



Aaron Nelson, AICP Director of Planning and Zoning
Leslie McGillivray-Rivas, Sr. Planner
Lisa Sankey, Planner
Breanna Siegler, Office Manager

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West Fargo Planning & Zoning Commission Agenda
Tuesday, February 13, 2024 - 5:30 p.m.

- A. Call to Order
- B. Approval of Order of Agenda
- C. Approval of Minutes- January 9th, 2024
- D. Regular Agenda
 - 1. Public Hearing-A24-1 Dakota Territoy 15th Addition, a request for a Planned Unit Development at 1018 17 St E. to build townhouse style apartments (Lot 1, Block 1 of Dakota Territory 14th Addition) - Sankey (*Continued to the March 12, 2024 meeting*)
 - 2. Public Hearing-A24-2 Sandhills 8th Addition, a request for subdivision and zoning change from A to LI and P for an industrial development located West of 26th St NW and South of 4th Ave NW (Lots 1-2, 8-11, and Parts of 21-22 Block 4, Lots 3, 12-15 and 17-18 Block 5, Lots 5-9, 11-12 and 14-19 Block 8 and Lots 1-2 Block 9 of Meadow Brook Park Subdivision; Lot 1, Block 2 and Lot 1, Block 3, of Sandhills 3rd Addition; Lot 1, Block 1, of Sandhills 5th Addition; Lots 1-2 In Block 1, Lot 1, Block 2, Lots 1-2 In Block 3, of Sandhills 6th Addition; Lot 1, Block 1, of Sandhills 7th Addition)- Nelson
- E. Non-Agenda Items
- F. Adjourn from Regular Agenda
- G. Discussion Agenda
 - 1. Proposed Revisions to Title IV Ordinances regarding Off-Street Parking, Pool Fencing, & Backyard Chicken Keeping
- H. Adjourn from Discussion Agenda



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West Fargo Planning & Zoning Commission Meeting Minutes
Tuesday, January 9, 2024 - 5:30 p.m.

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

Members Absent: None

Others Present: Aaron Nelson, Lisa Sankey, Leslie McGillivray-Rivas, Breanna Siegler

Minutes Submitted by: Breanna Siegler, Office Manager

Meeting was called to order by Chair Kolb at 5:30pm. Commissioner Dodds motioned to approve the order of the agenda, Commissioner Leibfried seconded. No opposition. Motion passed.

Commissioner Gust moved and Commissioner Dodds seconded a motion to approve the minutes from December 12, 2023. No opposition. Motion passed.

Chair Kolb opened nominations for the election of Commission Chair and Vice-Chair. Commissioner Gust nominated Chair Joe Kolb and Vice-Chair Erid Dodds to retain their positions. Commissioner Thorstad seconded both nominations. Chair Kolb moved for a vote. No opposition. Motion passed.

Chair Kolb opened a Public Hearing regarding approval and adoption of the Downtown Placemaking Master Plan. Commissioner Dodds asked if any discussion was brought forth on December 18th that would have inspired changes to the document. Planning Director Aaron Nelson stated plan document has had no major changes since public presentation on December 18th (grammatical changes). Director Nelson stated that concerns regarding snow removal, involvement in the POW/MIA Plaza, West Fargo Events, and access to the river/parks were brought up. There was some clarification given that this plan is meant to act as a framework for future decisions regarding downtown; it does not directly approve any specific actions.

Commissioner Leibfried questioned availability of a timeline or method to hold city accountable for remaining active on implementing the Downtown Placemaking Master Plan. Recommendations are varied enough that not all would be implementable immediately or at the same time. Director Nelson stated that the Planning & Zoning Commission could recommend a timeline/etc to the City Commission as a condition of adopting the plan. Commissioner Leibfried suggested an agenda item every six months to check on progress with recommendations. Commissioner Dodds asked if the current steps at updating the zoning codes would fall into place with the recommendations that are made in this plan. Chair Kolb suggested semi-annual review about how the Downtown Placemaking Master Plan is being utilized/implemented. Chair Kolb closed the Public Hearing. Commissioner Leibfreid motioned to approve and adopt the Downtown Placemaking Master Plan with the request that there be a status update on its implementation every 6 months. Commisisoner Gust seconded. No opposition. Motion passed with condition.

