

Introduced by

1 A BILL for an Act to create and enact a new subsection to section 40-47-01.1 of the North
2 Dakota Century Code, relating to county approval for extraterritorial zoning.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new subsection to section 40-47-01.1 of the North Dakota Century Code
5 is created and enacted as follows:

6 A city shall receive approval from the board of county commissioners for the area
7 that is included with the extension of a city zoning regulations before the ordinance
8 doing so is valid. The board of county commissioners may accept, reject, or place
9 limitations on a city's exercise of zoning regulations or subdivision regulations if the
10 board of county commissioners determines that the extended area or a portion of
11 that area would be better served by the present zoning or subdivision regulation.
12 In determining whether to accept, reject, or place conditions on the extension, the
13 county shall consider the present and projected population of the subject area, the
14 natural topography of the area, the present and projected transportation network,
15 whether necessary government services may be best provided through the
16 proposed action or another type of boundary adjustment, the degree of contiguity
17 of boundaries of the subject area and adjacent units of government, and any other
18 relevant factors as determined by the board of county commissioners. The board
19 of county commissioners may make the decision after referring the matter to the
20 county planning commission for recommendations.