



## Burleigh County Planning and Zoning Commission Meeting Agenda

Tom Baker Meeting Room, City/County Building, 221 5<sup>th</sup> Street N,  
Bismarck, ND



5:15pm

Attend in Person || Watch Live on Government Access Channels 2 or 602 || Stream on [Freetv.org](https://www.freetv.org) or  
[Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) || Replay Later from [Freetv.org](https://www.freetv.org)

### **AGENDA**

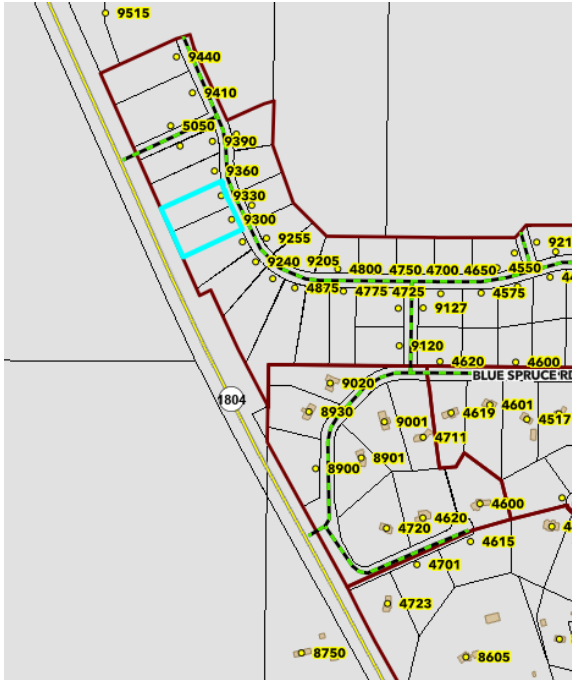
**March 12, 2025**

1. Roll Call
2. Approval of the February 12, 2025 Minutes
3. Consent Agenda *(The following item(s) are request(s) for a public hearing)*  
  
There are no items on the consent agenda
4. Public Hearing Agenda
  - 4-1 Summit Point 2<sup>nd</sup> Subdivision (short plat)
  - 4-2 Article 8 – Special Uses – Solar Farm  
Continuation of February 12, 2025 Public Hearing
5. Other Business:
  - 5-1 Non-Access Lines
6. Adjourn

– Next Meeting – April 9, 2025

# Agenda Item 4-1

## Application for Summit Point Second Subdivision

Project Summary							
Public Hearing:	Summit Point 2nd Subdivision						
Petitioner/Developer	John & Sarah Wonnenburg						
Engineer	Toman Engineering Co						
Location:	Lots 3 & 4, Block 2 Summit Point Subdivision						
	<div data-bbox="862 1052 1140 1136" data-label="Caption"> <p>4-1-1 Location Map</p> </div>						
Project Size:	205 acres						
Petitioners Request	Approval of the Summit Point 2 <sup>nd</sup> Subdivision & "Do Pass" Recommendation to the Board of Burleigh County Commissioners						
Notifications	<table border="0"> <tr> <td>Bismarck Tribune</td> <td>Feb. 28 &amp; March 7</td> </tr> <tr> <td>Surrounding Property Owners</td> <td>February 28</td> </tr> <tr> <td>Burleigh Co. Website</td> <td>February 28</td> </tr> </table>	Bismarck Tribune	Feb. 28 & March 7	Surrounding Property Owners	February 28	Burleigh Co. Website	February 28
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Surrounding Property Owners	February 28						
Burleigh Co. Website	February 28						

*As set forth under Chapter 11, Section 33 of the North Dakota Century Code and Article 33 of the Burleigh County Ordinances, the Planning Commission shall approve or disapprove the subdivision of all lands within its jurisdiction and recommend the same to the Board of Burleigh County Commissioners*



# PLANNING AND ZONING COMMISSION

## History/Description

Burleigh County was approached by John & Sarah Wonnberg purchased Lots 3 & 4, Block 2 of the Summit Point First Subdivision. He would like to combine his two (2) lots into one (1) lot.

Planning and review committee found no issues of concern for this subdivision.



Attachment 4-1-2 Final Plat



Attachment 4-1-3 Site Map



## PLANNING AND ZONING COMMISSION

### Staff Findings

1. This subdivision fulfills the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. This subdivision is a short plat subdivision – Article 33, Section 12
3. This final plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.
4. Zoning is a PUD. This subdivision is covered under the PUD and the covenants of Summit Point 1<sup>st</sup> Subdivision
5. This subdivision meets the goals and intent of the Burleigh County Comprehensive Plan for the orderly development in Burleigh County.

### Planning Staff Recommendation

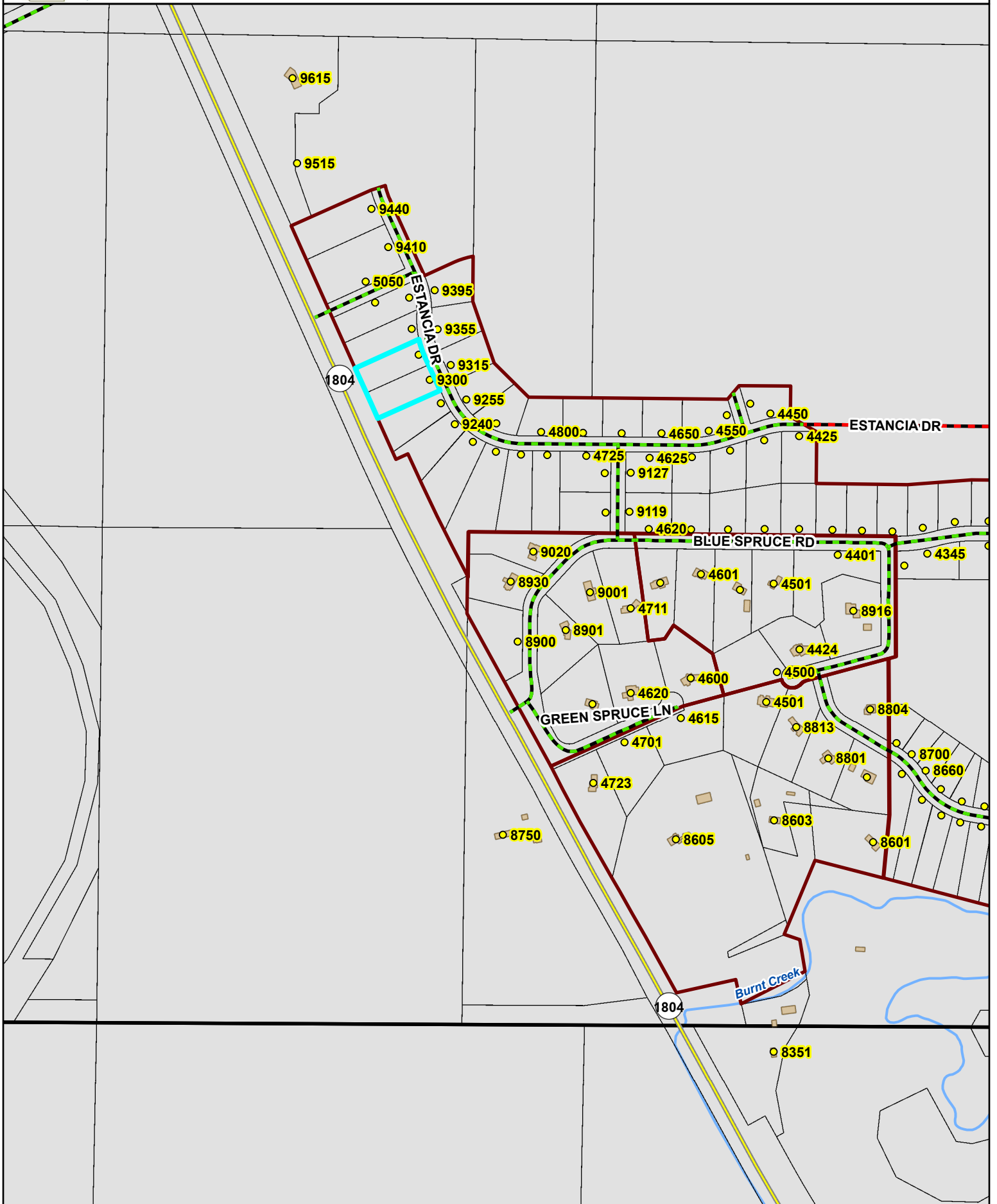
The petition for a final plat meets all administrative requirements of the Burleigh County Zoning Ordinance. Staff recommends approval of the final plat and giving a “Do Pass” recommendation to the Board of Burleigh County Commissioners.

