



Community Development Department

BISMARCK PLANNING AND ZONING COMMISSION
MEETING AGENDA
November 18, 2009

Tom Baker Meeting Room 5:00 p.m. City-County Building

Item No. Page

MINUTES

- 1. Consider the approval of the minutes of the October 28, 2009 meeting of the Bismarck Planning and Zoning Commission.

CONSENT AGENDA

CONSIDERATION

The following items are requests for public hearings.

- 2. Lots 1-3, Block 1, Kavaney Commercial Park 2nd Replat -- Zoning Change (CR to CG) (Klee)..... 1

Hay Creek Township

Staff recommendation: schedule a hearing [] schedule a hearing [] table [] deny

REGULAR AGENDA

FINAL CONSIDERATION/PUBLIC HEARINGS

The following items are requests for final action and forwarding to the City Commission.

- 3. Heritage Subdivision (JT)

Gibbs Township

- a. Detachment 5

Staff recommendation: approve [] approve [] continue [] table [] deny

- b. Zoning Change (RM30, RT, CA & CG to A) 9

Staff recommendation: approve [] approve [] continue [] table [] deny

- c. Plat Vacation 13

Staff recommendation: approve [] approve [] continue [] table [] deny

Bismarck-Burleigh County Community Development Department

221 North 5th Street • PO Box 5503 • Bismarck, ND 58506-5503 • TDD: 711 • www.bismarck.org

4. **Special Uses (Small Wind Energy Systems) –**
Zoning Ordinance Text Amendment (G²)..... 19

Staff recommendation: approve approve continue table deny

5. **Setbacks in RT, CA & CG Districts – Zoning Ordinance Text Amendment (Klee).....27**

Staff recommendation: approve approve continue table deny

OTHER BUSINESS

6. **Other Business**

ADJOURNMENT

7. **Adjourn.** The next regular meeting date is scheduled for Wednesday, December 16, 2009.

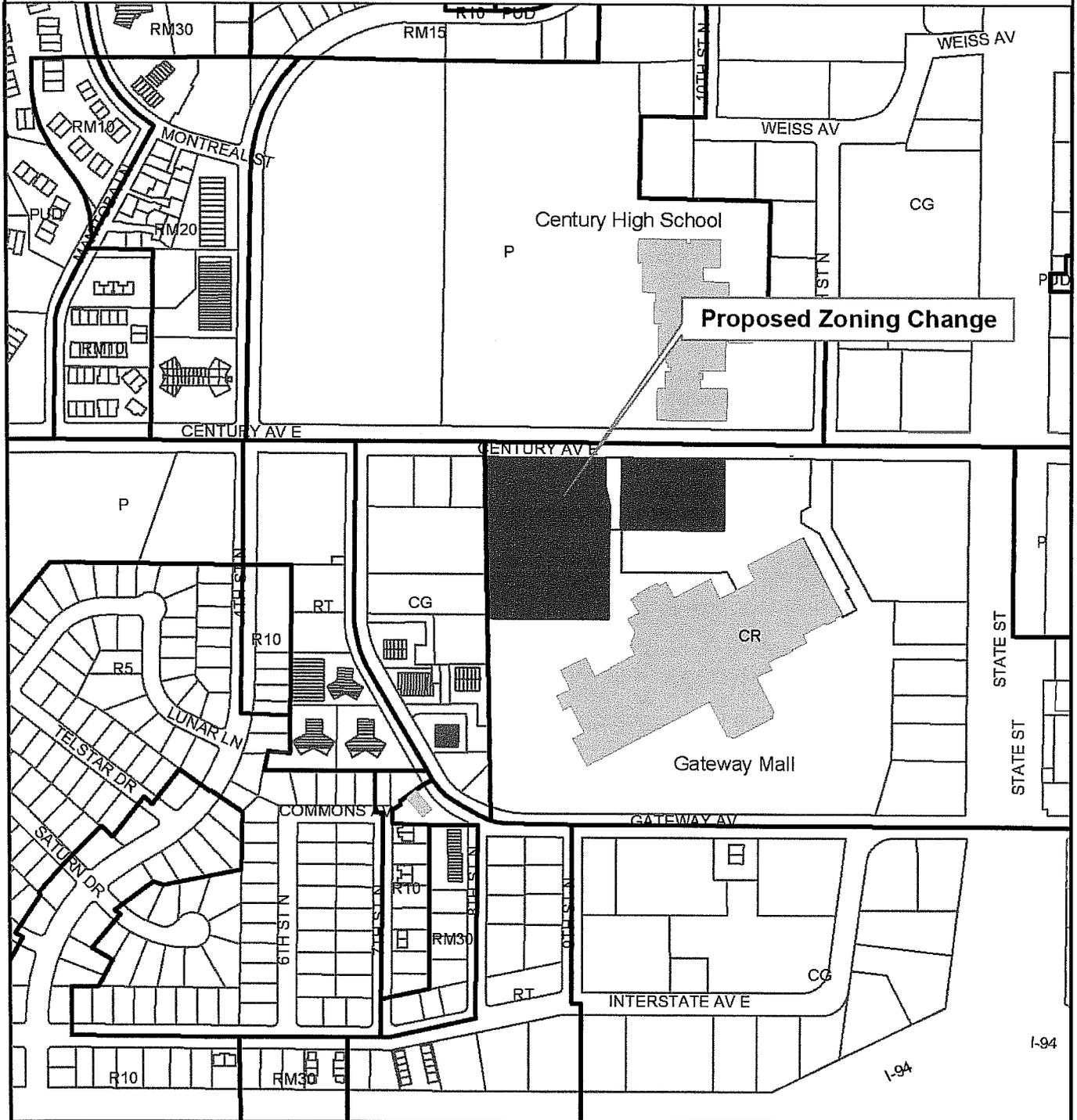
Enclosure: Minutes of the October 28, 2009 meeting
 Major Building Permits Report for October 2009
 Building Permit Activity Report for October 2009

**BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:	
Title: Lots 1-3, Block 1, Kavaney Commercial Park 2 nd Replat – Zoning Change (CR to CG)	
Status: Planning Commission – Consideration	Date: November 18, 2009
Owner(s): Daniel Development Partnership, LLLP	Engineer: N/A
Reason for Request: Rezone property to allow general commercial development, as the lots are no longer part of the Gateway Mall property.	
Location: South of Century Avenue East and west of State Street, north of the Gateway Mall property.	
Project Size: 7.37 acres, more or less	Number of Lots: 3 lots in 1 block
EXISTING CONDITIONS:	PROPOSED CONDITIONS:
Land Use: Undeveloped	Land Use: Commercial uses
Zoning: CR – Commercial	Zoning: CG – Industrial
Uses Allowed: Regional shopping center	Uses Allowed: General commercial uses
Maximum Density Allowed: N/A	Maximum Density Allowed: 42 units/acre
PROPERTY HISTORY:	
Zoned: 07/73	Platted: 05/04 (replat)
FINDINGS:	
<ol style="list-style-type: none"> 1. The proposed zoning change is outside of the area covered by the Land Use Plan. 2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include a variety of commercial uses and undeveloped commercially-zoned property to the east, west and south, and a senior high school to the north across Century Avenue. 3. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established. In particular, this property is no longer part of the Gateway Mall property. 4. The property is already annexed and has access to Century Avenue via an easement; therefore, the proposed zoning change will not place an undue burden on public services or facilities. 5. The proposed zoning change would not adversely affect property in the vicinity. 6. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations. 7. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice. 	
RECOMMENDATION:	
Based on the above findings, staff recommends scheduling a public hearing on the zoning change from CR – Commercial to CG – Commercial for Lots 1-3, Block 1, Kavaney Commercial Park 2 nd Replat.	

Proposed Zoning Change (CR to CG)

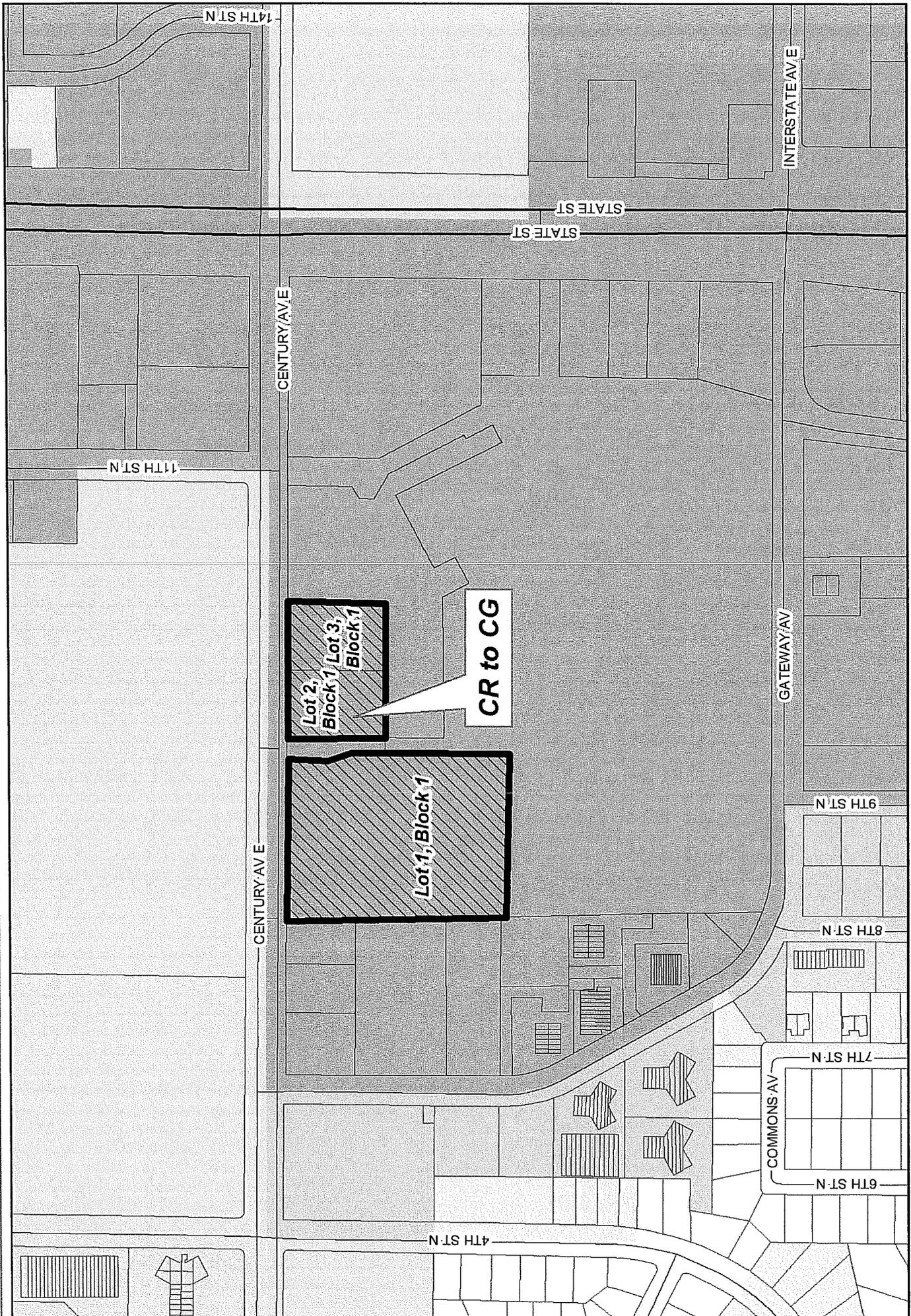
Lots 1-3, Block 1, Kavaney Commercial Park 2nd Replat



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Source: City of Bismark

Lots 1-3, Block 1, Kavaney Commercial Park 2nd Replat - Zoning Change CR-Commercial to CG-Commercial



Legend

	CG		CR		P		R5		R10		RT		Proposed Zoning Change
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Feet
 0 125 250 500
 November 2009

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**BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: Heritage Subdivision – Detachment		
Status: Planning Commission – Final Consideration	Date: November 18, 2009	
Owner(s): Leo & Patricia Bitz	Engineer: None	
Reason for Request: Vacate, rezone and detach an undeveloped quarter section from the corporate boundary, to allow for continued agricultural uses and development of a single-family dwelling.		
Location: Along the north side of East Main Avenue/County Highway 10 and the west side of 66 th Street NE. (SE ¼ of Section 31, T139N-R79W/Gibbs Township)		
Project Size: 152.76 acres	Number of Lots: 136 lots in 3 blocks	
EXISTING CONDITIONS:	PROPOSED CONDITIONS:	
Land Use: Undeveloped/Agricultural	Land Use: Undeveloped/Agricultural	
Zoning: RM30 RT CA CG	Zoning: A - Agriculture	
Uses Allowed: RM30 – Multi-family residential RT– Multi-family/offices CA– Light commercial CG– Heavy commercial	Uses Allowed: A – Agricultural uses	
Maximum Density Allowed: RM30 – 30 units per acre RT– 30 units per acre CA– 30 units per acre CG– 42 units per acre	Maximum Density Allowed: A – 1 unit per 40 acres	
PROPERTY HISTORY:		
Zoned: 04/81	Platted: 04/81	Annexed: 04/81
ADDITIONAL INFORMATION:		
<ol style="list-style-type: none"> The applicants are not the original developers of this property. They have owned the land that contains the subdivision since 1986 in addition to the two quarter sections east of 66th Street NE. Currently there are cattle grazing the property and the applicants intend on building a single-family dwelling in the northwest corner of the quarter section. City and County staff are in the process of working with the applicants to ensure adequate right-of-way is preserved to help with the future beltway along 66th Street NE and East Main Avenue/County Highway 10. Currently there are no services in place, no development has occurred and the owner is not interested in developing the property at this time. 		
<i>continued....</i>		

FINDINGS:

1. The City and other agencies currently do not provide public services, facilities or programs intended to serve a development.
2. The detachment would not adversely impact property in the vicinity.
3. The proposed detachment is consistent with the general intent and purpose of the zoning ordinance.
4. The proposed detachment is consistent with the master plan, other adopted plans and planning practice.

RECOMMENDATION:

Based on the above findings, staff recommends approval of the detachment of Heritage Subdivision from the current corporate boundary.

**BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: Heritage Subdivision – Zoning Change (CA, CG, RT-Residential & RM30 to A)		
Status: Planning Commission – Public Hearing	Date: November 18, 2009	
Owner(s): Leo & Patricia Bitz	Engineer: None	
Reason for Request: Vacate, rezone and detach an undeveloped quarter section from the corporate boundary, to allow for continued agricultural uses and development of a single-family dwelling.		
Location: Along the north side of East Main Avenue/County Highway 10 and the west side of 66 th Street NE. (SE ¼ of Section 31, T139N-R79W/Gibbs Township)		
Project Size: 152.76 acres	Number of Lots: 136 lots in 3 blocks	
EXISTING CONDITIONS:	PROPOSED CONDITIONS:	
Land Use: Undeveloped/Agricultural	Land Use: Undeveloped/Agricultural	
Zoning: RM30 RT CA CG	Zoning: A - Agriculture	
Uses Allowed: RM30 – Multi-family residential RT– Multi-family/offices CA– Light commercial CG– Heavy commercial	Uses Allowed: A – Agricultural uses	
Maximum Density Allowed: RM30 – 30 units per acre RT– 30 units per acre CA– 30 units per acre CG– 42 units per acre	Maximum Density Allowed: A – 1 unit per 40 acres	
PROPERTY HISTORY:		
Zoned: 04/81	Platted: 04/81	Annexed: 04/81
ADDITIONAL INFORMATION:		
<ol style="list-style-type: none"> The applicants are not the original developers of this property. They have owned the land that contains the subdivision since 1986 in addition to the two quarter sections east of 66th Street NE. Currently there are cattle grazing the property and the applicants intend on building a single-family dwelling in the northwest corner of the quarter section. City and County staff are in the process of working with the applicants to ensure adequate right-of-way is preserved to help with the future beltway along 66th Street NE and East Main Avenue/County Highway 10. Currently there are no services in place, no development has occurred and the owner is not interested in developing the property at this time. 		
<i>continued...</i>		

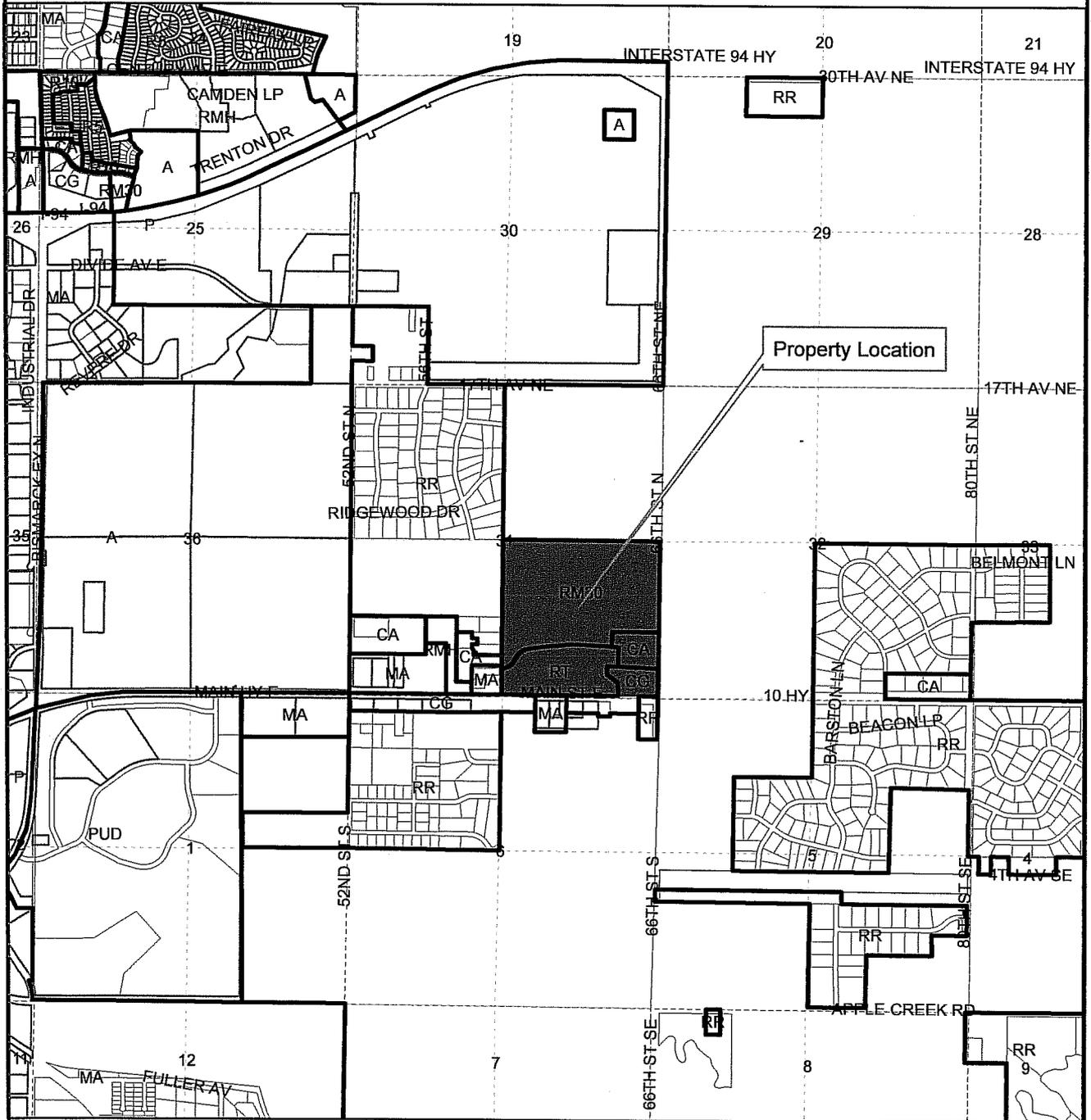
FINDINGS:

1. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include agricultural land to the west, north and east, and a mix of light industrial, commercial and rural residential uses to the west and south.
2. The proposed zoning change is justified by the change in conditions since the previous zoning classification was established. In particular, the property has never been developed and is not served by municipal utilities.
3. The City and other agencies would not be able to provide necessary public services, facilities or programs necessary to serve the subdivision under the current zoning classification at this time.
4. The proposed zoning change would not adversely affect property in the vicinity.
5. The proposed zoning change is consistent with the intent and purpose of the zoning ordinance.
6. The proposed zoning change is not completely consistent with the Bismarck Land Use Plan, which identifies this area as general commercial, neighborhood commercial and urban residential. The proposed A-Agriculture zoning and use would not preclude future development as identified in the Land Use Plan when services are available.

RECOMMENDATION:

Based on the above findings, staff recommends approval of the zoning change from RM30, RT, CA and CG to A for Heritage Subdivision.

Proposed Plat Vacation, Zoning Change and Detachment Lots 1-123, Block 1; Lots 1-9, Block 2 an Lots 1-4, Block 3 Heritage Subdivision



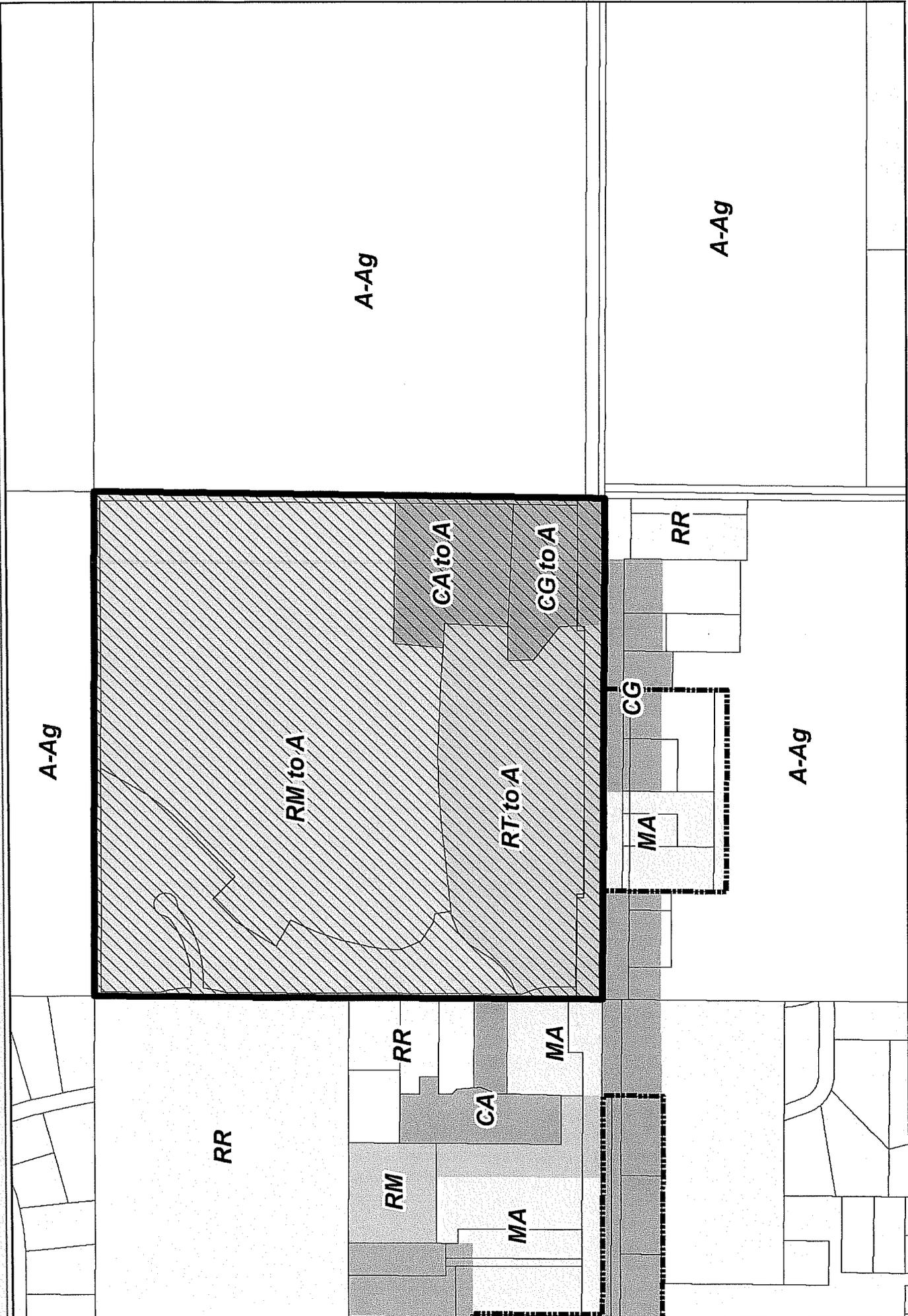
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Source: City of Denmark



Heritage Subdivision



Legend  Heritage Subdivision

 A  CA  CG  MA  RMH  RR  RT

Feet
0 250 500 1,000

October 2009

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**BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: Heritage Subdivision – Vacation of Plat		
Status: Planning Commission – Public Hearing	Date: November 18, 2009	
Owner(s): Leo & Patricia Bitz	Engineer: None	
Reason for Request: Vacate, rezone and detach an undeveloped quarter section from the corporate boundary, to allow for continued agricultural uses and development of a single-family dwelling.		
Location: Along the north side of East Main Avenue/County Highway 10 and the west side of 66 th Street NE. (SE ¼ of Section 31, T139N-R79W/Gibbs Township)		
Project Size: 152.76 acres	Number of Lots: 136 lots in 3 blocks	
EXISTING CONDITIONS:	PROPOSED CONDITIONS:	
Land Use: Undeveloped/Agricultural	Land Use: Undeveloped/Agricultural	
Zoning: RM30 RT CA CG	Zoning: A - Agriculture	
Uses Allowed: RM30 – Multi-family residential RT– Multi-family/offices CA– Light commercial CG– Heavy commercial	Uses Allowed: A – Agricultural uses	
Maximum Density Allowed: RM30 – 30 units per acre RT– 30 units per acre CA– 30 units per acre CG– 42 units per acre	Maximum Density Allowed: A – 1 unit per 40 acres	
PROPERTY HISTORY:		
Zoned: 04/81	Platted: 04/81	Annexed: 04/81
ADDITIONAL INFORMATION:		
<ol style="list-style-type: none"> The applicants are not the original developers of this property. They have owned the land that contains the subdivision since 1986 in addition to the two quarter sections east of 66th Street NE. Currently there are cattle grazing the property and the applicants intend on building a single-family dwelling in the northwest corner of the quarter section. City and County staff are in the process of working with the applicants to ensure adequate right-of-way is preserved to help with the future beltway along 66th Street NE and East Main Avenue/County Highway 10. Currently there are no services in place, no development has occurred and the owner is not interested in developing the property at this time. 		
<i>continued....</i>		

FINDINGS:

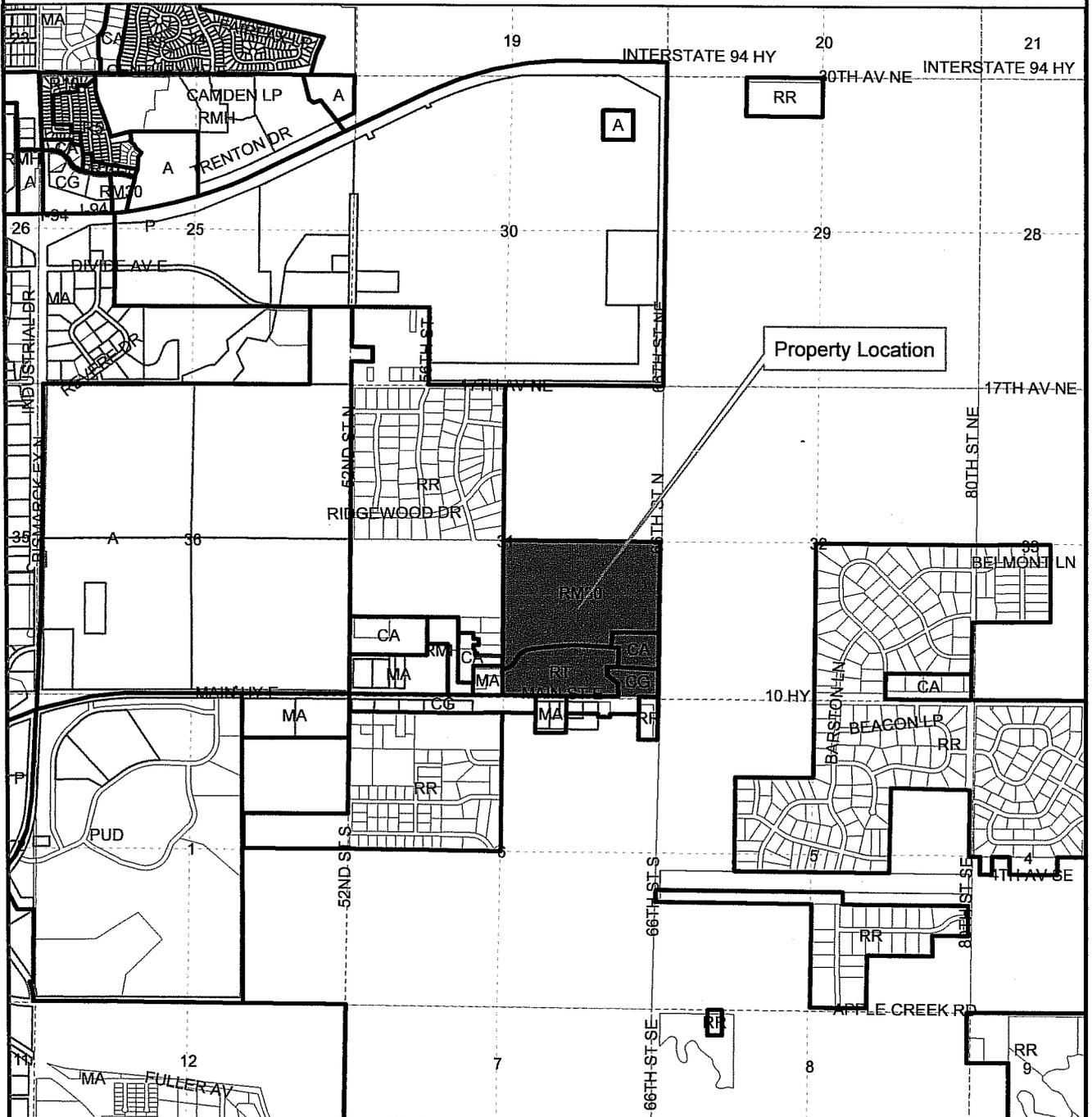
1. The City and other agencies currently do not provide public services, facilities or programs intended to serve a development allowed by annexation; however, City and County staff are in the process of working with the applicants to ensure adequate right-of-way is preserved to help with the future beltway along 66th Street NE and East Main Avenue/County Highway 10.
2. The detachment would not adversely impact property in the vicinity, provided adequate right-of-way for East Main Avenue/County Highway 10 and 66th Street NE.
3. The proposed detachment is consistent with the general intent and purpose of the zoning ordinance.
4. The proposed detachment is consistent with the master plan, other adopted plans and planning practice.

