

SUBJECT: ORDINANCE #2005-1 (CASS COUNTY COMPREHENSIVE PLAN)

ADOPTED DATE: MARCH 21, 2005

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AN ORDINANCE TO ESTABLISH GOALS, OBJECTIVES AND POLICY GUIDELINES TO  
THE CASS COUNTY COMPREHENSIVE PLAN

The purpose of this ordinance is to address the goals and issues faced by Cass County. The product of this ordinance will help shape the growth of the county through the creation of policies used to make planning decisions. The following definitions should be used for each goal, objective, and policy guideline:

- Goal: Long-term end toward which programs or activities are directed. Goals are general and include no date of completion.
- Objective: A specific, measurable, intermediate end that is achievable, sometimes measurable, and marks progress towards a goal. Objectives are action-orientated statements demonstrating the means to achieve a goal.
- Policy Guideline: General principles creating the course of action or way in which programs and activities are coordinated to achieve an identified goal or objective, supporting the action of the objectives.

**Goal One**

**To achieve orderly, balanced, and sensible development.**

Objective A. Promote compact and orderly development.

- Policy 1. Direct new development to areas already experiencing development.
- Policy 2. Encourage infill development and redevelopment where appropriate.
- Policy 3. Discourage non-farm development in farming areas.
- Policy 4. Direct large urban type developments to locate in close proximity to the urban areas.
- Policy 5. Prevent premature development.
- Policy 6. Periodically update the county's subdivision ordinances to compliment the local municipalities' ordinances and not encourage sprawl.

Objective B. Prevent incompatible land uses from locating in close proximity to one another.

- Policy 1. Protect valuable farmland from premature development.
- Policy 2. Create a distinct separation between urban and non urban development.
- Policy 3. Prevent large urban type development from locating in rural areas.
- Policy 4. Require new development to compliment the surrounding land use.

Objective C. Promote residential development which will more easily convert to an urban environment.

- Policy 1. Encourage development whose lots will not become economically infeasible if annexed into a municipality.
- Policy 2. Plan subdivisions so logical re-subdividing is possible, if necessary.
- Policy 3. Plan subdivisions so the street network and accesses can be upgraded to meet the needs of an urban environment.
- Policy 4. Require orderly annexation agreements in new subdivisions surrounding incorporated areas.

Objective D. Ensure new development will protect the short and long term health, safety, and general welfare of county's citizens from flooding.

- Policy 1. Prevent development from occurring in flood prone areas.
- Policy 2. Prevent development with the potential need for flood buyouts, flood mitigation, and temporary flood protection.
- Policy 3. Prevent development having limited access during times of high water.
- Policy 4. Deter development which adversely impacts the flooding potential in the county.
- Policy 5. Require new developments near potential flood areas to submit a flood protection plan outlining the risk of flooding and necessary solutions to protect the lives and investments of the county's citizens.

Objective E. Ensure new development will protect the short and long term health, safety, and general welfare of county's citizens from the soil stability problems prone to the county's soils.

- Policy 1. Prevent development which will compound the naturally occurring problems with the county's soil stability.
- Policy 2. Deter development with the potential to place financial strain on the county and its citizens as result of soil stability issues.
- Policy 3. Deter development and land uses that will adversely impact or accelerate soil stability.
- Policy 4. Deter the man-made land uses which intensify the naturally occurring soil stability problems.
- Policy 5. Develop regulations preventing development from occurring in areas prone to stability problems, preventing the land uses accelerating the inherent problem, and protecting the river front vegetation helping to stabilize the soils.

Objective F. Properly address the impact of new development on the current and existing drainage systems.

- Policy 1. Require new developments to submit a drainage plan to study the needs of the new development drainage system, its impact on the existing drainage system, and any other information required by the water resource board.
- Policy 2. Require the financial burden of any construction, upgrades, or repairs to the current drainage system needed as result of new development to be placed on the developer and those most benefiting from these required changes.
- Policy 3. Ensure new development drainage systems will provide the needed short and long term service for the county's citizens.
- Policy 4. Ensure new development will not adversely impact current drainage systems.
- Policy 5. Ensure drainage plan will meet the needs of the size, scope, and type of development, preventing those plans only meeting the short terms of a development.
- Policy 6. Prevent development with drainage systems built so as to create current or future financial strain for the county and its citizens to fund the costs to upgrade a deficient drainage system.

## Goal Two

**To provide the citizens of Cass County with essential public facilities, services, and infrastructure.**

Objective A. Ensure new development provides the necessary level of quality services for the county's citizens.

- Policy 1. Require levels of services appropriate for the scale of the development.
- Policy 2. Develop and require minimum levels of service for roads, water, sewer, drainage, storm water drainage, and all other related services and infrastructure.
- Policy 3. Require developers to submit infrastructure plans outlining the time schedule for the installation or upgrade of all necessary services, including the acceptance and approval of such infrastructure plans by the appropriate utility company or entity.
- Policy 4. Require services to meet both the current and future needs of the citizens.
- Policy 5. Restrict the use of services only providing short term benefits to the citizens.
- Policy 6. Require developers to install, or post a financial guarantee for the installation of, all necessary facilities, services, and infrastructure prior to the approval of subdivisions.

Objective B. Prevent new developments from creating an economic strain on the county and the future residents of new developments.

- Policy 1. Require those benefiting the most from services to pay the cost for installation, upgrading, and repairing of such services.
- Policy 2. Prevent development only addressing the short term service, facility, and infrastructure needs of the county's citizens. Services requiring the citizens or government agencies to fund and upgrade service, facility, or infrastructure to meet the actual needs of the citizens.
- Policy 3. Prevent developments creating financial burden and disruption for citizens when development becomes annexed and requires installation of urban services and removal of exiting infrastructure.

- Policy 4. Promote compact development so facilities and services can be provided economically.

### Goal Three

**To provide an efficient, safe, environmentally sensitive, and cost effective county transportation system to effectively meet citizen's current and future needs for personal mobility and movement of goods.**

Objective A. Prevent new development from placing an economic strain on the county to provide a safe and quality road network.

- Policy 1. Require those benefiting the most from roads to pay the cost for installation, upgrading, and repairing of subdivision roads and the public roads providing access to the development.

- Policy 2. Prevent development which will have an adverse effect on the public road network.

Objective B. Require new development's roads to meet the transportation and safety needs of the county's citizens during the initial construction of the subdivisions.

- Policy 1. Require new development to provide roads meeting both the current and future needs of the county's citizens.

- Policy 2. Prevent development requiring the new land owners and residents of subdivisions from having to fund, plan, and organize upgrades to the subdivisions roads to meet their transportation needs or requirements after lots have been sold and homes built.

- Policy 3. Require new developments submit and fund a transportation plan to study the transportation and safety needs of the development and the surrounding area.

- Policy 4. Require developers to pay for and install any necessary street, traffic signs, or lighting features.

Objective C. Encourage development creating pedestrian friendly design.

- Policy 1. Require the safety improvements needed for safe pedestrian interaction with the road network.

- Policy 2. Design roads so they compliment the neighborhood environment.

Policy 3. Promote development providing walking and bike paths within the subdivision and connecting to existing or future walking or bike paths.

Policy 4. Promote development using the corridor along the rivers as public greenway to allow for a future recreational trail system.

Objective D. Plan new developments so they more easily convert to a future urban transportation environment

Policy 1. Preserve and establish right-of-way (ROW) that dedicates and dedds the land for the future arterial corridors found along the section and quarter section lines.

Policy 2. Direct development's road network and accesses so they can more easily transition to an urban road network.

Policy 3. Restrict the access points along the future arterial roads and ensure proper location of permitted accesses.

Objective E. Encourage the use of the existing public transit in rural Cass County by all residents of rural Cass County.

Policy 1. Ensure adequate local, state, and federal funding for transit service in rural Cass County by reviewing the existing needs and demands of rural residents on a regular basis.

Policy 2. Work with the Cass County Rural Transit, Metro Area Transit, FM Metro COG, and ND DOT to promote the development of formal and informal "park-n-ride" facilities at key intersections in rural Cass County for use by metro bound commuters.

Policy 3. Work with Cass County Rural Transit, Metro Area Transit, FM Metro COG to promote the development and use of Rideshare and Carpooling Programs in Cass County for the use by metro bound commuters.

#### **Goal Four**

**To use and preserve natural resources in an environmentally sound manner.**

Objective A. Preserve adequate quantity and quality of ground and surface water supplies.

Policy 1. Require new developments to provide adequate quantity and quality of potable water for the citizen's current and future needs.

- Policy 2. Promote development providing potable water sources which most efficiently use the resource.
- Policy 3. Deter development only meeting the citizen's current or short-term water needs.
- Policy 4. Deter development which potentially can create financial burden on citizens for costly upgrades to a deficient water supply.
- Policy 5. Deter development using water sources which would need to be upgraded to meet the urban standards of a municipality upon annexation.
- Policy 6. Encourage development using ground water resources in the most efficient ways with the greatest long term benefits to the county's citizens and long-range water conservation.

Objective B. Protect the natural vegetation along rivers for its ability to help stabilize river banks.

- Policy 1. Create a conservation easement protecting the natural and important vegetation along the rivers.
- Policy 2. Work with the proper agencies to help educate the public about the benefits of certain vegetation along rivers.
- Policy 3. Create guidelines to help riverfront owners identify the important vegetation.

Objective C. Protect the county's wetlands.

- Policy 1. Identify the county's wetland areas and use this information during the planning process.
- Policy 2. Require new development to comply with all local, county, state, and federal laws, regulations, guidelines, and ordinances relating to wetlands.

Objective D. Protect the county's surface water resources.

- Policy 1. Require new development to prevent any harm, damage, or other adverse impact on the county's lakes, rivers, or streams.
- Policy 2. Deter developments transferring sedimentation and pollution in the county's surface water systems.

Policy 3. Require new developments to meet the standards established by the EPA for storm water pollution protection.

Objective E. Prevent the introduction of sewage and other harmful agents into the county.

Policy 1. Encourage the use of centralized sewage systems.

Policy 2. Continue working with Fargo Cass Public Health to review, design, and inspect new developments sewage systems.

Policy 3. Encourage sewage systems meeting the needs for the scope and type of development.

Policy 4. Require development sewage systems to meet the long term needs of the county's citizens.

Policy 5. Deter developments using sewage systems with limited life spans necessitating expensive replacement or upgrades.

#### **Goal Five**

**To preserve and maintain Cass County's rural heritage.**

Objective A. Protect the county's valuable farmland and agricultural traditions.

Policy 1. Identify Cass County's agriculturally productive lands and use this information during the planning process.

Policy 2. Discourage non-farm development in farming areas.

Policy 3. Prevent premature large scale urban type development from occurring in the rural portions of the county.

Policy 4. Direct new development to areas already experiencing development.

Policy 5. Create a distinct separation between urban and non urban areas.

Policy 6. Encourage infill development and redevelopment where appropriate.

Policy 7. Direct large urban type developments to locate in close proximity to the urban areas.



Objective B. Protect the rural atmosphere present in the county.

- Policy 1. Limit development occurring away from the urban fringes to be small in size and scope so as to reduce its impact on the rural atmosphere and existing land uses.
- Policy 2. Promote development complimenting the existing land uses, development, and farming lifestyle.
- Policy 3. Encourage infill and redevelopment for large scale developments.
- Policy 4. Create a distinct separation between the large scale urban type development and the existing rural farms and homes.
- Policy 5. Deter large and premature development in the rural areas of the county.
- Policy 6. Support the establishment and use of farm programs and farm protection programs.
- Policy 7. Direct non-farm developments to areas where development already exists.
- Policy 8. Promote agriculture and its benefit for the entire county.
- Policy 9. Educate the public about the value of the county's soils, farms, and farmland and the consequences of its conversion to non-farm uses.

### **Goal Six**

**To ensure and maintain public participation in the decision-making influencing the future of Cass County and its citizens.**

Objective A. Maintain open lines of communication between the county and all other local entities.

- Policy 1. Distribute planning agendas to the relevant entities.
- Policy 2. The county planner should attend city commission and planning meetings when necessary.
- Policy 3. The county planner should attend the joint township and city meetings.

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Policy 4. The county planner should attend relevant local planning lectures and conferences.

Policy 5. Encourage review and comments by local entities relating to county planning issues.

Objective B. Provide public awareness of planning goals, objectives, and issues.

Policy 1. Provide the media with copies of all agendas and special meetings.

Policy 2. Hold public meetings for input on current issues and goals.

Policy 3. Invite public input on regular and special planning issues.

Policy 4. Consider and utilize citizen suggestion when making public decisions.

Policy 5. Require new developments to distribute plans and information to surrounding landowners of proposed developments.

Policy 6. Use planning commission to advise the county on issues of growth and development.

Approved:

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Darrell Vanyo, Chairman  
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ATTEST:

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Michael Montplaisir, County Auditor

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