



# Planning and Zoning Commission

## 01-24CUP Central Specialties Inc

<b>Application:</b>	January 5, 2024
<b>Hearing Date:</b>	February 12, 2024
<b>Description:</b>	12566 Zoe Road, PID 633000900 McKenzie County, ND
<b>Owner(s)/Applicant:</b>	Central Specialties Inc
<b>Reason for Request:</b>	Applicant wishes to provide temporary workforce housing sites for their employees.

<b>Comprehensive Plan Land Use: Transitional</b>
<b>Zoning: Heavy Industrial</b>

<b>Findings of Fact:</b>
<ol style="list-style-type: none"> <li>1. Public notification has been satisfied.</li> <li>2. Staff has received no comment from the general public or adjacent landowners.</li> <li>3. Property is not located within an organized township.</li> <li>4. Original facility was built in 2012 with workforce housing as a permanent fixture.</li> <li>5. Applicant is in good standing with the ND Secretary of State.</li> <li>6. Applicant is the Landowner.</li> <li>7. Workforce / RV housing is conditionally allowed in Light Industrial.</li> <li>8. All Conditional uses in Light Industrial are also conditional in Heavy Industrial.</li> <li>9. Work force housing / RV spots may be approved as a conditional use in Agricultural, Commercial, Light Industrial and Industrial districts.</li> <li>10. Per 4.8 of the County Ordinance Work force housing is sometimes necessary to support cycles of industrial growth without building excessive housing for the reasonable long-term needs of the County's population.</li> <li>11. Applicant is in consultation with neighboring landowners to make improvements to the road.</li> <li>12. Applicant has made the required notifications to Food and Lodging, the Weed Dept. NDIC and ND Dept of Health.</li> <li>13. Applicant will obtain a Reclamation Bond per Section 2.13 of the Ordinance.</li> </ol>

**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.**

EMS and Fire have given approval and an emergency egress is planned.

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

The proposed conditional use shall not impede the normal orderly development of the surrounding property as there is workforce housing to the west and RV Parks to the east and north.

**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 area as it is all industrial with housing.

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

Utility, roads, and drainage are already in place on the property from the previous owners.

**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.**

Applicant will have the area at the 2nd gate cleaned up prior to occupation by employees so it can be used as another egress in an emergency.

**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 Light & Heavy Industrial district.

**Comprehensive Plan Consistency:**

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

**Staff Recommendation:**

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

Suggested motion: ""Staff recommends approval of Conditional Use Permit #01-24CUP to bring an existing workforce housing facility into compliance. Workforce housing is an approved use in the Heavy Industrial district. Adopt the findings and conditions as provided in the staff report.""

**Conditions:**

- 1) Per Ordinance 4.8.1#1 Applicant must provide a description of the units together with an emergency 911 approved numbering system. Example 12566 Zoe Rd. units A,B,C ETC
- 2) Applicant must work with the GIS Dept and the 911 Coordinator for proper/ correct addressing.
- 3) Applicant shall post a sign with the name and address and contact information of the on-site manager.
- 4) Unit spacing shall be a minimum of fifteen (15') feet between units.
- 5) Applicant shall maintain an On-site security plan.
- 6) Applicant shall maintain a Fire and Emergency evacuation plan.
- 7) Per Section 2.13 of the county ordinance the applicant shall post a bond based on engineers estimate and approved by the Planning Director to reclaim the site to its predevelopment appearance. The bond amount shall be 150% of the engineers estimate. The bond shall name the county as the beneficiary. Bond must be submitted to the County Planning and Zoning office within 60 days.
- 8) Parking requirements and standards shall follow section 2.11. of the ordinance.
- 9) A copy of the closure plan needs to be turned into the Planning and Zoning dept. within 60 days of Approval.
- 10) Applicant agrees that this will be temporary housing, and will be in use only during active construction when CSI has work in the area.
- 11) Construction of any addition to a recreational vehicle or trailer is strictly prohibited.
- 12) Any permanent structures shall require a building permit.

#01-24CUP

PID # 633000900

S-07,T-149N,R-98W

Vicinity MAP





#01-24CUP

PID # 633000900

S-07,T-149N,R-98W

### Comprehensive Plan Map-Transitional



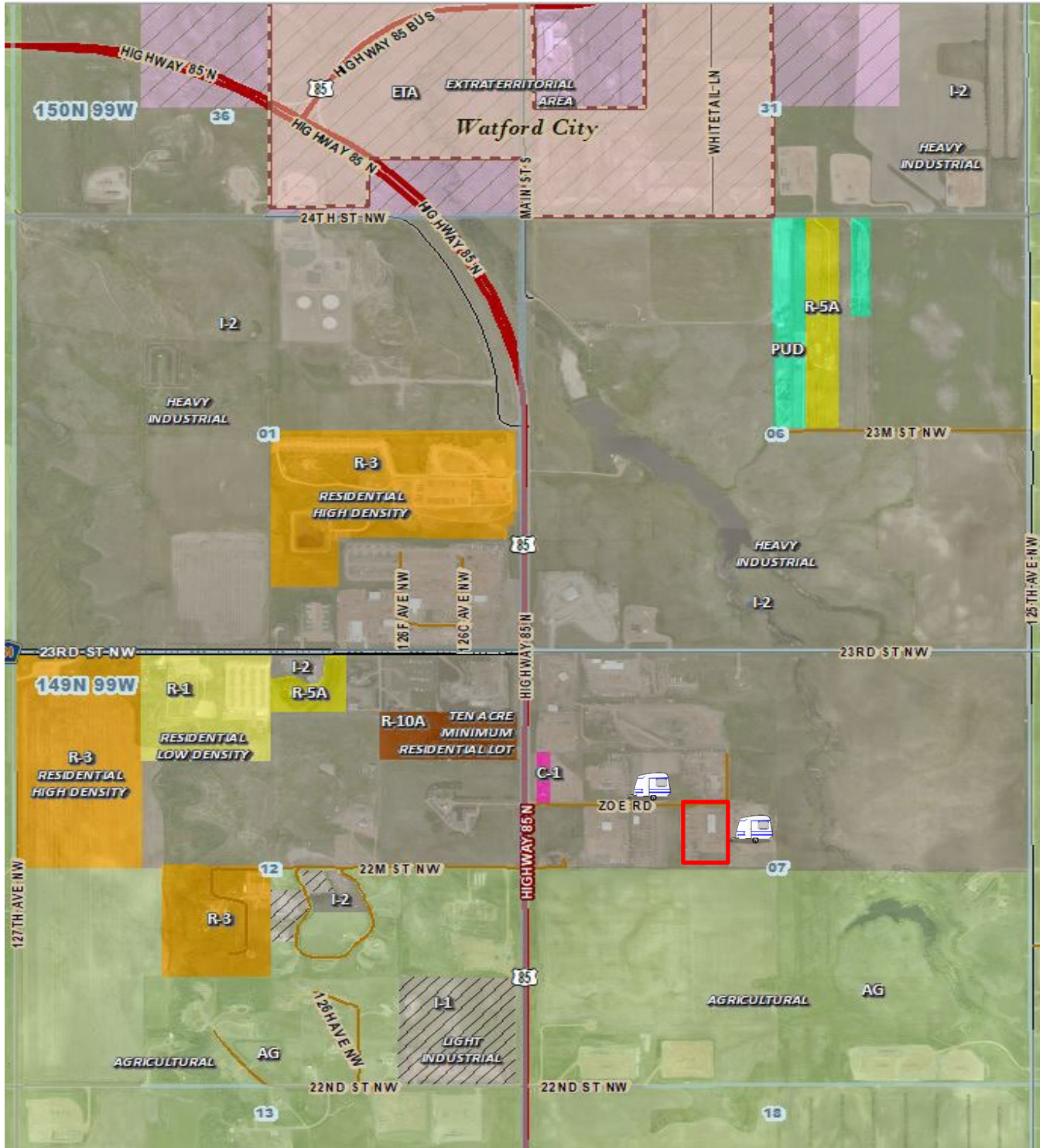


#01-24CUP

PID # 633000900

S-07,T-149N,R-98W

### Zoning Map-Heavy Industrial



#01-24CUP

PID # 633000900

S-07,T-149N,R-98W

**SITE MAP**







# Planning and Zoning Commission

## 02-24CUP Basin Electric Power Coop

<b>Application:</b>	January 12, 2024
<b>Hearing Date:</b>	February 12, 2024
<b>Description:</b>	T-149N R-95 To T-150N R-96 From Approximately Johnson's Corner to the McKenzie/Dunn County Line.
<b>Owner(s)/Applicant:</b>	Basin Electric Power Coop
<b>Reason for Request:</b>	The Proposed project is a 345 KV transmission line with approximately 10.9 miles in McKenzie County, starting at the Dunn - McKenzie County Line PID 040010600 belonging to the Natural Resources Dep Three Affiliated Tribes ending at PID # 690011250 Owned by Basin Electric near Johnson's corner.

<b>Comprehensive Plan Land Use: Agriculture</b>
<b>Zoning: Agriculture</b>

<b>Findings of Fact:</b>
<ol style="list-style-type: none"> <li>1. All public notifications for McKenzie County have been made.</li> <li>2. Staff have received no comments from the general public or adjacent landowners.</li> <li>3. Applicant intends to construct a 345KV electrical transmission Line.</li> <li>4. Applicant has permission from all except 3 landowners.</li> <li>5. The line in McKenzie County will extend 10.9 miles.</li> <li>6. The project does not go thru any organized townships.</li> <li>7. Electrical Transmission lines are a Conditional use in the Agriculture District per 3.4.3 (11</li> <li>8. Electrical transmission lines are PSC regulated however applicant is wishing to be a good neighbor and obtain County approval.</li> </ol>

<b>Conditional Use Permit Criteria::</b>
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:
<b>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.</b>



The establishment, maintenance, and operation of the conditional use shall be beneficial to the safety and comfort of the General public.

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

The proposed conditional use shall not diminish the value and enjoyment of the property.

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

The proposed use will enhance 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.**

All necessary site improvements will be provided to accommodate the conditional use of the property.

**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 roads will be provided as necessary in cooperation with the McKenzie County Road and Bridge department.

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

The proposed conditional use shall conform to all applicable regulations of McKenzie County and the State.

**Comprehensive Plan Consistency:**

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

**Staff Recommendation:**

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

Suggested motion: "Staff Recommends approval of Conditional use permit 02-24CUP. Adopt the findings and conditions as provided in the Staff Report.""

**Conditions:**

Condition of approval for electrical transmission lines shall include but not limited to:

- 1) The applicant shall obtain a permit from the McKenzie County Road and Bridge Department for any transmission line that is within a section easement or road right-of-way.
- 2) The applicant shall limit sediment runoff from the site by use of perimeter controls on downslope portions of the site (e.g. silt fence) and limit channelized erosion in ditches, swales, and adjacent natural

water bodies. The site shall be restored and stabilized to pre-project conditions.

3) All above ground structures shall be painted earth tones to blend into the surrounding environment, wood and galvanized poles and structures do not need to be painted.

4) The applicant shall maintain garbage control during construction.

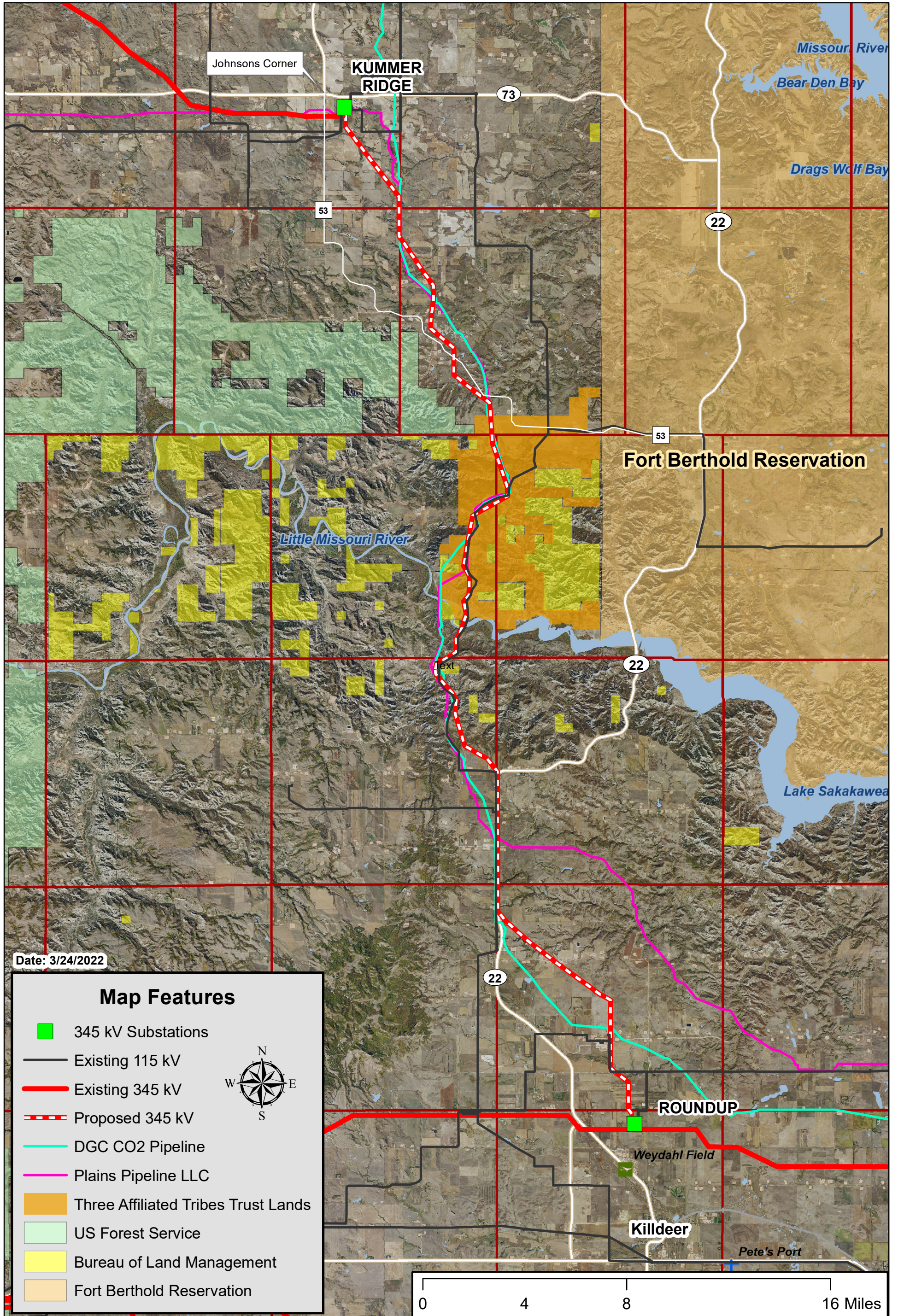
5) The applicant shall maintain weed control per the Weed Control Plan filed with the McKenzie County Weed Department.

6) The applicant shall reseed all disturbed areas with appropriate grass mixture to minimize erosion throughout the easement area after installation of transmission line.

7) Applicant will obtain an building permit from the McKenzie County Building Dept. for any structures.



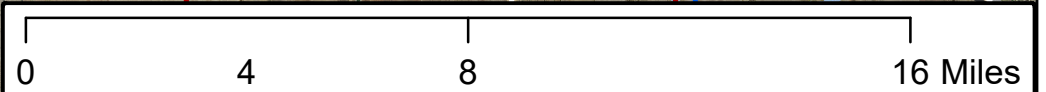
# Proposed Roundup to Kummer Ridge 345 kV Transmission Project



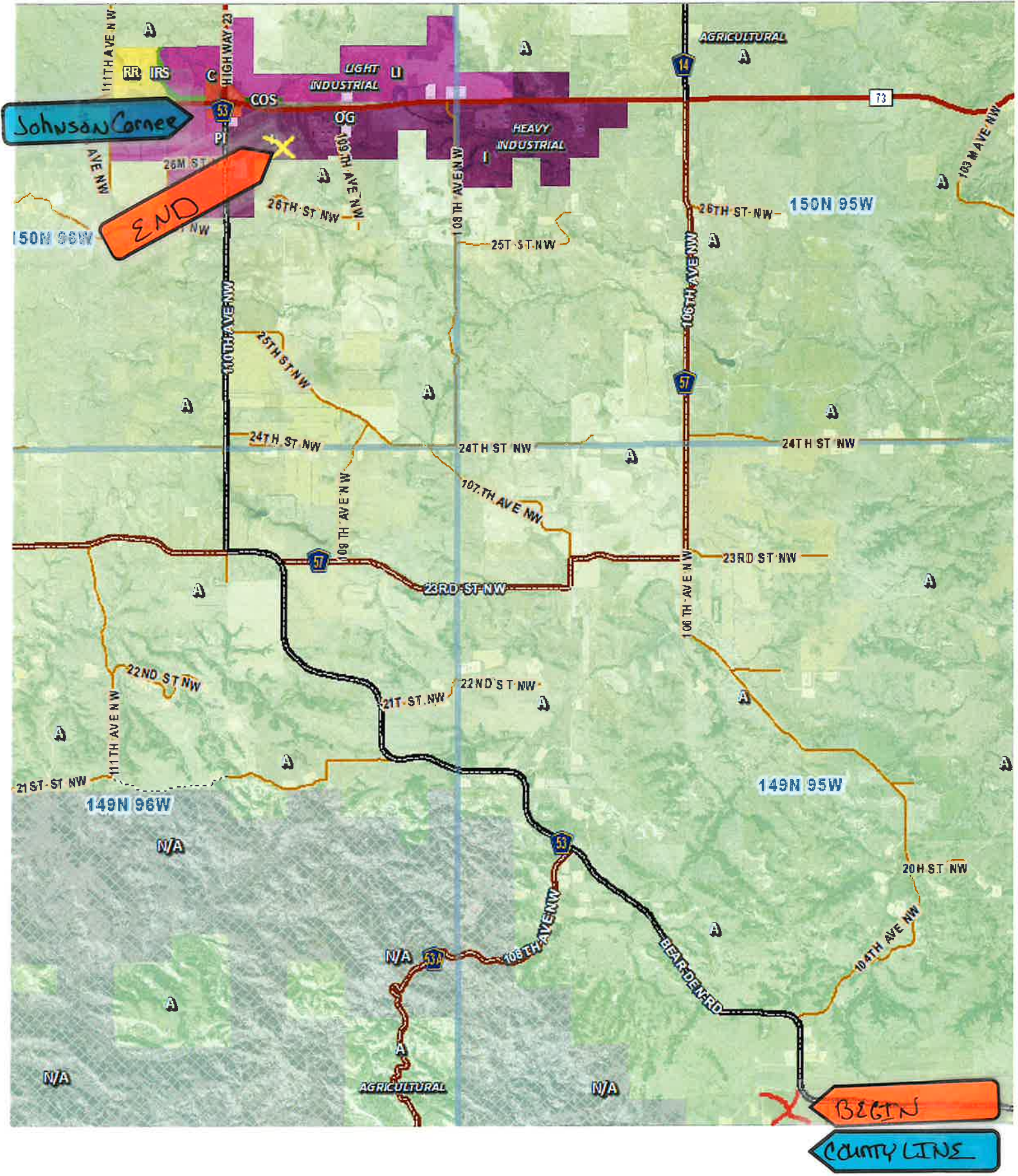
Date: 3/24/2022

## Map Features

- 345 kV Substations
- Existing 115 kV
- Existing 345 kV
- Proposed 345 kV
- DGC CO2 Pipeline
- Plains Pipeline LLC
- Three Affiliated Tribes Trust Lands
- US Forest Service
- Bureau of Land Management
- Fort Berthold Reservation







Johnson Corner

END

BEGIN

COUNTY LINE

150N 98W

150N 95W

149N 96W

149N 95W

N/A

N/A

N/A

N/A

111TH AVE NW

26M ST

100TH AVE NW

HIGHWAY 53

26TH ST NW

100TH AVE NW

25TH ST NW

24TH ST NW

109TH AVE NW

23RD ST NW

22ND ST NW

21ST ST NW

149N 96W

N/A

N/A

N/A

N/A

N/A

N/A

N/A

N/A

N/A

N/A

COS

OG

106TH AVE NW

25TH ST NW

24TH ST NW

107TH AVE NW

23RD ST NW

22ND ST NW

21ST ST NW

106TH AVE NW

106TH AVE NW

106TH AVE NW

106TH AVE NW

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AGRICULTURAL

106TH AVE NW

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106TH AVE NW

73

103 M AVE NW

20H ST NW

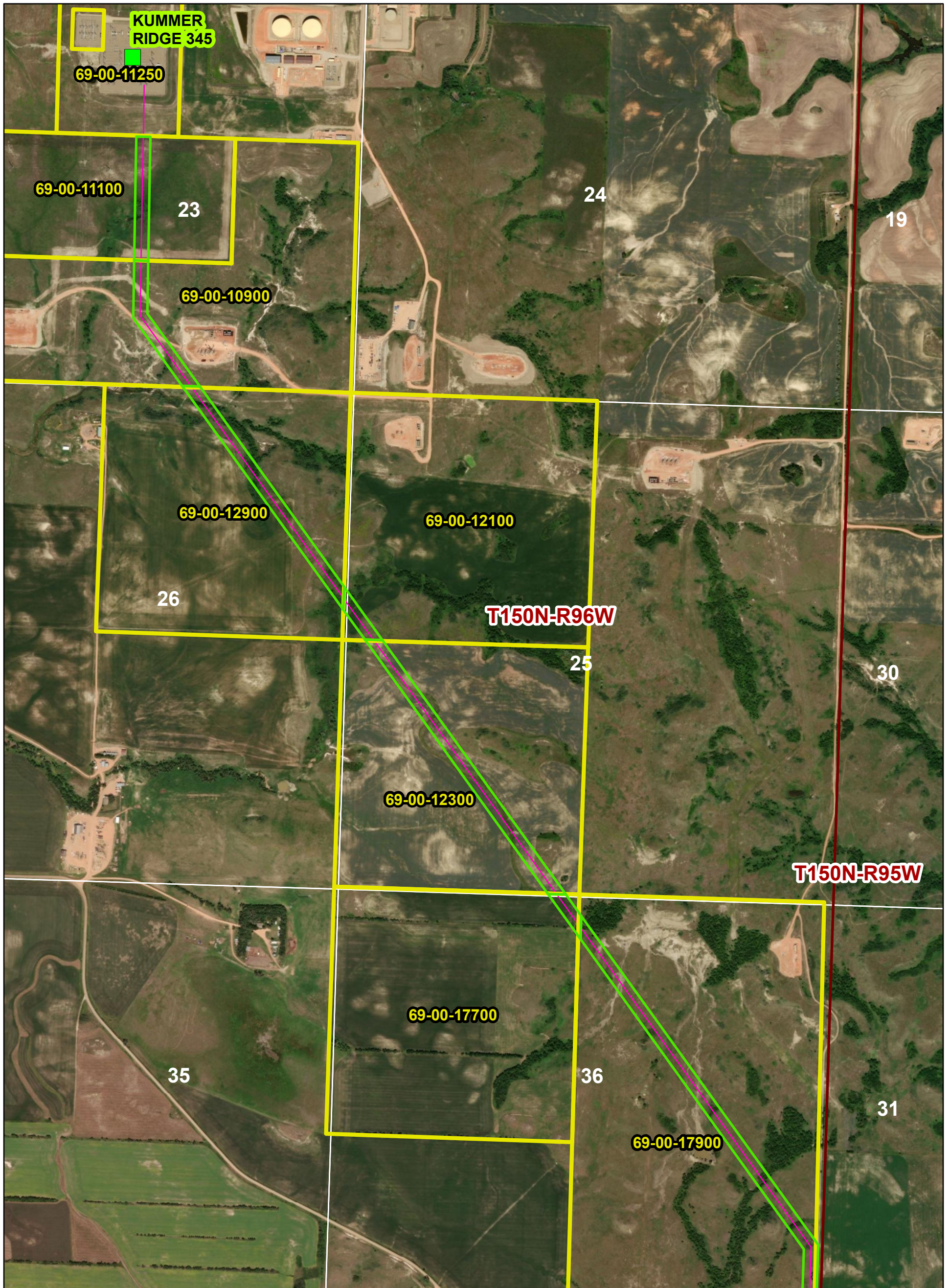
104TH AVE NW

BEARDEN RD

AGRICULTURAL



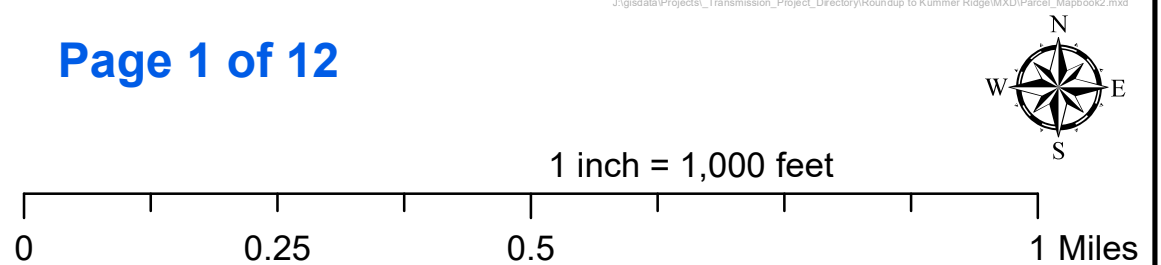
# Roundup to Kummer Ridge 345kV Transmission Project



**Map Features**

<span style="color: green;">■</span> Substations	<span style="border: 1px solid red; display: inline-block; width: 15px; height: 10px;"></span> Townships
<span style="color: magenta;">—</span> Proposed Transmission Route	<span style="border: 1px solid gray; display: inline-block; width: 15px; height: 10px;"></span> Sections
<span style="border: 2px solid green; display: inline-block; width: 15px; height: 10px;"></span> ROW Parcels	
<span style="border: 2px solid yellow; display: inline-block; width: 15px; height: 10px;"></span> Parcels	

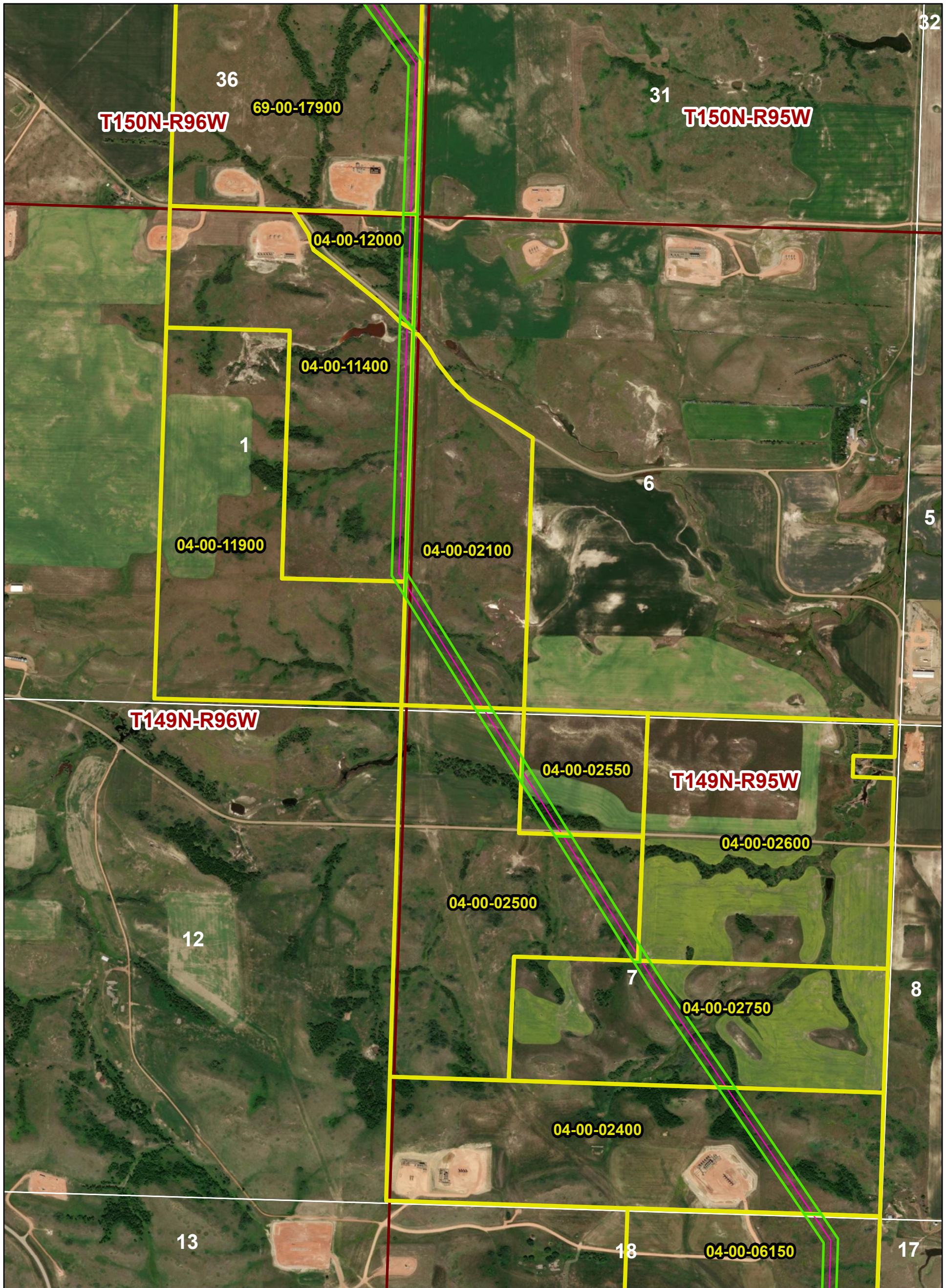
Date: 12/11/2023



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# Roundup to Kummer Ridge 345kV Transmission Project

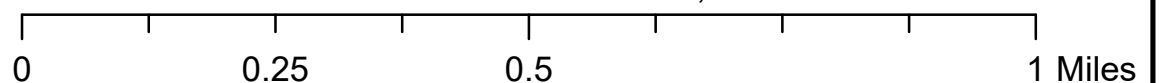


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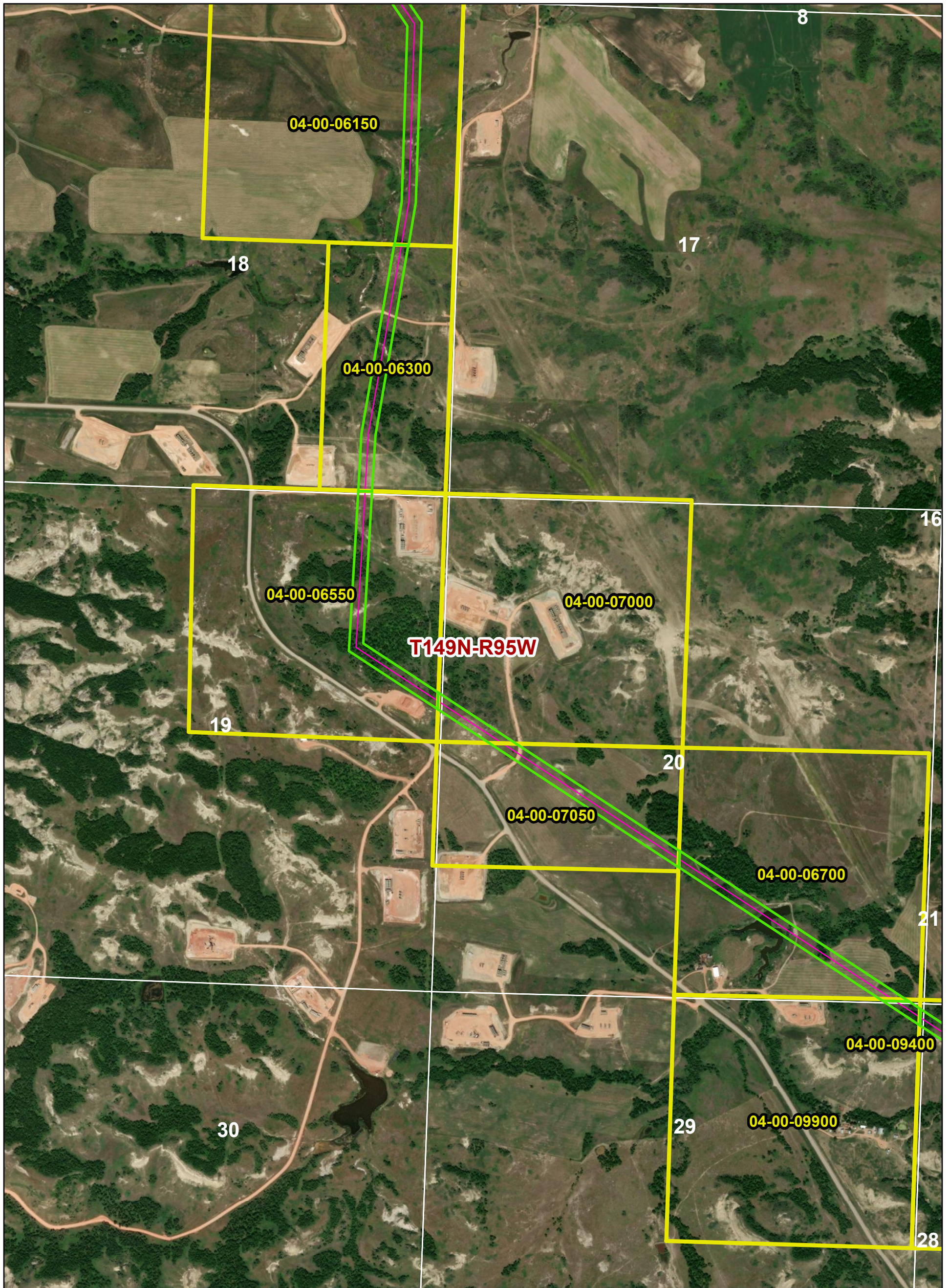
1 inch = 1,000 feet



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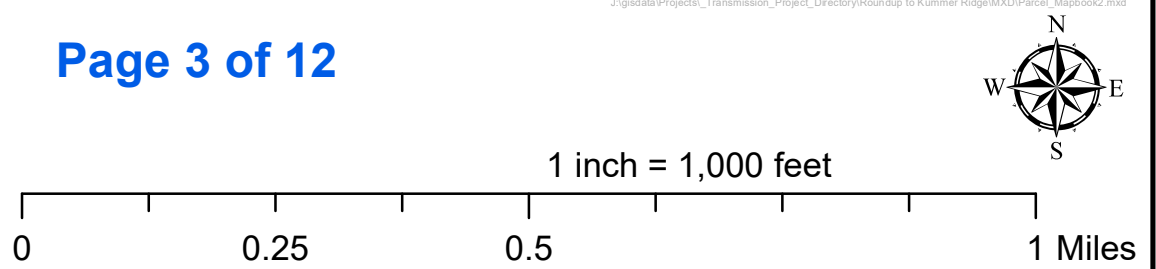
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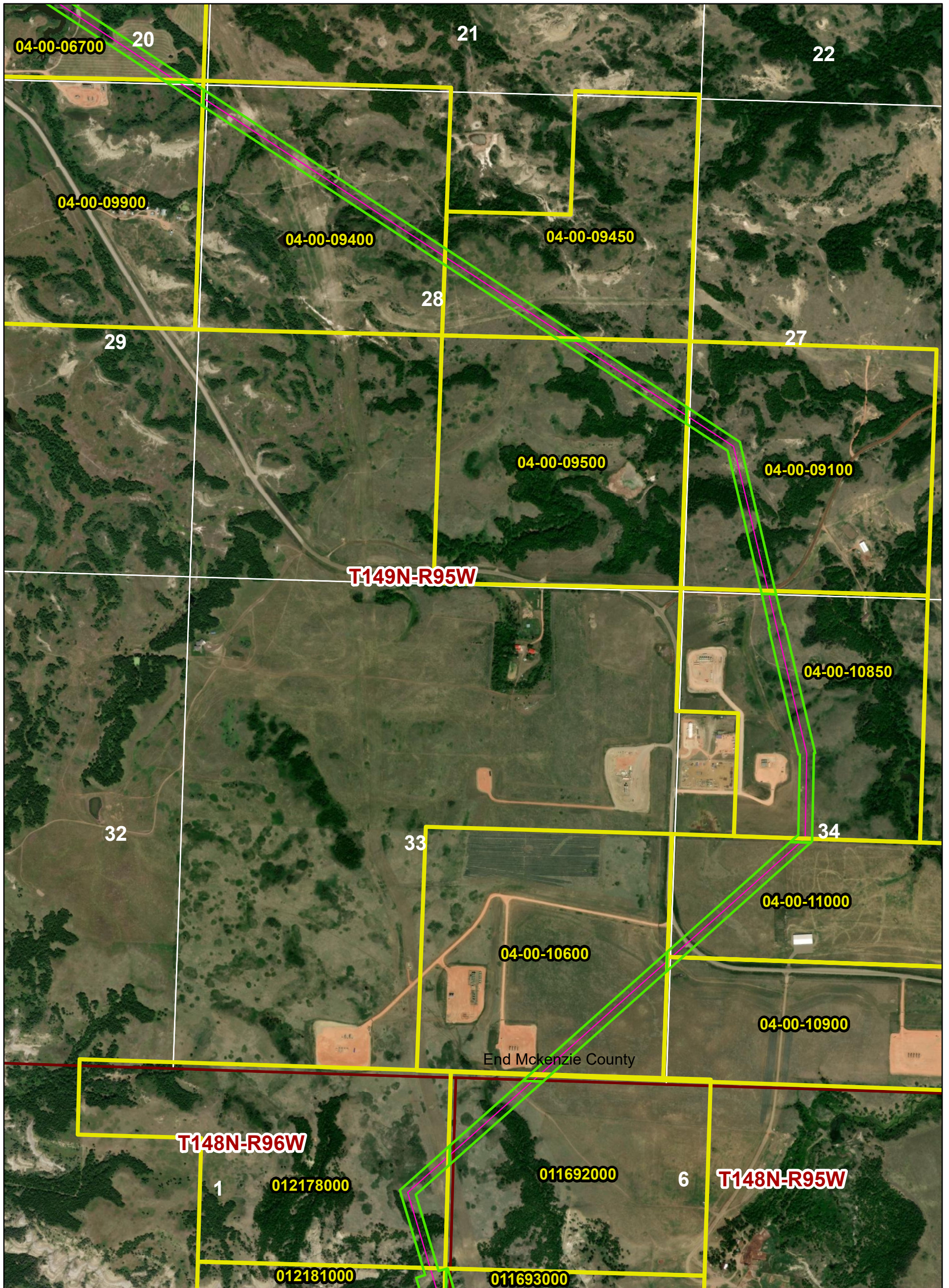
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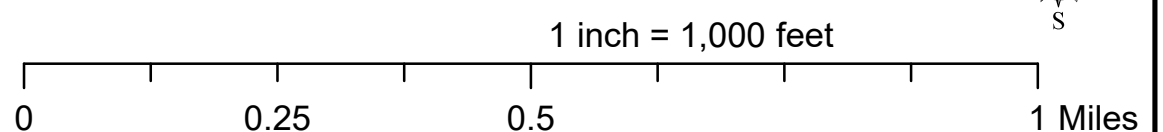
# Roundup to Kummer Ridge 345kV Transmission Project



**Map Features**

- Substations
- Proposed Transmission Route
- ROW Parcels
- Parcels
- Townships
- Sections

Date: 12/11/2023



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# **McKENZIE COUNTY**

## **Planning and Zoning Commission**

### **01-24ZC Hess North Dakota Pipelines LLC**

<b>Reason for Request:</b>	Applicant is requesting a zone change to Heavy Industrial to accommodate a PSC regulated compressor station.
<b>Hearing Date:</b>	February 12, 2024
<b>Location:</b>	S1/2 of SW 1/4 S-14, T-149N R-100W Tract 1
<b>Owner(s)/Applicant:</b>	Hess North Dakota Pipelines LLC

<b>Existing:</b>		<b>Proposed:</b>	
<b>CP Land Use:</b>	Agriculture	<b>CP Land Use:</b>	Agriculture
<b>Zoning:</b>	Agriculture	<b>Zoning:</b>	Heavy Industrial
<b>Setbacks:</b>	25 Ft. Front 25 Ft. Back 25 Ft. Sides	<b>Setbacks:</b>	50 Ft. Front 25 Ft. Side 50 Ft. Back
<b>Lot Area:</b>	57.64 Acres	<b>Lot Area:</b>	57.64 Acres

# McKENZIE COUNTY

**Finding of Fact:**

1. All requirements for public notification have been made.
2. No Public comments have been received, However we received a call from one person who wants to call in during the meeting to comment.
3. Applicant is not the property owner, but has owner permission.
4. Applicant has commissioned a survey to purchase approximately 58 acres for the compressor station.
5. Property is not in an organized township.
6. Per 3.8.2 It is the purpose of Heavy Industrial to provide for the development of the mineral and agricultural resources of McKenzie County; to provide for the refining and processing of unfinished and partially finished resources and products; and to isolate industrial activities in locations where conflicts with other uses will be minimized.
7. Energy Conversion Facilities are an allowed use in the Heavy Industrial Zone
8. Per the McKenzie County Lands use Designation, Industrial is consistent with the current Ag Zone.
9. Applicant is proposing an Electric Driven Compressor station so as to reduce noise, emissions and improve reliability.
10. Compressor Stations are regulated by the PSC, however applicant is wishing to be a good neighbor.
11. While technically considered Spot Zoning there is already a gas processing plant on an adjacent property along with numerous oil wells in the vicinity. This Compressor Station is required to comply with NDIC flaring targets for the surrounding area.
12. This proposed use will not impeded the normal orderly development of the surrounding area.
13. The proposed use shall conform to all applicable regulations of the County and State.

**Growth Management Plan Consistency:**

Per the McKenzie County Lands use Designation, Industrial is consistent with the Growth Management plan.

**Suggested Motion:**

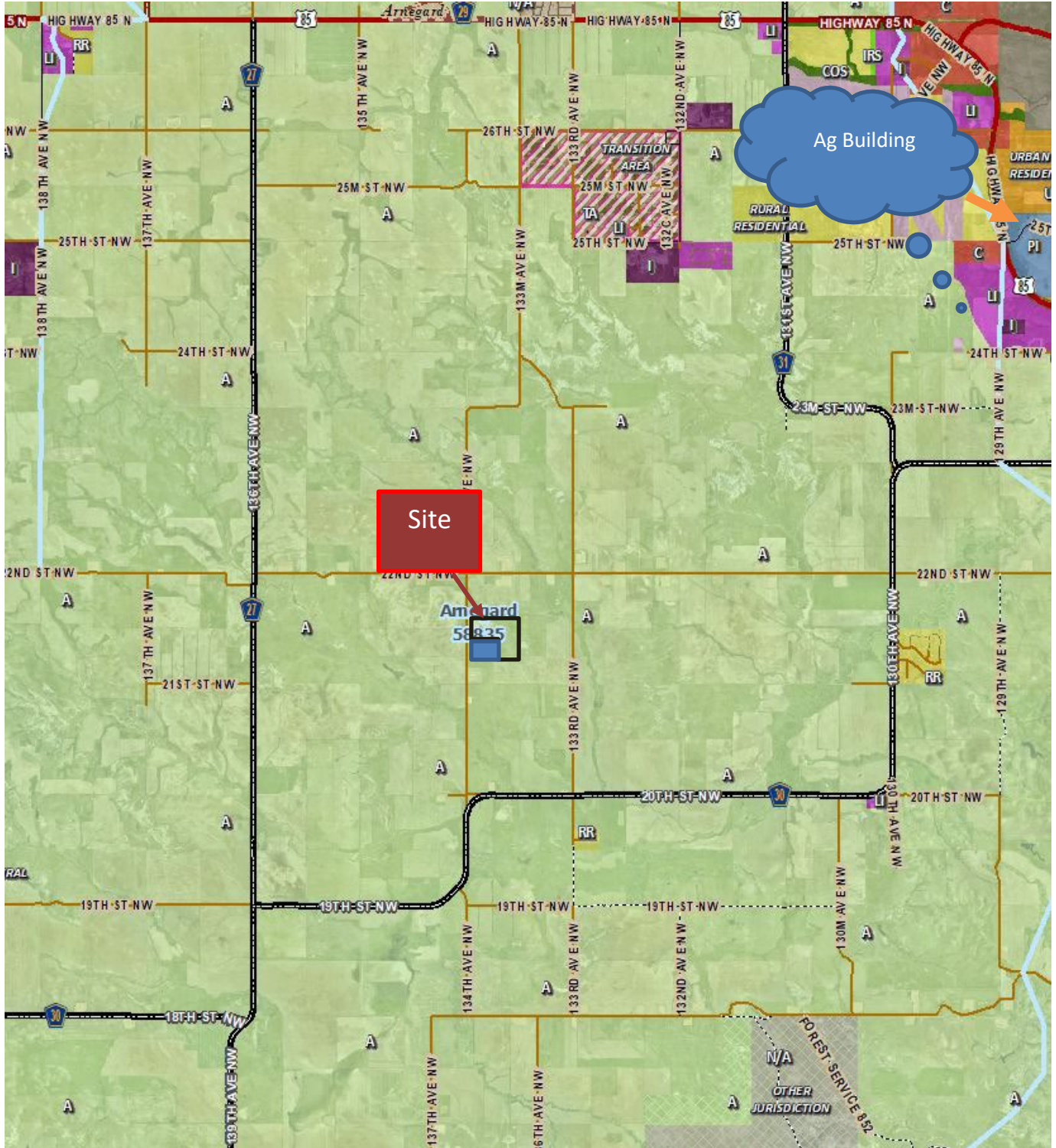
Recommend approval of Zone change Request of #01-24ZC Hess ND Pipeline to the County commission to allow the Zone Change from Agriculture to Heavy Industrial. Adopt the findings provided in the staff report.

#01-24ZC

PID # 350006800/6700

S-14,T-149N,R-100W

Vicinity MAP



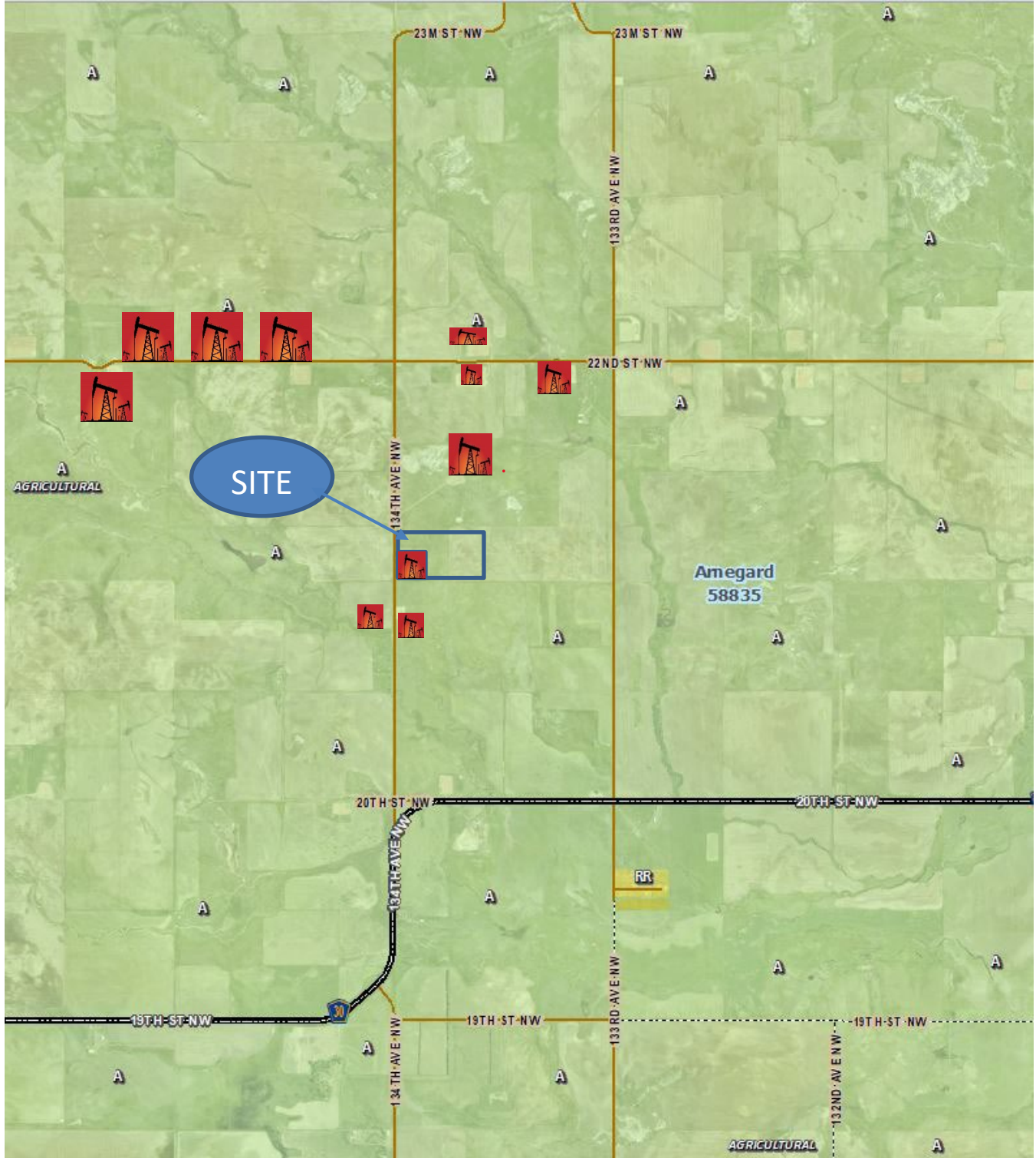


#01-24ZC

PID # 350006800/6700

S-14,T-149N,R-100W

### Comprehensive Plan Map-Agriculture



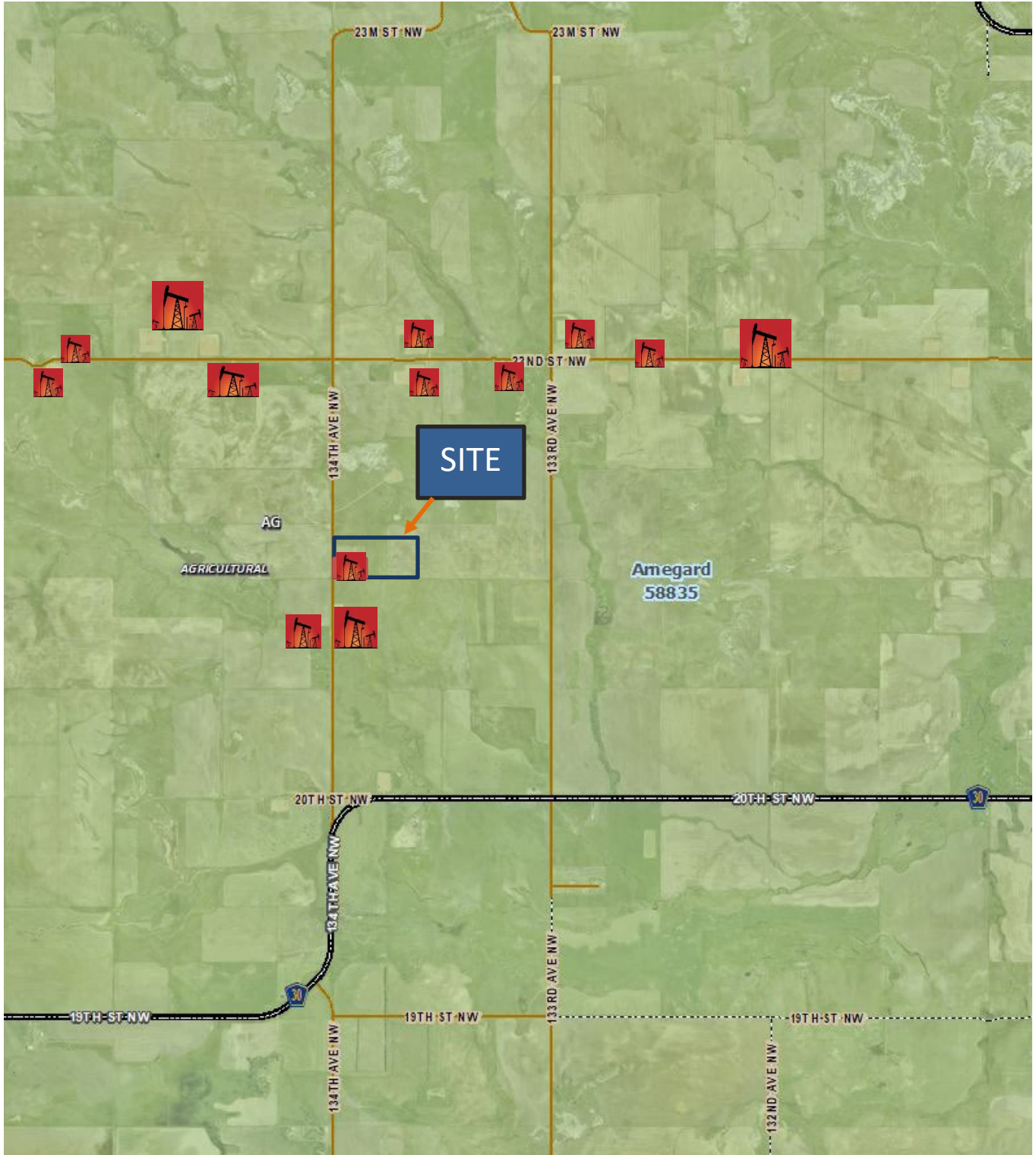


#01-24ZC

PID # 350006800/6700

S-14,T-149N,R-100W

Zoning Map-Agriculture



#01-24ZC

PID # 350006800/6700

S-14,T-149N,R-100W

**SITE MAP**