RECOMMENDATION:

Based on the above findings, staff recommends approval of the vacation of Heritage Subdivision with the following condition:

1. The sixty (60) feet of right-of-way for 66th Street NE be preserved as shown on the plat and the varying widths (100-135 feet) of right-of-way for East Main Avenue/Highway 10 is preserved to allow for future development of the roadway network.

Proposed Plat Vacation, Zoning Change and Detachment Lots 1-123, Block 1; Lots 1-9, Block 2 an Lots 1-4, Block 3 Heritage Subdivision



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Feet

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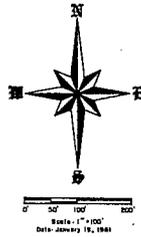
Source: City of Bonaville

N



HERITAGE SUBDIVISION

SE 1/4 SECTION 31, T.139 N., R. 79 W.
BISMARCK, NORTH DAKOTA

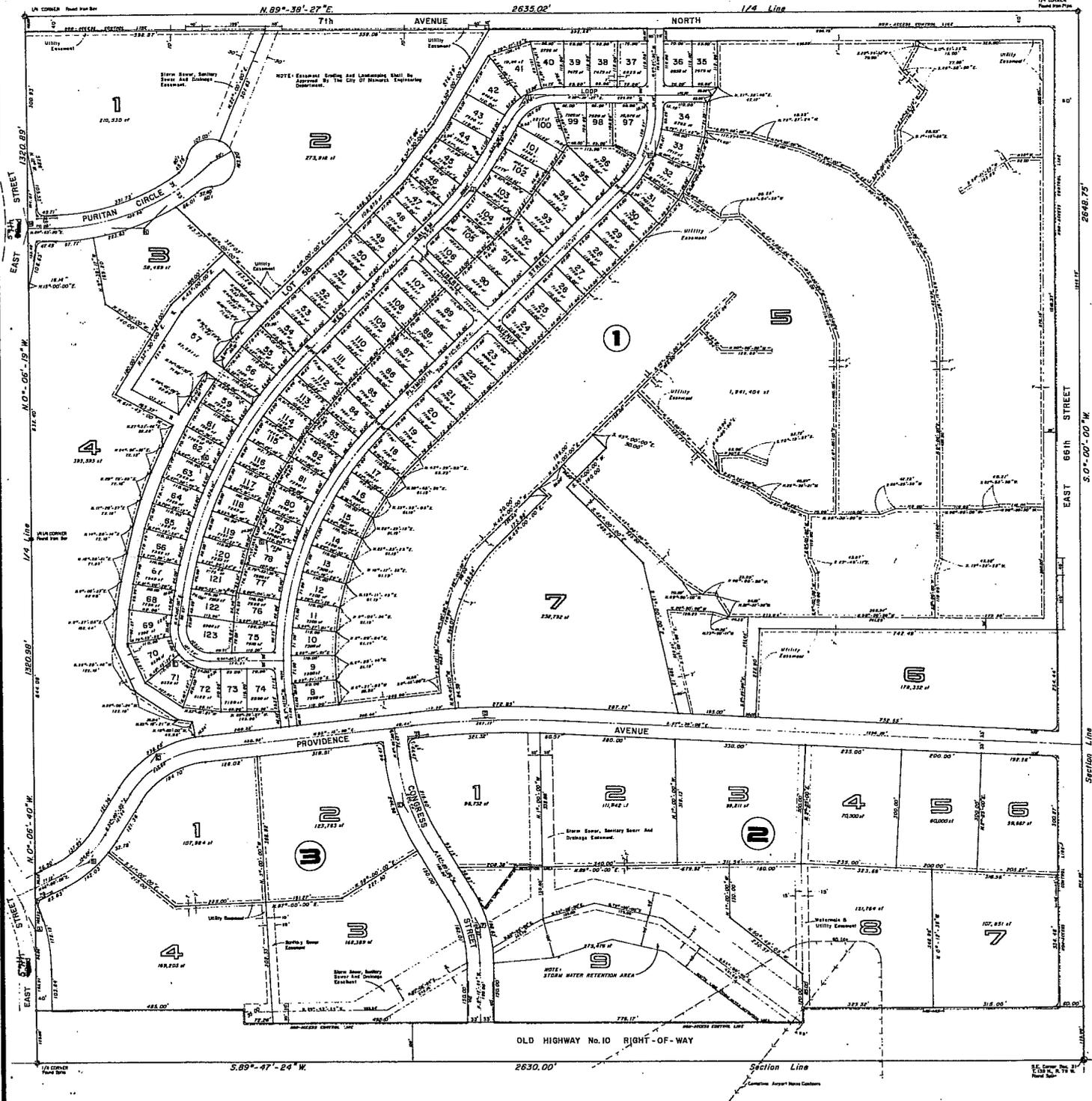


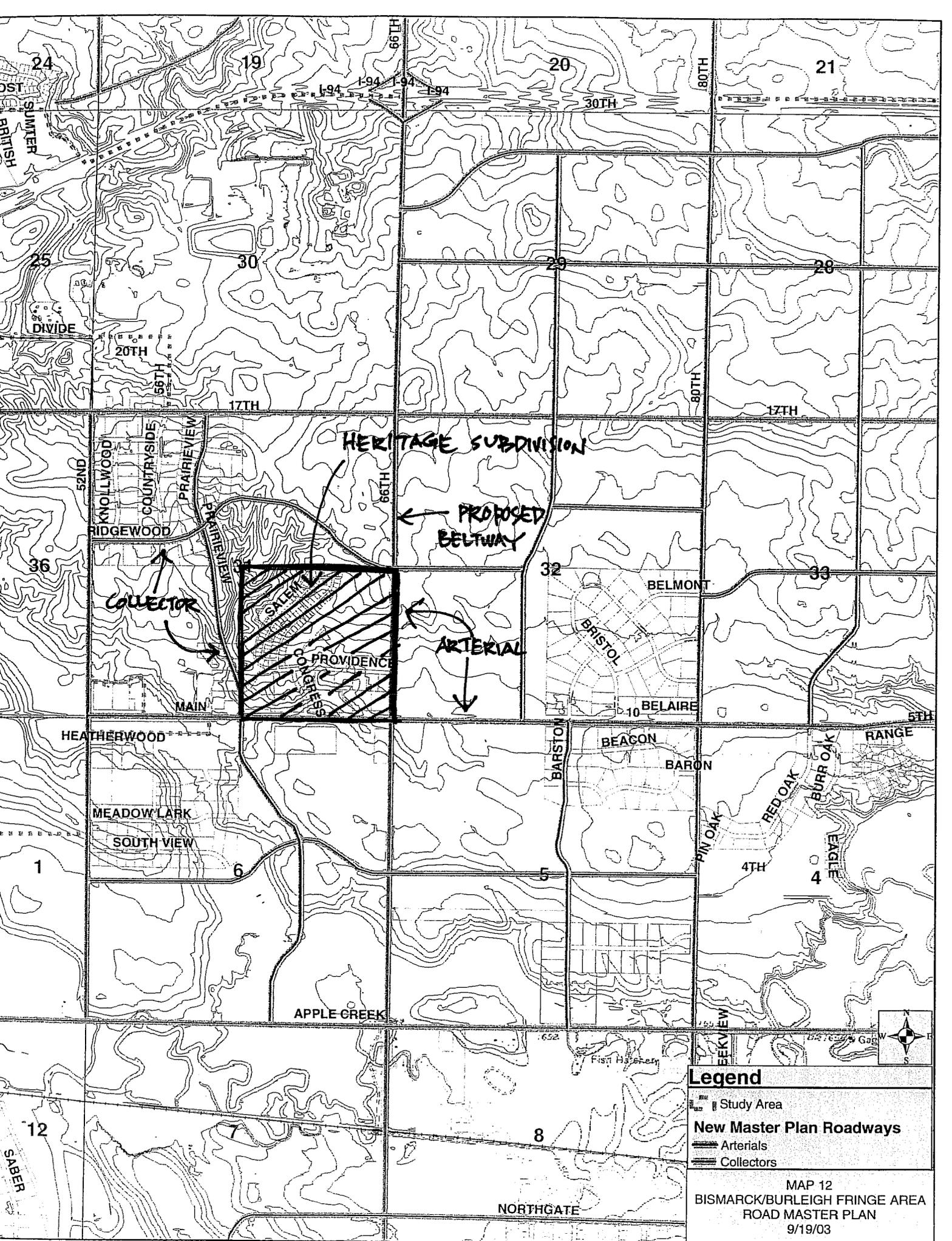
Centerline Curve Data (per definition)

Δ	D	7	L	R	Esl.
A	38°-55'-20"	127'-54'-36"	88.00'	187.80'	285.00'
B	33°-05'-00"	107'-37'-48"	80.25'	158.38'	230.00'
C	100°-15'-00"	127'-00'-00"	119.97'	228.88'	330.00'
D	8°-15'-00"	87°-22'-00"	184.00'	307.17'	310.00'
E	30°-15'-00"	127'-37'-36"	81.18'	230.45'	320.00'
F	31°-47'-34"	177'-37'-48"	93.52'	180.38'	338.00'
G	31°-45'-00"	77'-00'-12"	396.75'	788.88'	816.01'
H	45°-31'-33"	317'-37'-48"	118.00'	318.17'	369.00'
I	100°-30'-00"	107'-00'-00"	188.77'	306.36'	320.00'
J	13°-00'-00"	177'-00'-00"	100.00'	300.00'	318.00'
K	37°-00'-00"	47'-10'-54"	340.88'	698.44'	1078.00'
L	88°-31'-03"	77'-37'-11"	92.87'	131.58'	80.00'
M	87°-00'-00"	107'-25'-03"	132.00'	338.18'	350.00'
N	45°-00'-00"	107'-18'-27"	228.88'	432.90'	555.00'

Notes

• Distances are given rounded to the nearest foot.
 All Street Corners at Street Intersections are Provided to a 15' Radius.
 Access Curves Given to the City of Bismarck.





Legend

- Study Area
- New Master Plan Roadways**
- Arterials
- Collectors

MAP 12
 BISMARCK/BURLEIGH FRINGE AREA
 ROAD MASTER PLAN
 9/19/03

CITY OF BISMARCK Ordinance No. XXXX

First Reading	_____
Second Reading	_____
Final Passage and Adoption	_____
Publication Date	_____

AN ORDINANCE TO AMEND AND ENACT Section 14-03-08 OF THE BISMARCK CODE OF ORDINANCES (1986 Rev.) RELATING TO SPECIAL USES.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-03-08 relating to Special Uses is hereby amended and re-enacted as follows:

14-03-08. Special Uses. In order to carry out the purposes of this title, the board of city commissioners finds it necessary to require that certain uses, because of unusual size, safety hazards, infrequent occurrence, effect on surrounding area, or other reasons, be reviewed by the city planning and zoning commission and building official(where allowed) prior to the granting of a building permit or certificate of occupancy and that the city planning and zoning commission and building official(where allowed) are hereby given limited discretionary powers relating to the granting of such permit or certificate.

* * * * *

4. Permanent uses (planning commission approval). The city planning and zoning commission is authorized to grant special use permits for the following uses:

v. Small Wind Energy Systems. This section is intended to provide reasonable standards for the use of a Small Wind Energy System (SWES) which would allow electrical power consumers to supplement or replace their use of utility-provided electrical power without

creating negative impacts to adjacent properties or the public.

1. For the purposes of this section, a SWES is defined as a wind turbine of less than 25 kilowatts maximum output capacity and all appurtenant structures and equipment. A SWES is incidental and accessory to a permitted principal use located on the same lot or parcel of land. A SWES is intended to produce electricity primarily for on-site consumption but excess electrical power may be transferred to a utility company power supply grid pursuant to utility company interconnection agreements.

2. A SWES may be permitted in any zoning district subject to approval of a special use permit by the Bismarck Planning and Zoning Commission. A special use permit may be revoked at any time if the SWES is found to be in violation of any of the rules of this or other sections of the Bismarck Code of Ordinances or in violation of any of the conditions imposed by the Bismarck Planning and Zoning Commission in granting the special use permit.

3. The minimum building setback distance shall be 150% of the height of the structure.

a. The setback distance is the horizontal distance from the center of the supporting structure to the nearest property line or to the nearest overhead utility easement or underground petroleum product pipeline easement.

b. The height of the structure is the vertical distance from the ground surface to the highest point of a rotor blade when in an upright position.

4. The bottom of the rotor blade sweep shall be no closer than 35-feet above the ground surface. Blades may not extend over parking areas, driveways, or sidewalks.

5. The location of any SWES shall not result in the net displacement of required parking as specified in Chapter 14-03-10 of the Bismarck Code of Ordinances.

6. Sound produced by a SWES shall not exceed the following limits at the property line:

Zoning District	Day	Night
Residential: RR, RR5, R5, RMH, R10, RM, RT, HM, DF	55	45
Commercial: CA, CG, CR, DC	60	50
Industrial: MA, MB, P, A	65	60

a. Sound pressure level limits are measured in dB(A) as specified in the latest edition of the American National Standards Institute specifications.

b. Sound is measured at the property line of any 'receiving' property.

c. "Day" is defined as the time period from 7:00 a.m. to 10:00 p.m. "Night" is defined as the time period from 10:00 p.m. to 7:00 a.m.

7. Additional rules regarding SWES.

a. Sound Measurements. Following approval and installation of a SWES, the Building Official may require the owner/operator of the SWES to engage a certified technician to perform sound measurements at the closest property line to determine and report ambient and operating decibel levels.

b. Braking Controls. All SWES shall be equipped with both automatic and manual braking controls to prevent uncontrolled rotation and to limit the rotation speed to the design limits of the SWES.

c. Insurance. The owner/operator of a SWES must provide proof of liability insurance at the time of application.

d. Shadow Flicker. Shadow flicker shall not negatively impact any adjacent properties.

e. Electronic Interference. The SWES shall not cause electronic or electromagnetic interference with signal receptions or transmissions beyond the boundaries of the property upon which the SWES is located.

f. Monopole Requirement. Within the corporate boundary of the City of Bismarck, wind turbines are required to be mounted on monopole structures without guy wires. Within the extraterritorial zoning jurisdiction of the City of Bismarck, monopole structures are not required for wind turbines and guy wires may be used.

g. Roof-mounted SWES. Roof-mounted SWES are not allowed on residential structures.

h. Color. To minimize off-site visibility to the greatest extent possible, the color of a structure shall be a neutral white or light gray and the surface finish shall be non-reflective.

i. Lighting. The use of flood lights, laser lights, strobe lights,

searchlights, beacons and similar lighting is prohibited unless required by the FAA.

j. Signs. No signs are allowed on SWES structures except for safety or warning signs which are limited to three square feet in area.

k. Climbing Apparatus. No climbing apparatus shall be located within 12-feet of the ground on any structure. All structures shall be designed to prevent climbing by unauthorized persons.

l. Removal of Defunct Systems. Facilities shall be well maintained in an operational condition that poses no potential safety hazard.

