PILOT MOUND TOWNSHIP
ZONING REGULATIONS

GRIGGS COUNTY
NORTH DAKOTA

2015

Approved:
Pilot Mound Township Public Meeting:
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1 ARTICLE 1 – INTRODUCTION

1.1 Title

These regulations shall be known, and may be referred to as the Pilot Mound Township Zoning Regulations of Griggs County, North Dakota.

1.2 Purpose and Intent

1.2.1 To protect public, health, safety, morals, comfort, convenience, prosperity and general welfare of the Township of Pilot Mound, Griggs County, North Dakota.

1.2.2 To secure safety from fire, panic, noxious fumes and other dangers.

1.2.3 To preserve and protect farming operations, farm lands and natural resources of the township.

1.2.4 To promote orderly development of the township's resources including, but not limited to, land, wind and water resources, and to prevent conflict among land uses and structures.

1.3 Authority

These regulations are adopted under the authority granted by Chapter 58-03 of the North Dakota Century Code.

1.4 Jurisdiction

1.4.1 General

These regulations shall apply to the use and enjoyment of all lands within Pilot Mound Township, Griggs County, North Dakota.

1.4.2 Extraterritorial Areas

When an incorporated municipality has declared its intent in exercising its extraterritorial authority as provided by Chapter 40-47 of the North Dakota Century Code, these regulations shall not apply to the area delineated for that purpose.

1.5 Interpretation

These regulations shall be held to be minimum requirements adopted for promotion of purposes cited in Section 1.2. Whenever the requirements of these regulations are at variance with the requirements of other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, the most restrictive shall govern unless otherwise specifically stated.

1.6 Severability

If any part, provision or portion of these regulations is adjudged invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

1.7 Effective Date

These regulations shall be effective upon adoption by the Township Board of Supervisors as provided by the North Dakota Century Code.

1.8 Non-restriction of farming

No regulation or restriction contained in this ordinance shall be construed to prohibit or prevent the use of land or buildings for farming or any of the normal incidents of farming.

2 ARTICLE 2 – RULES AND DEFINITIONS

2.1 Rules

In construction of these regulations, the rules and definitions contained in this section shall be observed and applied except when the context clearly indicates otherwise.

2.1.1 Words used in present tense shall include the future.

2.1.2 Words used in singular number shall include the plural number, and the plural the singular.

2.1.3 Shall is a mandatory word and not discretionary.

2.1.4 May is a permissive word.

2.2 Definitions

2.2.1 "Accessory Building and Uses" means a subordinate building or portion of the main building the use of which is clearly incidental to and serves exclusively the principal building or principal use. The accessory building or use shall be located on the same zoning lot and it is established to contribute to the comfort, convenience or necessity of occupants of the principal building or principal use.

2.2.2 "Adjoining Properties" mean properties contiguous with the Wind Energy Facility Perimeter and external to such Perimeter.

2.2.3 "Agriculture" means the process of producing food and fiber including, but now limited to the land, facilities, structures, and buildings for operation and maintenance thereof. It includes all types of general farming, crop and vegetable farming, dairying, livestock and poultry raising, apiaries, fur farming, horticulture, pasturing, tree farming and related land based food and fiber producing facilities.

2.2.4 "Agriculture (Farming, Ranching)" means the art of science of cultivating the soil and activities incidental thereto; cultivating land for production of agricultural crops or livestock; raising, feeding, or producing livestock, poultry, milk, or fruit. The term shall include incidental retail selling by the producer of products raised on the premises, provided that space necessary for parking of vehicles of customers shall be furnished off the public right-of-way. The term does not include producing timber or forest products, nor does the term include a contract whereby a processor or distributor of farm products or supplies, provides grain, harvesting grain, or other farm services.

2.2.5 "Airport" means any area designated for the landing and take-off of aircraft and any appurtenant areas which are used or intended for use for airport buildings and structures including runways, taxi-ways, aircraft storage and tie down areas, hangars and other related facilities and open spaces other than landing strips used for family purposes.

2.2.6 "Animal Feeding Operation (concentrated)" means a place where: livestock have been, are or will be confined, concentrated and fed for 45 or more days in any 12 month period; pasture, crops or other vegetation are not normally managed or sustained for grazing during the normal growing season; and

animal waste or manure accumulates. This term does not include an animal wintering operation. Two or more feeding operations under common ownership shall be considered a single animal operation, if they use a common system for manure handling.

2.2.7 "Animal Feeding Operation Structure" means lagoon, formed manure storage, wash water storage structure, earthen manure storage basin, or any animal confinement building.

2.2.8 "Animal Hospital or Kennel" means a building or premises set up for treatment and boarding of domestic animals including veterinary facilities.

2.2.9 "Animal wintering operation" means the confinement of cattle or sheep used or kept for breeding purposes in a feedlot or sheltered area at any time between October 15 and May 15 of each production cycle under circumstances in which these animals do not obtain a majority of their feed and nutrients from grazing. The term includes the weaned offspring of cattle and sheep, but it does not include (1) breeding operations of more than 1,000 animal units or (2) weaned offspring which are kept longer than 150 days and that are not retained for breeding purposes.

2.2.10 "Applicant" means an individual, corporation, group of individuals, partnership, joint venture, owners, or any other business entity having charge or control of one or more animal feeding operations.

2.2.11 "Aquifer" means a geologic formation, group of formations, or part of a formation capable of storing and yielding ground water to wells and springs.

2.2.12 "Building" means any structure designed or intended for shelter, housing, business, office, and accommodation of persons, animals, chattels or property.

2.2.13 "Building Area" means that portion of the zoning lot that can be occupied by the principal use, excluding the front, rear and side yards.

2.2.14 "Building Height" means vertical distance from the grade to the highest point of the roof.

2.2.15 "Building Line" means a line establishing the minimum distance that structures may be placed from the lot lines or highway right-of-way. For the purposes of these regulations the building line is the same as setback line.

2.2.16 "Building, Principal" means a building, the principal use of which is single family and multi-family dwellings, and offices, shops, stores and other uses.

2.2.17 "Certificate of Site Compatibility" means a certificate of site compatibility within the meaning of North Dakota Century Code chapter 49-22 or successor statute.

2.2.18 "Channel" means a natural or man-made water course for conducting the flowing water.

2.2.19 "Closing" means taking of those actions to close and reclaim a feedlot. Closure actions may include, but are not limited to, cleaning of buildings,

disposal of manure, and demolition and/or removal of all manure storage structures.

2.2.20 "Club or Lodge" means a private club or lodge which is a non-profit association of persons for the purpose of gatherings and entertaining members including consumption of food and beverages.

2.2.21 "Commission" means the Township Zoning Commission.

2.2.22 "Comprehensive Plan" means a guide for management of the physical resources and development of the Township as adopted by the Board of Supervisors.

2.2.23 "Conditional Use" means use of a special nature not automatically permitted in a zoning district and which requires review and approval of the Zoning Commission after public hearing.

2.2.24 "Conforming Building or Structure" means a building or structure which complies with all requirements of these regulations and other regulations adopted by the Township.

2.2.25 "Development" means any man-made change to improved or unimproved real estate, including but not limited to the construction of buildings, structures or accessory structures, the construction of additions or alternations to buildings or structures, ditching, lagooning, dredging, filling, grading, paving, excavation and drilling operations.

2.2.26 "Development Plan" means a document including maps and data for physical development of an area as provided by these regulations.

2.2.27 "District" means a section or sections of the Township for which regulations governing the use of building and premises, the building heights, size of yards, lot area, lot width and the use are uniform.

2.2.28 "Due process" involves two essential elements; (1) notice and (2) an opportunity for a hearing. The notice must adequately describe the potential action that might affect the person(s) being notified and it must provide the person(s) a reasonable time to respond. If the person(s) request(s) a hearing, the hearing must be fair and allow the person(s) to present relevant evidence and arguments.

2.2.29 "Dwelling" means any building or portion thereof, used exclusively for human habitation including single family and multiple family units but not including hotels and motels.

2.2.30 "Dwelling, Multiple Family" means a single building or portion thereof, containing two (2) or more dwelling units.

2.2.31 "Dwelling, Single Family" means a building containing one dwelling trait only.

2.2.32 "Earthen Manure Storage Basin" means an earthen cavity, either covered or uncovered, which, on a regular basis, receives waste discharges from an

animal feeding operation and from which accumulated wastes from the basin are removed at least once a year.

2.2.33 "Emergency Management" means a comprehensive integrated system at all levels of government and in the private sector which provides for the development and maintenance of an effective capability to mitigate, prepare for, respond to, and recover from known and unforeseen hazards or situations, caused by an act of nature or man, which may threaten, injure, damage, or destroy lives, property, or our environment. Emergency Management will be administered by the Griggs County Office of Emergency Management.

2.2.34 "Encroachment" means any fill, building, structure or use including accessory used projecting into the required yard areas or public and private property.

2.2.35 "Established Residence" means any residence established by a personal presence, in a fixed and permanent dwelling with an intent to remain there.

2.2.36 "Establishment" means a place of business for processing, production, assembly, sales, service of goods and materials.

2.2.37 "Existing" means an animal-unit handling facility in place on the date this ordinance is effective.

2.2.38 "FAA" means the Federal Aviation Administration.

2.2.39 "Farm" means a tract of land of not less than five acres which is devoted to agricultural activities.

2.2.40 "Farming" – see Agriculture (Farming, Ranching).

2.2.41 "Feedlot" means a parcel of land which contains a commercial operation for feeding or raising of 200 (two hundred) or more animals which is operated as a separate activity and not incidental to farming.

2.2.42 "Flood Plain" means lowland and relatively flat areas adjoining inland and coastal waters that are inundated by a one-hundred (100) year flood.

2.2.43 "Frontage" means the front part of a lot abutting a public right-of-way, or road or highway.

2.2.44 "Grade" means the land elevation at the horizontal intersection of the ground and the building.

2.2.45 "Ground Water" means water below the land surface in a geological unit in which soil pores are filled with water and the pressure of that water is equal to or greater than atmospheric pressure.

2.2.46 "Home Occupation" means any occupation carried on in a dwelling unit by a member or members of the family and which meets these requirements:

That the occupation is conducted within the principal building and not in an accessory building.

That no stock-in-trade is kept or commodities sold other than those produced on the premises.

That no more than twenty-five percent (25%) of the floor area of the dwelling is devoted to such home occupation.

2.2.47 "Hotel or Motel" means a building in which lodging accommodations, with or without meals are provided for compensation.

2.2.48 "Hub Height" means, when referring to a Wind Turbine, the distance measured from the ground level to the center of the turbine hub.

2.2.49 "Junk or Salvage Yard" means an open area where waste or scrap material, including parts of used motor vehicles, appliances and farm implements are bought, sold, exchanged, stored, baled, parked, disassembled or handled.

2.2.50 "Kennel, Animal" means any premises where dogs, cats and other household pets are boarded, bred and maintained for compensation.

2.2.51 "Lagoon" means an impoundment made by excavation or earth fill for biological treatment of animal or other agricultural wastes. Lagoons can be aerobic, anaerobic or facultative, depending on their loading and design.

2.2.52 "Livestock" means any animal raised for food, raw materials or pleasure, including, but not limited to, beef and dairy cattle, bison, sheep, swine, poultry and horses. Livestock also includes fur animals raised for pelts.

2.2.53 "Location" means the setback distance between a structure, fence, or other boundary enclosing a concentrated feeding operation, including its animal waste collection system, and the nearest occupied residence, the nearest buildings used for nonfarm or nonranch purposes, or the nearest land zoned for residential, recreational, or commercial purposes. The term does not include the setback distance for the application of manure or for the application of other recycled agricultural material under a nutrient management plan approved by the North Dakota State Department of Health.

2.2.54 "Lot" means a piece, parcel, lot or area of land of continuous assemblage established by survey, plat or deed.

2.2.55 "Lot Lines" means the property lines bounding the lot.

2.2.56 "Lot Width" means the horizontal distance between the side lot lines of a lot measured at the front building setback line.

2.2.57 "Lot, Zoning" means a single lot, parcel, tract of land within a zoning district developed or to be developed.

2.2.58 "Man Camps" means any facility where housing is provided for ten (10) or more employees in agricultural, commercial, industrial, transportation, and oil or gas or mineral extraction projects.

2.2.59 "Manure" means fecal material and urine from livestock, as well as animal-housing wash water, bedding material, rainwater or snow melt that comes in contact with fecal material or urine.

2.2.60 "MET Tower" means temporary and permanent meteorological towers used for the measurement of wind speed.

2.2.61 "Mobile Home" means a manufactured trailer intended for family residential occupancy.

2.2.62 "Mobile Home Park" means a parcel of land for which a detailed plan indicating the location of lots, blocks, streets, facilities and utilities exists.

2.2.63 "Nonconforming Building" means any building which does not comply with any or all of these regulations.

2.2.64 "Nonconforming Use" means any principal use of land or building which does not comply with any or all of these regulations.

2.2.65 "Nursing Home or Convalescent Home" means a home for the aged or infirm which unrelated persons are accommodated for compensation.

2.2.66 "Occupied Structures and Facilities" means any occupied dwelling, commercial building or publicly-used structure or facility.

2.2.67 "Operator" means an individual or group of individuals, a partnership, a corporation, a joint venture, or any other entity owning or controlling one of more animal feeding operations or animal wintering operations.

2.2.68 "Permittee" means an individual, group of individuals, corporation, partnership, joint venture, owners, or any other business entity, or combination thereof, that leases or owns the wind rights, Wind Turbines and associated improvements, and all subsequent assignees and/or transferees of these rights, and that submits a Wind Energy Facility Siting Permit application, develops the Wind Energy Facility, and subsequently operates such Facility.

2.2.69 "Permitted Uses" means those uses, buildings or structures which comply with the provisions of specific zoning districts because of the similarities in nature and relationship to each other. Permitted uses are distinct from conditional uses that are authorized only if certain requirements of these provisions are met after a public hearing and approval by the Zoning Commission.

2.2.70 "Person" means any individual, firm, corporation, partnership or legal entity.

2.2.71 "Planned Development" means a grouping of buildings and structures on a site of five (5) or more acres in single ownership which is not limited by the yard or building height limitations but is based on a detailed development plan and recorded in the Office of the Township Code Administrator upon approval by the Township Board of Supervisors.

2.2.72 "Pollution, Air" means the presence in the outdoor atmosphere of one or more air contaminants in such quantities and duration as is or may be injurious to human health, welfare, or property, animal, or plant life or which unreasonably interferes with the enjoyment of life or property.

2.2.73 "Pollution, Water" means manmade or man-induced alteration of the physical, chemical, biological integrity of any Waters of the State.

2.2.74 "Public Roadway or Public Way" means any dedicated and recorded right-of-way including alleys, sidewalks, streets, roads or highways.

2.2.75 "PSC" means Public Service Commission.

2.2.76 "Regional Flood" means a flood determined by the State and Federal Emergency Management Agency which is representative of large floods known to have occurred in the County.

2.2.77 "Rotor Diameter" means the diameter of the circle formed by the swept area of the Wind Turbine's blades.

2.2.78 "Service Station" means any building or premises where automotive fuels, automotive related services, lubricants, parts, and supplies are made available to the motorist.

2.2.79 "Shall" means that the requirement is mandatory, rather than optional.

2.2.80 "Sign" means any emblem, name, identification, description or illustration which is used for outdoor advertising having permanent location on the ground or attached to or painted on a building including bulletin boards, billboards and poster boards, but excluding real estate for sale signs, political campaign, public information and traffic signs.

2.2.81 "Site Plan" means a detailed plan for making improvements to a parcel(s) of land for the purpose of building and development as provided in these regulations.

2.2.82 "Source-Water Protection Area" means a boundary which defines the surface and subsurface area surrounding a water well or a well field, which supplies a public water system and through which – contaminants are likely to move toward and reach such water well or field.

2.2.83 "Stream" means any running body of surface water that ordinarily flows within a channel. This includes both perennial and intermittent streams.

2.2.84 "Structural Alterations" means any change in the supporting elements of a building or structure including bearing elements, partitions, columns, beams, girders, roofs, exterior walls and embankment.

2.2.85 "Structure" means anything constructed or erected, the use of which requires permanent location on the ground including advertising signs and billboards.

2.2.86 "Substantial Improvement" means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent (50%) of the market value of the structure either:

Before the improvement or repair is started, or

If the structure has been damaged and is being restored, before the damages occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling or floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

2.2.87 "Surface water" means water of the state located on the ground surface such as lakes, reservoirs, rivers and creeks.

2.2.88 "Total Height" means, when referring to a Wind Turbine, the distance measured from the ground level to the blade extended at its highest point.

2.2.89 "Township" means Pilot Mound Township.

2.2.90 "Utilities" means installations for conducting water, sewage, gas, electricity, television, storm water and similar facilities providing service to and used by the public.

2.2.91 "Variance" means the relaxation of the terms of the zoning regulations in relationship to building height, size of the front, rear and side yards, where the literal enforcement of these regulations could create unreasonable hardship but it is not contrary to the purposes of the Township Comprehensive Plan and these regulations.

2.2.92 "Waters of the State" means all waters within the jurisdiction of this State, including all streams, lakes, ponds, impounding reservoirs, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, situated wholly or partly within or bordering upon the State, except those private waters that do not combine or effect a junction with natural surface or underground waters just defined.

2.2.93 "Wind Energy Facility" means a facility directly generating electricity or indirectly generating electricity or energy through production of hydrogen, compressed air or other energy carrier from conversion of wind to energy and consisting of one or more Wind Turbines under common ownership or operating control, and includes substations, temporary and permanent MET Towers, cables/wires and other buildings accessory to such facility, whose main purpose is to supply electricity directly, or through wind energy conversion to another form of energy, to off-site customer(s).

2.2.94 "Wind Energy Facility Perimeter" means the boundary of the Wind Energy Facility as defined by the external property lines of landowners who have a contractual relationship with the Permittee and who will receive Wind Turbine compensation type payments or other forms of revenue derived from Wind Turbines sited within such Wind Energy Facility.

2.2.95 "Wind Energy Facility Siting Permit" means a construction and operating permit granted in accordance with the provisions of this Ordinance.

2.2.96 "Wind Turbine" means a wind energy conversion system which converts wind energy into electricity, hydrogen, compressed air, or some other energy carrier and includes the turbine, blade, tower, base and pad transformer, if any, provided that such a system shall only be a Wind Turbine for the purposes of 6.12, if it has a nameplate capacity of 100 kilowatts or greater. Wind Turbines of less than 100 kilowatts nameplate capacity will be regulated pursuant to 6.12.

2.2.97 "Yard" means an open space on the zoning lot which is unoccupied or unobstructed by any portion of a structure from the ground upward.

2.2.98 "Zoning Commission" shall mean a body consisting of the Township Supervisors.

3 ARTICLE 3 – GENERAL PROVISIONS

3.1 Compliance

No building or land shall hereafter be used or occupied and no building shall be erected, moved or altered unless in conformity with these regulations.

3.1.1 Building Height, Lot Area and Yards.

3.1.2 No building shall exceed the height, occupy larger part of lot area, and no lot shall be created smaller than the requirements of these regulations.

3.1.3 Substandard Lots.

3.1.4 All existing lots at the date of adoption of these regulations shall be deemed buildable unless for the reasons of land suitability, flooding and other physical limitations contrary to the purpose of these regulations.

3.2 Amendments

The Township Board of Supervisors may, from time-to-time, amend, supplement or repeal any part of these regulations after a public notice and hearing.

3.3 Comprehensive Plan

These regulations are administered and enforced to implement the Comprehensive Plan of the Township, a document adopted by the Board of Supervisors as a policy guide for protection of the townships natural resources and accommodating the type of development deemed appropriate including, but not limited to, the following objectives:

3.3.1 To conserve and enhance the taxable value of land and buildings in the Township.

3.3.2 To encourage the most appropriate use of land in the Township.

3.3.3 To protect the character and maintain the stability of farming activities and production.

3.3.4 To regulate and restrict the location and intensity of use of buildings and land not related to farming.

3.3.5 To separate and control unavoidable nuisance producing uses to minimize the adverse impacts on the surrounding areas or uses.

3.3.6 To facilitate traffic movement and promote development of compatible uses.

3.4 Non-conforming Uses

The lawful use of a building or premises existing at the date of adoption of these regulations may be continued. Where a non-conforming use is discontinued for a period of more than twelve consecutive calendar months any subsequent use or occupancy of such premises shall conform to these regulations. Whenever a building is destroyed or damaged by fire or other casualty to the extent of more than sixty percent (60%) of its market value, it shall not be restored unless said building shall conform to the provisions of the district in which it is located. Non-conforming uses shall not be expanded to occupy a larger area of land than existed at the date of adoption of these regulations unless approved by the Zoning Commission after a public hearing.

3.5 Land Suitability

No land shall be used for a purpose which is held unsuitable for the reason of flooding, soil limitations, inadequate drainage, incompatibility with adjoining uses or any condition likely to be harmful to the health, safety or the welfare of the people in the area. The Township Zoning Commission may require information and data to determine the land suitability. The Township may consult with Township and State agencies to assist in its determination.

3.6 Conditionally Permitted Uses

Where a use is classified as a conditional use under these regulations and exists at the date of adoption of these regulations, it shall be considered a permitted use. Where a use is not allowed as a conditional use or permitted use, under these regulations, and exists at the date of adoption of these regulations, it shall be considered non-conforming and shall be subject to the non-conforming buildings and use provisions.

3.7 Road and Highway Access

A permit for access to the Township roads is required by the Board of Supervisors. In granting the access permit to the Township roads, the Board of Supervisors may adopt rules and regulations as to the number of access points per mile, the width, construction and other features of the access to the adjoining properties. The Board of Supervisors may place conditions when granting a road access permit. Farm driveways and field access points are exempt from these provisions.

3.8 Road and Highway Setbacks

All buildings and structures shall be placed at least 200 (two hundred) feet from County and State highway rights-of-way and at least 200 (two hundred) feet from the Township road rights-of-way for the purpose of preventing hazardous accumulations of snow and to allow for future widening of public right-of-ways. Tree plantings and shelterbelts shall be planted at least 200 (two hundred) feet from center of N and W roads and at least 200 (two hundred) feet from center of S and E roads.

4 ARTICLE 4 – ZONING DISTRICT BOUNDARIES AND MAP

4.1 Zoning District

In order to carry out the purposes and provisions of these regulations, the following zoning district is hereby established.

4.1.1 A-1 Agricultural District

4.2 Zoning District Map

4.2.1 Zoning District – The location and boundaries of the zoning district is hereby established as shown on the "Zoning District Map" on file in the Office of the Township Code Administrator. The Zoning District Map, together with all information shown thereon and all amendments thereto, shall be an integral part of these regulations.

4.2.2 Public Roads and Highways as Boundary – Where zoning district boundary lines are indicated as following roads and highways or extensions thereof, such boundary lines shall be construed to be the center line of said roads and highways or extensions thereof unless clearly shown to the contrary.

4.2.3 Property Line as Boundary – Where a zoning district boundary line coincides approximately but not exactly with the property line, the zoning boundary shall be construed to be the lot line at that location. All section lines, quarter section lines and quarter-quarter section lines may be construed as the property lines.

4.2.4 District Description for Unsubdivided Lands – For unsubdivided property, zoning district boundaries are determined by metes and bounds description or by a legal description as deemed necessary.

4.2.5 Vacated Areas – Where a public road or highway is vacated by the official action of the Board of Township Supervisors, the zoning district boundaries shall be extended to the center of the vacated public road or highway.

4.2.6 Zoning District Boundary Interpretation – Where any uncertainty exists as to the exact location of the zoning district boundary lines, the Board of Supervisors shall determine the location of such boundary lines.

4.2.7 Certification – The official zoning map shall bear a certificate with the signature of the Township Chairman and certification of the Township Clerk and date of adoption of the zoning map as an integral part of these regulations.

5 ARTICLE 5 – ZONING DISTRICT REGULATIONS

5.1 A-1 Agricultural District

5.1.1 Purpose

The purpose of this district is to provide for preservation and protection of agricultural lands and to discourage uses incompatible with agricultural operations or detrimental to agricultural lands utilization.

5.1.2 Permitted Uses

5.1.2.1 All types of farming and ranching operations including dairying, livestock and poultry raising, apiaries and fur farming.

5.1.2.2 Accessory Buildings and Structures.

5.1.2.3 Cemeteries.

5.1.2.4 Churches.

5.1.2.5 Grain Elevators and Accessory Structures.

5.1.2.6 Home Occupations.

5.1.2.7 Parks and Playgrounds.

5.1.2.8 Public and Private Schools.

5.1.2.9 Golf Courses.

5.1.2.10 Public buildings and facilities including County garages.

5.1.2.11 Single family non-farm residential units on 5 (five) acres or more.

5.1.2.12 Stock piling of sand and gravel for road construction and maintenance.

5.1.2.13 Utility lines and pipe lines including substations for transformers, pumping stations and lift stations.

5.1.2.14 Wind Energy Facility with one (1) or more Wind Turbines of 100 Kilowatts nameplate capacity or greater subject to the provisions of Section 6.10.

5.1.3 Conditionally Permitted Uses

5.1.3.1 Antique and craft shops.

5.1.3.2 Art studios.

5.1.3.3 Commercial establishments.

5.1.3.4 Commercially operated air landing strip and accessory buildings.

5.1.3.5 Feedlots.

5.1.3.6 Voltage transmission lines and accessory structures.

5.1.3.7 Manufacturing and processing of agricultural products produced in the area.

5.1.3.8 Radio, TV stations and towers.

5.1.3.9 Sale and services of agricultural equipment and machinery.

5.1.3.10 Salvage and junk yards subject to provisions of Section 6.6.

5.1.3.11 Sanitary landfills subject to the provisions of Section 6.5.

5.1.3.12 Sewage lagoons and wastewater treatment facilities.

5.1.3.13 Storage of farm related chemicals.

5.1.3.14 Veterinary clinics, animal hospitals and domestic animal kennels not nearer than 500 (five hundred) feet from any residence except the residence of the owner or operator.

5.1.3.15 Mining of sand and gravel subject to provisions of Section 6.4.

5.1.3.16 Mobile homes.

5.1.3.17 Public and non-profit wildlife management areas.

5.1.3.18 Skeet, trap and rifle ranges if not nearer than 1,000 (one thousand) feet from any residence.

5.1.3.19 Man Camps.

5.1.4 Lot Area and Lot Width

5.1.4.1 For non-farm residential uses the lot area shall not be less than 5 (five) acres.

5.1.4.2 For non-residential uses the lot area shall not be less than 5 (five) acres.

5.1.4.3 The lot width for any use in agricultural district shall not be less than 250 (two hundred fifty) feet.

5.1.5 Yard Requirements

5.1.5.1 The minimum front yard, measured from the front lot line shall not be less than 75 (seventy-five) feet for properties abutting township roads and 100 (one hundred) feet for properties fronting on other rights-of-ways.

5.1.5.2 The minimum rear yard, measured from the rear lot line shall not be less than 50 (fifty) feet.

5.1.5.3 The minimum side yard, measured from the lot line, shall not be less than 50 (fifty) feet.

5.1.6 Building Height

5.1.6.1 The building height for residential buildings shall not exceed 2½ (two and one half) stories or 35 (thirty-five) feet except for farm buildings and structures.

5.1.6.2 The building heights for manufacturing of agricultural products and for construction and maintenance of livestock/ag waste systems shall be determined by the Township Board of Supervisors.

5.1.6.3 The building height, excepting the radio and TV towers, MET towers, Wind Turbines, and church steeples for all other uses shall not exceed 35 (thirty-five) feet.

5.1.7 Parking Requirements

For non-farm uses the parking requirements shall be subject to the provisions of Section 6.2 of these regulations.

5.1.8 Sign Requirements

Sign requirements shall be subject to the provisions of Section 6.3 of these regulations.

6 ARTICLE 6 – SPECIAL PROVISIONS

6.1 Additional Use Provisions, Restrictions, and Requirements

No use, whether permitted or conditional, shall be permitted if the use is deemed, by the Township Supervisors, to be dangerous, obnoxious or offensive to persons residing in the vicinity thereof, or impair the use, enjoyment or value of any property.

6.2 Off-Street Parking

6.2.1 Purpose – The purpose of this section is to provide for the off-street parking regulations to:

6.2.1.1 Increase the safety and capacity of public roads by requiring off-street parking or loading facilities.

6.2.1.2 Minimize adverse effects of off-street parking and off-street loading facilities on the adjacent properties.

6.2.1.3 Lessen congestion and preventing the overtaxing of public roads by regulating the location and capacity of off-street parking or off-street loading facilities.

6.2.2 General Requirements

6.2.2.1 An off-street automobile parking space shall be at least 9 (nine) feet wide and 20 (twenty) feet long, exclusive of access drives or ramps.

6.2.2.2 All open off-street parking areas with 4 (four) or more spaces and all loading berths shall be graded to dispose of all surface water runoff but not be diverted to adjoining properties.

6.2.3 Special Requirements

6.2.3.1 No building shall be erected or enlarged without meeting the following parking requirements:

Business: professional or public office building, studio, bank, medical or dental clinics, three (3) parking spaces plus one additional space for each 400 (four hundred) square feet of floor area over 1,000 (one thousand) square feet.

Hotels and motels: one parking space for each room plus one space for each 200 (two hundred) square feet of eating and drinking establishments or restaurants.

Private club or lodge: one parking space for each 200 (two hundred) square feet of service area.

Restaurant, eating and drinking establishment: one parking space for each 100 (one hundred) square feet of floor area.

6.3 Signs

6.3.1 Purpose – The purposes of regulating signs in the Township is to provide for a visually pleasant environment and minimize potentially unsafe conditions for all age groups, but yet offer opportunities for public and private information and advertising.

6.3.2 General Requirements

6.3.2.1 No sign shall be located, erected, moved, reconstructed, extended, enlarged or structurally altered without obtaining a permit from the Township Code Administrator.

6.3.2.2 Signs shall not be permitted within 300 (three hundred) feet on any road crossing which is measured from the point of intersection of the road center lines. For state and federal highways, the State and Federal sign requirements shall apply.

6.3.2.3 Directory signs shall not be larger than 20 (twenty) square feet in area for permitted uses.

6.3.2.4 Directory signs for conditional uses shall not be larger than 40 (forty) square feet.

6.3.2.5 Advertising signs shall not be larger than 96 (ninety-six) square feet.

6.4 Mining of Sand, Gravel and Excavation

6.4.1 Purpose

The purpose of these provisions is to provide for mining and extraction of sand and gravel for commercial uses, and to protect and preserve agricultural land by guiding such operations, and to minimize the traffic, noise, dust, fume and vibration impact on the adjoining uses and the road network.

6.4.2 Site Approval Requirements

All sand and gravel mining, excavation site require approval by Township Supervisors excepting those related to farming and township road maintenance.

6.4.3 Data Submission Requirements

6.4.3.1 A site plan for operation and reclamation of the mined land including maps showing location of the land to be mined, location of roads and points of access to the site, maps showing the existing and proposed contours after the land is mined and a timetable for operation of the site.

6.4.3.2 A guarantee that the reclamation of the site be completed within one year of the closure of the operation of the site.

6.4.3.3 Proof of compatibility with the existing land form including the vegetation, surface and ground water resources.

6.4.4 Proximity to Existing Uses

The operation of sand and gravel sites shall not be nearer than 500 (five hundred) feet from any residential uses or 300 (three hundred) feet from non-residential uses.

6.4.5 Permit Requirements

Any person who operates a sand and gravel operation shall obtain a permit from Township Administrator before resuming any mining or excavation of the sand and gravel sites.

6.5 Sanitary Landfills and Solid Waste Sites

6.5.1 Compliance with North Dakota State Laws and Rules

Any person who operates sanitary landfills or solid waste sites shall comply with all North Dakota state laws and administrative rules set forth by the State agencies.

6.5.2 Compliance with Township Ordinances and Procedures

Where a Township solid waste ordinance exists, any person who operates a sanitary landfill or solid waste site shall comply with the Township Ordinance, rules and procedures.

6.5.3 Township Ordinance and Procedures

The Township hereby adopts solid waste provisions, subject to the provisions of N.D.C.C. § 11-33-20, to assure meeting the purposes of these regulations and the Township comprehensive plan.

6.5.4 Purpose

The purpose of these provisions is to protect public health, ground and surface water, conflict with present land uses and preservation and protection of natural resources in the Township.

6.5.5 Site Approval Requirements

All solid waste sites require approval by Township Zoning Commission.

6.5.6 Locational Standards

6.5.6.1 No landfill, incinerator shall be located within one-half mile of residential uses, 1,000 (one thousand) feet of commercial buildings and structures.

6.5.6.2 No landfill shall be located in areas which due to high water table, flooding, or soil conditions may affect the quality of surface and ground water.

6.5.6.3 No landfill operation shall be located nearer than 300 (three hundred) feet of all road and highway rights-of-way.

6.5.7 Data Submission Requirements

6.5.7.1 Maps of the area showing existing features such as roads, highways, vegetation cover, water courses, drainage way, soils, topography, depth of water table, wet lands, sloughs, existing uses, buildings and structures including the existing utility lines.

6.5.7.2 A plan for operation of the site including a descriptive text explaining consistency or inconsistency with the natural or manmade environment.

6.5.7.3 Records of data and information submitted to the State of North Dakota appropriate agencies and the Township as a part of the application for State and Township permits.

6.5.7.4 The Township Zoning Commission may require additional information if it deems it necessary.

6.5.8 Statement of Findings

Upon the public notification and a public hearing the Township Zoning Commission shall determine whether the proposed site meets the requirements of these regulations. The Township Zoning Commission may place conditions for approval of the site.

6.6 Junk or Salvage Yards

6.6.1 Purpose

The purpose of these requirements is to preserve and protect the visual and other environmental amenities of the rural areas while allowing the salvage or junk yards as business places.

6.6.2 Site Approval Requirements

All sites for salvage and junk yards require approval by the Township Zoning Commission.

6.6.3 Locational Standards

6.6.3.1 No salvage or junk yard shall be located within ½ (one-half) mile of a residential district and 200 (two hundred) feet of commercial buildings and structures.

6.6.3.2 No salvage or junk yard shall be located in areas which due to high water table, flooding and soil conditions may affect the quality of surface and ground water.

6.6.3.3 No salvage or junk yard shall be located nearer than 200 (two hundred) feet of all road and highway rights-of-way.

6.6.3.4 All salvage yards and operations shall be screened from the public view unless the salvage material is placed 500 (five hundred) feet away from any highway right-of-way and screened by natural vegetation, building and land form.

6.7 Utilities

6.7.1 Purpose

The purpose of these provisions is to encourage orderly development of utilities in relationship to the agricultural and non-agricultural uses and to provide for the safety of the Township residents.

6.7.2 General Requirements

6.7.2.1 The utilities include, but not limited to, electric power, electrical transmission lines, electrical towers and substations, natural gas pipelines, the petroleum product pipelines, water and sewer lines,

telephone lines and other above ground or underground communication and energy transfer lines and pipelines.

6.7.2.2 All new utility lines and pipelines require a permit from the Township Zoning Commission.

6.7.2.3 All new utility lines and pipelines are considered conditional uses and shall conform to the provisions of Section 8.2, Conditional Use Permits, of these regulations.

6.7.2.4 All pipelines, natural gas, petroleum pipelines and other energy transfer lines shall be placed deep enough in the ground so as to not interfere with or become hazardous to normal farming operations.

6.7.2.5 Excavation for tunneling of any pipelines under roads, farm drains, group drains and local drains shall be done by the company owning or leasing said pipelines and the cost of said excavation and damages to be borne by the said company.

6.8 Public and Non-Profit Wildlife Management Areas

6.8.1 Purpose

These provisions are designed to address the need for Public Wildlife Management Areas and at the same time preserve and protect the interest of the Township for its tax lease and investment in construction and maintenance of public roads.

6.8.2 General Requirements

6.8.2.1 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.

6.8.2.2 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:

A road maintenance agreement specifying duties and responsibilities of the owner/lessee for access and through roads.

Duties and responsibilities of the owner/lessee for the control of noxious weeds in the wildlife management area.

6.8.2.3 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.

6.8.2.4 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.

6.9 Animal Feeding Operations

6.9.1 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.

