ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO. \_\_\_\_ OF THE CITY OF \_\_\_\_, ALSO KNOWN AS THE ZONING ORDINANCE OF THE CITY OF \_\_\_\_, AMENDING SECTION \_\_; \_\_\_\_ TO ALLOW WORKFORCE, TEMPORARY HOUSING AS AMENDED IN SECTION \_\_: \_\_\_\_.

WHEREAS, the City has received or expects to receive requests to house temporary workers within the \_\_; \_\_\_\_ Zoning District under the jurisdiction of \_\_\_\_; 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 \_\_\_\_, North Dakota;

SECTION \_\_; \_\_\_\_

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

1. Uses permitted in \_\_ 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 \_\_.

SECTION \_\_ Supplementary District Regulations

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 Board of Township Supervisors. 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. Descriptionof the precise nature of the use including the following information:
   1. Total number of projected workforce
   2. Estimated duration of use
   3. Total number and type of housing to be used
   4. Total number of beds
3. Sit Plan, drawn to scale, including the following:
   1. Location of housing units
   2. Location of existing structures
   3. Ingress and egress to property and proposed structures
   4. Required off-street parking
   5. Refuse and service areas
   6. Utilities, with reference to location, availability and compatibility
   7. Proposed areas to be screened or buffered and indication of type to be used
   8. Location of any proposed signs
   9. Required yards or open space
4. Method for sewage disposal and water supply with appprovals 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 determine by City officials. Fees assessed would require review and approval by the City Commission.

PROHIBITED HOUSING TYPES:

\_\_\_\_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 ordinance (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 Use Permits following the stated criteria in Section 27 and additional application requirements as stated in his ordinance. Due to the nature of workforce, temporary housing as an unconventional land use and potential community wide concerns additional processing steps are requires as follows:

1. Public Hearing: The Planning and Zoning Commission will hold a public hearing the regards to the application and make a recommendation to the Township Board of Supervisors.

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:

1. The time and place of the hearing.
2. A description of any property involved, by street address if streets have been platted or designated in the area affected.
3. A description of the nature and scope of the proposal.
4. A statements of the times at which it will be available to the public for inspection and copying at the office of the city auditor.
5. Board of Township Supervisors: Upon review and recommendation by the Planning and Zoning Commission the Board of Township Supervisors will review and give a final decision.

AN ORDINANCE AMENDING SECTION \_\_: \_\_\_\_ OF ORDINANCE NO \_\_ OF THE TOWNSHIP OF \_\_, ALSO KNOWS AS THE ZONING ORDINANCE OF THE TOWNSHIP OF \_\_, TO INCLUDE SUBSECTION \_\_; LIMITED PERMITTED USE FOR TEMPORARY WORKFORCE HOUSING;

AND

AMENDING SECTION \_\_ \_\_\_\_ OF ORDINANCE NO \_\_ OF THE TOWNSHIP OF \_\_, ALSO KNOWN AS THE ZONING ORDINANCE OF THE TOWNSHIP OF \_\_, TO INCLUDE SUBDECTION \_\_: LIMITED PERMITTED USE FOR TEMPORARY WORKFORCE HOUSING;

WHEREAS, the Township desires to amend Section ))) to include Subsection \_\_ in each of the referenced Sections to allow a limited permitted use for Temporary Workforce Housing; and

WHEREAS, the Board of Township Supervisors for \_\_ Township hereby state after the adoption of Ordinance \_\_, it shall be their intent to reconsider adopting a new ordinance structure governing temporary workforce housing at a future point in time should the Board, in their sole descretion, determine a housing crisis exists as a result of an extrememn housing sortage or other unreasonable circumstances exist resulting in a determiniation by the Board of Township Supervisor it is in the best interests to reconsider temporarily allowig workforce housing. Upon the Boards determination to adopt a new ordinance structure governing temporary workforce housing, such ordinance shall be adopted pursuant to the same process and procedures in which all other unicipal zoning ordinances are adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TOWNSHIP SUPERVISORS OF \_\_ TOWNSHIP, NORTH DAKOTA THAT SUBSECTION \_\_ SHALL BE INCLUDED AND INCORPORATED INTO SECTION \_\_ OF ORDINANCE \_\_, AND AMENDMENTS THERETO:

Limited Permitted Use for Temporary Workforce Housing

1. Definitions:
   1. Temporary Workforce Housing shall mean one or all of the following meaning: 1. Employee housing, which may or may not be located on a principal heavy industrial parcel to be occupied by employees of a requesting business which use is temporary and having received approval pursuant to Ordinance \_\_ 2. Employee housing, which consists of one or more workforce lodging units, ordinarily designed for human living quarters which may or may not be real property as defined in Section, and this type of employee housing has been granted by a conditional use permit by the Township and/or 3. Employee housing which is not otherwise permited without receiving a special grant by the township through the applicalbel special permitted use process or by the County throught eh applicable conditional use permit process Zoning Ordinance.
   2. Limited Permitted Use: a use of land in conformity with the uses temporarily permitted under a zoning classification which use is expressly subject to expire and terminate at the end of a fixed period. The intent of a limited permitted use is to allow a use of land for a temporary basis which is in conformity with a zoning classifrication but otherwise subject to what is known as a sunset law with such use becoming a non-permitted use at the end of a fixed period.
2. Temporary Workforce Houseing. So long as the temporary workforce housing meets an dcomplies with all requirements provided below, existing temporary workforce housing approved under and in accordance with Township Ordinance whose special permitted use permit expired on or before shall be considered a conforming limited permitted use as follos: 1. The temporary workforce housing facility may occupy their structures until \_\_, 2. The temporaroy workforce housing facility shall have until \_\_ to remove their facility to an area zoned for outdoor storage, and 3. The temporaory workforce housing facility shall have until \_\_ to undertake site reclamation.
3. Temporary Workforce Housing. So long as the temporary workforce housig meets and complies with all requiremts provided in Subsections.. below, existing temporary workforce housing approved under and in accordance iwht the applicalbel zoning ordinance and designated permit process resulting in a valid conditional use permit being issued with said existing temporary workforce housing then becoming subject to the requiremts of the township

Application requirements:

* 1. Application fee: an application fee of 400, payable to \_\_ is required for any request to become a limited permitted use as defined herein which is located within the corporate boundaries of \_\_ or the extra territorial jurisdiction of \_\_.
  2. Application form: submit a completed form proving information required to evaluate the request to become a limited permitted use. This form shall be supplied by the township.
  3. Verification of settlement of outstanding feed owed to the county. Documentation that any outstanding fees owned the the county, if located within the ..for temporary workforce housing facilities have been paid in full to the appropriate jurisdiction.No review of the limited permitted use application will begin if any fees are outstanding to the county.
  4. Per Bed Fee: a per bed fee of $400 for the period of for all temporary workforce housing facilities locate din the jurisdication of \_\_ which are not taxed as real estate or motor vehicles. A per bed fee, as adopted by Cass County, for the period of \_\_ for all temporrary workforce housing faciliteid located in /// Staff may inspect the temporary workforce housing facility to verify the number of beds.
  5. Site Plan: A plain, if not already provided to the township, of the entire site, drawn to scale, depicting and identifying all existing structures, roadways, access from dedicated public raodways, parking, fire hydrants, surface drainage, connections to water and sewer/septic, propant tanks, and other inforamtion the township may require.
  6. Emergency response and security plan: A written plan, in not already provided the the township, for fire suppression, emergency vehicle circulation, and on site security.
  7. Facility rules and policies: A document of rules and policies, if not already provide dthe the otwnship that all residents of the crew camp must compy with. Emergency contact and respons information for residents to be included in this document.
  8. Verification of state helaht department inspection: if the temporary workforce housing facility is served by a septic system, and inspection of the facility by the North Dakota State Health Department is required to verify compliance with state health regulations prior to approving the limited temporary use. Applicant shall submit documentation tht such an inspection has been recently completed.
  9. Site resoration bond: a bond to guarantee the resoration plan for the proposed site can be completed. The bond must be provided to the Township and must be valid and remain in full force and effect until \_\_. The township will set for the amount of the restoration bond, based on the review of the site plan and site restoration plan.

1. The temporary workforce housing operator shall sign a written agreement on or before \_\_ with the township acknoledging and accepting:
   1. The applicant is not in violation of any federal, state, or local laws
   2. The occupancy for temporary workforce housing shall cease on or beofre \_\_
   3. The removal of the temporary workforce housing facility shall occur on or \_\_
   4. The site reclamation of the temporary workforce housing facility shall occur \_\_
   5. The extension of the removal and reclamation of the temporary workforce housing facility is contingent upon providing the township proof of having a reclamation bond that is valid and remains in full force and effect until \_\_
2. Failure to meet the requiremtns described in Subsection above and execute the agreemetn described Subsection above prior to \_\_ shall result in termination of the approval process for the temporary worforce housing facility as provided herein.
3. Unoccupied temporary workfroece housing facilities shall be stored only in areas zoned to allow outdoor storage and must meet the development standards of such zones ofr outdoor storage.
4. The provisions of sebsection of sections of Ordinance shall become null,void, and of no force and effect on and after \_\_
5. Compliance with law. All temporary workforce housing must be in compliance with all applicalbe statutes of the state of north dkota; the ordinances, rules, and regulatoins of Cass County; and the ordinances, rules, and regulations of the township.
6. Conflict with other laws. If there is a conflict between the regulations and standars in this ordinance with any other local, state, or federal laws or regulations for temporary workforce housig, the more restrictive interpretation shall be followed.