1. If a SWES remains nonfunctional for a continuous period of one-year, the system shall constitute a public nuisance and shall be removed.

2. The owner shall remove a defunct system at the owner's expense.

3. Removal includes the entire structure and related appurtenances including any foundation and transmission systems.

m. Building Permit Required. Following approval of a special use permit and prior to installing a SWES, the applicant shall obtain a building permit from the Building Inspections Division.

n. Compliance with Airport Zoning. A SWES must comply with

Airport zoning rules under Chapter 10-09.

8. An application for a special use permit for the placement of a SWES shall include the following:

a. Scaled and dimensioned site plan drawing showing features of the property and adjacent land within 300-feet of the subject parcel, including but not limited to:

1. Location and height of the SWES;

2. Property boundaries;

3. Distances from SWES to closest points on adjacent property boundaries;

4. Location and dimensions of structures;

5. Zoning districts of all adjacent properties;

6. Owners of all adjacent properties;

7. Locations, dimensions and descriptions of utility easements;

8. Location of overhead utility lines;

9. Location of underground petroleum pipelines; and

10. Distances from the SWES to the closest points on utility easements.

b. Written information from the manufacturer on the proposed SWES stating the following:

1. Compliance with noise standards established by paragraph v(6) of this section;

2. Compliance with electronic interference standards established by paragraph v(8) of this section;

3. Evidence that the proposed SWES model has an operational history of at least one year; and

4. Shadow flicker properties.

c. Unless certified by the manufacturer as not causing shadow flicker in the proposed installation, a shadow flicker model and map showing:

1. Shadow flicker map coverage area of 1,000-feet from SWES; and

2. Shadow flicker model representing locations affected, intensity, and duration.

d. Copy of letter of compliance of the proposed SWES with airport zoning from the Bismarck Municipal Airport.

e. Copies of letters of compliance of the proposed SWES from the following:

1. Federal Aviation Administration;

2. United States Fish and Wildlife Service; and

3. The local electrical utility company serving the subject property.

9. An application for a building permit for the placement of a SWES must include:

a. A copy of the special use permit, with the site plan, as approved by the city planning and zoning commission;

b. Dimensioned engineering drawings of the structure including the tower, base, and footings;

c. Line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation will meet compliance with the electrical code; and

d. Documentation certifying that the SWES will meet structural loading requirements for a 90 m.p.h. sustained wind. Wind load certification shall be prepared by a professional structural engineer registered in the State of North Dakota.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Effective Date. This ordinance shall take effect following final passage and adoption.

CITY OF BISMARCK Ordinance No. XXXX

First Reading _____

Second Reading _____

Final Passage and Adoption _____

Publication Date _____

AN ORDINANCE TO AMEND AND ENACT SECTIONS 14-04-08, 14-04-10 and 14-04-12 OF THE BISMARCK CODE OF ORDINANCES (REV.) RELATING TO SETBACKS IN THE RT RESIDENTIAL, CA COMMERCIAL AND CG COMMERCIAL DISTRICTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-04-08 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to the RT Residential District is hereby amended and enacted to read as follows:

14-04-08. RT Residential District. In any RT residential district the following regulations shall apply:

* * * * *

7. Front yard. Each lot shall have a front yard not less than fifteen (15) feet in depth.

8. Side yards. ~~A lot on which is erected a multifamily use shall have two (2) side yards, one on each side of the principal building. The sum width of the two (2) side yards shall not be less than twenty (20) per cent of the average width of the lot. In no case shall the side yard be less than six (6) feet. On any lot on which the principal building is designed and used for nonresidential use, no side yards shall be required except where such lot is located adjacent to a residential district in which case that side adjoining such residential district shall comply with the side yard requirements of such residential district. Commercial buildings shall have side yards,~~

~~complying with city building code, Title 4 of the Code of Ordinances of the City of Bismarck.~~

a. Residential use. Each lot shall have two (2) side yards, one on each side of the principal building. The sum of the widths of the two (2) side yards shall not be less than twenty (20) per cent of the average width of the lot. In no case shall any side yard be less than ten (10) feet. For buildings in excess of two (2) stories in height permitted on or after (date of adoption), the required side yard setbacks shall be increased by ten (10) feet for each additional story in height over two (2).

b. Non-residential use. On any lot on which the principal building is designed and used for nonresidential use, no side yards shall be required except where such lot is located adjacent to a residential district, in which case that side adjoining such residential district shall comply with the side yard requirements of such residential district. For buildings in excess of two (2) stories in height permitted on or after (date of adoption), the required side yard setbacks shall be increased by ten (10) feet for each additional story in height over two (2) for any side yard located adjacent to an R5, R10 or RM zoning district.

9. ~~Rear yards.~~ Each lot shall have a rear yard not less than ten (10) feet in depth. ~~Provided, however, that where the rear of a lot adjoins an alley, no rear yard shall be required for a principal nonresidential building.~~

a. Residential use. Each lot shall have a rear yard not less than ten (10) feet in depth. For buildings in excess of two (2) stories in height permitted on or after (date of adoption), the required rear yard setback shall be increased by ten (10) feet for each additional story in height over two (2).

c. Non-residential use. Each lot shall have a rear yard not less than ten (10) feet in depth. Provided, however, that where the rear of

a lot adjoins an alley, no rear yard shall be required for a principal nonresidential building. For buildings in excess of two (2) stories in height permitted on or after (date of adoption), the required rear yard setback shall be increased by ten (10) feet for each additional story in height over two (2) for any rear yard located adjacent to an R5, R10 or RM zoning district.

10. Height limit. No principal building shall exceed fifty (50) feet in height; no accessory building shall exceed twenty-five (25) feet in height. For buildings in excess of two (2) stories in height permitted on or after (date of adoption), the required side and rear yard setbacks shall be increased by ten (10) feet for each additional story in height over two (2) as required by this section.

* * * * *

Section 2. Amendment. Section 14-04-10 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to the CA Commercial District is hereby amended and enacted to read as follows:

14-04-10. CA Commercial District. In any CA commercial district, the following regulations shall apply:

* * * * *

6. Front yard. Each lot shall have a front yard not less than fifteen (15) feet in depth.

7. Side yard.

a. Residential use. Each lot shall have two (2) side yards, one on each side of the principal building. The sum of the widths of the two (2) side yards shall be not less than twenty (20) per cent of the average width of the lot. In no case shall the side yard be less than ten (10) feet. For buildings in excess of two (2) stories in height permitted on or after (date of adoption), the required side yard setbacks shall be increased by ten (10) feet for each additional story in height over two (2).

b. Commercial use. On any lot on which the principal building is designed or used for a commercial use, the side yards shall be at least ten (10) feet in width. For buildings in excess of two (2) stories in height permitted on or after (date of adoption), the required side yard setbacks shall be increased by ten (10) feet for each additional story in height over two (2) for any side yard located adjacent to an R5, R10 or RM zoning district.

8. Rear yard. ~~Each lot shall have a rear yard not less than ten (10) feet in depth unless adjacent to a public alley.~~

a. Residential use. Each lot shall have a rear yard not less than ten (10) feet in depth. For buildings in excess of two (2) stories in height permitted on or after (date of adoption), the required rear yard setback shall be increased by ten (10) feet for each additional story in height over two (2).

b. Commercial use. Each lot shall have a rear yard not less than ten (10) feet in depth unless adjacent to a public alley. For buildings in excess of two (2) stories in height permitted on or after (date of adoption), the required rear yard setback shall be increased by ten (10) feet for each additional story in height over two (2) for any rear yard located adjacent to an R5, R10 or RM zoning district.

9. Height limits.

a. Commercial buildings. No building shall exceed forty (40) feet in height. No accessory building shall exceed twenty-five (25) feet in height. For buildings in excess of two (2) stories in height, permitted on or after (date of adoption), the required side and rear yard setbacks shall be increased by ten (10) feet for each additional story in height over two (2) for any side or rear yard located adjacent to an R5, R10 or RM zoning district.

b. Residential buildings. Height limits shall follow those in effect in RM residential zones. For buildings in excess of two (2) stories in height, permitted on or after (date of adoption), the required side and rear yard setbacks shall be increased by ten (10) feet for each additional story in height over two (2).

* * * * *

Section 3. Amendment. Section 14-04-12 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to the CG Commercial District is hereby amended and enacted to read as follows:

14-04-12. CG Commercial District. In any CG commercial district the following regulations shall apply:

* * * * *

6. Front yard. A fifteen (15) foot front yard shall be required of any building in a CG commercial district except that all structures located on principal arterials shall have a fifty (50) foot front yard. Buildings located on the following principal arterials shall be exempt from the fifty (50) foot front yard requirement: Main Avenue west of 26th Street; State Street between Divide Avenue and Interstate 94; and 7th and 9th Streets between Bismarck Expressway and Boulevard Avenue.

7. Side yards. No side yard shall be required of any principal nonresidential building in a CG district. For non-residential buildings in excess of two (2) stories in height permitted on or after (date of adoption), the required side yard setbacks shall be increased by ten (10) feet for each additional story in height over two (2) for any side yard located adjacent to an R5, R10 or RM zoning district. Residential structures shall comply with requirements in effect for RM residential zones.

8. Rear yard. Each lot shall have a rear yard not less than ten (10) feet in depth. Provided, however, that where the rear of a lot adjoins an alley, no rear yard shall be required for a principal nonresidential building. For non-residential

buildings in excess of two (2) stories in height permitted on or after (date of adoption), the required rear yard setback shall be increased by ten (10) feet for each additional story in height over two (2) for any rear yard located adjacent to an R5, R10 or RM zoning district. Residential structures shall comply with requirements in effect for RM residential zones.

9. Height limit. No building shall exceed one hundred thirty (130) feet in height. For buildings in excess of two (2) stories in height permitted on or after (date of adoption), the required side and rear yard setbacks shall be increased by ten (10) feet for each additional story in height over two (2) as required by this section.

* * * * *

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Effective Date. This ordinance shall take effect following final passage and adoption.

CITY PLANNING & ZONING COMMISSION
MEETING MINUTES
October 28, 2009

The Bismarck Planning & Zoning Commission met on October 28, 2009, at 5:00 p.m. in the Tom Baker Meeting Room in the City-County Building, 221 North 5th Street. Chairman Yeager presided.

Commissioners present were Mark Armstrong, Mel Bullinger, Jo Conmy, Jack Hegedus, Curt Juhala, Elden Spier, John Warford and Wayne Yeager.

Commissioners Doug Lee, Lisa Waldoch and Jan Wangler were absent.

Gibbs Township Representatives John Hauck, Myrna Hauck and Richard Sander were present. Hay Creek Township Representative Neil Modin was also present. Apple Creek Representative Paul Zent was also present.

Staff members present were Carl Hokenstad – Director of Community Development, Gregg Greenquist – Planner, Kim Lee – Planning Manager, Jason Tomanek – Planner, Kimberley Gaffrey – Office Assistant III, Ben Ehreth – MPO Planner, Steve Saunders – MPO Planner, Marcus Hall – County Engineer and Charlie Whitman – City Attorney.

Others present were Damon Jorgensen – 1311 N 18th Street, Bismarck, Clay Morris – Bismarck, James Morris – Bismarck, Patrick Bitz – 500 Ausburg Avenue, Bismarck, Leo and Patricia Bitz – 7311 34th Avenue SE, Wishek, Joe Bitz – 1518 Columbia Drive, Bismarck, Roland Huber – 1901 N Grandview Lane, Bismarck and Zac Weis – ND Department of Commerce.

MINUTES

Chairman Yeager called for consideration of the minutes of the September 23, 2009 meeting.

MOTION: Commissioner Spier made a motion to approve the minutes of the September, 2009 meeting as received. Commissioner Armstrong seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Conmy, Hegedus, Juhala, Spier, Warford and Yeager voting in favor of the motion.

PRESENTATION – LONG RANGE TRANSPORTATION PLAN

Bill Troe with URS Corporation presented the draft executive summary for the Long Range Transportation Plan for Bismarck-Mandan Metropolitan Planning Organization, attached as Exhibit A.

**CONSIDERATIONS –
ZONING CHANGE FROM RM30-RESIDENTIAL, RT-RESIDENTIAL, CA-
COMMERCIAL AND CG-COMMERCIAL TO A-AGRICULTURAL, PLAT
VACATION AND DETACHMENT – HERITAGE SUBDIVISION
ZONING CHANGE FROM A-AGRICULTURAL TO RR5-RESIDENTIAL AND
PRELIMINARY L PLAT - WDH SUBDIVISION
ZONING ORDINANCE TEXT AMENDMENT – SETBACKS IN RT-RESIDENTIAL,
CA-COMMERCIAL AND CG-COMMERCIAL DISTRICTS ADJACENT TO
R5-RESIDENTIAL AND R10-RESIDENTIAL DISTRICTS**

Chairman Yeager called for consideration of the following consent agenda items:

- A zoning change from RM30-Residential, RT-Residential, CA-Commercial and CG-Commercial to A-Agricultural, plat vacation and detachment for Heritage Subdivision. The property is 136 lots in three blocks on 152.76 acres located along the north side of East Main Avenue/County Highway 10 and the west side of 66th Street NE (SE¼ of Section 31, T139N-R79W/Gibbs Township).
- A zoning change from A-Agricultural to RR5-Residential and preliminary plat for WDH Subdivision. The property is five lots in one block on 39.9 acres located south of Lincoln along the west side of 66th Street SE and along the north side of 62nd Avenue SE (the SE¼ of the SE¼ of Section 30, T138N-R79W/Apple Creek Township).
- A zoning ordinance text amendment relative to setbacks in the RT-Residential, CA-Commercial and CG-Commercial districts. The proposed ordinance would increase the side and rear yard setbacks in these districts for buildings over two stories in height when located adjacent to an R5-Residential or R10-Residential zoning district.

MOTION: Commissioner Hegedus made a motion to approve the consent agenda. Commissioner Juhala seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Conmy, Hegedus, Juhala, Spier, Warford and Yeager voting in favor of the motion.

**PUBLIC HEARING – ZONING CHANGE FROM A-AGRICULTURAL AND
CONDITIONAL RM15-RESIDENTIAL TO R5-RESIDENTIAL, RT-RESIDENTIAL
AND CONDITIONAL RM15-RESIDENTIAL AND FINAL PLAT– NORTH HILLS
SIXTEENTH ADDITION**

Chairman Yeager called for the public hearing for the zoning change from A-Agriculture and Conditional RM15 to RT-Residential for Lot 1, Block 1, RT for Lot 1, Block 2, Conditional RM15-Residential for Lot 2, Block 2 and R5-Residential for Lot 3, Block 2 and final plat for North Hills Sixteenth Addition, a 14.783 acre development with four lots in two blocks. The property is located along the south side of 43rd Avenue between Normandy and Dominion Streets (a replat of Lot 5, Block 3, North Hills 15th Addition and an unplatted portion of the W½ of the NE¼ of Section 21, T139N-R80W/Hay Creek Township).