6.9.2 General Provisions

6.9.2.1 Equivalent Animal Numbers

An animal unit equivalent is a unitless number developed from the nutrient and volume characteristics of manure for a specific livestock type. The term Animal Unit is used to normalize the number of animals (e.g. head) for each specific livestock type which produce comparable bulk quantities of manure. The animal unit equivalents for types of livestock and the numbers of livestock for facility size thresholds of 300 (three hundred) animal units (a.u.), and so forth, are listed in the following table:

		Equivalent Numbers of the Livestock (hd) for Four Sizes (a.u.) of Animal Feeding Operations			
Livestock Type	Animal Unit Equivalent	300 a.u.	1,000 a.u.	2,000 a.u.	5,000 a.u.
1 horse	2.0	150 hd	500 hd	1,000 hd	2,500 hd
1 dairy cow	1.33	225	750	1,500	3,750
1 mature beef	1.0	300	1,000	2,000	5,000
1 beef feeder - finishing	1.0	300	1,000	2,000	5,000
1 beef feeder - backgrounding	0.75	400	1,333	2,667	6,667
1 mature bison	1.0	300	1,000	2,000	5,000
1 bison feeder	1.0	300	1,000	2,000	5,000
1 swine > 55 lbs	0.4	750	2,500	5,000	12,500
1 goose or duck	0.2	1,500	5,000	10,000	25,000
1 sheep	0.1	3,000	10,000	20,000	50,000
1 swine, nursery	0.1	3,000	10,000	20,000	50,000
1 turkey	0.0182	16,500	55,000	110,000	275,000
1 chicken	0.01	30,000	100,000	200,000	500,000

6.9.3 Environmental Protection

The operator of a new facility for animal feeding is expected to locate, construct, operate and maintain the facility so as to minimize, reduce or abate effects of pollution on environmental resources and on public safety and health. The operator of an existing facility is expected to operate and maintain the facility so as to minimize, reduce or abate effects of pollution on environmental resources and on public safety and health. Each operator shall comply with applicable state laws and rules, including the laws and rules administered by the North Dakota Department of Health and with any permits granted by that department.

6.9.4 Enforcement

In the event of a violation of this ordinance or a judgment on a civil action by the North Dakota Department of Health, the local unit of government, after due process, can order cessation of a facility for animal feeding within a reasonable period of time and until such time as the operator corrects or abates the cause(s) of the violation. If the cause(s) of the violation are not remedied within a reasonable period of time as set by the local unit of government, the permit may be revoked.

6.9.5 Severability

If any paragraph, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this ordinance.

6.9.6 Setback Requirements

6.9.6.1 Water Resource Setbacks

The operator of a new animal feeding operation that has more than 1,000 (one thousand) animal units shall not locate or establish that operation:

Within a delineated source water protection area for a public water system. The source water protection areas for water supply wells include the entire wellhead protection area. For the surface water intakes of public water systems, source water protection areas include all or portions of the surface water that supplies the water for the public water system, including all or portions of the surface water's shoreline.

Within 1,200 (one thousand two hundred) feet or 365.6 (three hundred sixty-five and six tenths) meters of a private ground water well which is not owned by the operator or within 1,500 (one thousand five hundred) feet or 457.1 (four hundred fifty-seven and one tenths) meters of a public ground water well which does not have a delineated source water protection area.

6.9.7 Odor Setbacks

The operator of a new facility for an animal feeding operation shall not locate that operation within the extra territorial zoning jurisdiction of an incorporated city.

An owner of property shall locate and establish a residence, business, church, school, public park or zone for residential use so as to provide a separation distance from any existing animal feeding operation. The separation distances, or setbacks, are listed in the following table. An owner of property who is an operator may locate the owner's residence or business within the setbacks.

Setback Distances for Animal Feeding Operations		
Number of Animal Units	Hog Operations	Other Animal Operations
fewer than 300	none	none
300 - 1000	0.50 mi (0.805 km)	0.50 mi (0.805 km)
1001 or more	0.75 mi (1.207 km)	0.50 mi (0.805 km)
2001 or more	1.00 mi (1.609 km)	0.75 mi (1.207 km)
5001 or more	1.50 mi (2.414 km)	1.00 mi (1.609 km)

The operator of a new animal feeding operation shall locate the site of that operation from existing residences, businesses, churches, schools, public parks and areas of property that are zoned residential so as to exceed the corresponding listed setback from these places.

If notified in writing by an operator of a planned future expansion of an animal feeding operation, the local unit of government may implement the corresponding odor setback for a temporary time period not to exceed two years, after which time the setback will remain in effect only if the expansion was completed.

The Township may increase or decrease a setback distance for a new animal feeding operation after consideration of the proposed operation's plans, if it determines that a greater or lesser setback distance is necessary or acceptable, respectively, based upon site conditions or demonstrable safety, health, environmental or public welfare concerns.

6.9.8 Conditional Uses

6.9.8.1 Permit Procedures

6.9.8.1.1 Applicability

The operator of a new livestock facility or an existing livestock facility, which meets the definition of an animal feeding operation and which is a conditional (or special) use of land as listed below, shall apply for and obtain a conditional (or special) use permit.

6.9.8.1.2 A new animal feeding operation that would be capable of handling, or that expands to handle, more than 1,000 (one thousand) animal units is a conditional (or special) use of land.

6.9.8.1.3 An existing animal feeding operation that expands to handle more than 1,000 (one thousand) animal units is a conditional (or special) use of land.

Whenever the capacity of an animal feeding operation is expanded to handle more than 2,000 (two thousand) or 5,000 (five thousand) animal units, the operator shall apply for a new conditional (or special) use permit.

6.9.8.2 Procedure

The local unit of government may practice any or all of the provisions in the following subparagraphs in harmony with the permitting process of its general zoning regulations.

6.9.8.2.1 Application for a conditional use (or special use) permit shall be submitted to the local unit of government for tentative approval. The local unit of government shall notify the Department of Health that it has received such application.

6.9.8.2.2 The local unit of government shall notify by certified mail all property owners having property within the corresponding odor setback distance of a proposed new animal feeding operation. This notification must occur within 21 days of receiving the application. The approval process utilized by the local unit of government may include at least 1 (one) advertised public hearing.

6.9.8.2.3 Following tentative approval or denial of the application by the local unit of government, the applicant shall be notified by letter of the decision, including conditions imposed, if any.

6.9.8.2.4 The applicant shall then forward its application for a conditional (or special) use permit, together with the tentative approval by the local government, to the North Dakota Department of Health.

6.9.8.2.5 Following a review by the Department of Health of the operator's application for a State permit, the Department of Health will notify the local unit of government of its decision.

6.9.8.2.6 The conditional (or special) use permit will become final following the granting of a permit by the North Dakota Department of Health.

6.9.8.2.7 A conditional (or special) use permit granted to the operator of a new animal feeding operation shall be put into use within 24 (twenty-four) months, or the permit shall lapse and the operator may re-apply.

6.9.8.3 Application Requirements

The application for a conditional use (or special use) permit to operate a facility for an animal feeding operation shall include a scaled site plan. If the facility will handle more than 1,000 (one thousand) animal units, the scaled site plan shall be prepared by a registered land surveyor, a civil engineer or other person having comparable experience or qualifications. The local unit of government may require any or all of the following elements, or require additional elements, in its site plan review process when needed to determine the nature and scope of the animal feeding operation.

6.9.8.3.1 Proposed number of animal units.

6.9.8.3.2 Total acreage of the site of the facility.

6.9.8.3.3 Existing and proposed roads and access ways within and adjacent to the site of the facility.

6.9.8.3.4 Surrounding land uses and ownership, if the operation will have the capacity to handle more than 1,000 (one thousand) animal units.

6.9.8.3.5 A copy of the permit application submitted by the applicant to the North Dakota Department of Health.

6.9.9 Ownership Change

An operator of a facility that includes an animal feeding operation having a permit granted by this ordinance shall notify the local unit of government of the sale, or the transfer of the ownership of that operation.

6.9.10 Operating Change

An operator of a facility that includes an animal feeding operation having a permit granted by this ordinance shall notify the local unit of government of intent to include an alternate livestock type. The notice shall be given at least 120 (one hundred twenty) days prior to the anticipated date of the change.

6.9.11 Closure and Abandonment

The landowner, owner and operator of any concentrated animal feeding operation shall be responsible for the ongoing management of manure and the final closure of the feedlot including the cleaning of buildings and proper

disposal of manure from all manure storage structures and demolition and/or removal of all manure storage structures.

Owners and operators of any concentrated animal feeding operation shall have joint and several liability for clean-up, closure or remedy of abandoned sites.

6.10 Structures in Flood Prone Hazard Areas

Construction of any structure other than agricultural buildings in flood prone areas and flood hazard areas identified by the Federal Insurance Administration, the State Water Commission or other government body shall be in accordance with the regulations set forth in this section.

6.10.1 Description

The flood hazard areas in Pilot Mound Township are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief and impairment of the tax base.

6.10.2 Methods of Reducing Flood Losses

In order to limit flood damages in Pilot Mound Township, this ordinance has provisions for restricting, prohibiting or guiding development activities that are subject to flood damage.

6.10.3 Permit Review

All building permit applications shall be reviewed by the Township Supervisors to determine if the proposed development adversely affects the flood carrying capacity of a flood prone area to assure that all the development sites are reasonably safe from flooding. All applications shall also be reviewed to determine if all necessary permits have been obtained from those Federal, State or Local agencies from which prior approval is required. For the purposes of this ordinance, "adversely affects" means damage to adjacent properties because of rises in flood stages attributed to physical changes of the channel and the adjacent over-bank areas.

(a) If it is determined that there is no adverse effect and the development is not a building, then the permit may be granted.

(b) If it is determined that there is an adverse effect, then technical justification (i.e., a registered professional engineer) for the proposed development shall be required.

(c) If the proposed development is a building, then the provisions of **6.10.4** shall apply.

6.10.4 General Standards

If a proposed building site is located in a flood prone area, all new construction and substantial improvements (including the placement of prefabricate buildings and mobile homes) shall conform to the following standards:

1. Anchoring

   (a) All new construction and substantial improvements shall be anchored to prevent flotation collapse or lateral movement of the structure.

2. Construction Materials and Methods

   (a) All new construction and substantial improvements shall be constructed using methods and materials that minimize flood damage.