Chair Kolb opened the floor for non-agenda items. None were brought forth.

Commissioner Dodds moved and Commissioner Gust seconded to adjourn from regular agenda. No opposition. Motion passed and meeting adjourned at 5:55 pm.

STAFF REPORT

A24-2 SUBDIVISION AND REZONING	
Sandhills 8 th Addition	
Property in the SE¼ of Section 2, T139N, R50W, City of West Fargo, North Dakota	
Owner/Applicant: Ocho Indy, LLC & RJR, LLC/Enclave Development & Ryan Restad	Staff Contact: Aaron Nelson
Planning & Zoning Commission Public Hearing:	2-13-2024
City Commission Public Hearing & 1 st Reading:	
2 nd Reading and Final Plat Approval:	

PURPOSE:

Replat and rezone property for future industrial development.

STATEMENTS OF FACT:

Land Use Classification:	G-2 Sub-Urban – Growth Sector
Existing Land Use:	Vacant
Current Zoning District(s):	A: Agricultural, P: Public Facilities, & LI, Light Industrial
Zoning Overlay District(s):	CO-I: Interstate Corridor Overlay District
Proposed Zoning District(s):	LI: Light Industrial; P: Public Facilities
Proposed Lot size(s) or range:	2,500 SF – 11.2 Acres
Total area size:	42.97 Acres
Adjacent Zoning Districts:	North – A: Agricultural; LI: Light Industrial South – (Interstate 94); A: Agricultural; LI: Light Industrial East – LI: Light Industrial West – (Sheyenne Diversion); A: Agricultural
Adjacent street(s):	26 th Street NW – Future Arterial; 4 th Ave NW & 3 rd Ave NW – Local
Adjacent Bike/Pedestrian Facilities:	None
Available Parks/Trail Facilities:	None
Land Dedication Requirements:	5% dedication required or fee-in-lieu (for areas without previous dedication)

DISCUSSION AND OBSERVATIONS:

- The proposed subdivision includes the replatting of existing lots, vacation of existing right-of-way, small areas of dedication of new right-of-way, and the reconfiguration of an existing City-owned stormwater pond, for the purpose of industrial development.
- As of the writing of this staff report, the applicant is working through a few possible modifications to the application, based on staff review comments. Specifically, the applicant is:
 - Considering reconfiguring Lots 7 & 8, Block 2.
 - Working through the placement of utility easements within Lot 3, Block 2, to provide options for future utility servicing from 4th Ave NW to properties along Gress Ave.
 Any updated information regarding modifications to the application materials will be provided at the February 13 Planning & Zoning Commission meeting.

STAFF REPORT

Lots, Zoning, & Land Use

- Block 1 and Lots 1, 3-6, & 8, Block 2 are proposed to be zoned LI (Light Industrial) to accommodate future industrial development. Lot 2, Block 2 is the site of a City lift station and would also be zoned LI.
- Lot 7, Block 2 is proposed to be zoned P (Public Facilities) to accommodate expansion of an existing regional public stormwater pond.
- The applicant has provided a zoning exhibit which identifies current and proposed zoning districts within the area.
- Industrial development abutting adjacent zoning districts, such as the A (Agricultural) district are required to provide buffer yards and screening in accordance with the City's landscaping standards found within the Title IV zoning ordinances.

Right-of-Way

- Additional right-of-way dedication will be needed for 26th Street NW so as to provide 75 feet of right-of-way on the west side of the section line for this arterial street. Additional right-of-way will likely need to be acquired along this corridor in the future to get to the 150 feet of total width necessary to accommodate additional travel lanes in the future.
- There are small areas of additional right-of-way dedication for 4th Ave NW and 3rd Ave NW.
- A portion of Gress Ave and the remainder of Park Blvd are proposed to be vacated with this plat.
- Remint portions of right-of-way located west of 30th St NW will also be vacated with the plat.
- Roughly 535 feet of Gress Ave will remain in order to continue to provide access to three remaining lots from the original 1950s Meadow Brook Park Subdivision. Two of these three lots contain existing single-family houses. Because Gress Avenue will dead-end on the west end, a public access easement is provided to accommodate a cul-de-sac turnaround.
- Access to Gress Avenue will be restricted to prevent access to adjacent industrial lots from Gress Ave. Access to the industrial lots will be from 4th Ave NW, 3rd Ave NW, or 30th St NW. Access onto 26th St NW will also be restricted due to its classification as an arterial street.

