



Aaron Nelson, AICP Director of Planning and Zoning
Lisa Sankey, Planner
Breanna Siegler, Office Manager

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West Fargo Planning & Zoning Commission Agenda
Tuesday, August 8, 2023 - 5:30 p.m.

1. Call to Order
2. Approval of Order of Agenda
3. Approval of Minutes – July 11, 2023
4. Public Hearing - A23-23 Zoning Ordinance Amendments to Section 4-460 of the City sign regulations relating to wall graphics - Lisa Sankey
5. Non-Agenda Items
6. Adjournment



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West Fargo Planning & Zoning Commission
Tuesday, July 11, 2023 at 5:30pm

Members Present: Joe Kolb, David Gust, Eric Dodds, Mike Thorstad, Kathi Schwan, Aleyna Leibfried

Members Absent: Brady Woodard

Others Present: Aaron Nelson, John Shockley, Breanna Siegler

Minutes Submitted by: Breanna Siegler, Office Manager

Meeting was called to order by Chair Kolb at 5:30pm.

Chair Kolb suggested an adjustment prior to the approval of the order of the agenda. The adjustment was to swap the listed order of agenda items A23-21 and A23-22. Commissioner Dodds moved and Commissioner Gust seconded to swap and approve order of agenda. No opposition. Motion passed.

Commissioner Gust moved and Commissioner Leibfried seconded a motion to approve the minutes from June 13, 2023. No opposition. Motion passed.

Public Hearing - A23-22 Eagle Run Plaza 14th Addition, Replat of Lots 5 and 6 Block 1 of Eagle Run Plaza 1st Addition (3210 & 3224 Sheyenne Street), City of West Fargo, North Dakota – Stedman. Purpose of replat is to allow Northern property owner space to modify lot and better accommodate traffic. City staff found proposal consistent with city ordinances and recommended approval of proposed application. Chair Kolb opened public hearing for comment. No public comment. Commissioner Gust moved, Commissioner Leibfried approved. No opposition, motion passed.

Public Hearing – A23-21 North Pond at The Preserve 15th Addition, Conditional Use Permit for a modified sign development plan as per section 4-460.9.2.c of the Sign Regulations to allow for shared signs at the driveway entrances for the development located at 336 23rd Avenue East (Lot 5, Block 1 of North Pond at the Preserve 15th Addition), City of West Fargo, North Dakota – Oporo. The purpose of the modified sign development plan would be for a tenant/business sign and a directional sign for all five lots (Lots 1-5, Block 1 of North Pond at the Preserve 15th Addition) within the subdivision.

City staff recommended approval of application with condition that a signed conditional use permit agreement detailing the sign allocation plan be received. Chair Kolb opened public hearing for comments. No public comment. Chair Kolb closed public hearing. Clarification was given that the modified sign development plan does not increase available sign allowance for applicant. Commissioner Thorstad questioned if sign depiction in packet (background/text colors) would be representative of actual sign. Nick Qualley from Scenic Signs indicated that would be the case. Commissioner Leibfried moved to approve application with a second added condition that the appearance of the sign be congruent with the depiction in the application packet, specifically a dark background with light-colored lettering. Commissioner Dodds seconded. No opposition. Motion passed.

Chair Kolb opened the floor for non-agenda items. None were brought forth. Commissioner Gust moved to adjourn meeting. Commissioner Dodds seconded. No opposition. Motion passed. Meeting adjourned at 5:58pm.

STAFF REPORT

A23-23 ZONING ORDINANCE AMENDMENTS	
Zoning Ordinance Amendment to Title IV of the City Ordinances (Zoning Regulations)	
Applicant: COWF on behalf of Junkyard Brewing West Fargo	Staff Contact: Lisa Sankey
Planning and Zoning Commission Public Hearing:	08-08-2023
City Commission Public Hearing & 1 st Reading:	
2 nd Reading:	

PURPOSE:

The purpose of the proposed amendment is to remove the prohibition of Wall Graphics within the sign regulations.

