

# **CONDITIONAL USE PERMIT**

## **SUPPLEMENTAL APPLICATION**

Please mail or drop off the following form at the address below when completed:

City of Bowman  
101 1<sup>st</sup> Street NE  
Bowman, North Dakota  
58623-0012

If you have any questions regarding the submission of this application, please feel free to contact City Staff at 701-523-3309

**Procedures:**

Once the application is submitted by the applicant or his/her agent and deemed to be complete, City staff will review the request and then prepare a report with a recommendation. In accordance with state law (North Dakota Century Code [NDCC], sections 40-47-01 and 40-47-04), the application will be reviewed by the Planning and Zoning Commission and upon appeal by an aggrieved party, the City Commission at their respective meetings during a public hearing. All hearings must be noticed by letter to each surrounding property owner that is within 150 feet of the subject property, and noticed by publication of the description of the proposed request in the City's official newspaper (The Bowman Pioneer). Noticing requirements for the Planning and Zoning Commission and City Commission take 3 weeks to complete and must occur chronologically and not concurrently, and therefore applicants are encouraged to plan accordingly.

The Planning and Zoning Commission will hear the item at an advertised public hearing, and at its conclusion will approve, deny, or table the item pending more information or site inspection. During the hearing, the applicant and all other interested parties will be heard by either 1) speaking or 2) writing and submitting their testimony (forms will be available). The Planning and Zoning Commission's decision is final unless appealed by an aggrieved party. After a decision is made by the Commission, the Zoning Director will complete an Action Letter that will be forwarded to the City Auditor and the applicant.

Appeals of the decision made by the Planning and Zoning Commission must be submitted to the Zoning Director within 10 business calendar days of the Commission meeting. Any person aggrieved by the decision may file an appeal by submitting the appropriate form and fee to the Bowman City Hall Office. After the appeal period expires, the item will be scheduled for the next available City Commission meeting upon which a final decision will be made.

An applicant whose proposal is denied by the City Commission may not institute a new application on substantially the same project within a period less than 12 months from the date of action by the City Commission on the original application, unless the City Commission has first determined that its original decision was based on an error, lack of information, a misrepresentation of the facts, or that there has been a substantial change in the subject property.

# APPLICATION FOR A CONDITIONAL USE PERMIT

**Please make an appointment with the Zoning Director prior to filling out this application to determine which questions and submittal requirements are applicable to your project.**

The owner or duly authorized agent of the owner of the property herein described requests the Planning Commission of the City of Bowman to approve a Conditional Use Permit for the project described herein. In approving the Conditional Use Permit, the Planning & Zoning Commission must find that the following criteria are met:

Assurance that the health, safety and welfare of the neighbors and the general public are being protected as well as the integrity of the neighborhood. Such an assurance shall indicate that:

- (a) the design and layout represents lot setbacks;
- (b) the project has visual screens where necessary;
- (c) the project incorporates noise controls;
- (d) there are air quality controls;
- (e) there is adequate public service access;
- (f) there is sufficient on-site parking;
- (g) there is road access; and
- (h) that traffic levels are not excessive.

PROJECT NAME AND DESCRIPTION: \_\_\_\_\_

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PROVIDE A DESCRIPTION OF THE CONDITIONAL USE PERMIT TRIGGER (section of code and/or use that requires the conditional use permit): \_\_\_\_\_

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IS A ZONE CHANGE AND/OR A COMPREHENSIVE PLAN AMENDMENT NECESSARY IN ORDER TO PROCESS THE CONDITIONAL USE PERMIT: \_\_\_\_\_

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DESCRIBE THE ACTIVITY, DURATION, NUMBER OF EMPLOYEES AND TYPE OF STRUCTURES TO BE BUILT AND/OR USED: \_\_\_\_\_

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DESCRIBE THE HOURS OF OPERATION AND ANY 24 HOUR ACTIVITIES: \_\_\_\_\_

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PROVIDE THE DISTANCE MEASUREMENTS FROM THE PROPOSED BUILDINGS AND/OR USES TO SURROUNDING PROPERTY LINES AND STRUCTURES:\_\_\_\_\_

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DOES THE USE AND/OR OPERATION REQUIRE ANY ON-SITE EMPLOYEE HOUSING, OR SUPPORTING SERVICES SUCH AS SHOWERS, BEDROOMS, BEDS OR KITCHENS:\_\_\_\_\_

