

## **INTRODUCTION**

### **GOAL AND PURPOSE**

The Goal of the Wildrose Planning and Zoning Commission is to protect the property rights of individual property owners, maintain an orderly appearance while sustaining the integrity of the existing community, and encourage and accommodate for growth in the residential and business climate.

Community leaders have formed a Planning and Zoning Commission to effectively manage growth and to ensure that planned expansion has a positive impact on the long-term future of residents of Wildrose.

The Land Use Plan provided herein is a first step in the potential process towards a long-term plan for necessary City development and infrastructure. This plan shall provide a basis for the initiation of future development. With this plan, the City can assess where additional water and sewer service extensions may be required as well as plan for additional capacity within the current system.

This Land Use Plan will serve as a guide for Future Commissions when permitting and zoning questions occur, in accommodating best use for residential neighborhoods as well as commercial and maintaining the integrity of all the existing neighborhoods.

### **EXISTING CONDITIONS**

The extraterritorial area is agricultural with at least one commercial facility. Future requests for change of existing use will be considered on an individual basis using the criteria listed within this document. The original city plat has lot sizes that indicate area of intended residential and commercial use. The plan is included in this document.

### **COMMUNITY VISION**

The Purpose of a Land Use Plan is to ensure that the Community of Wildrose arranges the physical and integral structures of their Community for Best and Future Use, taking into consideration the Community Climate.

### **CONFLICTS**

Existing lines within the City limits shall be grandfathered unless there is a conflict to resolve. When conflicts arise, the current Planning and Zoning Commission shall resolve them at that time.

## **EXISTING CONDITIONS**

The current City limits are as follows: County Road 17 travels the North and South line on the western border; County Road 16 defines the northern border; Belmont Street to the Eastern border; and the Wildrose Golf Course on the Southern border.

Due to the potential impacts to the City of Wildrose, the limits of the Planning and Zoning Commission shall extend one half mile in all directions of the City limit edges.

The Community is primarily agricultural, and this current use shall be a factor in determining any future use. It is the goal of the Community to maintain the integrity and atmosphere of Wildrose.

The next primary use is residential, providing safe and orderly residential neighborhoods for the Community.

There is a current Commercial area as defined, primarily located in and around the existing Main Street.

While the oil booms have brought additional residents to Wildrose, one ideal is to define best land use for times of future prosperity and tapering-off. This will ensure for the residents of Wildrose that accommodations are not made for temporary residents that will then have a detrimental effect on the remaining Community. The Planning and Zoning Commission will be in place to review any future land use plans and make recommendations to the City Council.

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2018

## **LAND USE PLAN**

The land use plan consists of a map that identifies the designated land use categories for the City's growth areas and this supporting text, describing the intent of each land use category. The purpose of the land use plan is to serve as the basis for the City's zoning decisions, which is required by North Dakota Century Code (NDCC). In this way, the land use plan serves as the City's "comprehensive plan" and provides information about the City's intent to both property owners and business owners as well as prospective buyers. Because the purpose of a land use plan is to establish a reliable source of information about future development and to serve as the basis for zoning decisions, a public process for considering land use plan amendments, consisting of notifications and public hearings by the City Council, should be adopted and is briefly described in this document.

It is important to recognize that the land use plan designates transitions and boundaries between one land use and another. If land use changes are considered in the future, it is important to examine the boundaries to determine if other changes are warranted which will assist in the creation of logical land use transitions. For example, if more commercial land is being considered near a less intense district such as residential, a transition to protect the residential district from the more intense use shall be considered. In some cases, this can be accomplished by the introduction of a land use category such as commercial, open space, or high-density residential land use. In other cases, it is not feasible to introduce a buffering land use category. For example, it would not be reasonable or feasible to use commercial land use as a buffer between residential and industrial land use if the location does not provide a high level of visibility and accessibility.

The land use plan for Wildrose has been prepared based on the City's existing boundaries and allowable extended space as allowed by the NDCC. Each of the land uses shown on the Land Use Plan map is described below.

### **Agricultural - A**

Agricultural land use primarily consists of the raising of crops or livestock, as well as farm dwellings. These areas are located such that they are beyond the planned urban service areas for the City and are best suited for agricultural land until such time as future utility extensions make development feasible. At that time, the City should consider updating the land use plan to designate uses other than agricultural.

Zoning selected for A-1 is designated as such because City services cannot be provided and because a land use pattern has already been established.

### **Commercial - C**

Commercial land use is intended for retail sales and service, lodging and office development. It is not intended for industrial sales and service or other activities of an industrial nature. Many commercial businesses need and want to be visible to high volumes of traffic, which allows them to easily attract both local and regional clientele. For these reasons, commercial land use is placed primarily along Main Street, County Road 17 and County Road 16.

Commercial should be designated specifically for the sales and service associated to residents of the Wildrose Community. This zone would include the central business district within Wildrose and allow residents retail sales and services, offices and some lodging. This land use district already has some residential land use within and shall allow co-existence of commercial and residential uses. The Commercial zone typically will serve as a land use transition between high volume roadways and residential areas.

The advantage of this mixed-use district is that it allows the City and potential developers to intentionally group residential uses with office and retail sales and service uses within a single building/development. This land use mix is similar to the characteristics of a traditional downtown land use pattern, where businesses occupy the first floor and apartments are located above. This mixed use also is typically more pedestrian oriented and can foster neighborhood networking by offering gathering places like restaurants or businesses where neighbors can see each other frequently. The disadvantage of allowing residential uses in a commercial zoning district, especially in single family residential, is that it tends to make the surrounding area less attractive for commercial development because there is less economic synergy between adjacent businesses. Some businesses may be concerned about complaints from adjacent households about noise, parking or hours of operation and this shall be considered when conditional use permits are being granted by the City.

Industrial uses shall not be allowed within a commercial zone because of the negative impact it would have on the district. Once the industrial tone is established, the commercial nature and attractiveness of the corridor begins to deteriorate. Therefore, a specific district for highly intense commercial land use and light industrial use has to be created. This high traffic, light industrial use will allow retail sales and services and hotels as well as trucking-oriented businesses. The land along County Road 16 is shown as Commercial with the intent for this area to develop with retail sales and service uses

that benefit travelers and the oil industry, as to keep uses of industrial nature away from other districts.

### **Industrial – I**

Heavy industry is not zoned at this time and can be addressed at a later time, zoned in on an as-needed basis.

### **Multi-Family Housing - MFH**

The medium density residential land use category is primarily intended for low-scale multiple family housing in the form of apartment buildings and condominiums. It could also be considered for mobile home parks, twin homes, townhomes, and RV parks as either permitted or conditional uses. These are important housing options for many people in a community.

Apartments and condominiums tend to be more affordable than lower density housing options and are suitable for people who are in a transitional phase of their lives, or for those who do not want the maintenance responsibilities that come with a free-standing dwelling. Within this land use category, twin homes and town homes create the most compatible transition when adjacent to low density residential land use. R-2 has been utilized as a transitional use between lands identified as low density residential on the land use plan and the industrial and commercial/service districts.

### **Residential - R**

The low-density residential category is primarily intended for single-family dwelling units. However, when low density land uses are adjacent to commercial or industrial land uses, it is also appropriate to create a land use buffer or transition through the use of townhomes or twin homes.

The Community must strike a balance between owner occupied housing and rental housing, and between affordable and high-end housing choices. Short term housing may be possible, so long as it adheres to the neighborhood consistency and the residences are not negatively affected by the short-term housing.

A recommendation for the City would be to require residential districts or new subdivisions to state that accessory uses are not permitted without a residential use on the lot. This is imperative to protecting the investments of surrounding homeowners by

preventing residential lots from being used as storage facilities, RV parks or disabled camper storage.

### **Park and Open Space - PO**

This land use is generally applied in areas where development is unsuitable due to topography, floodplain, wetlands, lakes, or streams, or where parkland already exists in the City's growth area. This is also applied to specifically designated, or historically designated as park areas as defined within the existing or future City Map.

The City will require parks for future proposed subdivision plans as deemed necessary for Community Neighborhood Integrity or Best Use. Ten (10) percent of any future subdivision creation shall include open park areas.

### **Public and Institutional - PI**

This land uses considered public and institutional include schools, religious institutions, colleges and universities, hospitals, government facilities, and public facilities. This zone has not been identified on the map, but the recommendation would be to allow this growth on a case by case basis.

### **Temporary Housing - TH**

Temporary housing means man camps or RV camps, areas where campers are plugged into services or are in use in a temporary fashion. These may be areas that can be converted into a more permanent use, provided they meet with other City criteria.

The City should use caution and adhere to the Goals and Community vision when considering TH use. This will ensure that existing and future areas of permanent residential land use will not be negatively affected by the presence of this high intensity residential use.

## **TRANSPORTATION- STREETS, ENCROACHMENTS, EASEMENTS, COUNTY ROADS, AND ACCESS MANAGEMENT**

Access Management Access management is very important along arterial roadways such County Road 17, County Road 16 and roadways within City limits. Providing access and providing ample spacing between intersections and driveways will minimize the number of conflict points, which has been shown to reduce accidents and increase safety for the travelling public.

Variations can be granted on a case by case basis. Individual access points should be discouraged close to corners for safety purposes. Direct site access should be oriented onto side streets shared with other developments or other forms of consolidated access should be provided, such as along frontage roads. Where unavoidable, more than one business can share access or individual site accesses should be aligned with other driveways across the highway, thereby limiting turning movements into a single location, rather than random locations along the highway.

A proposed truck route shall be considered along the County Road 16 and County Road 17 and Main Street to restrict any use in residential areas.

## **AMENDING THE LAND USE PLAN**

Land use plans need to be amended from time to time when the City is asked to consider a zoning change that is not consistent with land use identified on the map. While the plan is to serve as a guide for zoning and subdivisions, and as such is meant to be referred to on a frequent basis as developers come forward with proposed projects, it is important to acknowledge that the plan is a living document. It is meant to be drawn on, tweaked, refined, and have detail built into it from the inside out. Literally this means that the most immediate growth areas shall be those adjacent to existing development. Over time, existing and future property owners will see different opportunities and constraints with respect to the use of land. These opportunities will not justify amending the land use plan in all cases, but in some cases, a change may be a positive step as it reflects Community Goals and Vision.

The North Dakota Century Code requires that zoning decisions be based on and consistent with a city, county, or township comprehensive plan. If for no other reason than this, it is necessary that the City acts in accordance with the plan, or carefully consider amendments to its plan based on an approved process designated by the City.

## **EXTRATERRITORIAL AREA ZONING**

The North Dakota Century Code allows a one-half mile ETA for a community the size of Wildrose, and the City may choose to exercise its authority of enforcement into both Williams and Divide Counties. NDCC states that a City that has exercised its authority to zone within the ETA has joint zoning and jurisdiction. The City of Wildrose, with its creation of a Planning and Zoning Commission and a Land Use Plan has opted to retain jurisdiction.

In the ETA zone that is between the half mile and one-mile distances from the City Limits, Williams and Divide County would normally accept applications for zoning changes, subdivisions, and building permits and notify the City of decisions, allowing for a 30-day comment period during which the City may request negotiation. If the City disagreed with the decision at the County level, the City may request arbitration. The County has zoned this half mile to one mile ETA as Agriculture, and decisions made regarding the Land Use would need to be consistent with the existing County Zoning.

## **PLAN IMPLEMENTATION**

As this document will become the official City plan, following through with this plan will put the City in a better position in the future to require property owners and developers to follow the plan as well. To implement the plan, the Planning and Zoning Commission has provided a list of recommendations pertaining to each topic of the plan provided below:

1. Adopt the land use plan by adopting this document and the Land Use Plan map and designate it as the City's Comprehensive Plan to be used as guidance for zoning and growth management decisions.
2. Amend the Land Use Plan map and document as needed to stay current with growth in the City and the ETA
3. Examine nearby boundaries before making a land use change to determine if other changes are warranted to assist in the creation of logical land use transitions.
4. Require residential districts to state that accessory uses are not permitted without a residential use on the lot to prevent residential lots from being used as storage facilities.
5. Prohibit all industrial uses from the Central Business Commercial District.

## **CONCLUSION**

The above implementation measures should be reviewed regularly to document the progress of the City and identify the next steps in implementing the plan recommendations. Carrying out recommendations of the plan should not be considered the ending but rather the beginning of the ongoing development of the plan. The City and the Commission should seek guidance from the growing Community as to the new priorities and needs of the Community and its ability to manage its growth.

The entire plan should be reviewed and reevaluated every five years to identify updates that are needed to keep it relevant with the current state of the Community.

Future City Plans should place emphasis on the Goals of this Land Use Plan and Community Vision and Values to ensure the quality of life, City services, facilities and aesthetics.