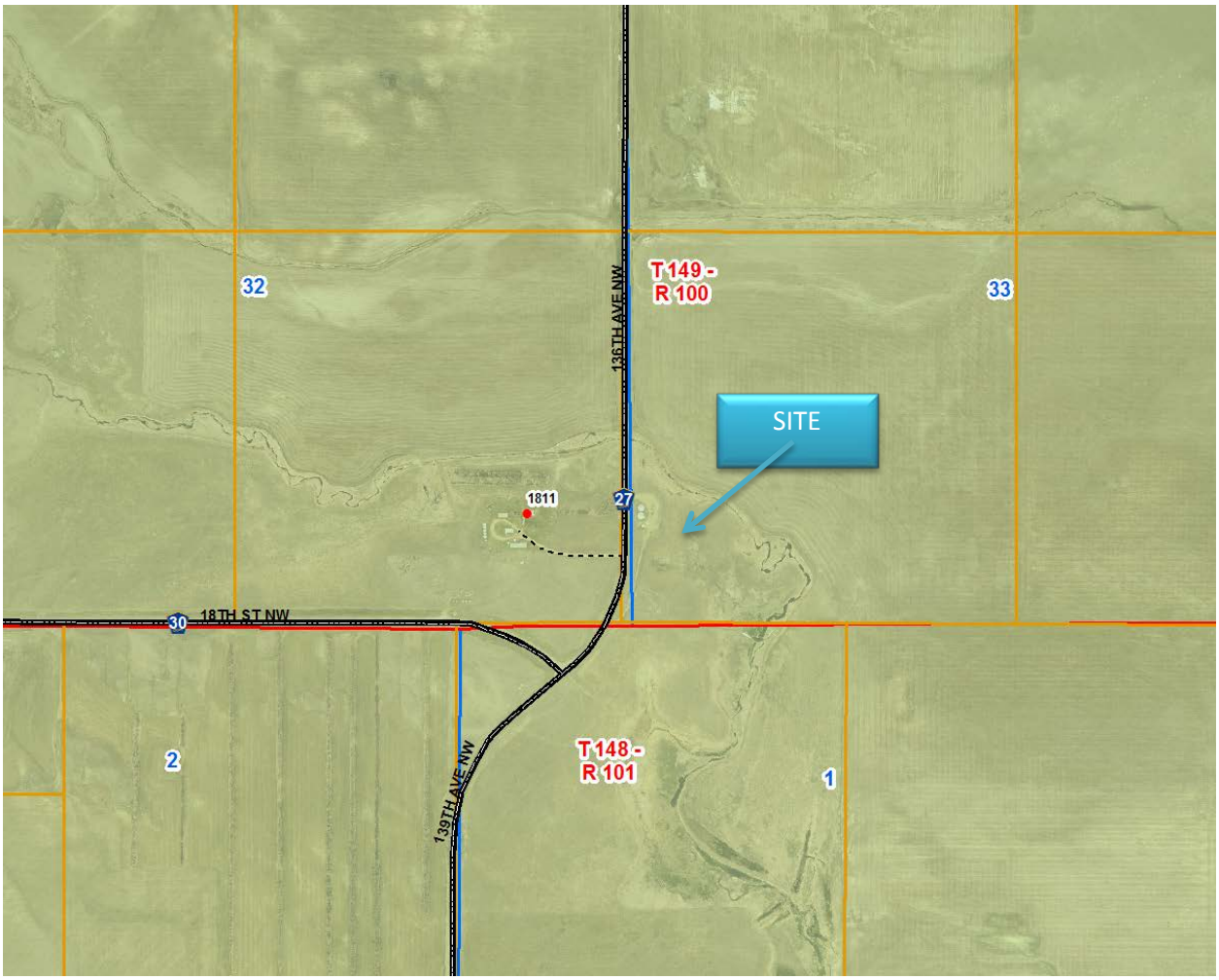
McKENZIE COUNTY

Comp Plan is Agriculture

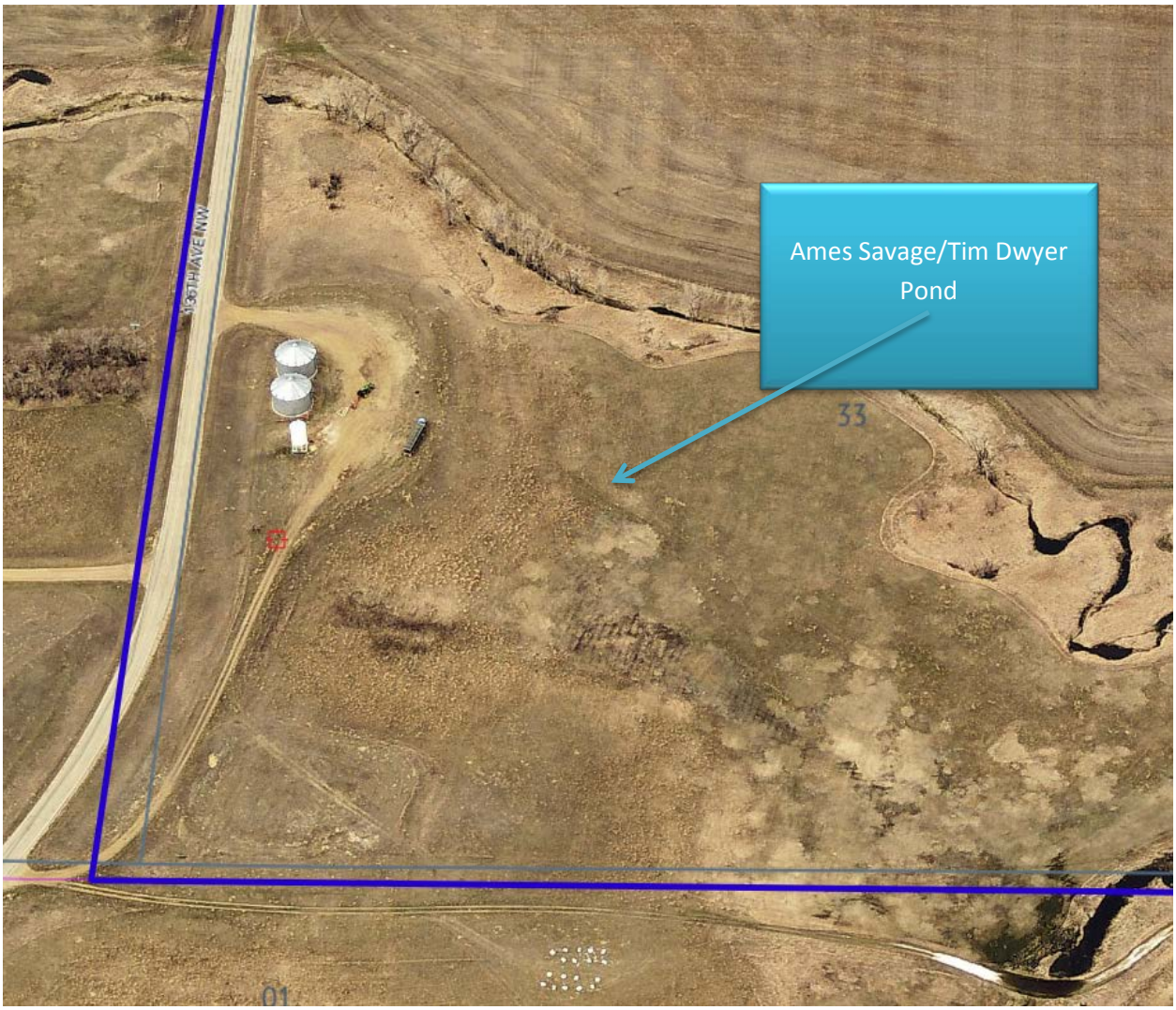


McKENZIE COUNTY

Zoned Agriculture



McKENZIE COUNTY



McKENZIE COUNTY

Planning and Zoning Commission

#001-19Sub&ZC Murex Petroleum Corporation

Reason for Request	Request approval of a minor subdivision & a zone change from Agriculture to Residential 2, to allow the north 11 acres to be subdivided from the remaining 25.02 as it consists of 5 manufactured homes with rural water and separate septic systems.
Hearing Date:	September 9, 2019
Location	The property is located at IT#2067 SWI/4SWI/4 Section 8, Township 151N, Range 101W. Highway 85N and 34th St NW McKenzie County.
Owner(s)/Applicant:	#001-19Sub&ZC Murcx Petroleum Corporation

Existing:		**Proposed:**	
CP Land Use:	Rural Residential	**CP Land Use:**	Rural Residential
Zoning:	Agriculture	**Zoning:**	R-2
Setbacks:	All setbacks are twenty five (25') from the property line.	**Setbacks:**	Front 30 feet Side 10 feet Back 25 feet
Lot Area:	36.02 acres	**Lot Area:**	Northern portion for subdivision will be 11 acres. Southern 25.02 acres will remain Agriculture.

McKENZIE COUNTY

Finding of Fact:

1. All requirements for public notification have been satisfied.
2. Project is not in an organized township.
3. Building permits are required for any proposed structures onsite.

Growth Management Plan Consistency

The subject land area is designated in the land use plan as residential. The proposed change is in line with what is already existing on that section of the property as the manufactured homes have been on that location since at least 2011. The proposed Zone Change and Minor Subdivision is located along the Highway 85corridor.

Conditions:

If approved, the following conditions shall be in place:

1. The applicant shall obtain all building permit approvals for all structures planned for the site.
2. A plot of the road plan is to be provided to Tim Pickering of McKenzie County Engineering to solidify the ingress and egress per County and State specifications.