Public Land Dedication

- The City's subdivision ordinance requires a 5% public dedication for industrial developments.
- The Park District has indicated no need for land within the subject property and requests payment in-lieu of land dedication.
- Public dedication for portions of the subject property located within the Sandhills 3rd, 6th, and 7th Additions have previously been provided and are no longer required with this replat. However, areas where no previous public dedication have been provided are subject to the 5% dedication standard with this subdivision.
- A public dedication agreement will be needed to outline the terms of the dedication, prior to City Commission approval.

Regional Storm Water Lot & Utility Servicing

- To accommodate development stormwater runoff, the applicant is proposing capacity expansion to the existing public stormwater pond within Lot 7, Block 2.
- As part of this development, the City would acquire Lots 8-11, Block 4, and Lots 1-2, Block 9 Meadow Brook Park Subdivision from the applicant for purposes of the expanded stormwater pond. The applicant is proposing to provide this land in exchange for their acquisition of vacated

STAFF REPORT

right-of-way within the development. A subdivision development agreement will be needed to outline the terms of this land transaction, prior to City Commission approval.

- The development will be serviced with existing public utilities within 4th Ave NW as well as infrastructure improvements associated with the recently approved Sandhills 6th Addition.
- Public utility easements are dedicated on the plat in order to provide the opportunity to service the two existing houses on Gress Ave with public sewer and water services if they are ever needed in the future. These houses are currently serviced on a private water line and septic systems.

NOTICES:

Sent to:	Legal notices published in the Forum and notices sent to applicable agencies and departments. Notification letters mailed to owners of property within 150 feet.
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Comments Received:

- No comments received to-date.

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

- Overall, the proposed development is consistent with City plans and ordinances.
- The proposed zoning is consistent with existing industrial zoning in the area, as well as past City land use plans that designated this area for future industrial development. While there are a few existing homes within the area, uses permitted in the LI (Light Industrial) district (such as light manufacturing, wholesale distribution, warehousing, contractor shops, and the like) are relatively free from objectionable nuisances. More-intensive uses (such as general manufacturing, wrecking & salvage yards, petroleum refining, fertilizer manufacturing, cement plants, and the like) are restricted to the M (Heavy Industrial) district, and are not allowed within the proposed LI zoning district.
- The Northwest Metro Transportation Plan, Completed by MetroCOG in 2020, examined future transportation needs for the future growth area north and west of the subject property. In order to improve north/south connectivity and to relieve anticipated congestion on existing network connections, this plan studied the potential extension of 26th Street NW to the south, including associated interchange at I-94/Main Ave and bridge across the Sheyenne Diversion channel. While there would be significant costs to such an extension of 26th St NW, there would also be great benefits to providing improved street network function and improved access to the City's future growth areas, north and south of the subject property. This plan also identifies the need to preserve adequate right-of-way to accommodate four travel lanes and associated arterial street infrastructure for future improvements to 26th Ave NW.

RECOMMENDATION:

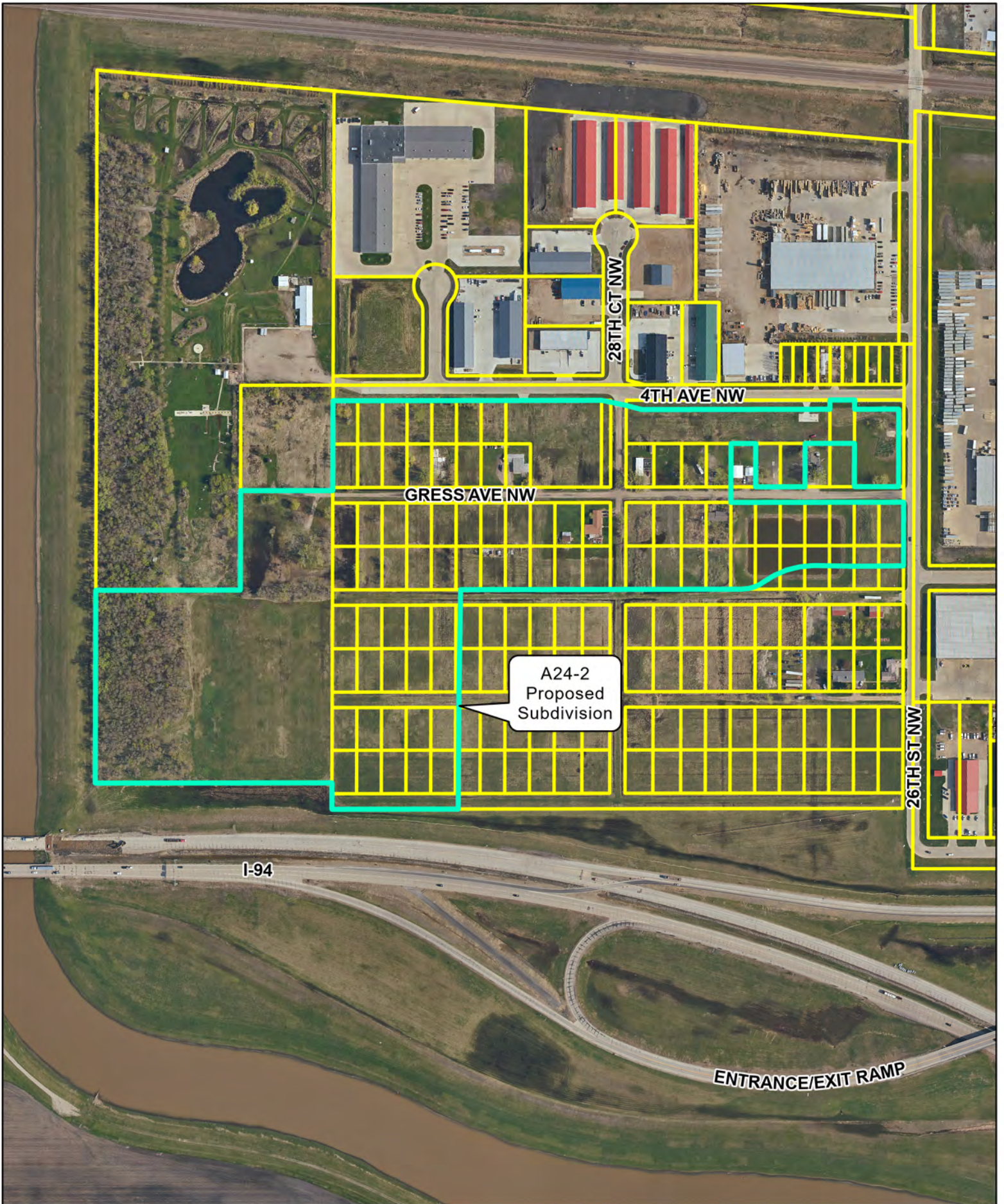
It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

1. The applicant continues to work with staff as to the details of the public land dedication and acquisition of land for regional storm water pond, and that signed Public Dedication Agreement and signed Subdivision Development Agreement are submitted, outlining such details.