Mr. Tomanek provided an overview of the requests and listed the following findings for the zoning change:

1. The proposed zoning change is compatible with adjacent land uses. Adjacent land uses include residential development to the south and east, undeveloped land to the north and west and one rural residential single-family home adjacent to the northwest corner of the subdivision. The appropriate buffer yard widths have been included on the plat as buffer yard easements on the north side of Lot 1, Block 1 and the south side of Lot 2, Block 2 to ensure appropriate buffering of higher intensity land uses where applicable. The buffer yard along the south side of Lot 1, Block 1 will be addressed during the site plan review process.
2. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established. In particular the land the land is being platted to accommodate future development of the property.
3. The City and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the new zoning classification at the time the property is developed.
4. The proposed zoning change would not adversely affect property in the vicinity.
5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and planning practice.
7. The area being proposed for a zoning change is not identified in the Bismarck Land Use Plan.

Mr. Tomanek then listed the following findings for the final plat:

1. All technical requirements for approval of the final plat have been met.
2. The Fringe Area Road Master Plan for this area identifies the north-south collector as Normandy Street, which lies feet west of the proposed subdivision; therefore the proposed subdivision does not impact the Fringe Area Road Master Plan for Section 21.
3. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include residential development to the south and east, undeveloped land to the north and west and one rural residential single-family home adjacent to the northwest corner of the subdivision. The appropriate buffer yard widths have been included on the plat as buffer yard easements.

4. The stormwater management plan for this subdivision has been approved by the City Engineer.
5. The City and other agencies would be able to provide necessary public services, facilities, and programs to serve the development allowed by the proposed subdivision at the time the property is developed.
6. The proposed subdivision would not adversely affect property in the vicinity.
7. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
8. The proposed subdivision is consistent with the master plan other adopted plans, policies and accepted planning practice.

Mr. Tomanek said based on the above findings, staff recommends approval of the zoning change from A-Agricultural and Conditional RM15 to RT-Residential for Lot 1, Block 1, RT for Lot 1, Block 2, Conditional RM15-Residential for Lot 2, Block 2 and R5-Residential for Lot 3, Block 2 and final plat for North Hills Sixteenth Addition, with the following condition: 1) the maximum density for each lot zoned RM15-Residential is a 4-unit condominium.

Chairman Yeager opened the public hearing for the zoning change and final plat for North Hills Sixteenth Addition.

No public comment was received.

Chairman Yeager closed the public hearing.

MOTION: Based on the findings contained in the staff reports, Commissioner Warford made a motion to approve the zoning change from A-Agricultural and Conditional RM15 to RT-Residential for Lot 1, Block 1, RT for Lot 1, Block 2, Conditional RM15-Residential for Lot 2, Block 2 and R5-Residential for Lot 3, Block 2 and final plat for North Hills Sixteenth Addition, with the following condition: 1) the maximum density for each lot zoned RM15-Residential is a 4-unit condominium. Commissioner Armstrong seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Conmy, Hegedus, Juhala, Spier, Warford and Yeager voting in favor of the motion.

PUBLIC HEARING – ZONING CHANGE FROM CG-COMMERCIAL TO CONDITIONAL MA-INDUSTRIAL – LOT 1, BLOCK 4, NORTHSTAR COMMERCIAL PARK 3rd SUBDIVISION

Chairman Yeager called for the public hearing for the zoning change from CG-Commercial to Conditional MA-Industrial for Lot 1, Block 4, Northstar Commercial Park 3rd Subdivision. The property is located along the south side of Northstar Drive east of Aurora Street.

Ms. Lee provided an overview of the request and listed the following findings for the zoning change:

1. The proposed zoning change would be consistent with the Land Use Plan, as amended administratively, which would identify this area as Mixed Use (US Highway 83 Corridor Transportation Study).
2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include light industrial uses to the north, a commercial use to the west, undeveloped CG-zoned property to the south, and agricultural uses to the east.
3. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established. In particular, that portion of this subdivision immediately to the north across Northstar Drive was rezoned to Conditional MA – Industrial zoning in 2005.
4. The property would be served by South Central Regional Water District and would have access to US Highway 83 and 71st Avenue NE via interior roadways; therefore, the proposed zoning change will not place an undue burden on public services or facilities.
5. The proposed zoning change would not adversely affect property in the vicinity.
6. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
7. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

Ms. Lee said based on the above findings, staff recommends approval of the zoning change from CG-Commercial to Conditional MA-Industrial for Lot 1, Block 4, Northstar Commercial Park 3rd Subdivision.

Chairman Yeager opened the public hearing for the zoning change for Lot 1, Block 4, Northstar Commercial Park 3rd Subdivision.

Clayton Morris said he is against the zoning change for Northstar Commercial Park 3rd Subdivision and would like for the land to be left alone.

Chairman Yeager closed the public hearing.

MOTION: Based on the findings contained in the staff report, Commissioner Hegedus made a motion to approve the zoning change from CG-Commercial to Conditional MA-Industrial for Lot 1, Block 4, Northstar Commercial Park 3rd Subdivision. Commissioner Conmy seconded the motion and it was unanimously approved

with Commissioners Armstrong, Bullinger, Conmy, Hegedus, Juhala, Spier, Warford and Yeager voting in favor of the motion.

FINAL CONSIDERATION – ANNEXATION – COUNTY HIGHWAY 10 RIGHT-OF-WAY – 52ND STREET TO 66TH STREET

Chairman Yeager called for the final consideration of the annexation for the County Highway 10 right-of-way from 52nd Street to 66th Street. The property is located east of Bismarck between 52nd Street and 66th Street, along the southern boundary of Section 31, T139N-R79W/Gibbs Township and the northern boundary of Section 6, T138N-R79W/Apple Creek Township.

Ms. Lee provided an overview of the request and listed the following findings for the annexation:

1. The proposed annexation will not adversely affect property in the vicinity.
2. The proposed annexation is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
3. The proposed annexation is consistent with the master plan, other adopted plans, policies and planning practice.

Ms. Lee said based on the above findings, staff recommends approval of the annexation of the County Highway 10 right-of-way from the centerline of 52nd Street to the centerline of 66th Street in Section 31, T139N-R79W/Gibbs Township and Section 6, T138N-R79W/Apple Creek Township.

Chairman Yeager opened the public hearing for the annexation of County Highway 10 right-of-way.

No public comment was received.

Chairman Yeager closed the public hearing.

MOTION: Based on the findings contained in the staff report, Commissioner Armstrong made a motion to approve the annexation of the County Highway 10 right-of-way from the centerline of 52nd Street to the centerline of 66th Street in Section 31, T139N-R79W/Gibbs Township and Section 6, T138N-R79W/Apple Creek Township. Commissioner Hegedus seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Conmy, Hegedus, Juhala, Spier, Warford and Yeager voting in favor of the motion.

OTHER BUSINESS

SMALL WIND ENERGY SYSTEMS ORDINANCE

Mr. Greenquist said the draft ordinance on small wind energy systems was presented for final consideration at the May 27, 2009 meeting and was tabled. Mr. Greenquist went on to say the proposed ordinance would create a provision to allow small wind energy systems, adding that the draft ordinance addresses the two major concerns of the noise and appearance of the turbines. Mr. Greenquist asked the Bismarck Planning & Zoning Commissioners if they are ready to put the proposed ordinance back on the table and call for a public hearing.

MOTION: Commissioner Warford made a motion to reconsider the proposed wind energy systems ordinance and call for a public hearing at the November meeting. Commissioner Hegedus seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Conny, Hegedus, Juhala, Spier, Warford and Yeager voting in favor of the motion.

ADJOURNMENT

There being no further business Chairman Yeager declared the Bismarck Planning & Zoning Commission adjourned at 5:36 p.m. to meet again on November 18, 2009.

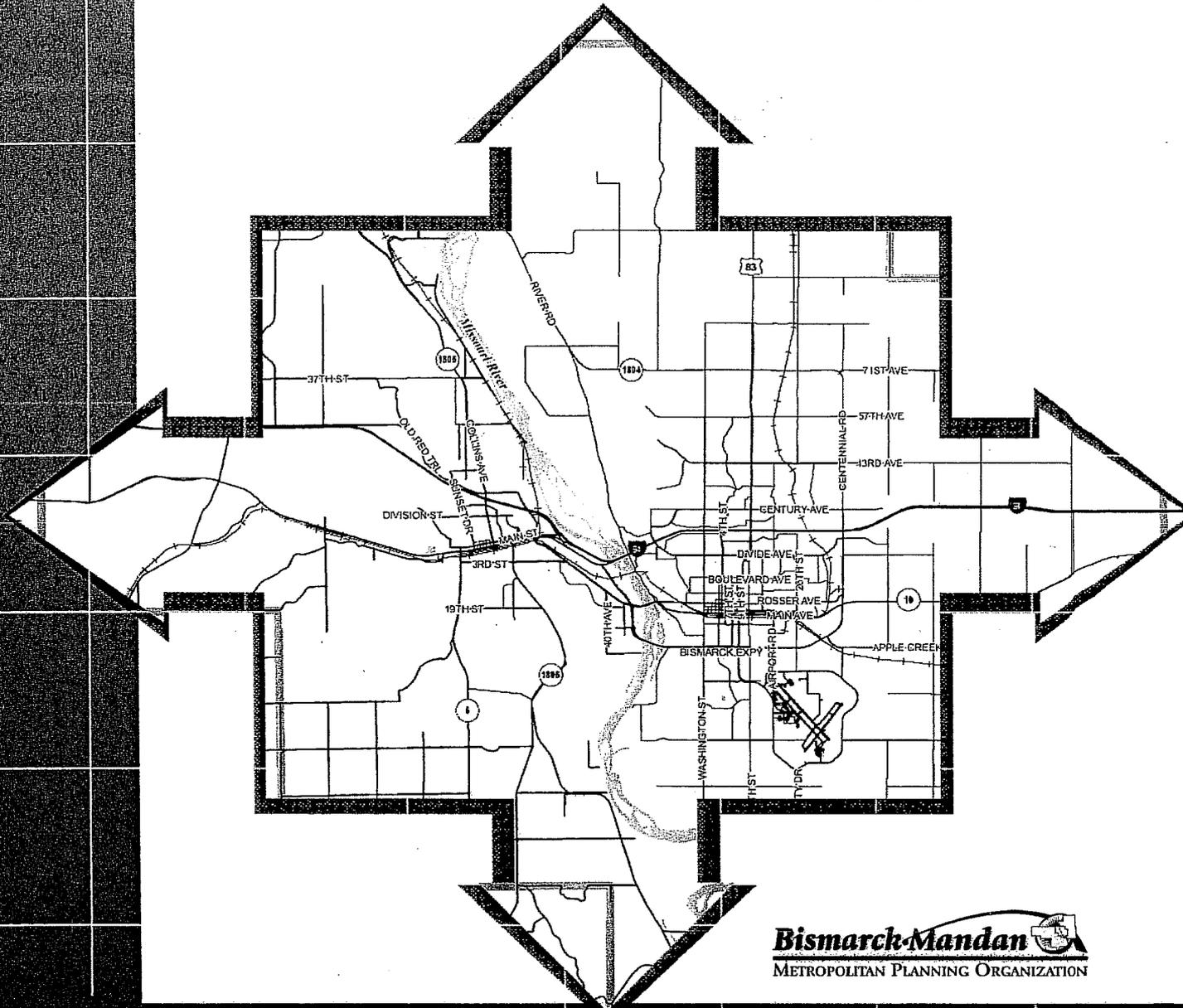
Respectfully submitted,

Kimberley Gaffrey
Recording Secretary

Wayne Yeager
Chairman



Bismarck-Mandan
Long Range Transportation Plan - 2035



Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

URS

**Bismarck-Mandan Metropolitan Planning
Organization**

October 19, 2009



2009 - 2035

**Long Range Transportation Plan -
Draft Executive Summary**



TRANSPORTATION PLAN OVERVIEW

The 2009-2035 Bismarck-Mandan Long Range Transportation Plan (LRTP) provides the blueprint for the area's transportation planning process over the next 25+ years. The transportation plan update process was a collaborative effort between Bismarck, Mandan, Burleigh County, Morton County, Lincoln, the North Dakota Department of Transportation (NDDOT), Bis-Man Transit and other state / Federal agencies, where the multimodal transportation system was evaluated and a set of recommendations were made. The Transportation Plan addresses the study area displayed in Figure 1.

The 2009-2035 Bismarck-Mandan Long Range Transportation Plan is founded on the consent of the community as well as the various committees and bodies formed within the area. The LRTP was developed consistent with the Bismarck-Mandan MPO's Public Participation Plan goals of providing an early, varied and far-reaching involvement approach. Involvement elements included:

- Three rounds of **public meetings**, with one meeting on each side of the river at each round.
- A **community committee** with representatives from a diverse cross-section of citizens and stakeholders including urban and rural residents from both sides of the river, transit users, bicyclists, business interests, schools and universities, freight, emergency responders, hospitals and human service agencies.
- The **plan update website**, *bis-manplan2009.com*, was a timely source of information throughout the course of the update, providing streaming video of meeting presentations, opportunities for easy feedback to the study team, up-to-date study memoranda and reports and notices of upcoming meetings.
- **Outreach to agencies, system users and interest Groups** was employed, including mailings, e-mails and information provided to resource agencies and system user groups throughout the LRTP update.
- At all three sets of public meetings included **televised plan meetings** on the local cable television Government Channel 2.

BISMARCK-MANDAN TRANSPORTATION GOALS AND OBJECTIVES

Development of the planning goals and objectives was a critical first step in the Transportation Plan update process, as it defined the community vision for the future transportation system. The goals and objectives laid out the general course for the update of the 2035 Long Range Transportation Plan.



Goal #1: *Provide a multimodal transportation system that efficiently and effectively moves people and goods between their desired origins and destinations.*

Objectives

- Establish and utilize measurable criteria to evaluate how well the multimodal transportation system is operating.
- Identify and implement appropriate programs intended to reduce or shift vehicular travel patterns, such as ridesharing and park-and-ride lots connected to the CAT, to reduce the need to expand roadway capacity.
- Identify and address the impacts of freight movement on areas surrounding truck routes (noise, air quality, safety).
- Identify transit facility and service improvements that would make using CAT more effective and increase the percentage of all trips using transit.
- Encourage jurisdictions to consider establishing appropriate guidelines for determining where property access may or may not be allowed along the roadway system (access management).
- Increase system access to major traffic generators/attractors within the framework of established access management guidelines for each specific jurisdiction.
- Identify and reduce/eliminate freight linkage deficiencies with the objective of improving freight movement.
- Continue to improve the cost-effectiveness of transit services by, where appropriate, shifting paratransit riders to CAT service.
- Ensure that the existing roadway system provides a proper functional mix, providing an acceptable balance of land access and travel mobility.
- Improve regional connectivity across barriers such as major roadways, railroads, and rivers.
- Coordinate with non-motorized system users in Bismarck-Mandan MPO planning activities.

Goal #2: *Provide a safe transportation system.*

Objectives

- Reduce the incidence of crashes on the system, particularly at high-crash locations
- When transportation improvements are being reviewed in the LRTP update and through individual projects, consider the potential that a proposed improvement concept or program has for reducing crashes.

Goal #3: *Provide a secure transportation system*

Objectives

- Develop action plans and improvement needs based on identified critical transportation assets identified in the LRTP process.
- Incorporate state and local emergency response and security plans into Bismarck-



andan MPO planning activities.

Goal #4: *Preserve the existing and planned system.*

Objectives

- Equitably account for roadway, trail and sidewalk network maintenance in the financial element of the plan.
- Address transit service operations and maintenance in the recommended Long Range Transportation Plan.
- Identify and reserve/protect/preserve planned future transportation corridors, even if construction is many years into the future.
- Promote ideas that acceptably balance the need for land access, while recognizing the need to ensure corridor safety and mobility through access management.

Goal #5: *Address the transportation system's impact on the built, social and natural environment.*

Objectives

- Prioritize roadway system improvements based on costs versus funding availability, degree of system benefit (impact), and level of impacts to the adjacent areas.
- Promote transportation projects, plans and/or programs that encourage reducing energy consumption.
- Reduce the pressure to expand the current system and improve the performance of the existing roadway system by implementing programs that increase average vehicle occupancy rates.
- Coordinate transportation planning activities with appropriate federal, state, and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation.
- Engage stakeholders and the public in the decision-making stage of the transportation planning process.
- Coordinate transportation planning activities with regional land use planning activities, including the Regional Future Land Use Plan.

Goal #6

Provide a transportation system that supports and enhances the regional economy.

Objectives

- Coordinate area economic development activities with LRTP development.
- Implement transportation projects/programs that contribute to the region's quality of life, whether through improved recreational, aesthetic or cultural amenities.
- Ensure that mobility-challenged populations, such as low income, persons with disabilities or senior citizens, have travel options in the region.

CURRENT TRANSPORTATION SYSTEM CONDITIONS

An important early milestone in the LRTP update was to consider the state of the current transportation system, as current system performance and issues are the underpinnings of future transportation needs. The current transportation system evaluation included evaluations of the following elements of the surface transportation system:

- The **street and highway system**, with an evaluation that included identifying currently congested corridors and high crash locations.
- The **non-motorized system**, with an evaluation of the trail system connectivity and discussion of factors that influence on-street bicycling sufficiency.
- The **regional transit system**, including an evaluation of paratransit and fixed route system ridership and system performance measures.
- **Intercity bus transportation service**, which included documentation of current service levels / connectivity.
- Regional **freight transportation**, including evaluations of truck freight / land use conflicts and rail crossings.
- The regional **air transportation facilities**, focusing on air service usage and trends, and how those air services might affect land transportation access to the airports.

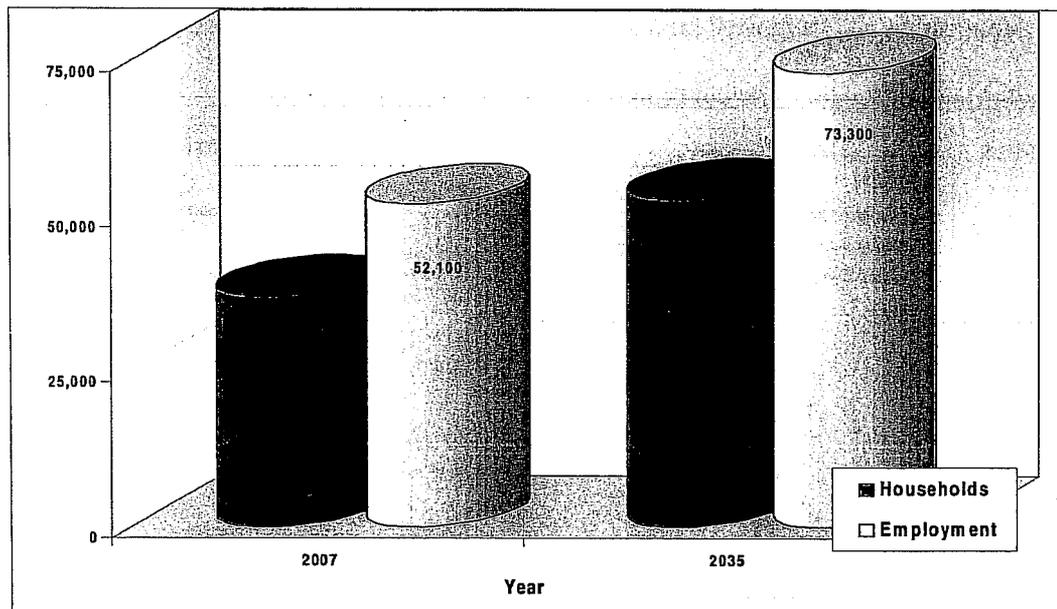
A full summary of the current transportation conditions is available in the LRTP update's *Existing Conditions Report*.

FUTURE LAND DEVELOPMENT

Following review of the existing transportation conditions, the study team established a reasonable 2035 land development concept, which is a likely future land development scenario for the Bismarck-Mandan metropolitan region. The development concept projects how much growth there will be and where that growth will occur between today and 2035. The development concept is a key input to the transportation plan update, as the identified growth areas will be the primary sources of *new* demand on the multimodal transportation system within the region over the planning horizon. The regional control total household and employment projections are provided in the chart below. As shown, households are expected to grow by 42 percent and employment by 41 percent.



MPO Study Area Housing and Employment Projections, 2007 to 2035



Source: Bismarck-Mandan MPO

2035 TRAFFIC LEVELS

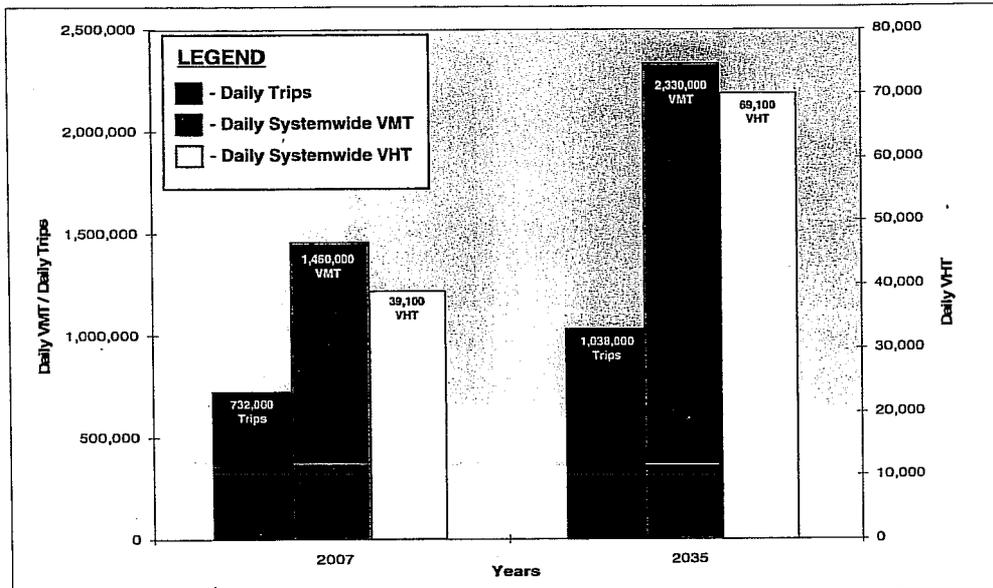
The 2035 daily traffic forecasts are based on the regional travel demand model, a computer application used to evaluate the interaction between housing and employment levels and the regional roadway system. The travel model was used to estimate traffic volumes associated with the development concept employment and housing scenario.

To identify future demands on the system, and identify future deficiencies on the roadway system, the development concept growth levels / locations were evaluated in the traffic model with the Existing-plus-Committed (E+C) condition future roadway network in place, which includes only the current street and roadway system and those improvements that are included in the MPO's 2010-2013 Transportation Improvement Program (TIP). The 2035 E+C scenario traffic forecasts associated are summarized the chart below, which documents the existing and future 2035 E+C trip levels from three different perspectives:

- **Trip generation** growth, a summary of the daily number of trips that occur. Trip generation is projected to increase by approximately 42 percent, a rate similar to housing and employment growth.
- **Vehicle Miles Traveled (VMT)** growth, the summarized distance of daily travel in the Bismarck-Mandan region. VMT is projected to grow by more (60 percent) than trip generation (42 percent), which indicates that the average trip length would increase over the planning horizon. This should be expected, as the majority of new development is anticipated to occur on the fringe of existing development.
- **Vehicle Hours Traveled (VHT)** growth, a summary of the daily metropolitan travel time. VHT is projected to grow by 77 percent, greater than trip generation growth.

or VMT growth. This comparison indicates that systemwide travel time / congestion will increase if improvements are not made beyond the E+C network.

Bismarck-Mandan Regional Travel Demand Summary, 2007 to 2035



Source: Bismarck-Mandan MPO Travel Model

A full documentation of the future land development concept and future traffic levels are available at the project website at: www.bis-manplan2009.com/PDFs/2035Traffic.pdf.

MULTIMODAL TRANSPORTATION ALTERNATIVES ANALYSIS

The alternatives analysis developed potential solutions to the issues/deficiencies that were identified through the earlier plan update steps. The alternatives analysis process incorporated both quantitative and qualitative approaches to reviewing the range of concepts for potential inclusion in the LRTP. Alternatives were developed and evaluated based on the plan goals and objectives. Through the alternatives analysis the range of improvements in each of the modal systems (roadway, transit and non-motorized) included:

- **Travel demand management (TDM)** alternatives, those intended to alter the level or timing of vehicle or person travel.
- **Transportation system management** alternatives, minor improvements to the existing system, such as new turn lanes, signal upgrades or modifying a bus route.
- **Expansion** alternatives, including significant improvements to existing facilities and programs and/or developing new facilities and programs.

To efficiently sort through the relatively numerous and wide-ranging set of potential system improvements, a two-level alternatives analysis process was used:

- The **Phase 1 Screening** narrowed the list of potential alternatives by removing those concepts that did not reasonably reflect the transportation goals or did not



have local support.

- The **Phase 2 Screening** included more detailed assessments for those alternatives that are maintained through the Phase 1 screening, evaluating the positive and negative aspects of the improvement concepts relative to the evaluation criteria. A prioritized listing of the remaining projects was the product of this phase, and was used as a tool in determine the final list of projects/concepts to be included in the transportation plan. The prioritized list was based on how well individual or combinations of alternatives performed compared to other alternatives when considering the criteria.

Not all of the highest scoring projects were included in the final recommendations, as the recommended plan is required to be cost constrained. The cumulative cost of the projects maintained through the second level of assessment far exceeded the anticipated available transportation funding, and the list was reduced to a level consistent with expectations for available funding. The combined final package reflected a concept that:

- Incorporated elements for the roadway, transit and non-motorized systems.
- Directly addressed many of the key transportation needs in the region.
- Was consistent with the plan goals and objectives.

FUNDING THE PLAN

The Long Range Transportation Plan update is required to include only projects and programs that are reasonably fundable. Achieving a fundable plan must also account for anticipated monies spent on maintaining the existing system. The process of determining a fundable or “financially-constrained” plan involves determining the anticipated level of surface transportation funding / revenue through 2035, while also considering the costs of implementing the recommended multimodal transportation plan.

Financial constraint of the LRTP-recommended projects must also be demonstrated in terms of “Year of Expenditure” (YOE) dollars; meaning that the project or program costs and the regional transportation budget should be extrapolated forward to account for inflation cost and funding changes expected over the period of the plan (2009-2035).

The planning horizon funding capacity for the multimodal projects was estimated based on a review of available historical expenditures on expansion projects, and based on discussions with each jurisdiction about their anticipated annual funding levels. NDDOT and FHWA reviewed and approved the funding estimates derived through this approach. For extrapolating current funding levels into the future, the provided guidance was that:

- For the first five years of the planning horizon (2009-2013), the LRTP should assume no growth in Bismarck-Mandan transportation funding.
- Beyond the first five years of the planning horizon (2014-2035), the LRTP will assume a 2% annual growth rate in revenues for the region.

Listed below are the total levels of modal funding that are projected to be available throughout the region between today and 2035:

- Street and Roadway Funding (2009-2035): \$300,285,000
- Transit System Funding (2009-2035): \$80,889,000
- Trails Funding / Transportation Enhancement (TE) Dollars (2009-2035): \$29,914,000

Some of the funds identified above are already committed to transportation projects through the current TIP. The currently approved TIP runs through 2013, and the transportation plan needs to identify projects and funding beyond those currently committed by the TIP. Thus, the funding that is projected to be available for the region between 2014 and 2035 is:

- Street and Roadway Funding (2013-2035): \$254,575,000.
- Transit System Funding (2013-2035): \$68,569,000.
- Trails Funding / TE Dollars (2013-2035): \$26,274,000.

In the period used to establish the estimated budget amount for the period through 2035 there were no moderate or large scale rehabilitation projects on I-94 or I-194 through the Bismarck-Mandan area. Thus, one of the range of funding sources available for use in the region, Interstate Maintenance (IM), was under-represented in the budget estimating process. It is reasonable to assume that between 2010 and 2035 significant rehabilitation / reconstruction of the interstate will be needed and the projects would be funded in using Interstate Maintenance (IM) program sources. Rehabilitation / reconstruction of existing interchanges along the interstate are acceptable uses for IM funds. Based on historical funding levels, it is reasonable to assume that the \$62,000,000 in YOE project costs for interstate interchange reconstruction projects could be included within the program funding capacity for the Bismarck-Mandan area, bringing the total roadway funding capacity to \$316,575,000.

RECOMMENDED MULTIMODAL IMPROVEMENTS, 2014-2035

Projects included in the recommended multimodal transportation plan have been demonstrated to address or support a need within the region and they have been discussed throughout the involvement process. Transportation needs within the region exceed the locally available transportation funding estimates, so only those selected projects that have an anticipated source of funding were included in the fundable multimodal improvements plan.

The recommended plan has been assembled in a manner that considers the interconnected nature of the various modes and uses existing corridors to introduce a new mode of travel. The LRTP also considers the interconnected nature of land use and transportation, recognizing that the locations and type of land development will affect the type and intensity of the transportation system that can/should be offered, while also recognizing that the quality/mix of transportation infrastructure affects the viability of land development.



Roadway System Improvements

The recommended roadway system improvements are illustrated in Figure 2. The total cost for all roadway improvements included in the recommended roadway improvements list is \$309,760,000. The 2014-2035 level of funding identified for the roadway system from traditional surface transportation funding sources was \$316,575,000 (in year of expenditure dollars). Thus, anticipated roadway funding and the recommended roadway costs are approximately in-line with anticipated roadway budgets.

Non-Motorized System Improvements

Two main types of non-motorized improvements are being carried forward as recommendations:

- Expansion of the existing multimodal trail system
- On-street facilities, whether:
 - Designated shared-use streets for both motor vehicles and bicyclists
 - On-street bicycle lanes

Figure 3 shows the recommended non-motorized system improvements.

Transit System Improvements

The majority of the transit system improvement alternatives focused on two primary tasks:

- Evaluating future year 2035 conditions to identify opportunities to expand transit services in the Bismarck-Mandan region
- Evaluating the level of implementation for the recommendations that came out of the 2007 *Bismarck-Mandan Transit Development Plan*.

The recommendations for route extensions between now and 2035 are described in Table 1. Recommendations from the 2007 *Transit Development Plan* were also incorporated into the LRTP recommendations.

The recommended multimodal projects are illustrated more completely at the study website at: www.bis-manplan2009.com/PrelimPlan.html.