3. The county's subdivision regulations require the developer finance the paving of all access roads between the paved highway system and the local streets within the development. Local road shall have two (2) twelve (12') foot driving lanes and two (2) four (4') foot gravel shoulders per Ordinance 6.9.1 and 6.10.3.
4. The applicant shall also assume all the maintenance for all the interior roads and drainage improvements proposed within the proposed subdivision.
5. Specific building areas must be identified within all lots along with setbacks from any structure from the property lines.
6. Lots must be improved to have electrical pedestals and water at each lot.
7. Drainage must be designed and improved to run along property lines.
8. The approaches to the subdivision shall be lit to provide safety and security during night time hours.
9. Sewage system must meet North Dakota Department of Health requirements.
10. All garbage and refuse must be stored in metal fly proof containers, and the contents removed and disposed of on a regular basis. There shall be trash receptacles no further than one hundred and fifty (150') feet from any lot and must be screened with opaque fence or wall not less than five (5') feet high.
11. A reclamation bond in the amount of 150% of an engineer's estimate to reclaim the property per Ordinance 2.13 is to be provided to this office no later than 60 days after County Commission approval. The file number #001-19SUB/ZC shall be referenced on the bond and all renewals.
12. The mobile home park shall have adequate fire protection. The park shall provide a ten thousand (10,000) gallon tank centrally located for fire flow. Tanks shall not be more than three (300') hundred feet from the furthest trailer; additional tanks may be required to fulfill this requirement. The tank shall be insulated or buried to prevent freezing.
13. All requirements of Ordinance 4.14 Mobile Home Park standards shall be met.