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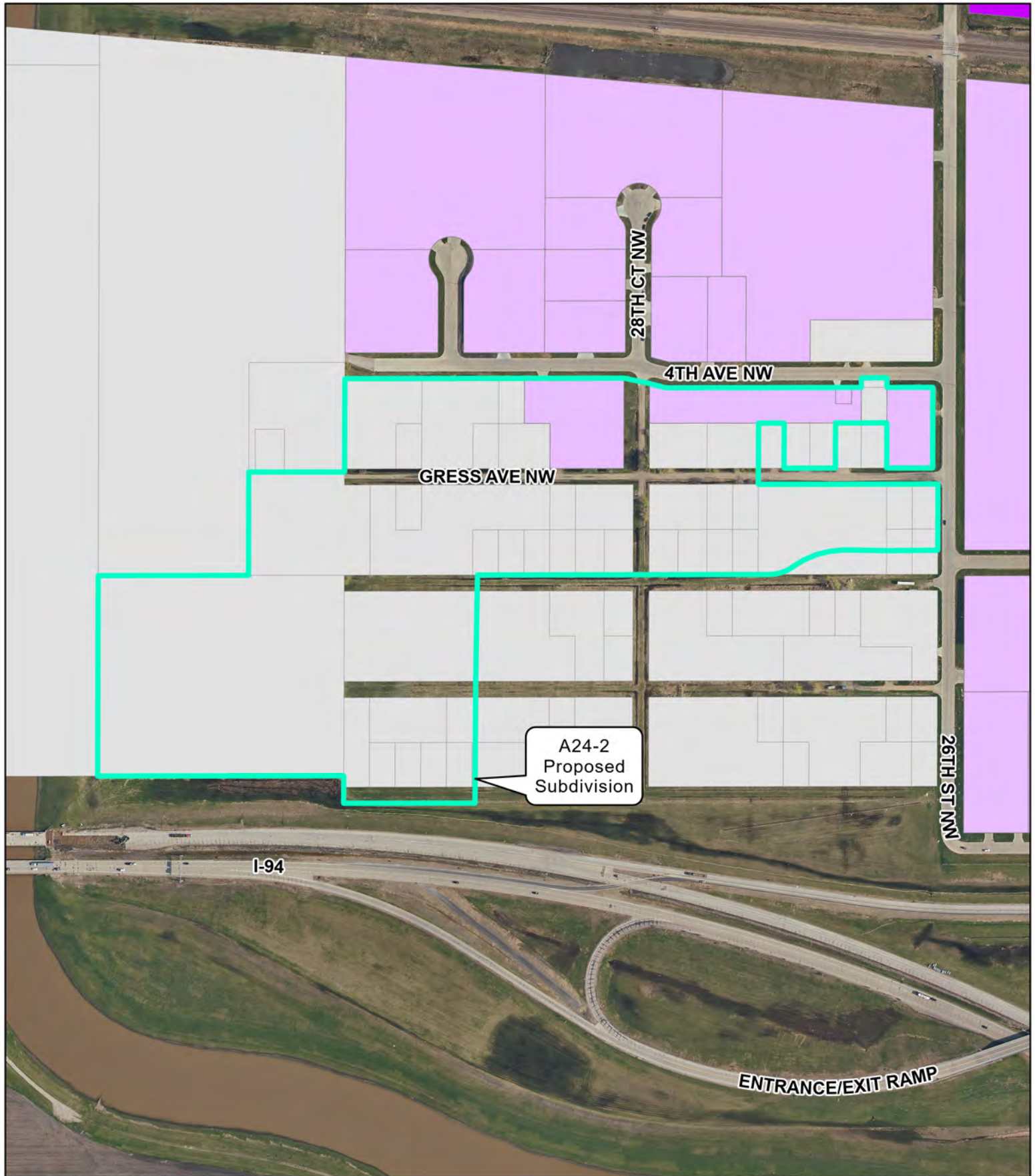
Attachments:

- Aerial map
- Zoning map
- Preliminary Plat
- Proposed Zoning Exhibit
- Preliminary Infrastructure Layout
- Area Sketch Plan