DISCUSSION AND OBSERVATIONS:

- A business has made an inquiry regarding painting text and logo signs on the outside of their building.
- According to the ordinance, signs painted directly onto an exterior wall are defined as Wall Graphics and are prohibited; as opposed to a Wall Sign, which is a sign affixed to the exterior wall of a building.
- A Sign is defined as "Use of words, numerals, figures, devices or trademarks by which anything is made known such as individuals, firms, processions, businesses, services or products and which is visible to the general public."
- There are no restrictions on painted wall murals, however, signage painted on a wall (such as organization name or logo) is currently prohibited.
- The applicant has requested a zoning ordinance amendment with language to allow for Wall Graphics (painted signs) as permitted signage.
- Wall Graphics signage would be treated the same as any other signage in regards to such things as size and square-footage maximums.
- Specific text amendments are attached to this staff report.

NOTICES:

Sent to: Notice in the newspaper and to City Departments.

Comments Received:

- None to date.

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

- The proposed amendments do not make major substantive changes to the existing ordinances and are consistent with the Comprehensive Plan. The proposed amendments are consistent with the Comprehensive Plan.

STAFF REPORT

RECOMMENDATION:

It is recommended that the City approve the proposed amendments on the basis that they are consistent with City plans and ordinances.

Attachment

- Proposed text amendments

ORDINANCE NO. 1234

AN ORDINANCE TO AMEND AND REENACT 4-460.3 AND 4-460.8.2 OF THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO RELATING TO WALL GRAPHICS.

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

SECTION 1. Section 4-460.3 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted by amending the definition of “Wall Graphics” to read as follows:

WALL GRAPHICS. A sign integral to, painted onto, or otherwise applied directly onto an exterior wall.

SECTION 2. Section 4-460.8.2 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-460.8. SIGNS NOT REQUIRING PERMIT AND PROHIBITED SIGNS.

* * *

2. Prohibited Signs. The following signs are prohibited:
 - a. Off-Premise Advertising Signs with the following exceptions:
 - (1) Approved signs within a commercial or industrial planned unit development, advertising businesses within the PUD.
 - (2) Signs as provided for in the district provisions.
 - b. Advertising or business signs on or attached to equipment such as semi-truck trailers or motor vehicles where signing is a principal use of the equipment on either a temporary or permanent basis. Such signs may be used for special events on site and may not be displayed for more than fourteen (14) calendar days within any four (4) month period.
 - c. Beacon, motion and flashing signs, except reader boards, time and temperature signs and barber poles.
 - d. Roof Signs. Except that a business sign may be placed on the fascia or marquee of a building, provided it does not extend above the highest elevation of the building, excluding chimneys.

- e. Business signs which advertise an activity, business, product or service no longer produced or conducted on the premises upon which the sign is located. Where the owner or lessor of the premises is seeking a new tenant, such signs may remain in place for not more than thirty (30) days from the date of vacancy.
- ~~f. ——— Wall Graphics.~~
- gf. Portable signs, banners, inflatable signs, tethered balloons and similar devices except as provided in this chapter.
- hg. Signs which are tacked on bridges, fire hydrants, official public signs, trees, fences, utility poles or in any portion of a public right-of-way; temporary signs fastened to sign structures, parking lot light poles or other structures; and temporary signs secured by wires, stakes or weights.
- ih. Bench signs except by special permit of the City Commission.
- ji. Home occupation signs except as part of an identification sign for the residence, which does not exceed one (1) square foot in area and is mounted flush against the buildings.
- kj. Pennants within the “Corridor Overlay District.”

SECTION 3. Effective Date. This ordinance shall be in full force and effect from and after the date of its final passage and publication.

President of Board of City Commissioners
of the City of West Fargo, North Dakota

ATTEST:

City Auditor

Date of First Reading:

Date of Second Reading:

Date of Publication: