

**WILLIAMS COUNTY
BOARD OF COUNTY COMMISSIONERS**

ORDINANCE NO. 2019-03-05

**TITLE: AN ORDINANCE AMENDING 2015 ZONING ORDINANCES:
AMENDING ARTICLE 2, CHAPTER 2-9, SECTION 2-9-9; AND
ARTICLE 5, CHAPTER 5-5, SECTION 5-5-6-1, TO ADD AND
REGULATE MOTOCROSS/ATV TRACKS.**

WHEREAS, the Williams County Board of County Commissioners (hereinafter “the Board”), pursuant to the Williams County Home Rule Charter and North Dakota Century Code Chapter 11-33 and Chapter 11-33.2, adopted the Williams County Zoning Ordinance and Subdivision Regulations on September 15, 2015, and amendments thereto (hereinafter “2015 Zoning Ordinance”);

WHEREAS, the 2015 Zoning Ordinance, Article 3, Chapter 3-6, authorizes the Board from time to time on its own motion, or on the recommendation of the Williams County Planning and Zoning Commission (“PZ Commission”) to amend, supplement, repeal or revise any provision of the 2015 Zoning Ordinance;

WHEREAS, Williams County Planning and Zoning staff, upon a citizen’s inquiry, determined that Motocross/ATV Tracks are currently not a regulated use in the 2015 Zoning Ordinance, and that it would promote the purposes of that ordinance to add regulations for the use of Motocross/ATV Tracks;

WHEREAS, proposed amendments to the 2015 Zoning Ordinance to add and regulate Motocross/ATV Tracks were presented by Williams County Planning and Zoning staff to the PZ Commission for consideration at its meeting held on February 21, 2019, at which time the PZ Commission recommended adoption of the proposed amendments adding and regulating Motocross/ATV Tracks;

WHEREAS, at its meeting held on March 5, 2019, the Board considered the proposed amendments adding and regulating Motocross/ATV Tracks to the 2015 Zoning Ordinance, including the PZ Commission’s recommendation to adopt the proposed amendments;

WHEREAS, Commissioner Hanson moved to adopt the proposed amendments to the Zoning Ordinance, as recommended by the PZ Commission, and Commissioner Ramberg seconded the motion, and the motion having been submitted to a roll call vote of the elected County Commissioners:

David Montgomery, Chairman	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Beau Anderson, Commissioner	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Steve Kemp, Commissioner <i>absent</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Cory Hanson, Commissioner	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Barry Ramberg, Commissioner	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

NOW, THEREFORE, BE IT ORDAINED by majority vote of the Williams County Board of County Commissioners, the following amendments are hereby made to and adopted into the Williams County Zoning Ordinance and Subdivision Regulations adopted on September 15, 2015, as amended:

1. **The text of Article 2 Chapter 2-9, Section 2-9-9, regulating Conditional Recreational Uses for the Public District, is hereby amended to add a new item 6 which shall read as follows:**

6. Motocross/ATV tracks

2. **The text of Article 5 Chapter 5-5, Section 5-5-6-1, requiring certain Landscaping Standards for Incompatible Uses when abutting Urban Residential District or Rural Residential District, or residential use in Agricultural District, is hereby amended to add a new item 20 which shall read as follows:**

20. Motocross/ATV tracks

3. **The amendments approved herein shall be immediately incorporated into the officially adopted text of the Williams County Zoning Ordinance and Subdivision Regulations adopted on September 15, 2015, as amended, and shall be effective on the date of adoption by the Williams County Board of County Commissioners.**



David Montgomery, Chairman
Williams County Board of County Commissioners

Dated: March 5, 2019

ATTEST:



Beth M. Innis, County Auditor

Dated: March 5, 2019

First Publication: March 13, 2019

Second Publication: March 27, 2019