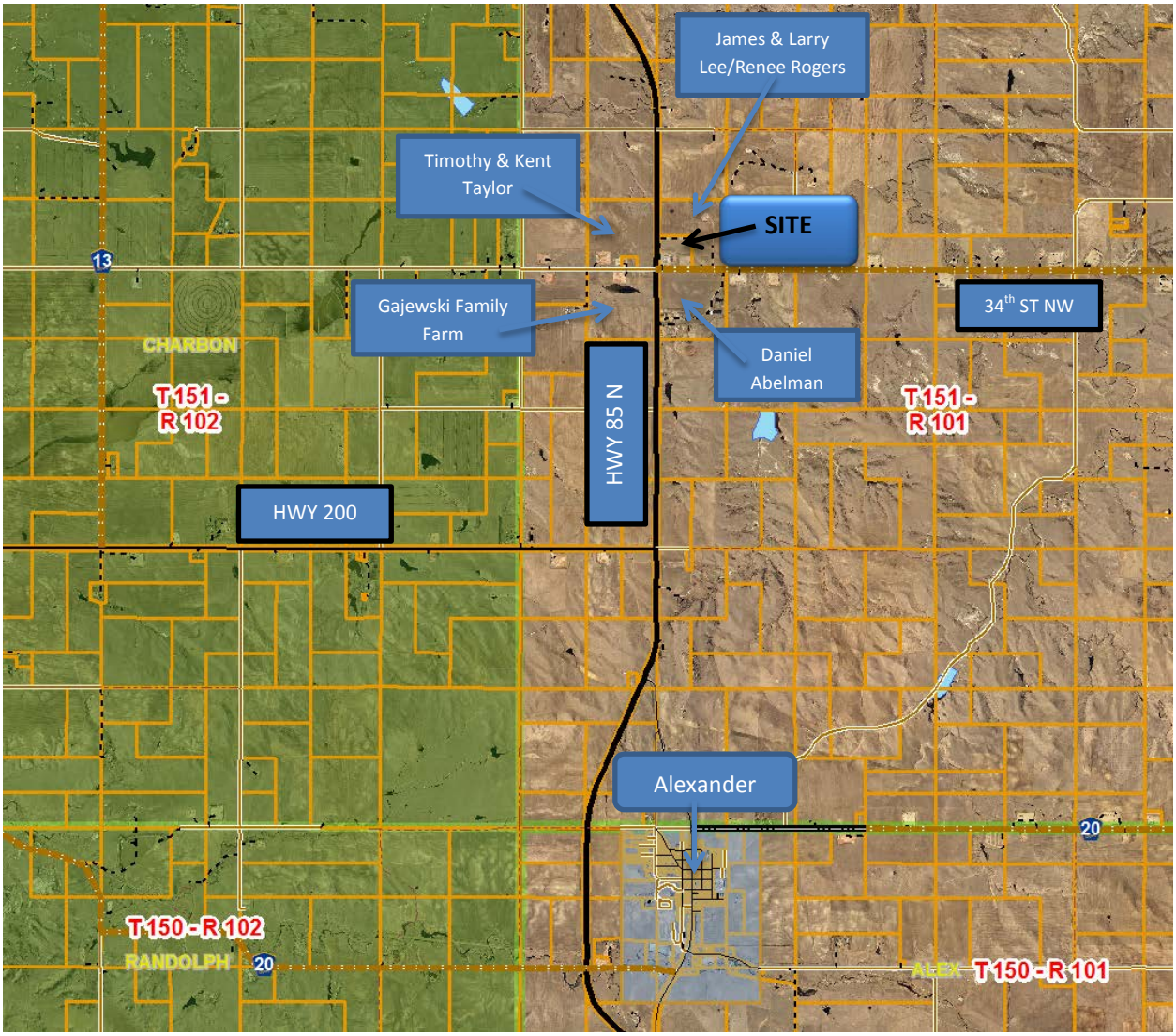
Suggested Motion:

Staff recommends that the subdivision plat be recommended for approval.

"Recommend approval of the proposed subdivision plat & Zone Change from Agricultural to R-2 #001-19 Murex Minor Subdivision to the County Commission. Adopt the findings as provided in the staff report."