### Planning Commission Action

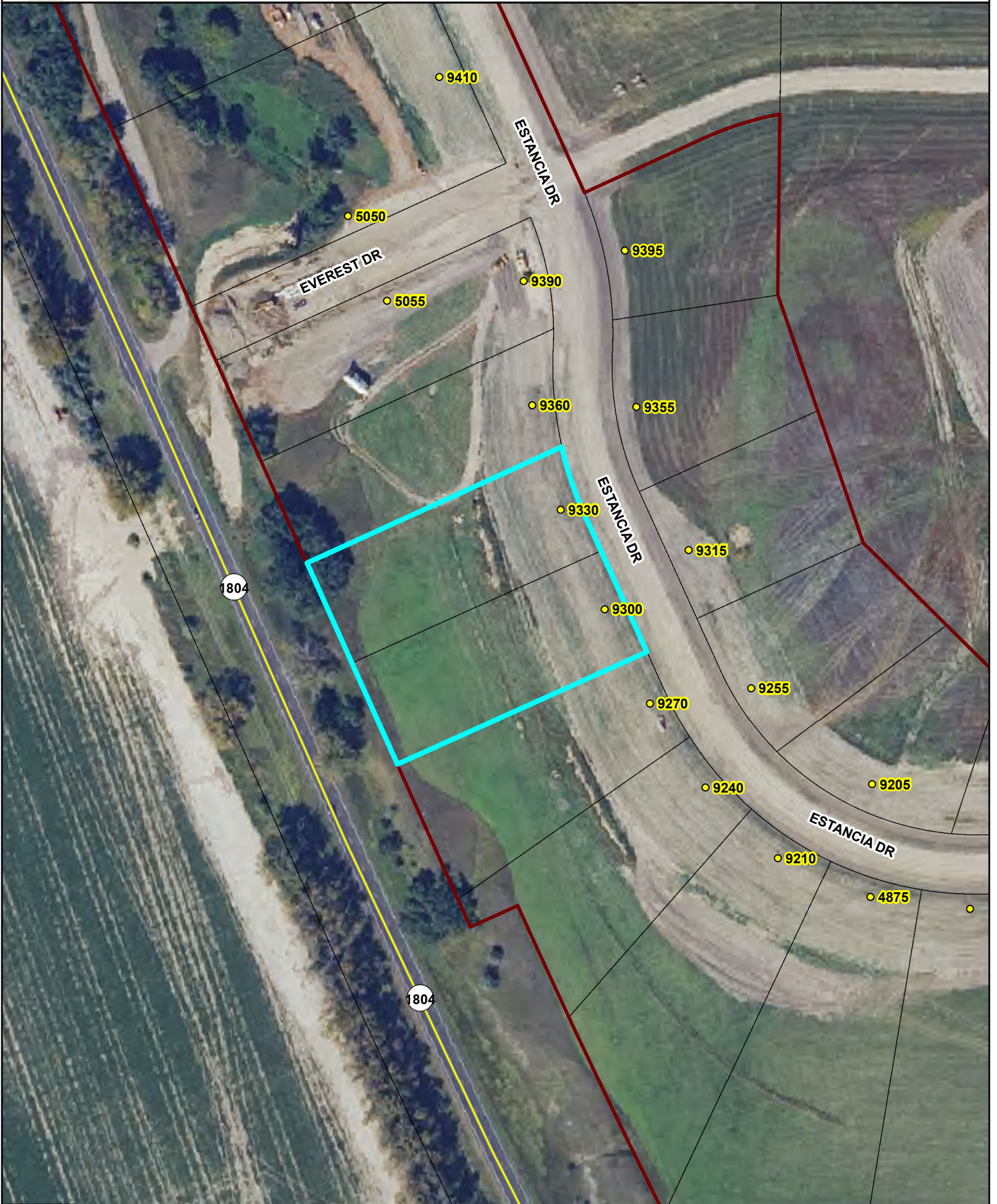
The Burleigh County Planning and Zoning Commission can:

1. Approve the final plat and give a “Do Pass” recommendation
2. Approve the final plat with conditions and give a “Do Pass” recommendation
3. Deny the final plat with reason.
4. Table the final plat for more information.

# BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP







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Burleigh County Building, Planning & Zoning  
PO Box 5518  
Bismarck ND 58506

[burleighcobuilding@nd.gov](mailto:burleighcobuilding@nd.gov)  
701-221-3727

To: Burleigh County Planning Commission.  
Re: Public Hearing to Amend Burleigh County Zoning Ordinances  
Date: 2-27-2025  
From: Mitch Flanagan, Burleigh County Planning Director. *MLF*

ITEM 1

Amend Article 8 Solar Energy System Facilities

It has become necessary to consider amending the current Article 8 to include Solar Energy Systems i.e.: under a Special Use Permit. Sections dedicated to this application will allow for the development of onsite renewable energy systems such as an Accessory use in any District and Solar Farms within an Agricultural District.

Article 8 draft ordinance for Solar Energy System Facilities was presented to the Planning Commission on July 10<sup>th</sup> and September 11<sup>th</sup> with the first public hearing held on and November 13<sup>th</sup>. 2024 and the 2<sup>nd</sup> public hearing presented on February 12, 2025.

**ACTION REQUESTED**

Consider motion to recommend approval of ordinance.

Attachments:

- Ex. 1- Article 8 Solar Energy Systems Special Use Permit.
- Ex. 2- Application and Standards for Solar Energy System Facilities

## ORDINANCE 25-0-----

### AN ORDINANCE TO AMEND AND RE-ENACT ARTICLE 8 OF THE 1972 AMENDED ZONING ORDINANCE OF BURLEIGH COUNTY, NORTH DAKOTA RELATING TO ~~SECTION 29~~ SOLAR FARMS ~~ENERGY SYSTEMS~~

**Section 1. Amendment** Article 8 of the Zoning Ordinance is hereby amended and re-enacted as follows:

#### ~~SECTION 29~~ **Section \_\_\_\_\_ Solar Energy System Facilities**

A solar energy system may be permitted in All Districts upon approval as a special use, provided the individual criteria and submittal requirements are met.

Burleigh County finds that it is in the public interest to encourage the use and development of renewable energy systems (including solar energy systems) that have a positive impact on energy conservation with limited adverse impact on nearby properties. ~~Burleigh County supports the use of solar collection systems and the development of solar energy farms.~~ Consistent with the Burleigh County Comprehensive Plan, it is the intent of the County with this Section to create standards for the reasonable capture and use, by households, businesses and property owners, of their solar energy resource and encourage the development and use of solar energy.

#### I. **DEFINITIONS**

The following words, terms and phrases, when used in this Article and Section, shall have the meaning provided herein, except where the context clearly indicates otherwise:

1. *Agrivoltaics*- The dual use of land for combining agriculture with solar energy production, typically, with raised co-located solar arrays above agricultural activity.
2. *Building-Integrated Solar System*- An active solar system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building integrated systems include, but are not limited to, photovoltaic or thermal solar systems that are contained within roofing materials, windows, skylights and awnings.

3. Community Solar Energy System- A solar-electric (photovoltaic) array that provides retail electric power, in accordance with definitions of electric public utilities and rural electric cooperatives per North Dakota Century Code 49-03-01, between 100kW and 10 MW (or a financial proxy for retail power) to multiple community members or businesses residing or located off-site from the location of the solar energy system.
4. Ground Mounted Panels- Freestanding solar panels mounted to the ground by use of stabilizers or similar apparatus.
5. kWac- Kilowatt, Alternating Current
6. Lot - The word "lot" when used alone shall mean, unless the context of the Article clearly indicates otherwise, a "zoning lot" as defined in Article 3- Definitions.
7. mWac- Megawatt, Alternating Current
8. Off-Grid Solar Energy System- An active solar energy system that converts solar energy directly into electricity. Unlike on-grid solar power systems, off-grid systems do not connect to the national utility grid.
9. Photovoltaic System- An active solar energy system that converts solar energy directly into electricity.
10. Roof or Building Mounted SES- Solar Energy System (panels) that are mounted to the roof or building using brackets, stands or other apparatus.
11. Roof Pitch- The final exterior slope of a building roof calculated by the rise over the run, typically, but not exclusively, expressed in twelfths such as 3/12, 9/12, 12/12.
12. Solar Access- A view of the sun, from any point on the collector surface that is not obscured by any vegetation, building, or object located on parcels of land other than the parcel upon which the solar collector is located, between the hours of 9:00 AM and 3:00 PM Standard time on any day of the year.
13. Photovoltaic Panel System A system that incorporates discrete photovoltaic panels that convert solar radiation into electricity, including rack support systems.

14. Solar Collector- A device, structure or a part of a device or structure that the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical or electrical energy.
15. Solar Energy- Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.
16. Solar Energy System (SES)- A system that converts solar radiation to usable energy, including photovoltaic panel systems and solar thermal systems.  
An active solar energy system that collects or stores solar energy and transforms solar energy into another form of energy or transfers heat from a collector to another medium using mechanical, electrical, thermal or chemical means.
17. Solar Farm- A commercial facility that converts sunlight into electricity, whether by photovoltaics (PV), concentrating solar thermal devices (CST), or other conversion technology, for the primary purpose of wholesale sales of generated electricity. A solar farm is the primary land use for the parcel on which it is located.
18. Solar Thermal System. A system that converts solar radiation to thermal energy for use in heating or cooling.

## II. APPLICABILITY

These regulations are for all solar energy systems and solar energy farms on properties and structures under the jurisdiction of the Burleigh County Zoning Ordinance except that Burleigh County requires the owner or operator of solar farms that would generate electricity greater than 50 megawatts of power to have approval for such a system from the North Dakota Public Service Commission.

### Types of Solar Energy Systems.

#### 1. Rooftop solar energy systems:

Accessory to the primary land use, designed to supply energy for the primary use:

- a. These systems are permitted accessory uses in all districts in which buildings are permitted. The owner or contractor shall receive a electrical, building and or a mechanical permit before installing a rooftop solar energy system.

b. Size Classification restrictions for the following rooftop Solar Photo Voltaic systems:

- i. Residential - 1 to 20 kWac - accessory use, connected to existing load, rooftop or ground mount.
- ii. Small Commercial - 20 to 50 kWac - accessory use, connected to existing load, rooftop or ground mount.
- iii. Large Commercial - 50 kWac to 100 MWac - accessory use, connected to existing load, rooftop or ground mount.

c. Exemption:

- i. A Rooftop mounted solar panel in Residential Districts for a single family dwelling primary structure is exempt from this section.

2. Ground-mount solar energy systems:

Accessory to the primary land use, designed to supply energy for the primary use.

- a. Ground-mount systems are permitted accessory uses in all districts in which buildings are permitted.
- b. Ground-mount systems require a Burleigh County building permit and are subject to the accessory use standards for the district in which it is located, including setback. The height of a ground-mounted shall not exceed 10 feet and shall not cover or encompass more than 10 percent of the total property area or lot size.

c. Size Classification restrictions for the following ground mounted Solar Photo Voltaic systems:

- i. Residential - 1 to 20 kWac - accessory use, connected to existing load, rooftop or ground mount.
- ii. Small Commercial - 20 to 50 kWac - accessory use, connected to existing load, rooftop or ground mount.
- iii. Large Commercial - 50 kWac to 100 MWac - accessory use, connected to existing load, rooftop or ground mount.

3. Community solar energy systems:

Roof or ground-mount solar energy systems, may be either accessory or primary use, designed to supply energy for off-site uses on the distribution grid, but not for export to the wholesale market or connection to the electric transmission grid.

These systems shall be subject to the following conditions:

- a. Rooftop community solar energy systems are permitted in AG districts in which buildings are permitted.
- b. Ground-mount community solar energy systems are an accessory use in all districts.
- c. All structures must meet the setback, height and coverage limitations for the district in which the system is located.
- d. Size Classification of Community Solar - 100 kWac to 1 MWac - primary or special use, not connected to a load, typically ground mount.
- e. Ground-mount systems must meet all required standards for structures in the district in which the system is located.
- f. Site Plan Required: The owner or operator shall submit to the County a detailed site plan for both existing and proposed conditions. These plans shall show north compass direction and the location of all areas where solar arrays would be placed, the existing and proposed structures, property lines, access points, fencing, landscaping, surface water drainage patterns, floodplains, wetlands, the ordinary high-water mark for all water bodies, any other protected resources, topography, electric equipment and all other characteristics requested by the County.
- g. Power and communication lines. Power and communication lines running between banks of solar panels and to electric substations or interconnections with buildings shall be buried underground. The Building Official or their designee may grant exemptions to this requirement in instances where shallow bedrock, water courses or other elements of the natural landscape interfere with the ability to bury lines.

4. Solar farms:

Ground-mount solar energy arrays that are the primary use on the lot or of a property, designed for providing energy to off-site uses or export to the wholesale market. If a proposed solar farm generates electricity greater than 50 MW, it shall require siting review and approval by the North Dakota Public Service Commission.

