



MEMORANDUM

**Adopted Crew Housing Policy by the Williams County Board of Commissioners  
July 21, 2015**

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The Williams County Board of County Commissioners (“the Board”) adopted guidelines to implement the provisions of N.D.C.C. Chapter 11-33, to regulate and restrict the location and use of buildings and structures and the use, condition of use, or occupancy of lands for residence, recreation and other purposes within Williams County.

The Board has previously allowed the location, use, and/or occupancy of temporary housing facilities and units in Williams County pursuant to the following policies and ordinance: (1) *Williams County Temporary Housing Requirements*, a policy enacted by the Board on April 6, 2010, and amended on November 2, 2010; and (2) the *Temporary Housing Regulations*, an ordinance adopted by the Board on September 12, 2011, and amended on November 6, 2012.

It is recommended that the Board adopt a resolution to include the following items:

1. The Williams County Planning and Zoning Division will no longer accept any new and/or renewal applications for temporary housing beginning August 1, 2015, unless the applicant meets the following exceptions:
  - a. Any temporary housing facility operating seasonally from the first of March through the first of December, with a minimum of five (5) beds. All projects will be verified through the Development Services Department;
  - b. Any temporary housing facility operating seasonally on projects for the State of North Dakota. All projects will be verified through the Development Services Department. *The Development Services Department will have the authority to renew these temporary housing facilities administratively for one season;*
  - c. Any temporary housing facility operating year round that has a minimum of fifty (50) beds;



2. Any temporary housing facilities that do not meet the criteria mentioned above shall no longer operate as of May 1, 2016 and the site shall be completely restored to its original use/condition by July 1, 2016.
3. The Planning and Zoning Official and Director of Development Services shall have the authority to administratively review and approve CUP renewal for temporary housing facilities.
4. Crew housing fees will increase to \$800 per bed per year, starting May 1, 2016.

Excerpt from the Williams County 2015 Draft Zoning Ordinance and Subdivision Regulations:

### **3-2-4 CUP Renewal**

A conditional use permit may be time-conditioned, as appropriate, by the Board of County Commissioners.

1. The Planning and Zoning Official and Director of Development Services shall have the authority to administratively review and renew a time-conditioned conditional use permit. And should determine, based on their review, which time-conditioned conditional use permit shall be renewed administratively by Planning and Zoning Division and which shall be sent to the Board of Commissioners for renewal
2. If the use authorized by the conditional use permit is discontinued for a period of 12 months, the conditional use permit will expire and the conditional use permit will no longer be in effect.

#### **3-2-4-1 Renewal**

1. The permit holder may seek renewal of a time-conditioned conditional use permit by filing a timely renewal application on the form provided by Williams County Development Services, Planning and Zoning Division.
2. An application for renewal must be filed more than forty five (45) calendar days but less than sixty (60) calendar days prior to the expiration of the conditional use permit.
3. Once a renewal application has been filed in a timely manner, the expiration date of the conditional use permit is automatically extended until either the issuance or denial of the application for renewal has become final.
4. Any application filed after the renewal filing period has expired shall be deemed to be an application for a new conditional use permit. If a new conditional use permit is not issued prior to the expiration of the conditional use permit, the continuation of any use which requires such permit shall be in violation of this title.
5. The procedures set forth in this chapter for the processing of an application for a conditional use permit shall equally apply to a renewal application except as hereinafter expressly set forth.



### **3-2-4-2 Renewal Findings**

1. Consideration of a renewal application shall be based on a rebuttable presumption that the use as permitted by the conditional use permit meets the findings of this part.
2. The presumption shall be rebutted by any evidence of noncompliance with any condition of any prior permit or law or ordinance, or by evidence of any changed condition in the neighborhood, or by evidence that the continued use creates a nuisance as defined by this title, or an impairment of public peace, health, safety, morals or welfare.
3. Once the presumption has been rebutted, the conditional use permit shall not be renewed unless the findings required by this part have been made and the planning manager, director of development services, planning commission, or county commission, is satisfied that full compliance with all conditions, laws and ordinances is assured.