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IS THE SUBJECT PROPERTY WITHIN AN AREA OF POTENTIAL HAZARD (Including, but not limited to earth slide areas, previous hazardous spill areas, flood area, etc.):\_\_\_\_\_

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IS THE PROPOSED CONSTRUCTION AREA SITUATED ON SLOPES OF 15% OR GREATER (If so specify hillside design standards incorporated into the project):\_\_\_\_\_

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DESCRIBE METHODS USED FOR STABILIZATION AND/OR REVEGETATION OF EXPOSED AND DISTURBED SOILS DUE TO PROPOSED GRADING ACTIVITIES:\_\_\_\_\_

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WHAT TYPE OF STREET WILL THE PROPOSED PROJECT TAKE ACCESS FROM (a residential collector, commercial or highway):\_\_\_\_\_

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IS THE PROJECT AN EXPANSION OF AN EXISTING FACILITY (state existing and proposed square footage):\_\_\_\_\_

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STATE THE SQUARE FOOTAGE(S) OF ANY NEW FACILITIES OR BUILDINGS\_\_\_\_\_

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INDICATE THE SOURCE OF WATER, WATER PURVEYOR, AND THE ESTIMATED WATER DEMAND FOR THE PROJECT: \_\_\_\_\_

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INDICATE THE ENTITY/FACILITY FOR SEWER COLLECTION AND TREATMENT AND PROVIDE AN ESTIMATE OF THE PROJECT GENERATED SEWAGE CONTRIBUTION: \_\_\_\_\_

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ARE POWER LINE RELOCATIONS OR INSTALLATIONS PROPOSED? \_\_\_\_\_

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PROVIDE A DESCRIPTION OF THE TYPE AND OWNERSHIP OF EXISTING AND PROPOSED PUBLIC AND QUASI PUBLIC UTILITIES PROPOSED TO SERVE THE SITE: \_\_\_\_\_

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IS A TRAFFIC STUDY INCLUDED WITH THIS APPLICATION? (If no, provide an explanation): \_\_\_\_\_

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PROVIDE PEAK HOUR AND AVERAGE DAILY TRAFFIC VOLUME GENERATION ESTIMATES FOR THE PROPOSED PROJECT: \_\_\_\_\_

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IDENTIFY POTENTIAL IMPACTS TO EXISTING & PROPOSED STREETS, INTERSECTIONS, AND MAJOR TRANSPORTATION CORRIDORS (HIGHWAY 12 AND 85) AFFECTED BY THE PROJECT & DESCRIBE THE MITIGATING MEASURES PROPOSED \_\_\_\_\_

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IDENTIFY THE POTENTIAL IMPACTS THE PROJECT MAY HAVE UPON THE CAPACITY OF PUBLIC SERVICE PROVIDERS (school, garbage disposal, snow removal, and police, fire and emergency medical services): \_\_\_\_\_

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WILL THE PROPOSED USE GENERATE ANY HAZARDOUS WASTE OR UTILIZE ANY HAZARDOUS MATERIALS OR EXPLOSIVE MATERIAL (if so list each one):\_\_\_\_\_

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**The Zoning Director will determine if any of the following items must be included with this application:**

- Bowman Unified Development Application
- 24" X 36" Colored Display Map including (site plan - 1 copy for original application)
- 24" X 36" Non-colored Display Map (site plan) with each copy
- 8 ½ X 11 Colored Building Elevations
- 24" X 36" Building Elevations (original to be in color)
- 24" X 36" Preliminary Grading and Drainage Plan\*
- 24" X 36" Preliminary Landscape Plan
- Proposed Sign Plans
- Exterior Lighting Plans
- Parking Plans
- 24" X 36" Preliminary Utility Plan\*
- Preliminary Hydrology Report\*
- Preliminary Sewer Report\*
- Preliminary Geotechnical Report\*
- Traffic Study\*
- Easement Plan, including Sidewalk and Common Use Driveways

***All drawings must be done with an engineer's scale at 1" = 20' or greater with all buildings and site features (parking, lighting, easements, trash enclosures, etc.) fully dimensioned.***

***\*Drawings that must be submitted & stamped by a licensed engineer in the state of North Dakota***