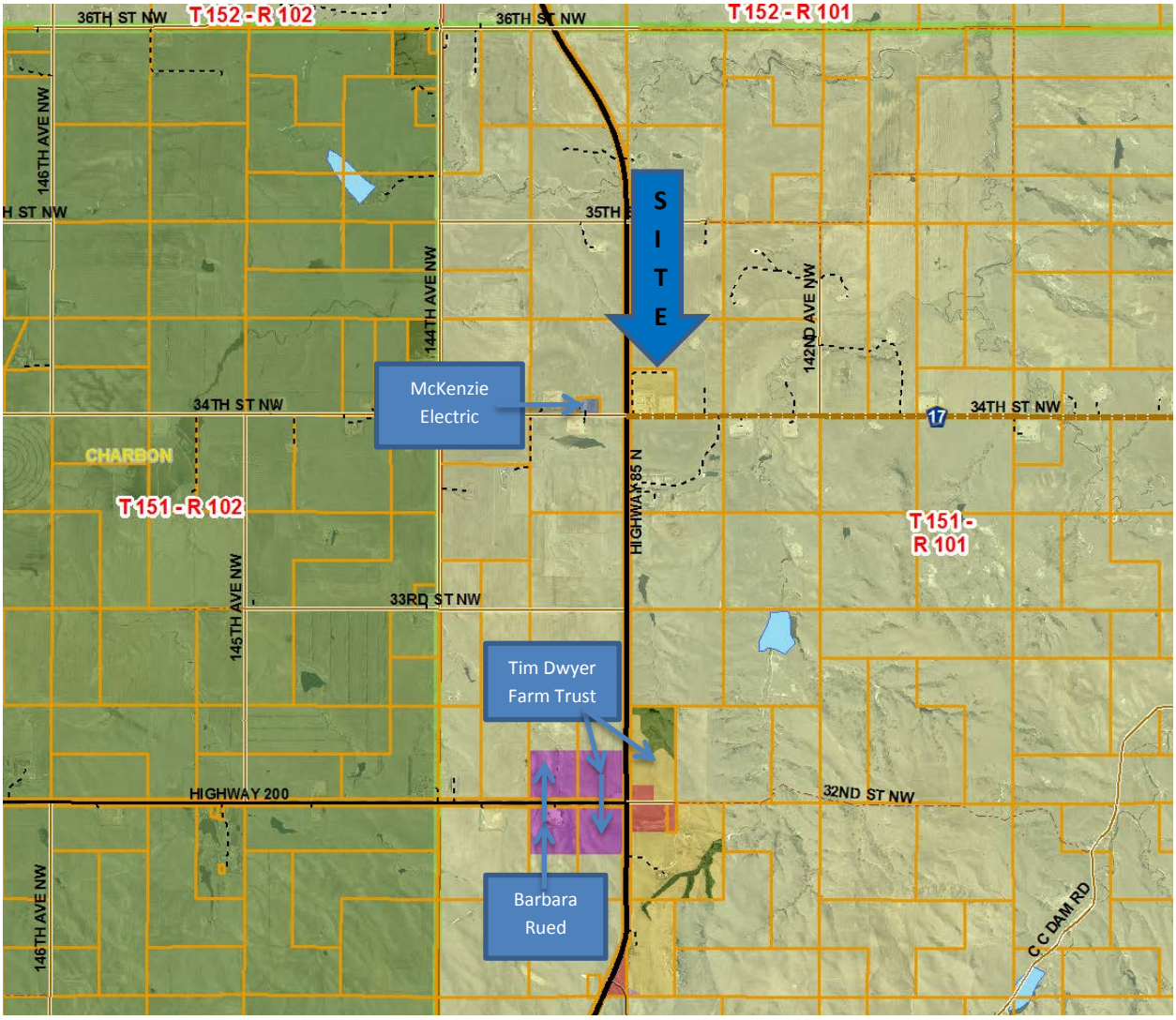
McKENZIE COUNTY

#001-19 Murex Petroleum Vicinity Map



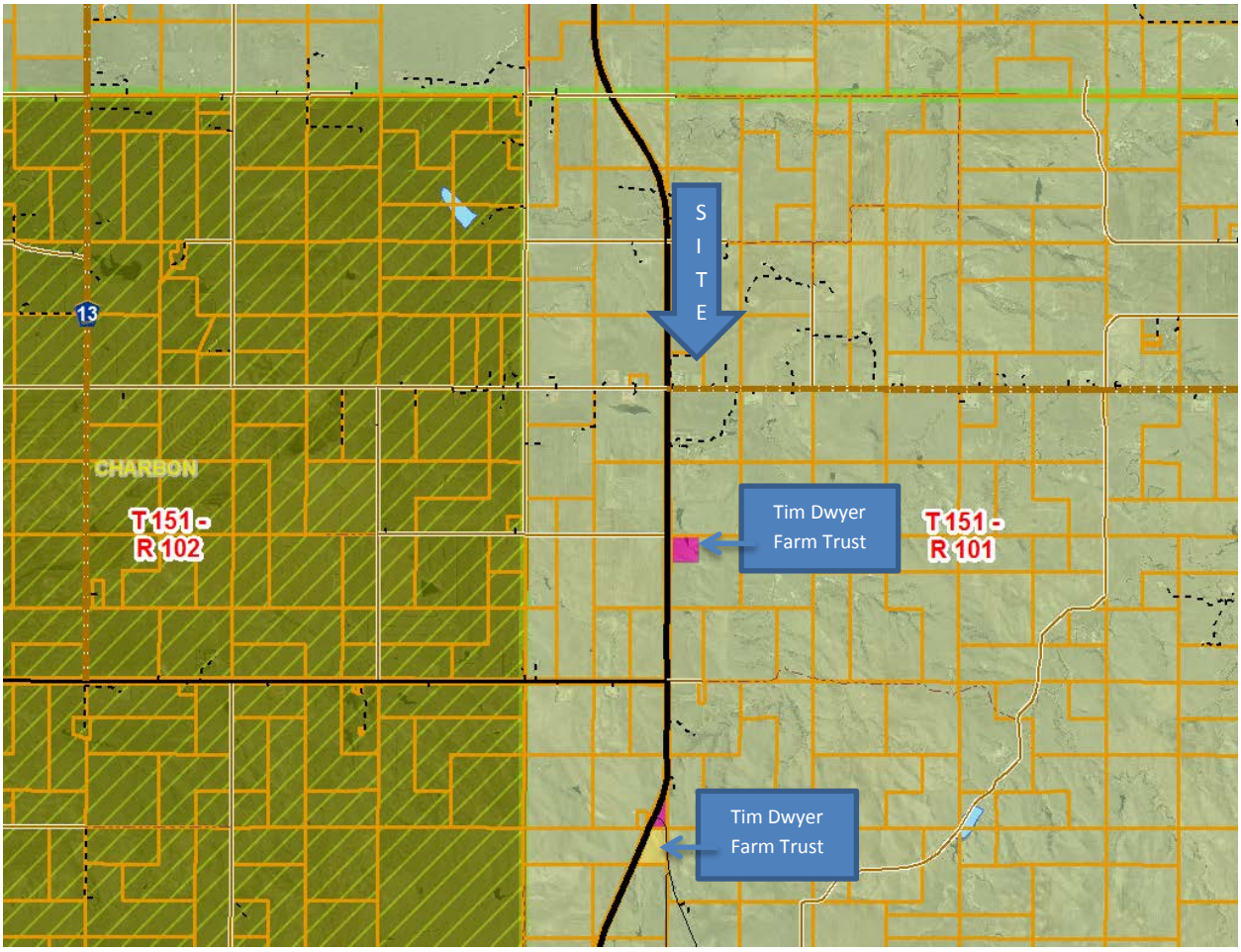
McKENZIE COUNTY

Comp Plan is Rural Residential



MCKENZIE COUNTY

Zoned Agriculture



McKENZIE COUNTY

McKENZIE COUNTY

Planning and Zoning Commission

#024-19CUP Goodnight Midstream Bakken, LLC Jorgenson Yard

Application:	September 13, 2019
Hearing Date:	October 14, 2019
Description:	Section 11, Township 151, Range 97. A tract of land approx 2.0 acres in the SW/SW. Parcel #590004650 in McKenzie County
Owner(s)/Applicant:	#024-19CUP Goodnight Midstream Bakken, LLC Parcel #590004650
Reason for Request:	Applicant is requesting a CUP to use the property as a pipe storage yard for a period exceeding 1 year.

Comprehensive Plan Land Use: Agriculture
Zoning: Agriculture

Findings of Fact:
1. All requirements for public notifications have been satisfied. 2. Project is not in an organized township.

Conditional Use Permit Criteria:

No conditional use permit shall be recommended by the Planning Commission or approved by the County Commission unless the applicant shall have met all the following criteria:

a. The establishment, maintenance, or operation of the conditional use shall not be detrimental to or endanger the public health, safety, comfort or general welfare.

The lay yard for pipe would be beneficial to help keep some equipment/trucks off of the roadways.

b. The proposed conditional use shall not substantially impair or diminish the value and enjoyment of other property in the area.

Other property in the area consists of Ag lands.

c. The proposed conditional use shall not impede the normal orderly development of the surrounding property.

The proposed lay yard would not impede the normal orderly development of the surrounding property.

d. Adequate utilities, access roads, drainage or other necessary site improvements have been or are being provided to accommodate the proposed conditional use.

Access to site would be via existing 34th Street.

e. Adequate measures will be taken to provide ingress and egress to the property without adverse effects on the adjoining properties and traffic congestion in the public street.

Access permit will be required through McKenzie County Engineering.

f. The proposed conditional use shall conform to all applicable regulations of the district within which it is located.

The proposed use is conditionally allowed in the Agricultural District.

Comprehensive Plan Consistency:

The subject land area is designated in the land use plan as Agriculture.

Staff Recommendation:

Staff recommends **Approval** for this Conditional Use Permit.

Suggested motion: ""Recommend approval of Conditional Use Permit #024-19, Goodnight Midstream Bakken LLC, to the County Commission to allow the development of a pipe storage lay yard for use exceeding 1 year. Adopt the findings and conditions as provided in the staff report.""

Conditions:

FINAL APPROVAL IS NOT VALID UNTIL AN INSPECTION OF THE SITE IS CONDUCTED AND APPROVAL OF THESE CONDITIONS COMPLETION IS SIGNED OFF ON BY A PLANNING & ZONING STAFF MEMBER.

1. The applicant shall mark the site with address/project identification (4'X8' sign) visible from the road, this must be completed within thirty (30) days from County Commission approval.

2. The applicant shall adhere to the noxious weed containment plan as submitted to the County Weed Control Officer.

3. The applicant shall adhere to all Federal, State and local laws, regulations and conditions for the operation of the proposed facility.

4. The applicant shall provide the County Planning Department with all Federal and State approvals or denials, along with any violations relating to the project.

5. This site through this Conditional Use Permit shall not be used as a truck depot.

6. The applicant shall maintain a site free of garbage, from with the site and from outside sources, during and after construction.

7. The applicant shall submit a bond equaling 150% of an engineer's estimate to remediate/reclaim the site when the development is not planned to be utilized any further or after six months of abandonment. The bond shall be in to McKenzie County Planning & Zoning Department within thirty (30) days of approval date.

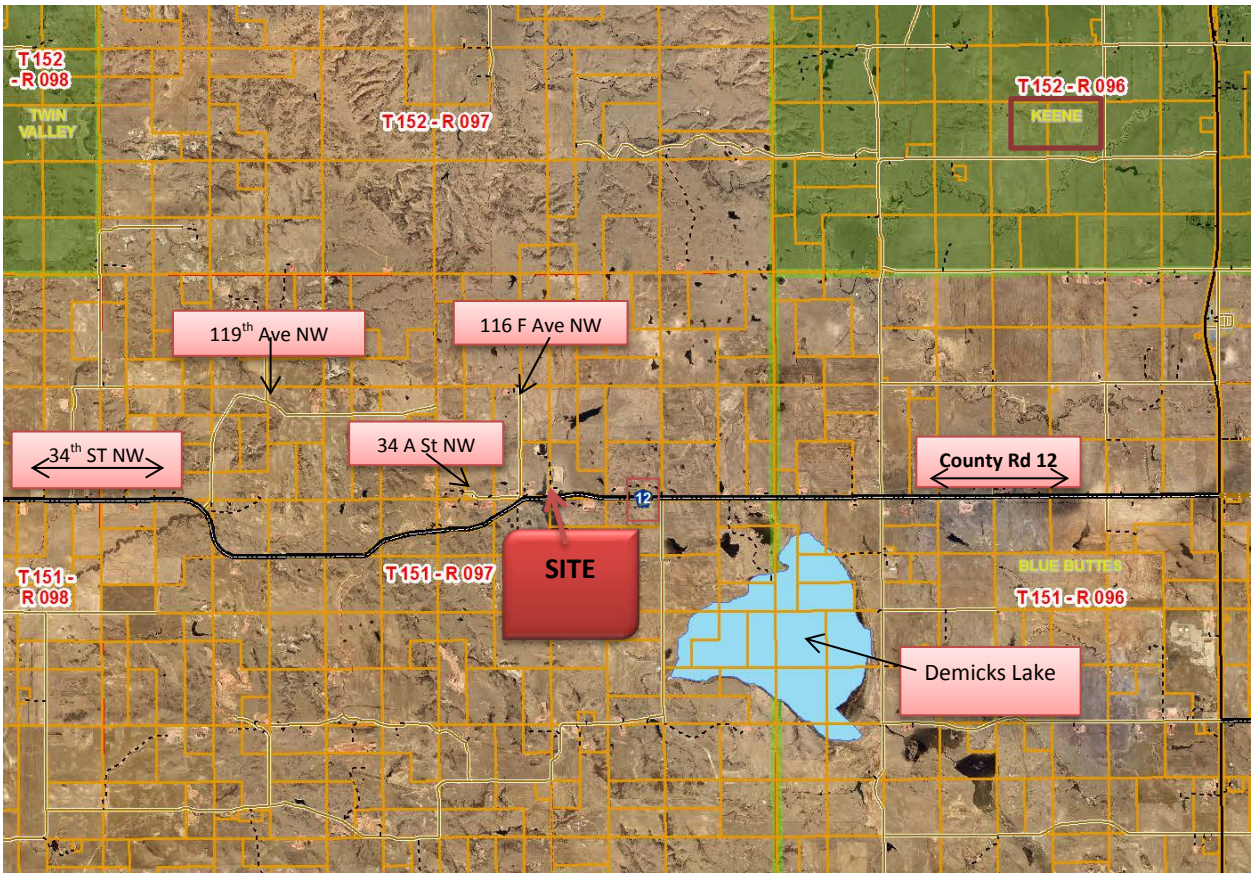
8. The applicant shall mag-chloride during the construction of the pipe storage yard for dust control and shall submit receipts to the Planning Director as proof of completion.
9. Measures to alleviate or minimize mud tracking onto 34th St NW shall be utilized.

10.Access permit will be required through McKenzie County Engineering.

McKENZIE COUNTY

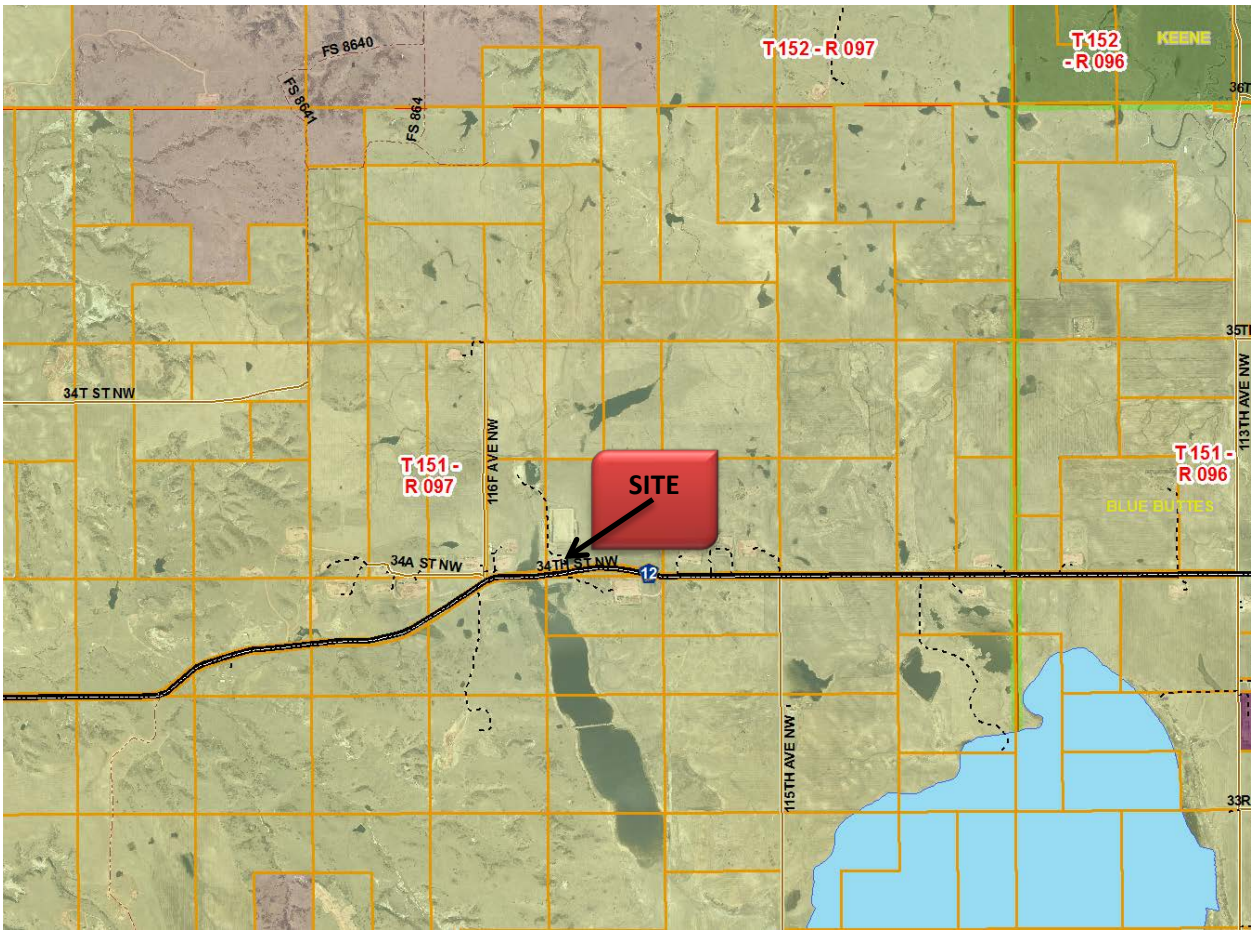
#024-19 CUP Goodnite MidstreamBakken, LLC

Jorgenson Yard Vicinity Map



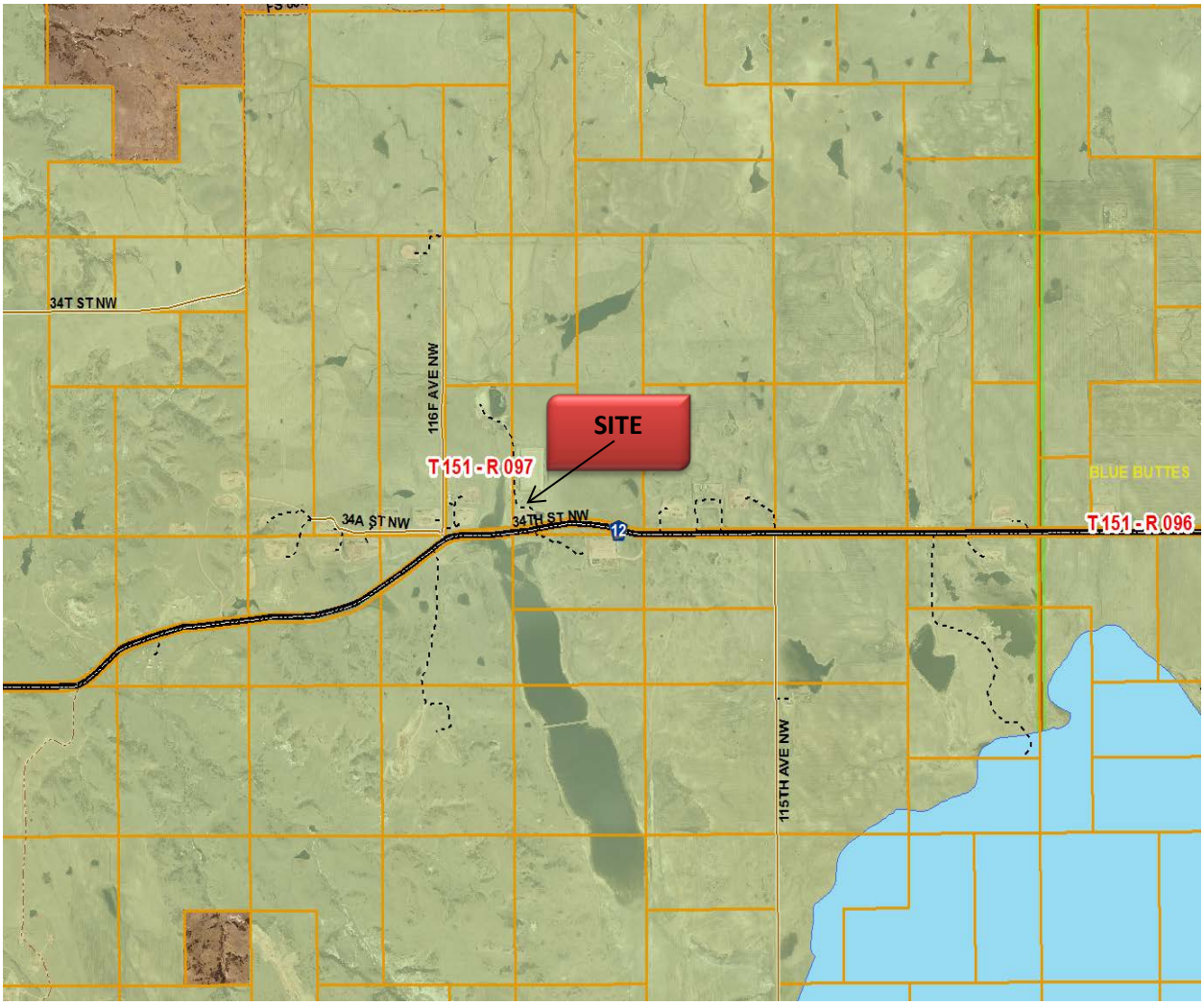
McKENZIE COUNTY

Comp Plan is Agriculture

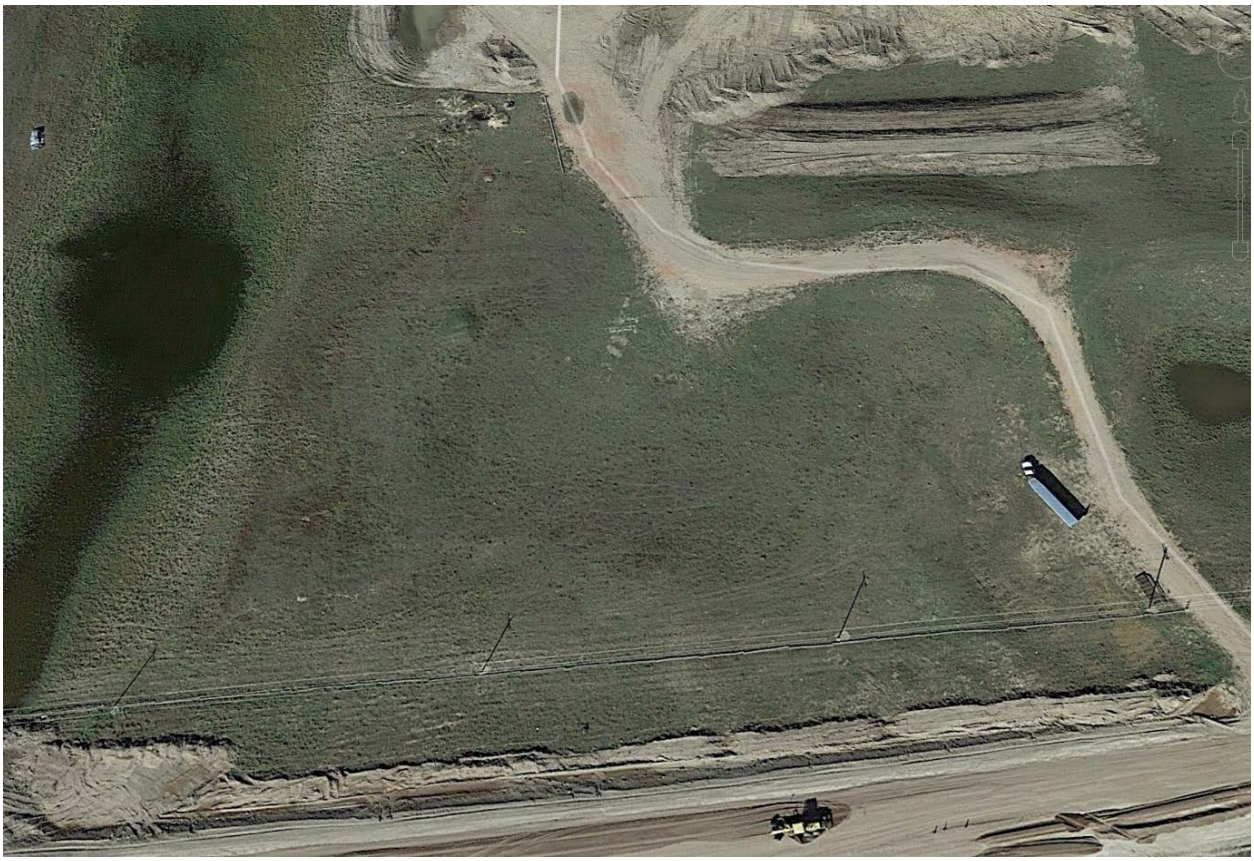


McKENZIE COUNTY

Zoned Agriculture



McKENZIE COUNTY



McKENZIE COUNTY

Planning and Zoning Commission

#025-19CUP Goodnight Midstream Bakken, LLC Kirkland Yard

Application:	September 13, 2019
Hearing Date:	October 14, 2019
Description:	Section 27,Township 150, Range 96. A tract of land approx 3.0 acres in the NW.Parcel #690013300 in McKenzie County.
Owner(s)/Applicant:	#025-19CUP Goodnight Midstream Bakken, LLC Parcel #690013300
Reason for Request:	Applicant is requesting a CUP to use the property as a pipe storage yard for a period to exceed one year.

Comprehensive Plan Land Use: Agriculture
Zoning: Agriculture

Findings of Fact:
1. All requirements for public notifications have been satisfied. 2. Project is not in an organized township.

Conditional Use Permit Criteria:

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a. The establishment, maintenance, or operation of the conditional use shall not be detrimental to or endanger the public health, safety, comfort or general welfare.

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Other property in the area consists of Ag lands.

c. The proposed conditional use shall not impede the normal orderly development of the surrounding property.

The proposed lay yard would not impede the normal orderly development of the surrounding property.

d. Adequate utilities, access roads, drainage or other necessary site improvements have been or are being provided to accommodate the proposed conditional use.

Access to site would be via existing 26th Street NW.

e. Adequate measures will be taken to provide ingress and egress to the property without adverse effects on the adjoining properties and traffic congestion in the public street.

Access permit will be required through McKenzie County Engineering.

f. The proposed conditional use shall conform to all applicable regulations of the district within which it is located.

The proposed use is conditionally allowed in the Agricultural District.

Comprehensive Plan Consistency:

The subject land area is designated in the land use plan as Agricultural.

Staff Recommendation:

Staff recommends **Approval** for this Conditional Use Permit.

Suggested motion: ""Recommend approval of Conditional Use Permit #025-19, Goodnight Midstream Bakken LLC, to the County Commission to allow the development of a pipe storage lay yard for use exceeding one year. Adopt the findings and conditions as provided in the staff report.""

Conditions:

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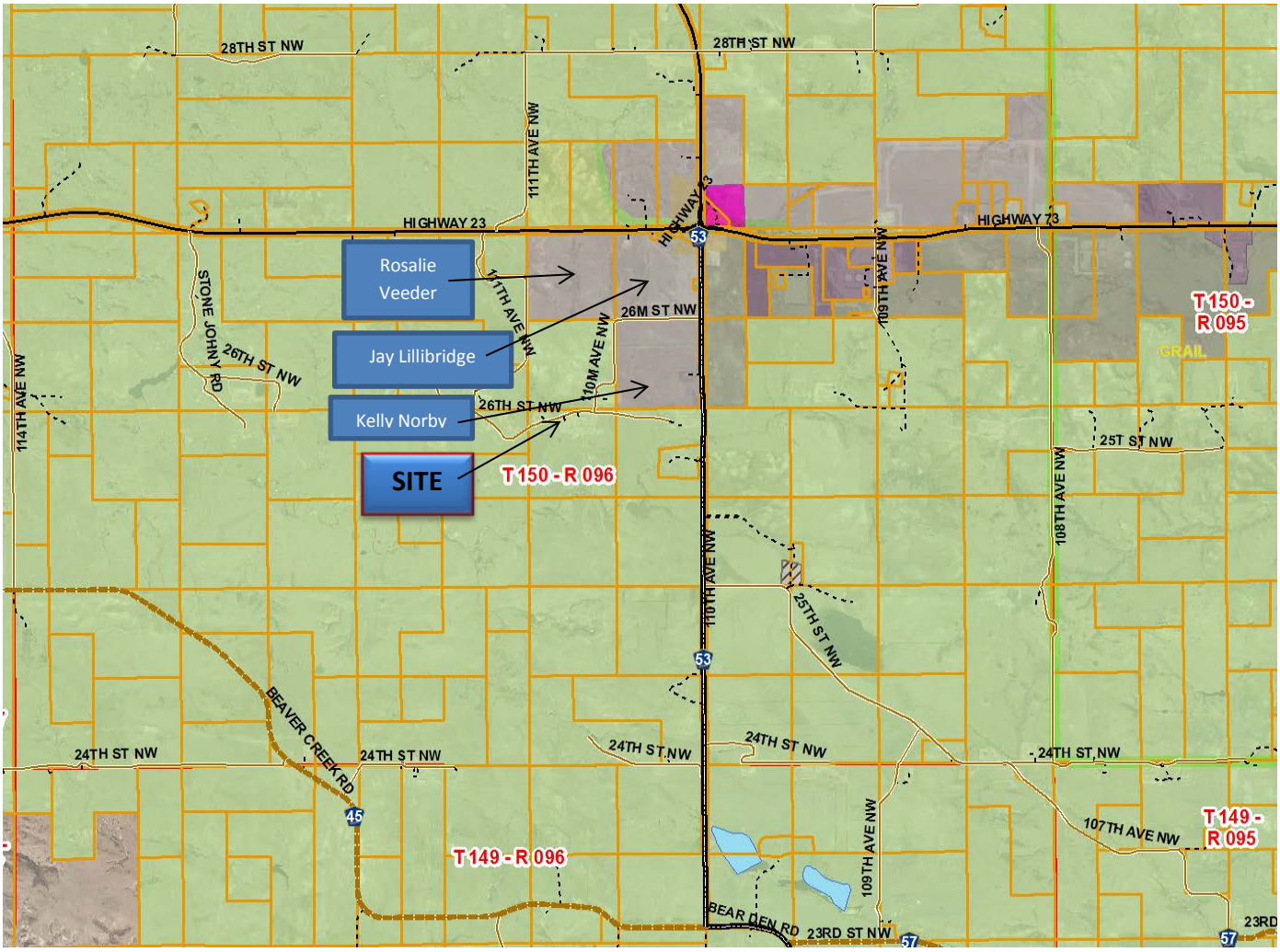
McKENZIE COUNTY

#025-19CUP Goodnight Midstream Bakken, LLC Kirkland Yard Vicinity Map

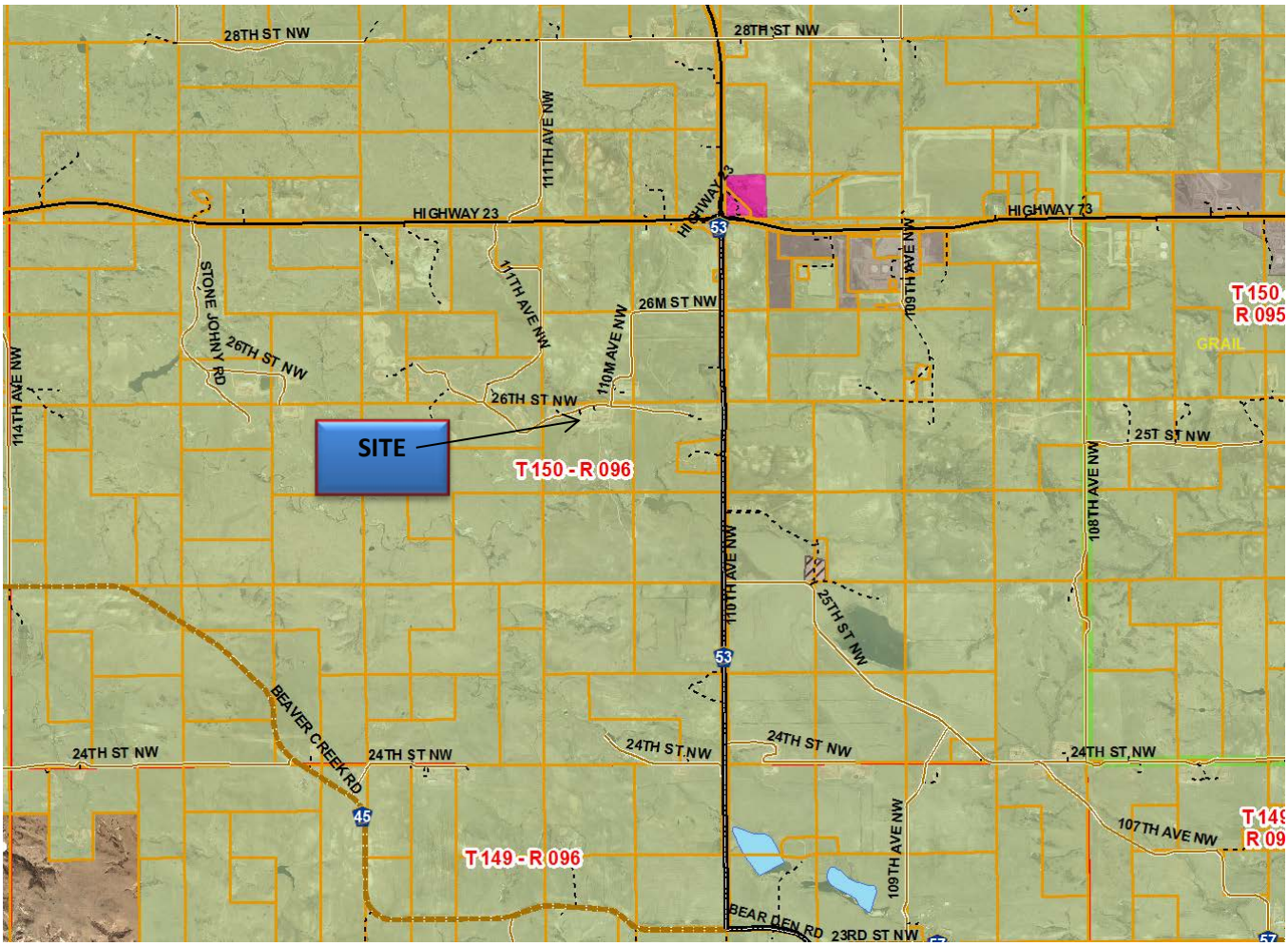
McKENZIE COUNTY

Comp Plan is Agriculture



MCKENZIE COUNTY

Zoned Agriculture



McKENZIE COUNTY