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# TRI TOWNSHIP COMPREHENSIVE PLAN

**MCKENZIE COUNTY, NORTH DAKOTA**

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**JULY 10, 2012**



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## Tri Township Comprehensive Plan

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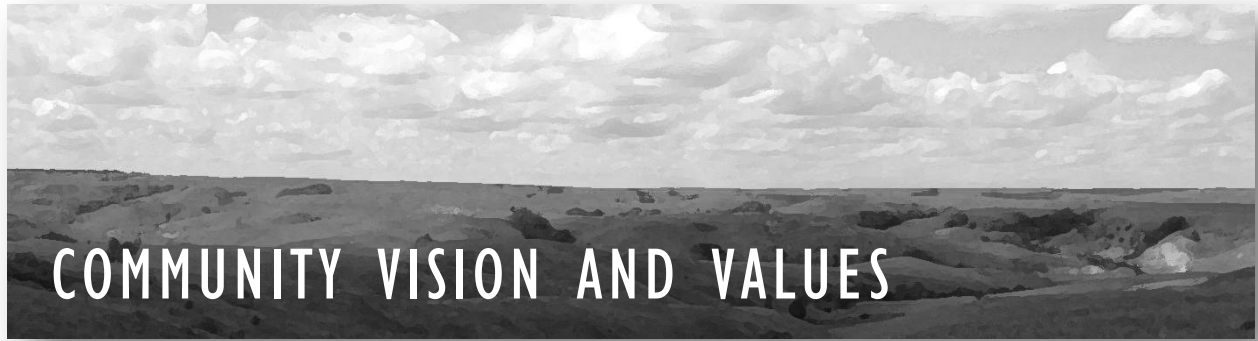
#### Appendix

Letter sent to all property owners

Survey Form

Responses to Questionnaire

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## ***DRAFT COMMUNITY VISION STATEMENT***

*Tri Township is a rural community of open spaces and beautiful scenery, with neighborly residents and an abundance of natural resources. Demand for increased services and development is balanced with rural character; agriculture as a business and way of life is supported and balanced with protecting the property rights of landowners.*

### **DRAFT Community Values**

- The beauty of the rugged terrain
- The independence that rural living has to offer
- Neighbors helping neighbors
- Responsible development
- Private property rights

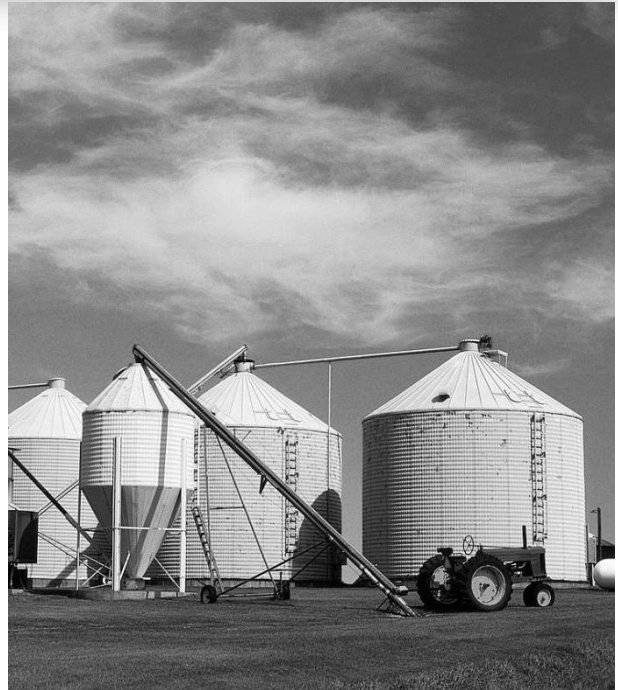


## **INTRODUCTION**

Tri Township, McKenzie County, North Dakota is in the midst of great change. The development surrounding the oil extraction from the Bakken oil fields has turned western North Dakota from a quiet agricultural area to a non-stop center of activity. Tri Township is not immune to these changes. New land uses oil well development, and increased traffic have all impacted the Township and its residents.

In response to this changing landscape, the Tri Township Board of Supervisors has engaged in creating the Township's first Comprehensive Plan. This Plan will serve as a guide for managing future development and enable the citizens to create an orderly development process. Visions, goals and values laid out in this plan were articulated by community members through questionnaires and a public meeting.

This Plan incorporates the vastly changing needs and attitudes of the community. It is



one that promotes the agricultural heritage of the community and acknowledges that development in support of the growing oil industry is both an opportunity and a threat. This Plan is a balance of community interest and concerns.

## **PURPOSE OF THIS PLAN**

A Comprehensive Plan is a community vision. It articulates the community's ideas, concerns and values. This Plan will be framework and guide for Tri Township now and into the

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future. It states goals and establishes action items to help achieve those goals.

## PLANNING PROCESS

The planning process for the 2012 Comprehensive Plans was carried out over a short period of approximately two months. McKenzie County is currently creating its first Comprehensive Plan and Zoning document, and anticipates completion by September, 2012. The Tri Township Board of Supervisors desired to complete the Township Plan before the completion of the County Plan. This will enable the County's planning and zoning regulations to reflect the Township Plan, for this portion of the County.

Because the County has lacked planning and zoning, the Township has the authority, granted by the North Dakota Century Code, to enact its own regulations. The Township may choose to grant authority of zoning to the County. Should the Township do that, it does not negate this plan, as the County has indicated that any plan completed prior to completion of the County Comprehensive Plan will be incorporated into it.

## COMMUNITY SURVEY

A letter and survey form, a copy of which is included in the Appendix, were sent to all property owners within the Township. This

was an opportunity for those interested in the future of the Township to provide comments and provide perspective to the planning process. The open ended questions allowed for land owners to provide detail to their comments.

Many community members expressed their appreciation for the quiet, rural feeling of the Township and the people that live here. The area of growth and development had the broadest range of responses. Many expressed concern about the loss of the rural lifestyle while others embraced the economic opportunities the oil boom has presented.

The responses to the survey were used as a basis for the policies and plan development. Where there was not clear direction or preference, this plan seeks to balance a range of solutions so that every perspective is considered.

A summary of the responses to the survey can be found in the appendix of this document.

## PUBLIC MEETING

One public meeting was held to connect with the community about the planning process. It was an opportunity for the public to learn about the process and provide input. The public meeting was an open house held June 19, 2012. The event was attended by approximately 28 residents, land owners and

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other interested parties. A map of the Township was displayed in order to solicit input regarding specific areas of interest within the Township. Background

information about comprehensive planning in general and the process involved as presented.



## **NORTH DAKOTA CENTURY CODE**

The North Dakota Century Code Chapter 58-02 establishes the organization for Townships within North Dakota, to be governed by a Board of Supervisors. The Century Code grants township the authority to make regulations regarding zoning in accordance with a comprehensive plan. The comprehensive plan,

**“must be a statement in documented text setting forth explicit goals, objectives, policies and standards of the township to guide public and private development within its control.”** *Century Code 58-3-12.*

As noted, McKenzie County is currently creating its first comprehensive plan and zoning code: and, Tri Township may revert their authority for zoning to the County for administration.

## **ABOUT TRI TOWNSHIP**

Tri Township was established in 2002 as a merger of Wilber, Poe and Elk Townships. It is one of 15 townships organized in McKenzie County. The Township currently has no land use regulations. The development of the Township Comprehensive Plan is the first step toward creating land use regulation. As McKenzie County develops zoning, Tri Township may now or at a later date relinquish its zoning authority to the County.

## **POPULATION**

McKenzie County has an average residence density of one person per square mile. Population increases are also noted within the last decade. The 2010 census notes that the population of the census tract where Tri Township is located increased by 6.5% in one year. The increased population is attributable to the Bakken oil development. It is anticipated that population growth will continue for the foreseeable future.

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## NATURAL SETTING

Sitting at the northern tip of McKenzie County, Tri Township borders the Missouri River, as it curves around its northern tip. The low wide river bed that occupies the northern properties in the Township is largely owned by the US Corps of Engineers as part of the Missouri River management area. Most of the land within Tri Township sits high on the bluffs above the river. Large areas of badlands, or coulees, drain from the bluffs to the river area. These coulees form dramatic landscapes, provide key wildlife areas and are vital for the seasonal runoff.

## TRANSPORTATION

The Township has one major highway, with several County Roads and Township roads completing the road network within the Township. US Highway 85 runs north-south through the Township. This highway serves as a major corridor through western North Dakota. Traffic has increased dramatically over the past 10 years. The following summarizes the traffic in 2001 and 2011.

Traffic Count	2001	2011
Average Daily Traffic	3,025	11,895
Commercial Truck Traffic	710	3,905

The traffic increase is of no surprise to residents and visitors to the area. Oil well development and associated services has driven the traffic explosion. North Dakota Department of Transportation is continuing to increase the number of passing lanes along the highway between Watford City and Williston, with the ultimate plan to increase the highway to four lanes. This can alleviate congestion, but can also create safety hazards for vehicles turning left off the highway.

## INFRASTRUCTURE

### WATER

Water service is available to some locations of the Township via the Western Area Water Supply (WAWS). According to WAWS, the transmission line from Williston to Watford City is under construction and due for completion in 2012. Landowners along this transmission line can request water service. The intent of the water transmission line expansion is for domestic water use. However, WAWS anticipates excess water supply until 2023. Until that time, industrial and oil well users are purchasing excess supply at bulk fill depots located throughout the region.



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## WASTEWATER

There is no central wastewater system within the Township. Private septic tanks and drainfields are used. Septic permits are issued by the State of North Dakota.

## OIL AND GAS EXTRACTION

The permitting and regulation of oil/gas extraction is controlled by the State of North Dakota. The impacts of this drilling are evidenced in growth, transportation, natural resources and infrastructure within the Township. While the Township cannot control the number or location of oil wells, it can address the impacts associated with this boom.

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**DEFINITIONS:**

A **GOAL** describes a broad objective of the community.

**POLICIES** define the goals, in terms of specific considerations, locations, or criteria, and set the stage for implementation actions

**ACTION ITEMS** explain specific tasks for implementing policies.

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## GOAL 1: GROWTH

Encourage future growth to cluster at key highway intersections and not be distributed along Highway 85.

### POLICIES:

1. Direct growth to occur in a concentric fashion from key highway intersections, in order to promote efficient services and preserve the rural character and agricultural land of the Township.
2. Aim for development that meets the needs of the Township today and will be sustainable in the long term.
3. Ensure that new growth pays its own way, at a level that is commensurate with its impacts and benefits to the community. This should be done in a manner that works to balance flexibility and predictability to create mutual understanding of development costs.
4. Encourage intense uses such as commercial and industrial sites to locate near key intersections of Highway 85 and County and Township Roads.
5. Require new development to avoid environmental constraints such as the steep slopes of coulees, floodplain and riparian areas.
6. Encourage the use of Western Area Water Supply, where available, for domestic use.

### ACTION ITEMS:

1. Establish zoning code with land uses that concentrate more intense land uses at key intersections of Highway 85
2. Establish regulations within the zoning code pertaining to development within steep slopes, floodplain and riparian areas.
3. Establish a review process for new development within the Township.
4. Coordinate with WAWS to ensure that water availability meets current and future demands.

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## **GOAL 2: AGRICULTURAL PROTECTION**

**Encourage growth and development that protects Tri Township’s agricultural heritage which complements the surrounding rural landscapes and provides opportunities for all.**

### **POLICIES:**

1. Encourage non-agricultural development to take place in areas already developed for such uses.
2. Incorporate agricultural land protection into local zoning ordinances.
3. Encourage the development of new and expanded agricultural opportunities.

### **ACTION ITEMS:**

1. Adopt zoning code with districts that provide for agricultural uses and provides for clustering of other uses in a concentric fashion around key intersections Highway 85 and County/Township roads.
2. Identify the most important agricultural soils and their location, and discourage non-agricultural use of them.
3. Work with Soil and Water Conservation Districts on conservation techniques.

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## **GOAL 3: TRANSPORTATION AND INFRASTRUCTURE**

**The transportation and utility systems should support and complement the land uses within the Township.**

### **POLICIES:**

1. Encourage safety enhancements of Highway 85.
2. Minimize the locations where vehicles can turn onto and off the highway and designate key intersections where development should be concentrated.
3. Development should be supported with existing infrastructure or future expansion of existing systems.

### **ACTION ITEMS:**

1. Identify, map, and designate primary highway, roads and streets within the Township.
2. Encourage NDDOT to design left turn lanes for key intersections with Highway 85.
3. Require development to provide infrastructure enhancements to meet safety standards.

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## GOAL 4: NATURAL RESOURCES

**Balance the protection of natural resources with the rights of private property owners**

### **POLICIES:**

1. Natural resources within the township should be protected from adverse impacts of new and existing uses.
2. Protect the riparian zone, coulees, floodplain and wildlife areas while providing for appropriate public access and recreational areas.
3. Work with regional organizations to provide cohesive conservation of the Missouri River.
4. Stormwater management plans should be required of all development greater than 1 acre.
5. All development must obtain applicable wastewater discharge permits.

### **ACTION ITEMS:**

1. Require any development near the floodplain to prepare a floodplain study.
2. Include provisions in any development review process for providing evidence of wastewater permits and stormwater permits, if applicable.



This plan outlines goals, policies and action items for the community. It is designed so that the action items support the stated goals. Below is a summary of action items for the Township.

1. Establish a zoning code. While this plan provides overall goals and policies, it is only a guiding document. A zoning code will establish permitted uses and will establish a review process. This will enable the Township to continue to monitor the development of the Township and guide development in accordance with this Plan.
2. Create a highway and road network plan. This should identify the highways and roads within the Township maintained by the State, County or Township. Create a map to identify these roads and the current agencies responsible for maintenance.

Additionally, identify future roads the Townships wishes to improve and maintain. Identify which roads the Townships wishes to improve and maintain. Establishing this network will benefit land owners and expectations for future development, and help the township establish yearly maintenance costs for roads.

3. Work with North Dakota Department of Transportation to promote safety features along Highway 85.
4. Work with the following organizations to assisting with the specific action items in the plan.
  - a. US Army Corps of Engineers to assist with mapping and understanding the floodplain along the Missouri River.
  - b. USDA Soil Conservation
  - c. Missouri River Council

# APPENDIX



APPENDIX A: LETTER SENT TO ALL PROPERTY OWNERS

June 5, 2012

**CREATING A COMMUNITY VISION:  
LOOKING TO THE FUTURE**

**TRI TOWNSHIP COMMUNITY MEETING**

**June 19, 2012 5:30-8:30 pm  
Alexander Public School Gym  
601 Delaney Street, Alexander, ND**

The Tri Township Board of Supervisors has engaged Sanderson Stewart to assist in the development of a ***Comprehensive Land Use Plan*** for the Township. This Plan will be framework and guide for Tri Township now and in the future. It states goals and establishes action items to help achieve those goals. The plan is not a zoning code or ordinance.

A Comprehensive Plan is a community vision. It articulates the community's ideas, concerns and values. It's your vision of your community. That's why we need to hear from you.

**2 Opportunities to Participate**

Please attend the public meeting on June 19, 2012 from 5:30 to 8:30pm. This will be an open house to come learn more about the project and provide comments to us. A formal presentation about comprehensive plans will begin at 7:00pm.

The enclosed questionnaire is to help us understand current issues. The responses may be returned via email - [lwaterton@sandersonstewart.com](mailto:lwaterton@sandersonstewart.com), mail (address below) or dropped off at the public meeting on the 19<sup>th</sup>.

We look forward to hearing from you, and meeting with you on the 19<sup>th</sup>.

**Contact Information**

Lauren Waterton, AICP

*Land Planner*

**Sanderson Stewart**

106 East Babcock

Bozeman, MT 59715

406-922-4313/[lwaterton@sandersonstewart.com](mailto:lwaterton@sandersonstewart.com)

**APPENDIX B – SURVEY FORM**

**Tri Township Comprehensive Land Use Plan  
Questionnaire**

Your answers will help us understand the opportunities and challenges that face Tri Township.  
Your comments will be confidential.

- 1) What do you like best about the Township? \_\_\_\_\_  
\_\_\_\_\_
- 2) What are the biggest challenges facing people living in Tri Township? \_\_\_\_\_  
\_\_\_\_\_
- 3) What do you value most in the Township? \_\_\_\_\_  
\_\_\_\_\_
- 4) What is the one thing you would change if you could? \_\_\_\_\_  
\_\_\_\_\_
- 5) How much do you agree with the following statements, with 1 being not agree at all and 5 being complete agreement?
  - a. Land development should occur as the market sees fit. \_\_\_\_\_
  - b. Land development should be controlled, leaving the Township primarily rural in character. \_\_\_\_\_  
\_\_\_\_\_
- 6) Should there be areas in the Township that are off-limits to development? If so, please list these places, being as specific as possible. \_\_\_\_\_  
\_\_\_\_\_
- 7) Are there areas in the Township that are appropriate for development? If so, what where and what type of development? \_\_\_\_\_  
\_\_\_\_\_
- 8) Other comments: \_\_\_\_\_  
\_\_\_\_\_
- 9) Your name: \_\_\_\_\_
- 10) Are you a resident of the Township? \_\_\_\_\_

Thank you for your comments. Please return this page by mail, email, fax or in person.

Lauren Waterton  
Land Planner  
Sanderson Stewart  
106 E. Babcock  
Bozeman, MT 59715

Phone: 406-922-4313  
Email: [lwaterton@sandersonstewart.com](mailto:lwaterton@sandersonstewart.com)  
Fax: 406-922-2768  
Bring it June 19<sup>th</sup> to the Alexander Public School

## APPENDIX - C

### RESPONSES TO SURVEY QUESTIONS

Twenty surveys were returned. The following responses were submitted.

#### **1 What do you like best about the Township?**

- 1 The rural feeling, open spaces, beauty and quiet
- 2 Farmland, No commercial
- 3 Country Living/not being crowded
- 4 The people - their strong will and independent spirit
- 5 The independent people and their strong work ethic
- 6 The work ethic and family values of the people
- 7 The people - great neighbors. My wife and I spent 40 years living here
- 8 Has been not controlling
- 9 Rural open areas
- 10 Rural Community
- 11 Friendly people
- 12 Uncluttered look and peaceful area
- 13 Location
- 14 Nothing
- 15 That it is a rural farming community and should stay that way
- 16 Its terrain
- 17 Rough, remote country
- 18 The long-time residents and neighbors
- 19 It's a beautiful agricultural area close to a big town and several smaller communities
- 20 Mostly clean and natural. People who care about their surroundings

#### **2 What are the biggest challenges facing people living in Tri Township?**

- 1 Oil development, traffic, limited police, fire etc
- 2 Influx of developers that don't care about us
- 3 Traffic and unsupervised building (residential next to commercial)
- 4 Independent people with different ideas on what needs to be done
- 5 Accepting and adapting to the changes that are occurring
- 6 Accomplishing growth while maintaining safety and healthy lifestyle
- 7 Maintaining a good lifestyle while watching the area grow
- 8 Some people or farmers want to control or dictate
- 9 Development
- 10 Quick Growth of population, traffic
- 11 Putting up with truck traffic
- 12 Garbage. New industrial construction and traffic. Campers parking wherever
- 13 managing inevitable change and growth
- 14 Elimination of intrusive government on individual
- 15 Junk yards
- 16 Infrastructure for the impending growth
- 17 Oil activity

- 18 The roads, environmental damage
- 19 Traffic, greed leading to over development, abundance of litter
- 20 Businesses trying to overtake the township

**3 What do you value most in the Township?**

- 1 the quiet and solitude - agricultural feel
- 2 I can't see anyone from my house
- 3 Rural setting, scenery
- 4 The good neighbors - very independent but always ready to help
- 5 The independent nature of the people and the sense of community
- 6 Willingness to work together to allow growth in a controlled manner
- 7 The cooperation of the people
- 8 My freedom
- 9 Open areas
- 10 Rural lifestyle
- 11 Neighbors
- 12 Open spaces
- 13 My family's history and heritage
- 14 Rights
- 15 Farmland and pastures
- 16 The opportunities it provides
- 17 Scenery
- 18 Neighbors
- 19 It used to be the tranquility. I value the land, wildlife and people the most
- 20 For the most part, its clean, quiet, healthy family living

**4 What is the one thing you would change if you could?**

- 1 More regulation on oil development
- 2 The minds of the landowners that want to sell to developers
- 3 Traffic
- 4 Government Control
- 5 To help people accept and work with change making it a positive change for all
- 6 Availability of housing, food services, etc. to allow for growth
- 7 People accepting new people coming into the state
- 8 Nothing
- 9 Less government control, less politics
- 10 Not too much
- 11 Traffic and dust, garbage
- 12 Better services and better roads/traffic management, cleaner
- 13 Eliminate Tri Township interference with our lives
- 14 85 should be a 4 lane road
- 15 Oil development
- 16 Less traffic, something you have to live with however, come with the oil checks
- 17 The too-fast pace that people want to develop. It should be a prudent and managed development.
- 18 2 businesses right beside the highway. Everyone comments on how awful they look.

**5 How much do you agree with the following:**

- a. Land development should occur as the market sees fit
- |       |      |    |       |        |
|-------|------|----|-------|--------|
| 1     | 2    | 3  | 4     | 5      |
| xx xx | xxxx | xx | xxx x | xxxxxx |
- Land development should be controlled, leaving the Township primarily rural in character
- b.
- |     |         |   |    |         |
|-----|---------|---|----|---------|
| 1   | 2       | 3 | 4  | 5       |
| Xxx | xxxxxxx | x | xx | xxxxxxx |

**Should there be areas in the Township that are off-limits to development? If so, please list these places, being as specific as possible.**

- 6**
- 1 Yes, the areas over 1/2 mile off Hwy 85 should be left primarily agricultural
  - 2 Most of it. Keep it on Highway 85
  - 3 Yes, along the river and badlands. Scenic view (once that is gone nothing brings it back). You can't make another badland hill after oil is gone!
  - 4 I wish this could be up to the land owners
  - 5 No, not really. But some areas lend themselves to development better than others
  - 6 Areas where water and utilities can never be provided or where water rights are affected.
  - 7 Pig farms and large feed lots. Chickens and turkey farms
  - 8 Yes. Most Ag areas may states have lost open green areas and are now paying to keep what's left. Why should we give it up before it too late
  - 9 I think the landowner should be able to say what he/she wants to do with their own property
  - 10 Away from the main roads
  - 11 Very rough terrain, any areas that drains into area water
  - 12 Yes, areas far away from highway or county roads and utility areas, geographically and environmentally sensitive areas, like bluffs around the river and low lands
  - 13 Land owners should not have slick bureaucrats telling us what to do
  - 14 Places with natural springs
  - 15 Geographically significant or scenic. Floodplains, river views should be residential
  - 16 Yes, rough scenic areas along river and badlands
  - 17 No, I do think that consideration should be paid to people living out here. Restrict mancamps from locating near houses
  - 18 I feel the board members are capable of making these decisions. They were elected to represent their township

**Are there areas in the Township that are appropriate for development? If so, what, where and what type of development of development?**

- 7**
- 1 Along Highway 85 has the most potential for development (commercial, industrial)
  - 2 Along Highway 85 and nowhere else
  - 3 Where there already is commercial and industrial
  - 4 I think there are some key areas along the highway that would make sense for development
  - 5 Industrial and commercial development is best along highway 85 but should not be limited to that. Residential is best sit back from the highway to cut down on noise
  - 6 Along major highways for industrial, commercial, residential and mixed use. Landowners should be allowed to require covenants
  - 7 Yes. Commercial and Industrial would best be served near the highway while residential should be set back from highway
  - 8 There area should be zoned commercial and some residential
  - 9 Maybe, I think housing on 5 acres lost would be ok but most commercial stores, gas stations belong in or by current towns of Williston or Alexander

- 10 As the individual land owner deems appropriate
- 11 Close to paved roads, pipelines, tanks, etc.
- 12 Areas along existing highways, things that will accommodate both agriculture and industry
- 13 Areas along highway, near water and on good roads, allowing developed clustered with good access and easy to service.
- 14 Owners should not be subject to irrelevant government
- 15 I think all areas are generally able to be developed. It's just a matter of what type
- 16 By communities
- 17 If you are going to just have certain areas of development, they should be along highway 85 and County 16
- 18 The Highway 85 corridor - a mix of residential and commercial, but don't put a pipe yard next to a dwelling
- 19 No

**8 Other Comments**

- 1 I feel industrial zones belong close to the Enbridge tanks and land disposal, along Highway 85
- 2 We like living in the country and we want it to stay that way
- 3 Should protect the people who have lived and are already living here
- 4 I think a lot of thought and good planning needs to go into this to maintain the cleanliness of the area and keep it environmentally safe
- 5 This community shaped my life. For that I am thankful.
- 6 Any development should maintain safety and quality of life and controlled by impartial board
- 7 I do not want zoning in Tri township that is different from the County. Too much government
- 8 We are not against development so long as it is managed properly
- 9 Less government, less taxes, less interference, more freedom
- 10 I think generally people should have the right to do with their land as they wish as long as they are not hurting someone else, i.e., putting a 3000 bed mancamp 100 yards away from a house, or causing environmental damage. I think this is particularly true when you are starting the zoning process after the boom started and development already underway. To tell landowners now that they have to obey rules that were not in place 2 years ago is unfair. The zoning board certainly can and should insure certain codes for building and sewage are enforced. No tarpaper shacks with open sewage, etc. This damages the neighbor's interest and this is a legitimate concern and in my opinion the main reason for a zoning board. As a third generation farmer, I understand and respect the view of those who would like to keep development out completely, hoping to insure the rural character of the township. I do think however, that people have the right to do with their property as they wish, even if you wish it would not happen, as long as that development does not directly and meaningfully hurt someone else.
- 11 Development should be prudent and sustainable. Developers shouldn't be allowed to take shortcuts and do cheap work. Development should be able to weather economic downturns and the North Dakota environment. I worry that construction will be quick and shoddy, and that modular homes will be next to industrial type areas
- 12 I wish the Township Board could represents more townships. They are trying to preserve the land and lifestyle that in turn helps our whole community. Our schools, Sheriff's office, hospitals, fire departments, and roads are all in desperate need of help. This would add to these problems. As we have found out, most businesses wanting to come in, promise to be good neighbors – but they are not. They can afford the lawyers to make demands on our communities. We have seen this on the last boom. This is even bigger. Why would anyone not defend keeping our communities the way we have lived (and loved it) for years? This is the reason we are still here.

Many that want in now are coming to make money – when it's gone – they will be too. Who will be left with the mess?