3. Utilities

   (a) All new and replacement water supply systems and sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

   (b) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

4. Subdivision Proposal

   (a) All subdivision proposals shall be consistent with the need to minimize flood damage;

   (b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;

   (c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

6.11 Geophysical Exploration Requirements

Any persons intending to carry out geophysical (including seismic) exploration activities in Pilot Mound Township shall obtain a Geophysical Exploration permit at least two weeks prior to commencement of such activities. In addition, a copy of the surety bond filed with the ND Industrial Commission shall be affixed to the permit, it may also at its discretion suspend or revoke said permit, with or without prior notice to the permit holder or other parties. The fee for geophysical exploration shall be as follows:

Geophysical Exploration Permit..... $50.00
Drilling Fee: first 10 holes..... $25.00 per hole
After first 10 holes..... $10.00 per hole

Suspension or revocation of a Geophysical Exploration Permit shall be accompanied by cessation of all activities at all sites covered by said permit, excepting those activities specifically allowed to continue, which shall be specified in written form. Notice of suspension or revocation of any Geophysical Exploration Permit shall be delivered to the permit holder. Any damages, special meeting costs, or other costs associated with any Geophysical Exploration Permit or exploration activities which are incurred after issuance of said permit may be assessed against the permit holder.

Geophysical exploration activities are further required to be conducted in compliance with all State and Federal laws and regulations.

6.12 Wind Energy Facility

6.12.1 Purpose

The purpose of the ordinance is to provide a regulatory framework for the siting, construction and operation of Wind Energy Facilities in the Township, subject to reasonable restrictions, which will preserve the safety and wellbeing of the residents, while fostering equitable and orderly development of Wind Energy Facilities.

6.12.2 Regulatory Framework

6.12.2.1 Zoning

Wind Energy Facilities may be constructed within the Township subject to the restrictions and conditions of this Ordinance.

6.12.2.2 Principal or Accessory Use

A difference existing use or an existing structure on the same parcel shall not preclude the installation of a Wind Energy Facility or a part of such facility on such parcel. Wind Energy Facilities that are constructed and installed in accordance with the provisions of this Ordinance shall not be deemed to constitute expansion of a nonconforming use or structure.

6.12.2.3 Applicability

The requirements of this Ordinance shall apply to all Wind Energy Facilities with one or more Wind Turbines rated at 100 (one hundred) kilowatts nameplate capacity or larger constructed after the effective date of this Ordinance. No operation of an existing Wind Energy Facility shall be allowed without full compliance with this Ordinance and its Wind Energy Facility Siting Permit, and no modification or alteration of an existing Wind Energy Facility shall be allowed without issuance of a new Wind Energy Facility Siting Permit pursuant to 6.12.3.

6.12.3 Wind Energy Facility Siting Permit

6.12.3.1 Application for Permit

No work, except for wind monitoring, soil testing and other survey work, may commence to construct a Wind Energy Facility until a Township Wind Energy Facility Siting Permit ("Permit") has been issued by the Township Board of Supervisors. The prospective Permittee shall submit an application for said permit to the Township Zoning Commission. The application shall be signed by an authorized representative of the prospective Permittee, include a fee of $1,000 plus $250 for each proposed Wind Turbine and the following information:

1) The complete name, legal address and phone number of the prospective Permittee and responsible contact person.

2) A USGS topographical map of the Wind Energy Facility and 500 (five hundred) feet of all adjoining properties along the Wind Energy Facility Perimeter, which map shall show all existing features, including property boundaries, structures, improvements, roads, utility lines, public facilities and natural features. The map shall also show location of all proposed improvements for the Wind Energy Facility, including Wind Turbines, Met Towers, electrical lines and roads. Each proposed Wind Turbine shall be numbered and fully described in technical details, including Rotor Diameter, model, and manufacturer, and distances, measured in feet, from property lines and from existing improvements for each proposed Wind Turbine.

3) Details as to how the prospective Permittee will comply with each item in 6.12.4.

4) A schedule for the proposed start and completion of construction of the Wind Energy Facility.

5) Copies or signed summaries of all leases and easements for Wind Turbines and associated equipment and infrastructure to be sited within the Township and any written agreements between the prospective Permittee and affected parties holding associated wind rights on adjoining properties established for the purpose of seeking a setback Variance(s) pursuant to 6.12.4.2(3).

6.12.3.2 Public Hearings

Upon receipt of the application, the Township Zoning Commission and experts it may retain, shall review the application and, in its discretion, may hold a public hearing on the application within no more than 45 (forty-five) days from receipt of the application, providing at least 15 (fifteen) days' notice prior to the hearing in the official newspaper of Griggs County and mailing written notice to property owners within 500 (five hundred) feet of the proposed Wind Energy Facility.

6.12.3.3 Deliberation and Decision

If the Township Zoning Commission finds that the prospective Permittee will comply with all requirements, it may, within no more than 30 (thirty) days after the hearing, issue a Permit; however, one of the conditions listed in the permit may be full approval of the Permit by the PSC (Public Service Commission) after the PSC public hearings.

6.12.3.4 Demonstration of Compliance

The Permit issued pursuant to 6.12.3.3 shall be contingent upon the Permittee's final demonstration of compliance with the requirements of the Permit following completion of construction of the Wind Energy Facility. Within 90 (ninety) days of Wind Energy Facility construction, the Permittee shall submit to the Township Zoning Commission an updated and final USGS topographical map, or survey, if available, providing all information pursuant to 6.12.3.1(2) and demonstrating actual compliance with the requirements and conditions of the Permit.

6.12.4 General Requirements for Wind Energy Facilities

6.12.4.1 Appearance, Lighting, Facility Footprint, Agricultural Operations, Roads and Power Lines

1) Wind Turbines shall be painted a non-reflective, non-obtrusive color.

2) Wind Turbines shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the Wind Energy Facility.

3) Each Wind Turbine shall be marked with a visible identification number to assist with provision of emergency services, and the Permittee shall file with local fire departments, law enforcement and the county emergency

management coordinator, a Wind Energy Facility map identifying Wind Turbine locations and numbers.

4) Wind Turbines shall not be artificially lighted, except to the extent required by the FAA or other applicable authority.

5) At Wind Energy Facility sites, the design of the buildings and related structures shall, to the extent reasonably possible, use materials, colors, textures and location that will blend the Wind Energy Facility to the natural setting and existing environment.

6) At the Wind Energy Facility sites, the location and construction of access roads and other infrastructure shall, to the extent reasonably possible, minimize disruption to farmland, the landscape and agricultural operations within the Township.

7) The Permittee shall promptly replace or repair all fences or gates removed or damaged during all phases of the Wind Energy Facility's life, unless otherwise negotiated with the affected landowner. When the Permittee installs a gate where electric fences are present, the Permittee shall provide for continuity in the electric fence circuit.

8) The Permittee shall ensure that, following completion of construction of a Wind Energy Facility, Township roads will be repaired or restored to a condition at least equal to the condition prior to construction of such Facility.

9) The Permittee shall place electrical lines, known as collectors, and communication cables underground when located on private property. Collectors and cables shall also be placed within or adjacent to the land necessary for Wind Turbine access roads, unless otherwise negotiated with the affected landowner. [This paragraph does not apply to feeder lines.]

10) The Permittee shall place overhead feeder lines on public rights-of-way, if a public right-of-way exists, or the Permittee may place feeder lines on private property. A change of routes may be made as long as the feeders remain on public rights-of-way and approval has been obtained from the governmental unit responsible for the affected right-of-way. When placing feeders on private property, the Permittee shall place the feeder in accordance with the easement negotiated with the affected landowner.

6.12.4.2 Setbacks

The following setbacks and separation requirements shall apply to all Wind Turbines in a Wind Energy Facility.

1) Occupied Structures and Facilities: Each Wind Turbine shall be set back from the nearest occupied dwelling, commercial building or publicly-used structure or facility at a distance not less than 1.25 (one and twenty-five hundredths) times its Total Height or 750 (seven hundred fifty) feet, whichever is greater. A Variance may be granted if an authorized representative or agent of the Permittee and those affected parties on adjoining properties with associated wind rights sign a formal and legally-binding agreement expressing all parties' support for a Variance that waives or reduces the setback requirement.

2) Public Roads and Above Ground Communication and Electrical Lines: Each Wind Turbine shall be set back from the nearest public road or above ground communication and electrical lines at a distance not less than 200 (two hundred) feet, determined at the center of the existing right-of-way.

3) Wind Energy Facility Perimeter: Each Wind Turbine shall be set back from the Wind Energy Facility Perimeter at a distance not less than 5 (five) times the Rotor Diameter of the Wind Turbine. A Variance may be granted if an authorized representative or agent of the Permittee and those affected parties on adjoining properties with associated wind rights sign a formal and legally-binding agreement expressing all parties' support for a Variance that waives or reduces the setback requirement.

6.12.4.3 Minimum Ground Clearance

The blade tip of any Wind Turbine shall, at its lowest point, have ground clearance of no less than 75 (seventy-five) feet.

6.12.4.4 Restoration of Property

Within 180 (one hundred and eighty) days of termination or abandonment of leases or easements for a Wind Energy Facility in the Township, the Permittee shall cause, at its expense, removal of all structures to a depth of 4 (four) feet below pre-construction grade.

6.12.4.5 Transfer of Wind Energy Facility Siting Permit

In the event of a change in ownership or controlling interest in a Wind Energy Facility and the transfer of the Permit, any successors and assigns of the original Permittee shall comply with the requirements and conditions of such Permit for the duration of

operation of a Wind Energy Facility permitted in the Township. Within 30 (thirty) days of such change in ownership or controlling interest of any entity owning a Wind Energy Facility, the parties to the transaction shall notify the Commission by letter and provide information pursuant to 6.12.3.1(1). The letter shall be signed by the authorized representatives or agents of both the original Permittee and the entity to which the Permit is being transferred.

7 ARTICLE 7 – ADMINISTRATION AND ENFORCEMENT

7.1 Organization

Administration of this ordinance is hereby vested in two (2) offices of the Pilot Mound Township:

(1) The Township Code Administrator.

(2) The Township Zoning Commission.

7.2 The Code Administrator

The Code Administrator is a duly appointed and hired individual authorized by the Township Supervisors and is responsible to assist and make recommendations to the Township Zoning Commission on any matter related to planning for and development of the Township. The contact e-mail address is pilotmoundtownship@yahoo.com.

7.2.1 Duties and Responsibilities

The Code Administrator shall be specifically responsible for the administrative responsibilities of the Township Zoning Commission.

7.2.1.1 Issue, upon approval by Township Zoning Commission, all zoning certificates and maintain records thereof.

7.2.1.2 Issue, upon approval by Township Zoning Commission, all building and repair permits.

7.2.1.3 Issue, upon approval by Township Zoning Commission, all certificates of compliance for all buildings including mobile homes and manufactured homes.

7.2.1.4 Maintain zoning related records and the zoning district map including records of all amendments, conditional uses and variances.

7.2.1.5 Receive, file and forward to the Township Zoning Commission all applications for zoning amendments and conditional uses.

7.3 The Township Zoning Commission

The Township Zoning Commission shall consist of the 3 (three) Township Supervisors.

7.3.1 Duties and Responsibilities

7.3.1.1 The Township Zoning Commission shall be specifically responsible for interpretation and enforcement of this ordinance including the issuance of building permits.

7.3.1.2 Approve all zoning certificates.

7.3.1.3 Approve all building and repair permits.

7.3.1.4 Approve all certificates of compliance for all buildings including mobile homes and manufactured homes.

7.3.1.5 Decide if all buildings, structures and use of land comply with these and other applicable regulations of the Township.

7.3.1.6 Notify, in writing, the property owner or user upon finding violation of this ordinance and cite the nature of violation clearly and require compliance within a reasonable time. If the notification is not replied to or steps are not taken to correct the violations within 30 (thirty) days, the Township Zoning Commission shall make a report of the findings to the Township Attorney.

7.3.1.7 To hear and act on all applications for amendments to the zoning district.

7.3.1.8 To hear and act on all applications for conditional uses in the manner prescribed in this ordinance.

7.3.1.9 To study, examine and make recommendations regarding comprehensive planning for the future development of Pilot Mound Township.

7.3.2 Notice of Hearings

The Township Zoning Commission shall fix a reasonable date for hearing of applications for Zoning District Amendments, conditional use permits and other matters before it, give public notice thereof in the official newspaper of the county at least 1 (one) week prior to the hearing. The notices shall state the purpose of the hearing and that the applications and supporting documents for zoning district amendments and conditional use permits are available for public inspection in the office of the Township Clerk during the normal working hours or as stated in the published notice in the local paper.

7.3.3 Meetings

Meetings of the Township Zoning Commission shall be held at the call of its Chairperson and at such other times as the Township Zoning Commission may determine. All meetings shall be open to the public and any person may testify for or against a petition.

7.3.4 Interpretation of Regulations

All questions of interpretation of this ordinance shall be first presented to the Township Code Administrator, who shall forward the question to the Township Zoning Commission. Upon determination of the Township Zoning Commission, some Petitions for Conditional Use Permits may be by written notification of adjacent landowners rather than by a public hearing.

7.3.5 Building Permit Application

Any person or persons intending to construct or reconstruct or relocate a building or structure or make alteration shall, before proceeding with the work, obtain a permit from the Township Zoning Commission. All mobile homes and manufactured homes are required to comply with the Manufactured Housing and Building Code and are required to obtain a permit from the Township Zoning Commission for placement and relocation thereof.

7.3.5.1 Each application for a building permit shall be accompanied by a legal description and a map showing the actual dimension of the lot to be built upon, the size, shape and location of the building for observing the yard requirements of this ordinance.

7.3.5.2 The application shall specify the type of the building, structure, material of which it is composed, the part or portion of the lot to be occupied by the principal building and accessory buildings and the probable building cost, together with such additional plans and specifications as may be required by the Township Code Administrator.

7.3.5.3 The edition of the Uniform Building Code as published by the International Conference of Building Officials and adopted by the Township Supervisors, together with any amendments made hereafter are incorporated and made a part of this ordinance. In the event there is a conflict between the Uniform Building Code and the regulations, this ordinance shall supersede.

7.3.6 Building Permit

The Township Zoning Commission shall issue a building permit if the proposed building or structure conforms to zoning and building provision of this ordinance.

7.3.6.1 Building Permit Fees.

The Township Code Administrator shall charge and collect a fee according to the Resolution of Fees and Schedules established by the Pilot Mound Township. The fee shall be paid by check made out to Pilot Mound Township and be sent at the same time as the Application for Building Permit. If unsure of the fee amount, the Township Code Administrator should be contacted.

7.3.6.2 Certificate of Compliance

The Township Zoning Commission shall issue a certificate of compliance upon determining if the completed building, including placement of mobile homes and manufactured homes and assurance that all provisions and conditions set forth by the authority of this ordinance are met and notice of completion is received.

7.3.6.3 Conditional Use Permit.

The Township Code Administrator shall issue a conditional use permit upon approval of the application by the Township Supervisors in which all conditions shall be stipulated subject to the provisions of Section 7.2 of this ordinance.

7.3.6.4 Variances.

The Township Code Administrator shall issue the appropriate permit if approved by the Township Supervisors. The terms of the variance shall be stipulated subject to the provisions of Section 8 of this ordinance.

7.4 Violations and Penalties

Pursuant to N.D.C.C. § 58-03-14, if any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or if any building, structure, or land is used, in violation of any regulation or restriction made under the authority conferred by North Dakota Century Code sections 58-03-11 through 58-03-15, and, if after reasonable notice and opportunity for hearing by the Pilot Mound Township Zoning Commission, the Pilot Mound Township Board of Supervisors may impose a civil penalty of up to two thousand dollars ($2000.00) annually against the property owner and the property. The Pilot Mound Township Board of Supervisors may also assess the property owner for all costs of the township in bringing the property into compliance or in instituting and prosecuting any appropriate action or proceeding under this section. Any civil penalty or assessment of costs, or both, against a property owner constitute a lien on the property and must be charged against the property and become a part of the taxes against the property for the ensuing year and must be collected in the same manner as other real estate taxes are collected and placed to the credit of Pilot Mound Township.

8 ARTICLE 8 – PROCEDURE FOR AMENDMENTS, CONDITIONAL USES AND VARIANCES

8.1 Zoning District Amendments

8.1.1 Public Hearing Notice

The Township Zoning Commission shall hold a public hearing, a notice of which shall be published at least 1 (one) week prior to the hearing in the official newspaper of the county. The notice of hearing shall include: (1) 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 requested zoning district change; and (4) time and place for public inspection of the documents in the Township offices before the hearing.

8.1.2 Public Hearing

The Township Zoning Commission, at the hearing, shall listen to all persons who may speak in support of or in opposition to the proposal. Upon the completion of its review, the Township Zoning Commission shall approve, deny or modify the petition. The Township Zoning Commission may require additional information before it completes its findings.

8.1.3 Data Submission Requirements

Petitions for zoning district change and conditional uses shall be submitted with the following information:

8.1.3.1 Legal description of the area proposed to be rezoned, the name and addresses of all owners of property lying within such area.

8.1.3.2 A map showing the existing land uses and zoning district classification of the area.

8.1.3.3 A site plan showing buildings and uses and in the zoning district proposed to be changed and the requested zoning district classification.

8.1.3.4 A fee shall be paid in accordance with the schedule established by the Township Supervisors.

8.1.4 Deliberation and Decision

Following the hearing, the Township Zoning Commission, upon due deliberation, shall decide on the proposed amendment within 30 (thirty) days after the hearing. In making its finding, the Township 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 this ordinance 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 for zoning district amendment in Section 8.1.2 unless the Township Zoning Commission determines that Petition for Conditional Use Permit can be decided through written notification of adjacent landowners.

8.2.3 Public Hearing

Shall be the same as the provisions set forth for public hearing for zoning district amendment in Section 8.1.2 unless the Township Zoning Commission determines that Petition for Conditional Use Permit can be decided through written notification of adjacent landowners.

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 decisions for zoning district amendment in Section 8.1.4.

8.2.6 Standards

No application for conditional use shall be recommended for approval unless the Township 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 congestion in the public streets.

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 Township 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 community, 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 Township 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 Township Supervisors. Where the Township Supervisors have 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 Township Supervisors' 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 this ordinance shall be granted provided that the applicant establishes proof of practical difficulty or undue hardship.

8.3.1 Public Hearing Notice

The Township Zoning Commission shall hold a public hearing, a notice of which shall be published at last one week 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 requested zoning district change; and

(4) Time and place for public inspection of the documents in a location as described in the notice before the hearing.

8.3.2 Public Hearing

The Township Zoning Commission at the hearing shall listen to all persons who may speak in support of or in opposition to the proposal. Upon the completion of its review, the Township Zoning Commission will approve, deny or modify the proposal. The Township Zoning Commission may require additional information before it completes its findings and decision. The Township Zoning Commission may determine that the Petition for Zoning Variance Permit can be decided through written notification of adjacent landowners and a public hearing would not be necessary.