- a. Solar farms are allowed under a special use permit in Agricultural (AG) zoning.
- b. Shall be on properties of at least 10 acres in size.
- c. Size Classification of Solar Farms Photo Voltaic systems - 10 MWac to 500 MWac - primary or special use, not connected to a load, ground mount.

- d. Stormwater management and erosion and sediment control, if required, shall meet the design restrictions of the County.
- e. Foundations. If required, the manufacturer's engineer or a ND registered design professional shall certify that the foundation and design of the solar panels meet the accepted professional standards, given local soil and climate conditions.
- f. Other standards and codes. All solar farms shall meet all applicable local, state and federal regulatory standards, including the State of North Dakota Building Code and the National Electric Code.
- g. Power and communication lines. Power and communication lines running between banks of solar panels and to electric substations or interconnections with buildings shall be buried underground. The Building Official or their designee may grant exemptions to this requirement in instances where shallow bedrock, water courses or other elements of the natural landscape interfere with the ability to bury lines as reviewed by the manufacturer's engineer or a ND registered design professional.
- h. Site Plan Required. The owner or operator of the solar farm must submit to the County a digital copy of site plan (pdf format, full size) at 1" = 20' or larger scale, if integral to request, for both existing and proposed conditions. These plans shall show the location of all areas where solar arrays would be placed, proposed location and distances from the existing and proposed structures, property lines, access points to the site, fencing, landscaping, surface water drainage patterns, floodplains, wetlands, the ordinary high- water mark for all water bodies, any other protected resources, topography, electric equipment and all other characteristics requested by the County, including:
  - i. Date the site plan was prepared,
  - j. North point indication,
  - k. Section, township and range numbers,
  - l. Topographic contours with a minimum contour interval of ten (10) feet, with indication of datum used,
  - m. A location map inset showing the township(s) in which the project is located and the boundary of the proposed project,
  - n. Location of all existing public roads, dimensions and location of any utility easements and rights-of-way within five hundred (500) feet of proposed solar farm,

- o. The County allows the installation of small operations, security and equipment buildings on the site of solar farms as permitted accessory uses to the solar farm,
- p. The owner or operator shall contain all unenclosed electrical conductors located above ground within structures that control access or they must be protected from entry by a six-foot-tall fence,

5. Accessory Solar Energy Systems:

- a. Solar Access: an applicant may obtain solar easements from the adjoining property owners to preserve direct access to sunlight, as authorized by Section 47-05-01.2 of the North Dakota Century Code. A permit granted by Burleigh County to install a solar energy system does not guarantee solar access.
- b. Accessory Use: Solar energy systems are permitted as an accessory use, subject to all requirements of Article 8 Section 30 and the building code requirements of Article 22 Section 1.
  - i An accessory solar energy system must be located on the same lot or parcel of land as the primary use it is intended to serve.
  - ii An accessory solar energy system is intended to produce energy primarily for on-site consumption but excess electrical power may be transferred to a power supply grid pursuant to utility company interconnection agreements.

6. Size Classification of Solar Photo Voltaic systems:

- a. Residential - 1 to 20 kWac - accessory use, connected to existing load, rooftop or ground mount.
- b. Small Commercial - 20 to 50 kWac - accessory use, connected to existing load, rooftop or ground mount.
- c. Large Commercial - 50 kWac to 100 MWac - accessory use, connected to existing load, rooftop or ground mount.
- d. Community Solar - 100 kWac to 1 MWac - primary or special use, not connected to a load, typically ground mount.
- e. Solar Farm - 10 MWac to 500 MWac - primary or special use, not connected to a load, ground mount.

7. Decommissioning Plan:



The County requires the owner or operator to submit a decommissioning plan for ground-mounted systems to ensure that the owner or operator properly removes the equipment and facilities upon the end of project life or after their useful life. The owner or operator shall decommission the solar panels in the event they are not in use for twelve (12) consecutive months. The plan shall include provisions for the removal of all structures that are above ground and foundations, the restoration of soil and vegetation and a soundly-based plan ensuring financial resources will be available to fully decommission the site. The disposal of structures and/or foundations shall meet all County requirements and the requirements of the County Solid Waste Ordinance. The County also may require the owner or operator to post a bond, letter of credit or establish and escrow account to ensure property decommissioning.

8. Prohibitions:

The County prohibits community solar farms located within:

- a. All Floodplain Districts and Designated SFHA Areas.

9. Additional standards:

In addition to the requirements listed above, all solar energy systems shall meet the following standards.

- a. The owners or operators of electric solar energy systems that are connected **in parallel with the service provider** to the electric distribution or transmission system, either directly or through the existing service of the primary use on the site, shall obtain an interconnection agreement with the electric utility in whose service territory the system is located. Off-grid systems are exempt from this requirement.
- b. Electric solar system components that are connected to a building electric system must have an Underwriters Laboratory (UL) listing.
- c. All solar energy systems shall meet the current standards of the North Dakota State Electrical Board, North Dakota State Building Code, National Electric Safety Code and National Electric Code.
- d. Solar farms shall control all Noxious Weeds according to NDCC Chapter 4.1-47.

- e. All electrical lines serving a freestanding accessory solar energy system shall be buried.
- f. Installation of all rooftop solar systems shall meet the standards of the North Dakota Building Code.
- g. All solar energy systems using a reflector to enhance solar production shall minimize glare from the reflector that affects adjacent or nearby properties. Steps to minimize glare nuisance may include selective placement of the system, screening on the north side of the solar array, reducing use of the reflector system or other remedies that limit glare.
- h. Roof-mounted solar systems shall not exceed the maximum allowed height in any zoning district.
- i. All exterior electrical and plumbing lines, batteries, and other appurtenant features serving a building-mounted accessory solar energy system shall be buried, screened or landscape buffered. This provision does not apply to a solar collector.
- j. The non-collecting side of a solar collector and other appurtenant features of any freestanding accessory solar energy system shall be screened from view of said public right-of-way with landscape buffer and/or fencing.
- k. Commercial rooftop systems shall be placed on the roof to limit visibility from the public right-of-way or to blend into the roof design, provided that minimizing visibility still allows the property owner to reasonably capture solar energy.
- l. Setbacks. All equipment and structures shall meet the setback and coverage limitations for the zoning district in which the system is located. No freestanding accessory solar energy system may extend into or over a legally recorded easement.
- m. Additional conditions or specific allowances to this ordinance may be considered in the review and approval of the Special Use Permit.

**9- 10. Fees:**

The special use permit fee will be based on  $.001 \times \text{Total Project Cost}$ . An application fee of \$1000 shall be payable at the time of application for a special use permit, with the remainder of the special use permit fee remitted by the applicant prior to commencement of construction. Or:

- a. \$300.00 whichever is greater.

**Section 2.** Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**Section 3.** Severability. If any section provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**Section 4.** Effective Date. This ordinance shall take effect after final passage, adoption and publication as provided by law.

First Reading Passed: \_\_\_\_\_

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, ~~2024~~ 2025

\_\_\_\_\_  
Brian Bitner, Chairperson

**Final passage and adoption:**

I, Mark Splonskowski, do hereby certify that I am the duly elected auditor of the County of Burleigh, State of North Dakota, and that the foregoing is a full, true and correct copy of an ordinance adopted by the Board of Burleigh County Commissioners at its regular meeting of \_\_\_\_\_ day of \_\_\_\_\_, ~~2024~~ 2025

IN WITNESS WHEREOF: I have hereto set my hand and seal of Burleigh County this \_\_\_\_\_ day of \_\_\_\_\_, ~~2024~~ 2025

\_\_\_\_\_  
Mark Splonskowski, Burleigh County Auditor/Treasurer

## SOLAR

### Information necessary to thoroughly evaluate the impacts of the project

Detailed site plan	Sec. II.4.g. - o.
Haul road plan (approved by County Engineer)	N/A
Traffic Impact Study	N/A
Emergency response plan (approved by County EM)	Developed by Owner
Manufacturer equipment specifications	Sec. II,8. b.c.
Noise Impact Study	N/A
Evidence of land control (lease agreements, sensitive info redacted)	N/A
Evidence of electric utility approval/signed power purchase agreement	Sec. II.8.a.
Impact of water and electricity needs	Sec. I.1.b

### Siting & Performance Standards in Zoning Code

Allowable zones. Approval process.	Sec. I & II
Minimum setbacks from occupied residences, public assembly areas.	Sec. I & II
Road Use Agreement	N/A
Decommissioning plan, reclamation bonds: a) bond value = engineer's estimate x 2	Sec. II.6
Timeframe for substantial performance to begin	N/A
Shielded lighting/Glare	Sec. II.8.g.
Control of Noxious Weeds	Sec. II.8.d.
Vegetative screening/ Landscape buffers	Sec. I.3.e.

### Tax Impacts

Equipment is personal property, not real property. Buildings are taxed, equipment is not.

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Burleigh County Building, Planning & Zoning  
PO Box 5518  
Bismarck ND 58506

[burleighcobuilding@nd.gov](mailto:burleighcobuilding@nd.gov)  
701-221-3727

To: Burleigh County Planning Commission.  
Re: Administrative Change to Platted Non-Access Lines.  
Date: 2-27-2025  
From: Mitch Flanagan, Burleigh County Planning Director. *lll*

ITEM 1

Changing Non-Access Lines

Non-access lines are selectively drawn on a plat to limit access to high speed, high traffic volume roadways and at intersections to lower traffic accidents. County Staff reviews the non-access line locations and makes recommendations to the County Commission for their approval. Once non-access lines are recorded on a plat, it currently requires the owner to replat the allowed access to a new location. Staff's intentions are to be able to make an administrative change to a non-access line on the plat, while not compromising important safety concerns.

Minor changes to a Non-Access Line can be completed in a less complicated method by use of a Resolution and Affidavit which would proceed as follows:

1. \$250.00 Non-access line modification fee.
2. Applications reviewed by Burleigh County Planning and Zoning, the Burleigh County Highway Department, and additional Staff as needed.
3. After the petition is presented at a public hearing to the Planning Commission, the resolution and affidavit documents are submitted to the Board of Burleigh County Commissioners for approval.
4. Auditor stamps and signs the Affidavit
5. All documents will be recorded by County Staff and filed with the original subdivision.

Using this method/policy would shorten the time and reduce costs for application, surveying and recording. Recent properties affected by platted Non-Access Lines:

1. Braunagel Subdivision: 1072 NE 171<sup>st</sup> St.
2. Twin Buttes Subdivision: Thomas Simillion: 4800 102<sup>nd</sup> Ave SE.
3. Riverside 3<sup>rd</sup> Subdivision: 9922 Island Road.
4. Heritage Reserve Subdivision: 12009 Acadia Drive.

**ACTION REQUESTED**

Advise County Commission and Staff on recommendations to allow administrative changes to a platted non-access line.

Attachments: Ex.1 Sample Resolution.  
Ex.2 Sample Affidavit.

**RESOLUTION 25-01**

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
COUNTY OF BURLEIGH, NORTH DAKOTA  
MODIFICATION OF NON-ACCESS LINE

WHEREAS, the owners of property described as \_\_\_\_\_, adjoining and contiguous to a platted non-access control lines, have heretofore joined in petition requesting that parts of said non-access control lines be modified, verified by oath of at least one petitioner and accompanied by a plat of said non-access control lines to be modified having set forth the facts and reason for said modification; and

WHEREAS, said platted non-access control lines were shown on the plat of \_\_\_\_\_ which was recorded on \_\_\_\_\_ (document # \_\_\_\_\_) and

WHEREAS, The County Engineer has determined that the parts of the non-access control lines to be modified does not adversely affect traffic movements or public safety.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners for Burleigh County, North Dakota that the petition heretofore described to modify the non-access control line described as:

*Legal Description of Non-Access Line*

Is in all things allowed and granted

BE IT FURTHER RESOLVED that the petition heretofore described to modify the \_\_\_\_\_ of the non-access control line described as:

*Legal Description of Non-Access Line Modification*

Is in all things allowed and granted.

BE IT FURTHER RESOLVED the County Auditor is hereby authorized to file this resolution for record in the office of the County Recorder. Burleigh County, North Dakota.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

CERTIFICATE

I, \_\_\_\_\_, do hereby certify that I am the duly elected, qualified, and acting County Auditor of the County of Burleigh, North Dakota, and that the foregoing is a full, true and correct copy of a resolution adopted by the Board of County Commissioners at its regular meeting of \_\_\_\_\_ 20\_\_.

IN WITNESS WHEREOF, have hereunto set my hand and the seal of the County of Burleigh, North Dakota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Mark Splonskowski  
County Auditor. Burleigh County, North Dakota

AFFIDAVIT OF NON-ACCESS LINE MODIFICATION

AFD 25-001

The Burleigh County Commission at a regular scheduled meeting on \_\_\_\_\_, 2025, duly modified the following non-access line as described below:

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2025

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Mark Splonskowski,  
Burleigh County Auditor

MODIFICATION OF NON-ACCESS LINE

The Non-Access Line vacation is situated on \_\_\_\_\_

, Burleigh County North Dakota being more particularly described as follows:

Legal description of non-access line: