

ORDINANCE NO. 925

AN ORDINANCE AMENDING ORDINANCE NO. 613 OF THE CITY OF WILLISTON, ALSO KNOWN AS THE ZONING ORDINANCE OF THE CITY OF WILLISTON, AMENDING SECTION 23: M-2, HEAVY INDUSTRIAL DISTRICT TO ALLOW WORKFORCE, TEMPORARY HOUSING AS AMENDED IN SECTION 25: SUPPLEMENTARY DISTRICT REGULATIONS GOVERNING THE CRITERIA AND PERMITTING FOR WORKFORCE, TEMPORARY HOUSING.

WHEREAS, the City has received or expects to receive requests to house temporary workers within the M-2: Heavy Industrial Zoning District under the jurisdiction of the City of Williston Zoning Ordinance; and

WHEREAS, this provision allows greater opportunity for all industries with high demands for employees to invest in housing opportunities to help alleviate the housing shortage;

WHEREAS, it is the intent of the City to protect and promote the public health, safety and welfare by regulating the siting of workforce, temporary housing,

NOW, THEREFORE, be it ordained by the Board of City commissioners of the City of Williston, North Dakota:

SECTION 23. M-2: HEAVY INDUSTRIAL DISTRICT

C. Permitted Uses and Structures. The following shall be permitted:

1. Uses permitted in M-1 Districts provided no dwelling units are permitted except only for those employees having duties in connection with any premises requiring them to live on said premises, including families of such employees when with them and workforce, temporary housing as permitted and defined in SECTION 25.P

SECTION 25. SUPPLEMENTARY DISTRICT REGULATIONS

P. Workforce, Temporary Housing

Employee housing, which may or may not be located on the principal heavy industrial parcel. Such housing may only be occupied by employees of a requesting business. The use is temporary, with a specified review period of no more than five years from date of approval, as conditioned by the Planning and Zoning Commission and approved by the City Commission. Consideration for further extension would be finally determined by the City Commission with recommendation for the continuation or discontinuation of the use by the Planning and Zoning Commission.

APPLICATION REQUIREMENTS: The application process shall follow the Special Permitted Use criteria outlined in Section 27.D. 1-9. The following additional items shall be provided with the application and site plan to include:

- (1) Evidence that the applicant owns the land.
- (2) Description of the precise nature of the use including the following information:
 - a. Total number of projected workforce
 - b. Estimated duration of use
 - c. Total number and type of housing to be used
 - d. Total number of beds
- (3) Site Plan, drawn to scale, including the following:
 - a. Location of housing units
 - b. Location of existing structures
 - c. Ingress and egress to property and proposed structures
 - d. Required off-street parking
 - e. Refuse and service areas
 - f. Utilities, with reference to location, availability and compatibility
 - g. Proposed areas to be screened or buffered- and indication of type to be used
 - h. Location of any proposed signs
 - i. Required yards or open space
- (4) Method for sewage disposal and water supply with approvals from regulating authority.
- (5) Building Permit Required and must follow State Building Code Guidelines.
- (6) Approved fire protection and emergency response measures.
- (7) Impact fees and or permit fees as amended and determined by City officials. Fees assessed would require review and approval by the City Commission.

PROHIBITED HOUSING TYPES:

M-2: Heavy Industrial District- Recreational camping trailers (unless compatible with the area and rest of work camp and as approved by the City Commission).

PROHIBITED ACTIVITIES: Sites are to be maintained free of garbage and junk and subject to compliance with applicable city codes and ordinances (e.g. as nuisance and junk). Recreational vehicles are not to be operated on site.

Only permitted outdoor storage per the zoning district is allowed. No outdoor storage of personal vehicles, campers or personal items for occupants of temporary housing is permitted on the site.

PERMITTING REQUIREMENT: Workforce, temporary housing proposals will be submitted and reviewed as Special Permitted Uses following the stated criteria in Section 27 and additional application requirements as stated in this ordinance. Due to the nature of workforce, temporary housing as an unconventional land use and potential community-wide concerns additional processing steps are required as follows:

1. **Public Hearing:** The Planning and Zoning Commission will hold a public hearing in regard to the application and make a recommendation to the City Commission.

Public Hearing Notice Requirements: Notice of the public hearing must be published once a week for two successive weeks before the time set for the hearing in the official newspaper of the city. The notice must contain the following items:

- a. The time and place of the hearing.
- b. A description of any property involved, by street address if streets have been platted or designated in the area affected.
- c. A description of the nature and scope of the proposal.
- d. A statement of the times at which it will be available to the public for inspection and copying at the office of the city auditor.

2. **City Commission:** Upon review and recommendation by the Planning and Zoning Commission the City Commission will review and give a final decision.

Commissioner Bogar moved the adoption of the foregoing Ordinance. The motion was seconded by Commissioner Bekkedahl.

On roll call vote of the Commissioners. The following Commissioners voted "AYE": Lawson, Bogar, Bekkedahl, Klug, Kooser and the following Commissioners

Voted "NAY": None. Absent and not voting: None

WHEREUPON, the motion was passed and the Ordinance declared adopted this 25th day of April, 2010.



E. Ward Kooser
 E. WARD KOESER, President
 Board of City Commissioners

ATTEST:

John Kautzman
 JOHN KAUTZMAN, City Auditor

FIRST READING: March 23, 2010
 SECOND READING: April 13, 2010
 PUBLISHED:

ADOPTED THE 13th DAY OF April, 2010.