8.3.3 Data Submission Requirements

Petitions for variances or special use permits shall be submitted with the following information:

8.3.3.1 Legal description of the area proposed to be rezoned, the name and addresses of all owners of property lying within such area.

8.3.3.2 A map showing the existing land uses and zoning district classification of the area.

8.3.3.3 A site plan showing the existing buildings and uses and the requested changes.

8.3.3.4 A fee shall be paid in accordance with the schedule established by the Township Supervisors.

8.3.4 Deliberation and Decision

In making its finding, the Township Zoning Commission shall ascertain that the request for variance is consistent with the Township Land Use Plan and meets all requirements of this ordinance and other regulations of the Township.

8.3.5 Standards

No application for variance or special use permit shall be approved unless the Township Zoning Commission finds that all of the following are present.

8.3.5.1 That special conditions and circumstances exist which are peculiar to the premises and which are not applicable to other premises in the same zoning district.

8.3.5.2 That literal interpretation of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.

8.3.5.3 That the special conditions and circumstances have not resulted from actions of the applicant.

8.3.5.4 That granting the variance requested will not confer upon the applicant any special privileges that are denied by this ordinance to other premises.

8.3.6 Justification

8.3.6.1 That the reasons set forth in the application justify the granting of the variance.

8.3.6.2 The variance is the minimum, which would make possible a reasonable use of the premises.

8.3.6.3 That the granting of variance will be in harmony with the general purpose of this ordinance and will not be injurious to the surrounding premises, neighborhood or the Township and will not be contrary to the land use plan and the purposes of this ordinance.

8.3.6.4 That there is practical difficulty or unnecessary hardship in use of the premises if the strict application of the regulations were to be carried out.

8.3.7 Authorized Variances

A variance shall not be granted for any yard or setback less than the yard or setback as required by this ordinance.

8.3.7.1 To reduce not by more than 20% (twenty percent) the applicable requirements for lot area and lot width.

8.3.7.2 To reduce the applicable off-street parking or loading facilities by no more than 50% (fifty percent) of the requirements.

8.3.7.3 To permit the use of lot of record if it is smaller than the minimum size required by this ordinance.

8.3.7.4 To permit roof alterations to provide additional windows, headroom or area for occupancy of third level.

8.3.7.5 To permit conversion of an existing building to a permitted residential use provided that it shall not conflict with the above standards cited in Sections 8.3.5 and 8.3.6.

8.4 Action of the Township Supervisors

8.4.1 Initiation of Amendment

Amendments may be proposed by the Township Zoning Commission or any person, firm, corporation or organization which has a freehold interest or contractual interest in a building, structure, lot or parcel of land.

8.4.2 Application for Amendment

Application for an amendment shall be filed with the Township Code Administrator who shall forward all such applications to the Township Zoning Commission.

8.4.3 Notice of Public Hearing

Notice of hearing shall include time, place and purpose of such hearing and shall be published at least one (1) week before the hearing in the official newspaper of the county.

8.4.4 Public Hearing

At the public hearing any person may express opposition to or support of the amendment.

8.4.5 Effect of Denial of Application

An application for an amendment to the zoning district map or conditional use permit which has been denied by the Township Zoning Commission shall not be made for a period of one year from the date of such denials, unless the new application is substantially different from the denied application.

9 RESOLUTION

Whereas, the Township Board of Supervisors has approved this Township Zoning Regulations.

Now and therefore, be it resolved that the Township Board of Supervisors hereby adopts Pilot Mound Township Zoning Regulations.

Daniel Odegaard
Pilot Mound Township Supervisor – Chairman

Date: 4-13-15

Phyllis Trostad
Pilot Mound Township Clerk/Treasurer

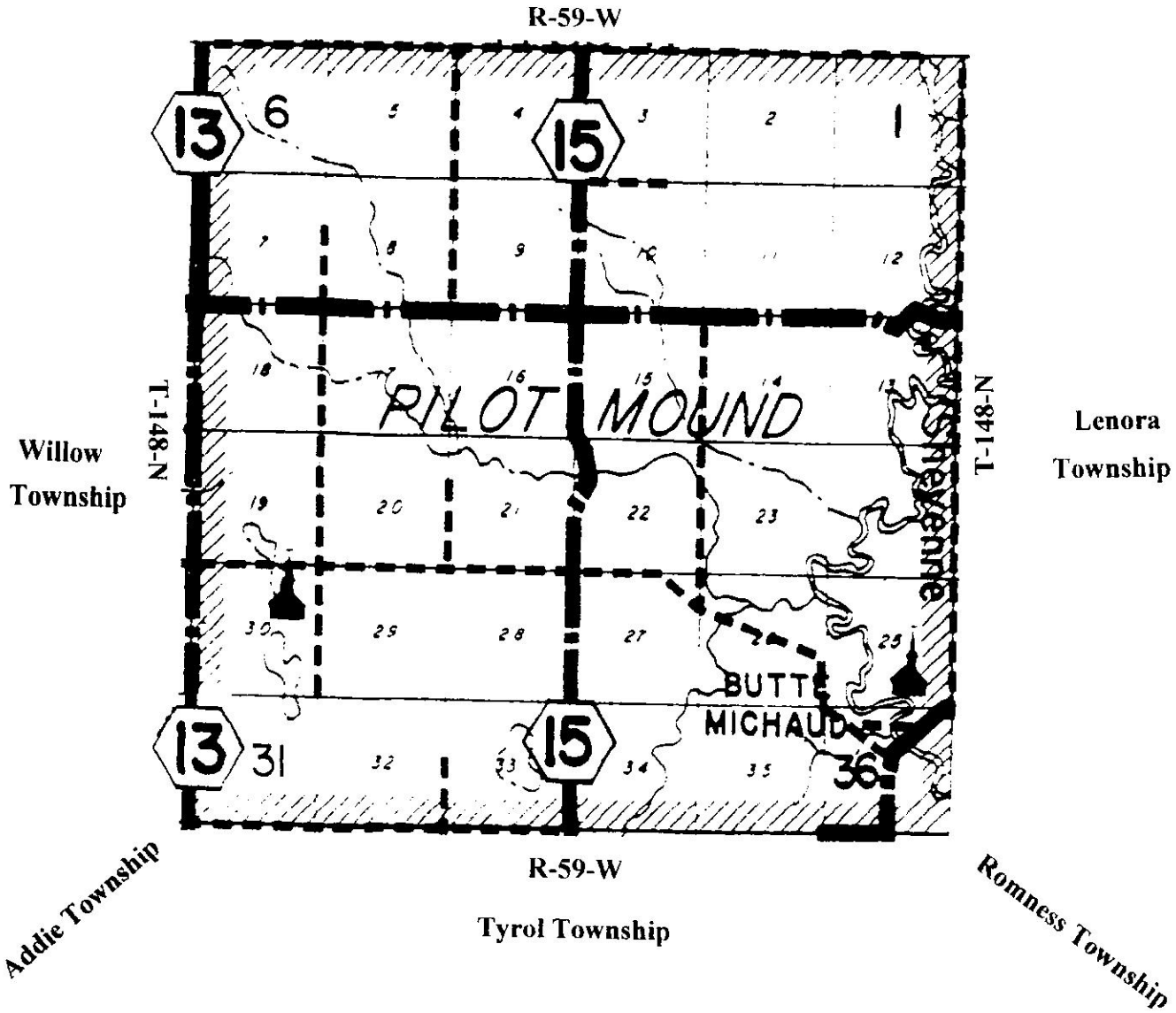
Date: 04-13-2015

PERMIT FEE SCHEDULE

Type of permit requested:	**FEE:**
Application for building permit:	
Under $2,000	No charge, permit required
$2,001 to $25,000	$50.00
$25,001 and over	$2.00 for each additional $1,000.00 of value of work to be done, plus building inspection fee (if necessary)
Application for Conditional Use Permit:	$100.00 plus publication costs
Application for Zoning Amendment:	$100.00 plus publication costs
Application for Variance:	$100.00 plus publication costs
Application for Wind Energy Facility Siting Permit:	$1000.00 plus $250.00 per wind turbine
Subdivision Review:	$100.00 for 10 or less lots plus expenses and publication costs $250.00 for 11 or more lots plus expenses and publication costs
Commercial Animal Feeding Operations:	$1,000.00 permit fee
Inspection and Maintenance:	Actual Costs
Setback changes for trees, shelterbelts, fences:	$50.00 plus publication costs
Solid Waste Permit:	Minimum $10,000.00

And in addition: The applicant for a conditional use permit and amendment to the Township Zoning Ordinance, subdivision review or building permit, shall be liable for and pay to the Township Code Administrator sufficient sums of money to pay for and cover all of the costs incurred by the township for the processing of such application, including, but not limited to: publication costs; mileage; copy expense; attorney's fees; etc. No Permit shall be issued until all such costs as these described herein have been paid by the applicant, unless the Township Zoning Commission has otherwise provided by resolution for a particular case.

NELSON COUNTY



STATE HIGHWAY
COUNTY ROADS
TOWNSHIP ROADS

Agricultural District – All unincorporated areas of the township are zoned agricultural.

Certified as true this 13th day of April, 2015.

By: Daniel Odegaard
Daniel Odegaard, Pilot Mound Township Supervisor – Chairman

As Witnessed By: Phyllis Trostad
Phyllis Trostad, Pilot Mound Township Clerk/Treasurer