Table 1. Transit Alternatives and Planning-Level Cost Estimates

Transit Alternative	Overview	Planning-Level Cost Estimates
Expand Fixed Route to 71 st / US 83	Provide service extension of 2 miles into future growth area.	Operations Cost: \$40,000 / year. Capital Cost: \$90,000 (dedication of 30% of a new bus)
26th St / Calgary Avenue	Short ¼ mile route extension into future growth area.	Operations Cost: \$7,000 / year. No Significant Capital Costs.
Expand Fixed Route to Lincoln	Requires significant extension of current service approximately 4.5 miles.	Operations Cost: \$90,000 / year. Capital Cost: \$210,000 (dedication of 70% of a new bus)
Expand Fixed Route in North Mandan	Minor expansion into future growth area – likely an additional ¼ mile or so.	Operations Cost: \$7,000 / year. No Significant Capital Costs.
University of Mary Service	Extension of current service approximately 3 miles. Likely a partnership with U Mary.	Operations Cost: \$60,000 / year. Capital Cost: \$150,000 (dedication of 50% of a new bus)

Other LRTP Recommendations

Other recommendations incorporated into the LRTP include:

- **Travel Demand Management Recommendations.** The best opportunities for improved travel demand management in the Bismarck-Mandan region are for enhanced ridesharing programs in the region. The recommendations for enhanced ridesharing include:
 - A **carpool coordination program** for the region.
 - Investigate a **vanpool program** for the region, potentially coordinated / administered on a statewide basis.
- Continued implementation of the **Intelligent Transportation System (ITS)** regional architecture.
- **Freight system recommendations**, including those roadway improvements that support current truck routes, and improvements that would ease truck volume pressure on non-truck route corridors by providing more competitive complementary freight corridors.
- **System security recommendations** which focused on outlining an approach to establishing a coordinated transportation system security plan for the Bismarck-Mandan region.



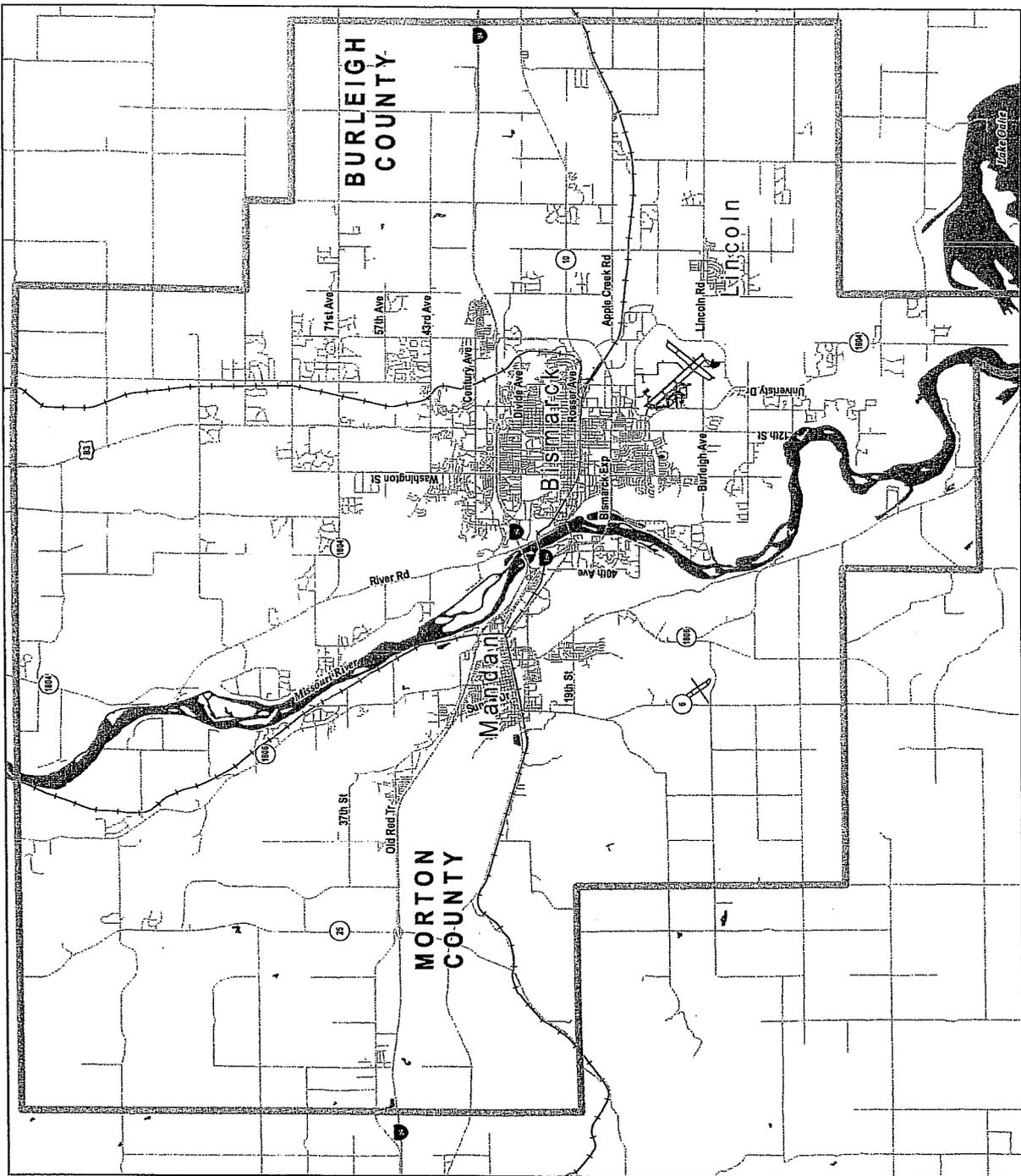
Legend



MPO Study Area Boundary



Figure 1. 2009-2035 Bismarck-Mandan
LRTP Study Area





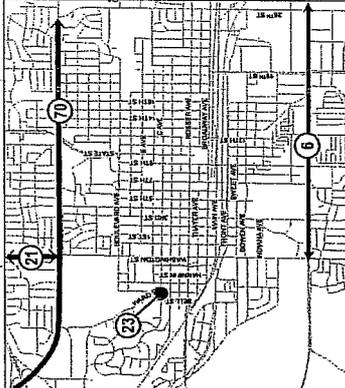
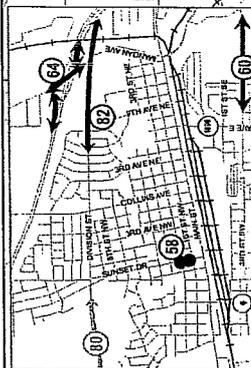
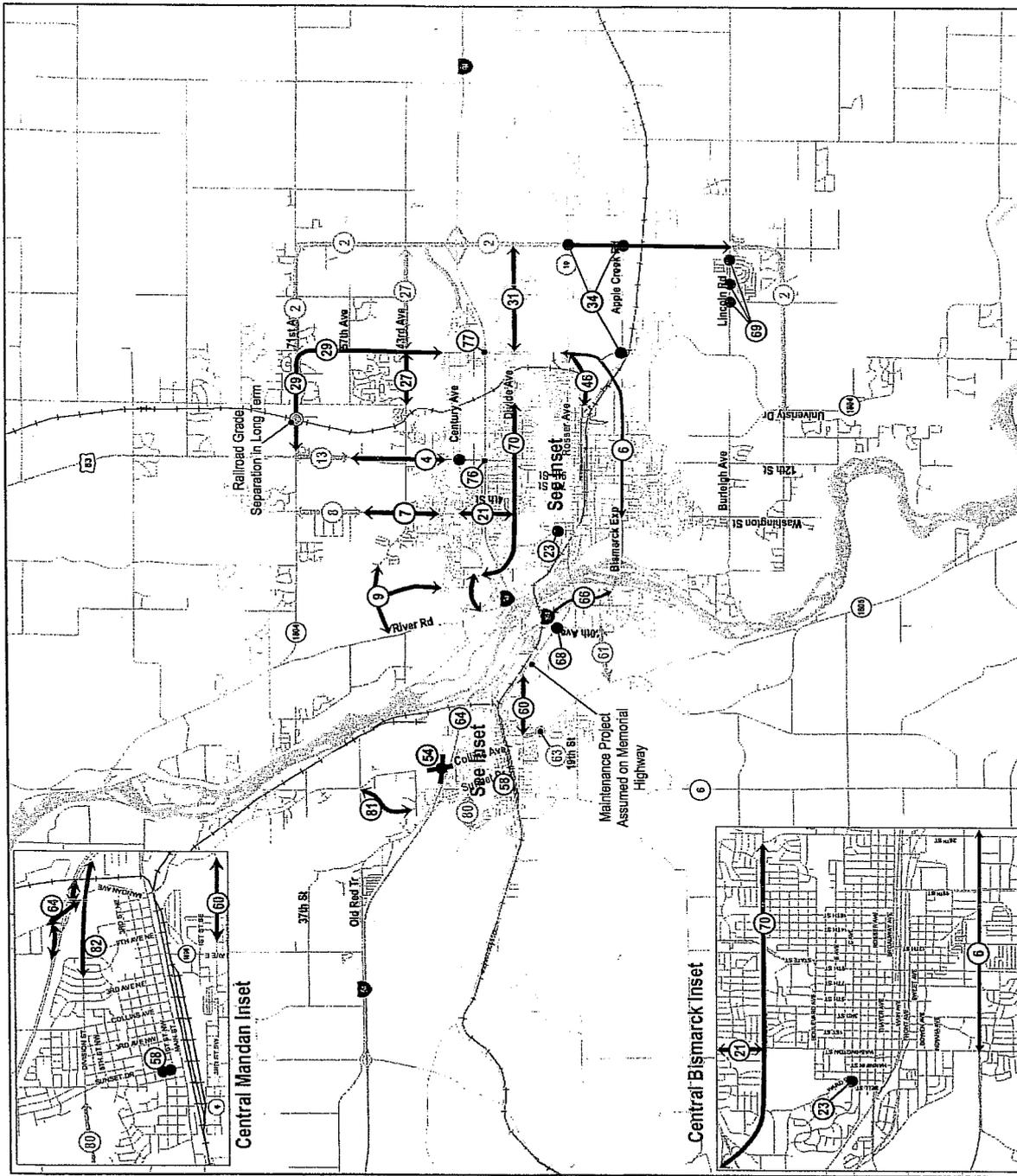
Legend

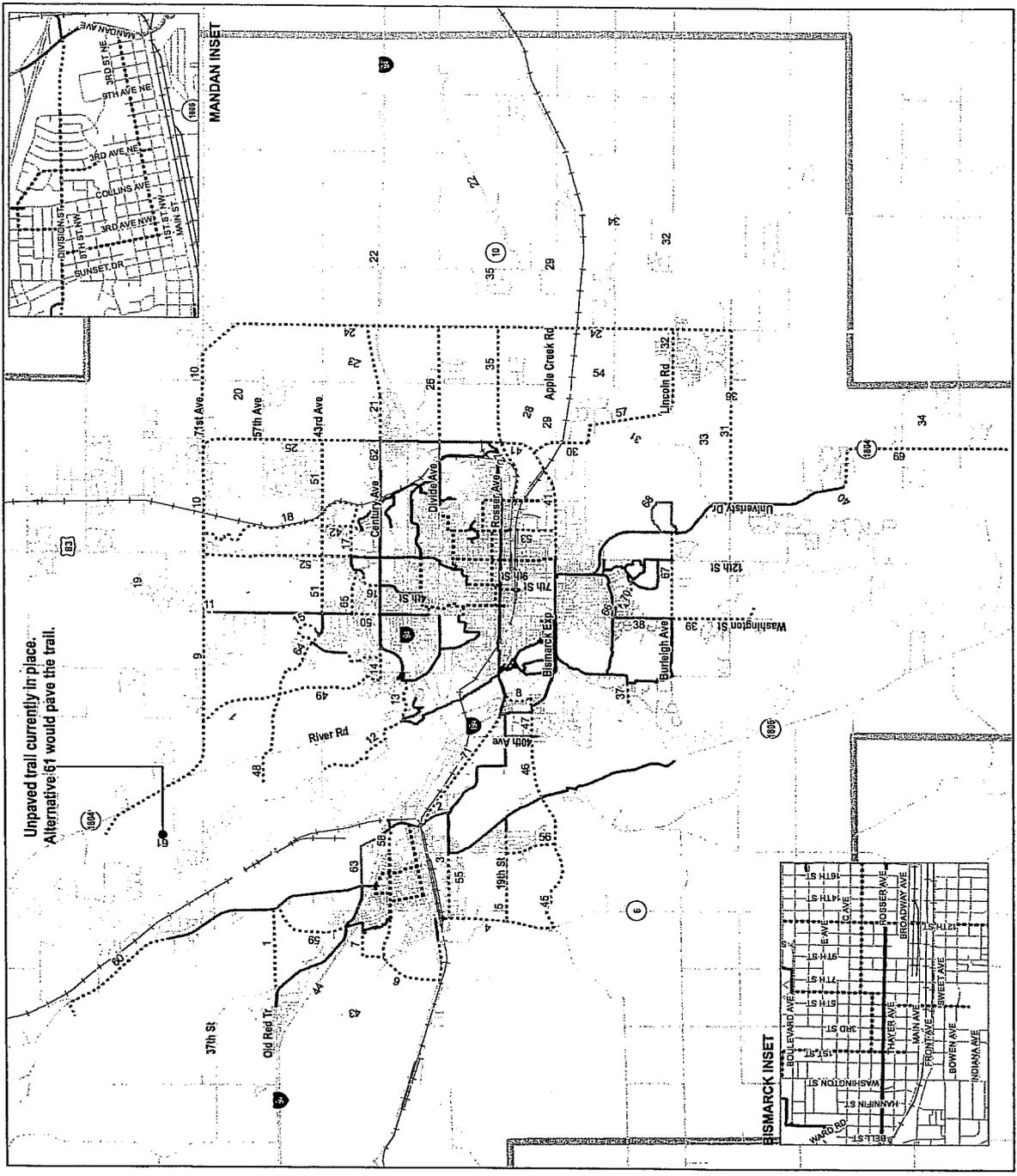
Draft Implementation Timeframe

- Short - Term Improvement (2009-2014)
- Mid - Term Improvement (2015-2024)
- Long - Term Improvement (2025-2035)



Figure 2: Draft Roadway Implementation Phasing, 2035 Bismarck-Mandan L RTP





Unpaved trail currently in place.
Alternative 61 would pave the trail.

Legend

Draft Recommended On-Street Bike

- Bike Lanes
- Bike Route

Draft Recommended Trails

- Existing
- In TIP (Funded)
- Recommended Future (Funded)
- Illustrative (not Funded)

12 Trail Alternative ID

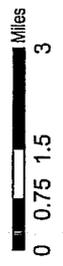


Figure 3. Draft Recommended Trail Projects and Draft On-Street Bicycle Facilities

**Major Permit Activity
October 2009**

Non-deeded Owner: Michael Baumgartner Construction
Address: 1410 Industrial Drive
Cost: \$585,000.00
Description: Single story building

Non-deeded Owner: RDO Equipment
Address: 2000 Industrial Drive
Cost: \$572,000.00
Description: Add on to existing building to include showroom, office space, and parts counter

Non-deeded Owner: St. Alexius Medical Center
Address: 900 East Broadway Avenue
Cost: \$351,252.00
Description: 1st floor renovation

Non-deeded Owner: UTTC Science and Tech Center
Address: 3315 University Drive
Cost: \$3,292,675.00
Description: Building for UTTC Science and Tech Center

Non-deeded Owner: USDA NRCS Cold Storage/Shop
Address: 3310 University Drive
Cost: \$444,667.00
Description: Engineered steel building with heated shop and cold storage

DATE SELECTION 10/2009

Permit Type	***** City *****		***** ETA *****		***** County *****							
	10/2009	10/2008	10/2009	10/2008	10/2009	10/2008						
	Permits	Valuation	Permits	Valuation	Permits	Valuation						
SINGLE FAMILY DETACHED	18	2,833,851.00	14	2,333,210.00	5	1,083,674.00	5	1,084,747.00	0	.00	0	.00
SINGLE FAMILY ATTACHED	10	1,481,637.00	2	286,529.00	0	.00	0	.00	0	.00	0	.00
TWO UNIT	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
THREE & FOUR FAMILY	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
FIVE & MORE FAMILY	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
CONDO/TOWNHOUSE-1 HR.WALL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MANUFACTURED HOMES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITHOUT EXTRA	3	.00	5	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITH EXTRAS	1	1,200.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME MISCELLANEOUS	0	.00	1	.00	0	.00	0	.00	0	.00	0	.00
HOTELS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOTELS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
GROUP QUARTERS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
STRUCTURE OTHER THAN BLDG	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
AMUSEMENT & RECREATION	0	.00	1	8,489,841.00	0	.00	0	.00	0	.00	0	.00
CHURCHES AND RELIGIOUS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
INDUSTRIAL	9	1,440,571.00	2	1,624,020.00	1	20,000.00	0	.00	0	.00	0	.00
RESEARCH & DEVELOPMENT	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
AUTO SERVICE AND REPAIR	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
HOSPITALS & INSTITUTIONAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OFFICE, BANK & PROFESSION	0	.00	2	4,370,191.00	0	.00	0	.00	0	.00	0	.00
SCHOOLS AND EDUCATIONAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
COMM (RETAIL SALES)	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER (PUBLIC PARKING GAR	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER STRUCTURES	6	3,000.00	1	27,800.00	0	.00	1	250,000.00	0	.00	0	.00
PUBLIC BUILDING	0	.00	0	.00	2	3,737,342.00	0	.00	0	.00	0	.00
ROOM ADDITIONS	5	183,251.00	2	118,137.00	0	.00	2	29,892.00	0	.00	1	109,324.00
RESIDENTIAL GARAGES	8	95,120.00	5	85,850.00	5	89,696.00	12	346,819.00	1	30,720.00	0	.00
PATIOS AND COVERS	9	72,330.00	9	30,380.00	2	11,040.00	2	7,020.00	0	.00	0	.00
SWIMMING POOLS AND SPAS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER	17	212,859.00	13	207,709.00	1	37,762.00	0	.00	1	1,800.00	0	.00
HOME OCCUPATIONS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
STORAGE SHEDS	4	5,750.00	0	.00	4	7,400.00	1	1,500.00	0	.00	0	.00
BASEMENT FINISH	3	16,387.00	11	52,571.00	1	7,125.00	6	36,355.00	0	.00	0	.00
INDUSTRIAL BUILDINGS	4	541,782.00	3	1,143,901.00	2	60,000.00	1	13,900.00	0	.00	0	.00
COMMERCIAL BUILDINGS	1	8,000.00	0	.00	0	.00	0	.00	0	.00	0	.00

DATE SELECTION 10/2009

Permit Type	***** City *****		***** ETA *****		***** County *****							
	10/2009	10/2008	10/2009	10/2008	10/2009	10/2008						
	Permits	Valuation	Permits	Valuation	Permits	Valuation						
OFFICE & PROFESSIONAL BLD	13	2,044,282.00	5	160,200.00	3	357,335.00	0	.00	0	.00	0	.00
OTHER	0	.00	1	13,500.00	0	.00	1	2,000.00	0	.00	0	.00
ALTER PUBLIC	0	.00	1	24,030.00	1	30,000.00	0	.00	0	.00	0	.00
APTS TO CONDO	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
TO/FROM RESIDENTIAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
RESIDENTIAL	4	.00	1	.00	0	.00	0	.00	0	.00	0	.00
OTHER	2	.00	0	.00	0	.00	0	.00	0	.00	0	.00
CHRISTMAS TREE SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
FIREWORKS SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
NURSERY STOCK SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MISC. TEMPORARY STRUCTURE	0	.00	6	.00	0	.00	0	.00	0	.00	0	.00
MOVE OUT OF PMT LOCATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOVE INTO PERMIT LOCATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOVE WITHIN PMT LOCATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
NEW SIGN PERMIT	8	76,319.00	7	60,423.00	0	.00	0	.00	0	.00	0	.00
SIGN ALTERATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
Permit Type Total	125	9,016,339.00	92	19,028,292.00	27	5,441,374.00	31	1,772,233.00	2	32,520.00	1	109,324.00

DATE SELECTION 10/2009

Permit Type	***** City *****		***** ETA *****		***** County *****	
	10/2009 Permits	10/2008 Permits	10/2009 Permits	10/2008 Permits	10/2009 Permits	10/2008 Permits
Plumbing	36	42	11	11	1	0
Electrical	86	134	0	0	0	0
Mechanical	105	74	27	33	0	0
Drain Field	1	0	27	24	1	1
Hood Suppression	1	0	0	0	0	0
SprinklerStandpipe	2	0	0	0	0	0
Alarm Detection	2	0	0	0	0	0
Total	233	250	65	68	2	1

DATE SELECTION 10/2009

Living Units	***** City *****		***** ETA *****		***** County *****	
	Units 10/2009	Units 10/2008	Units 10/2009	Units 10/2008	Units 10/2009	Units 10/2008
SINGLE FAMILY DETACHED	18	14	5	5	0	0
SINGLE FAMILY ATTACHED	10	2	0	0	0	0
MOBILE HOME WITHOUT EXTRA	0	2	0	0	0	0
PATIOS AND COVERS	4	0	0	0	0	0
OTHER	1	0	0	0	0	0
RESIDENTIAL	0	1	0	0	0	0
Total	33	19	5	5	0	0

PERMIT LOCATION	PERMIT NUMBER	PROPERTY ADDRESS	DATE SELECTION	10/2009	OWNERS NAME CONTRACTOR	VALUATION
CITY OF BISMARCK	2009-0001455	1410 INDUSTRIAL	DR		MICHAEL BAUMGARTNER CONSTRUCT	585,000.00
CITY OF BISMARCK	2009-0001465	2000 INDUSTRIAL	DR		MICHAEL BAUMGARTNER CONSTRUCT RDO EQUIPMENT	572,000.00
CITY OF BISMARCK	2009-0001468	900 E BROADWAY	AV		CAPITAL CITY CONSTRUCTION INC ST ALEXIUS MEDICAL CENTER	351,252.00
EXTRA TERRITORIAL	2009-0001419	3315 UNIVERSITY	DR		SELF/OWNER ST ALEXIUS SCIENCE & TECH CTR, UTTC	3,292,675.00
EXTRA TERRITORIAL	2009-0001462	3310 UNIVERSITY	DR		NORTHWEST CONTRACTING INC USDA NRCS COLD STORAGE/SHOP	444,667.00
					MISSOURI RIVER CONTRACTING	

DATE SELECTION 10/2009

Permit Type	***** City *****		***** ETA *****		***** County *****							
	10/2009	10/2008	10/2009	10/2008	10/2009	10/2008						
	Permits	Valuation	Permits	Valuation	Permits	Valuation						
SINGLE FAMILY DETACHED	142	24,417,885.00	169	29,250,768.00	62	11,730,356.00	95	21,104,894.00	8	1,447,128.00	11	2,561,593.00
SINGLE FAMILY ATTACHED	28	4,250,384.00	62	9,758,372.00	0	.00	2	372,825.00	0	.00	0	.00
TWO UNIT	0	.00	1	293,000.00	0	.00	0	.00	0	.00	0	.00
THREE & FOUR FAMILY	11	3,413,935.00	6	3,375,500.00	0	.00	0	.00	0	.00	0	.00
FIVE & MORE FAMILY	3	4,008,000.00	13	14,067,904.00	0	.00	0	.00	0	.00	0	.00
CONDO/TOWNHOUSE-1 HR.WALL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MANUFACTURED HOMES	0	.00	1	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITHOUT EXTRA	25	.00	24	.00	0	.00	1	.00	0	.00	0	.00
MOBILE HOME WITH EXTRAS	4	3,900.00	5	360.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME MISCELLANEOUS	4	7,175.00	4	3,900.00	0	.00	0	.00	0	.00	0	.00
HOTELS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOTELS	0	.00	0	.00	0	.00	1	11,520.00	0	.00	0	.00
GROUP QUARTERS	2	327,693.00	1	134,715.00	0	.00	0	.00	0	.00	0	.00
STRUCTURE OTHER THAN BLDG	3	14,571,030.00	0	.00	0	.00	0	.00	0	.00	0	.00
AMUSEMENT & RECREATION	1	2,896,625.00	1	8,489,841.00	0	.00	0	.00	0	.00	0	.00
CHURCHES AND RELIGIOUS	0	.00	1	1,500.00	0	.00	0	.00	0	.00	0	.00
INDUSTRIAL	16	3,135,871.00	13	10,056,888.00	15	2,054,900.00	2	224,010.00	1	210,867.00	1	334,731.00
RESEARCH & DEVELOPMENT	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
AUTO SERVICE AND REPAIR	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
HOSPITALS & INSTITUTIONAL	2	18,648,860.00	1	18,683,719.00	0	.00	0	.00	0	.00	0	.00
OFFICE, BANK & PROFESSION	0	.00	7	7,508,185.00	0	.00	0	.00	0	.00	0	.00
SCHOOLS AND EDUCATIONAL	2	10,323,743.00	0	.00	1	44,075.00	0	.00	0	.00	0	.00
COMM (RETAIL SALES)	1	13,606.00	6	7,200,904.00	0	.00	0	.00	0	.00	0	.00
OTHER (PUBLIC PARKING GAR	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER STRUCTURES	13	450,941.00	23	2,884,960.00	2	155,000.00	3	466,000.00	0	.00	0	.00
PUBLIC BUILDING	14	14,721,805.00	7	1,198,179.00	3	4,490,342.00	0	.00	1	22,786.00	0	.00
ROOM ADDITIONS	25	929,011.00	35	1,253,728.00	16	568,612.00	10	622,215.00	2	12,064.00	2	136,233.00
RESIDENTIAL GARAGES	76	1,081,463.00	82	761,468.00	81	1,450,194.00	102	2,002,219.00	10	208,320.00	9	521,408.00
PATIOS AND COVERS	115	645,157.00	130	430,213.00	19	76,750.00	33	189,364.00	2	18,960.00	1	3,600.00
SWIMMING POOLS AND SPAS	0	.00	2	43,720.00	0	.00	0	.00	0	.00	0	.00
OTHER	164	1,227,874.00	162	1,239,401.00	16	361,456.00	34	563,780.00	2	2,800.00	0	.00
HOME OCCUPATIONS	2	.00	4	40.00	2	.00	1	40.00	0	.00	0	.00
STORAGE SHEDS	72	131,103.00	83	159,299.00	9	17,463.00	12	27,330.00	0	.00	1	56,000.00
BASEMENT FINISH	113	605,355.00	137	664,239.00	50	310,574.00	60	317,648.00	1	4,940.00	5	28,409.00
INDUSTRIAL BUILDINGS	17	1,302,237.00	22	4,113,963.00	2	60,000.00	4	365,230.00	0	.00	0	.00
COMMERCIAL BUILDINGS	31	2,376,423.00	24	3,191,467.00	2	336,000.00	0	.00	0	.00	0	.00

DATE SELECTION 10/2009

Permit Type	***** City *****		***** ETA *****		***** County *****							
	10/2009	10/2008	10/2009	10/2008	10/2009	10/2008						
	Permits	Valuation	Permits	Valuation	Permits	Valuation						
OFFICE & PROFESSIONAL BLD	69	10,450,258.00	59	13,109,331.00	4	982,737.00	0	.00	0	.00	0	.00
OTHER	15	2,929,293.00	11	975,573.00	0	.00	1	2,000.00	0	.00	0	.00
ALTER PUBLIC	7	363,886.00	11	1,875,600.00	1	30,000.00	0	.00	0	.00	0	.00
APTS TO CONDO	0	.00	1	36,600.00	0	.00	0	.00	0	.00	0	.00
TO/FROM RESIDENTIAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
RESIDENTIAL	13	.00	14	.00	0	.00	3	.00	0	.00	0	.00
OTHER	10	.00	3	.00	1	.00	0	.00	0	.00	0	.00
CHRISTMAS TREE SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
FIREWORKS SALES	1	.00	1	.00	9	.00	7	.00	0	.00	0	.00
NURSERY STOCK SALES	3	.00	4	.00	0	.00	0	.00	0	.00	0	.00
MISC. TEMPORARY STRUCTURE	15	.00	19	.00	3	.00	0	.00	0	.00	0	.00
MOVE OUT OF PMT LOCATION	5	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOVE INTO PERMIT LOCATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOVE WITHIN PMT LOCATION	2	.00	1	.00	0	.00	0	.00	0	.00	0	.00
NEW SIGN PERMIT	52	727,473.00	58	684,477.00	0	.00	0	.00	0	.00	0	.00
SIGN ALTERATION	5	110,885.00	2	3,070.00	0	.00	0	.00	0	.00	0	.00
	1083	124,071,871.00	1210	141,450,884.00	298	22,668,459.00	371	26,269,075.00	27	1,927,865.00	30	3,641,974.00

DATE SELECTION 10/2009

Permit Type	***** City *****		***** ETA *****		***** County *****	
	10/2009 Permits	10/2008 Permits	10/2009 Permits	10/2008 Permits	10/2009 Permits	10/2008 Permits
Plumbing	371	430	88	141	9	14
Electrical	824	972	0	0	0	0
Mechanical	811	836	175	249	10	16
Drain Field	1	0	27	24	1	1
Hood Suppression	1	0	0	0	0	0
SprinklerStandpipe	2	0	0	0	0	0
Alarm Detection	2	0	0	0	0	0
Total	2049	2238	350	515	28	44

DATE SELECTION 10/2009

Living Units	***** City *****		***** ETA *****		***** County *****	
	10/2009 Units	10/2008 Units	10/2009 Units	10/2008 Units	10/2009 Units	10/2008 Units
SINGLE FAMILY DETACHED	142	169	61	95	8	11
SINGLE FAMILY ATTACHED	28	62	0	2	0	0
TWO UNIT	0	2	0	0	0	0
THREE & FOUR FAMILY	26	24	0	0	0	0
FIVE & MORE FAMILY	80	217	0	0	0	0
MOBILE HOME WITHOUT EXTRA	3	9	0	0	0	0
MOBILE HOME WITH EXTRAS	1	2	0	0	0	0
MOBILE HOME MISCELLANEOUS	1	0	0	0	0	0
GROUP QUARTERS	4	0	0	0	0	0
HOSPITALS & INSTITUTIONAL	294	192	0	0	0	0
ROOM ADDITIONS	6	9	3	2	0	1
RESIDENTIAL GARAGES	10	2	3	2	1	0
PATIOS AND COVERS	26	19	2	3	0	0
OTHER	19	36	1	6	1	0
HOME OCCUPATIONS	1	0	0	0	0	0
STORAGE SHEDS	10	3	0	0	0	0
BASEMENT FINISH	11	38	3	17	0	0
COMMERCIAL BUILDINGS	1	0	23	0	0	0
ALTER PUBLIC	7	0	0	0	0	0
RESIDENTIAL	1	6	0	1	0	0
FIREWORKS SALES	0	0	1	0	0	0
Total	671	790	97	128	10	12