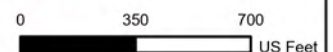
Features

 Agenda Zone  Lots



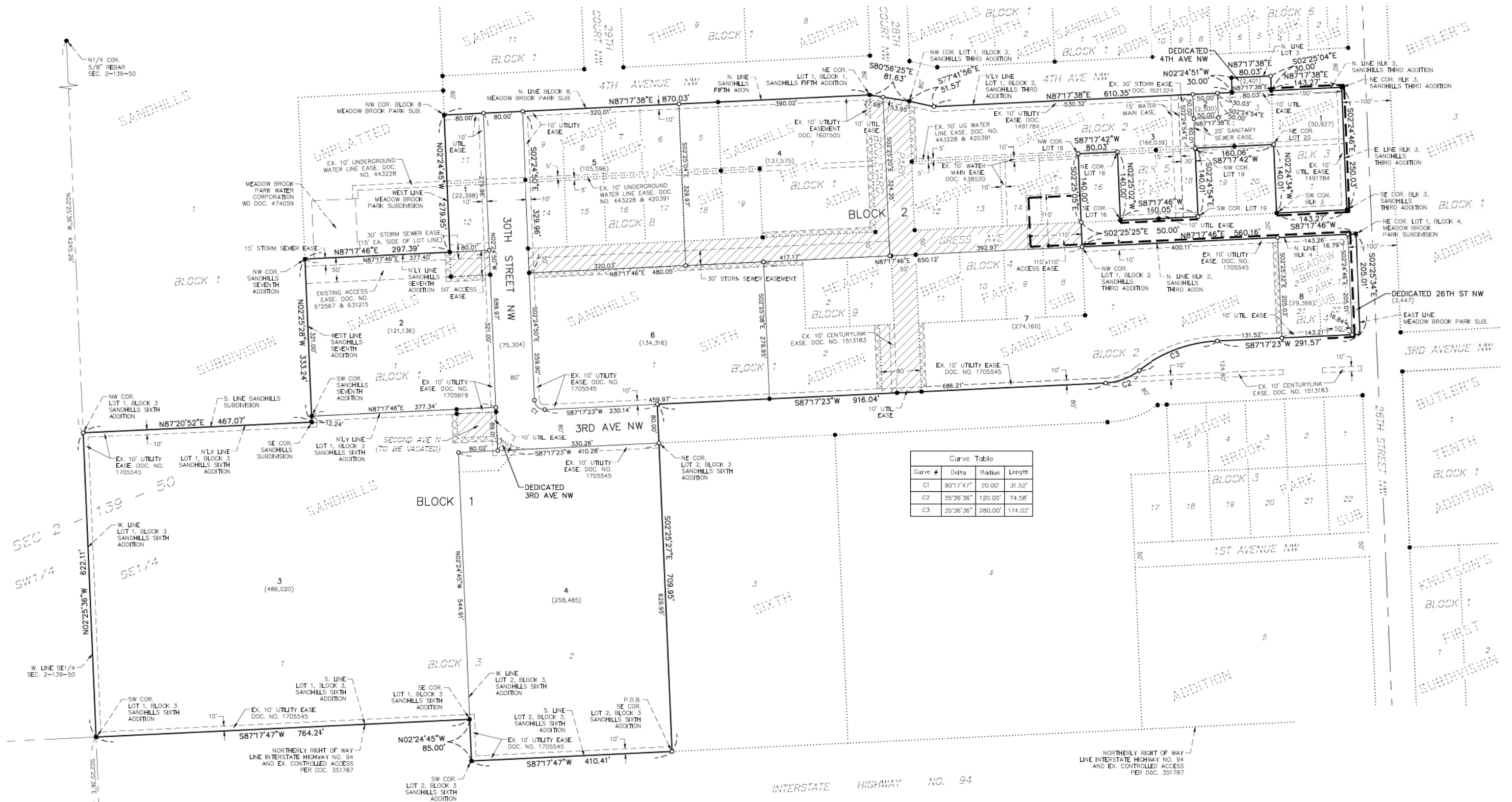
West Fargo Zoning

 A: Agricultural	 LI: Light Industrial	 R-1SM: Mixed One and Two Family Dwelling
 C: Light Commercial	 M: Heavy Industrial	 R-2: Limited Multiple Dwelling
 C-OP: Commercial Office Park	 P: Public	 R-3: Multiple Dwelling
 DMU: Downtown Mixed Use	 PUD: Planned Unit Development	 R-4: Mobile Home
 EMU: Entertainment Mixed Use	 R-L1A: Large Lot Single Family Dwelling	 R-5: Manufactured Home Subdivision
 HC: Heavy Commercial	 R-1A: Single Family Dwelling	 R-1E: Rural Estate
	 R-1: One and Two Family Dwelling	 R-R: Rural Residential



PLAT OF SANDHILLS EIGHTH ADDITION

TO THE CITY OF WEST FARGO, A REPLAT LOTS 1-2, 8-11 AND PART OF 21-22 IN BLOCK 4, LOTS 3, 12-15 AND 17-18 IN BLOCK 5, LOTS 5-9, 11-12 AND 14-19 IN BLOCK 8, LOTS 1-2 IN BLOCK 9, ALL IN MEADOW BROOK PARK SUBDIVISION; A REPLAT OF LOT 1, BLOCK 2 AND LOT 1, BLOCK 3, ALL IN SANDHILLS THIRD ADDITION; A REPLAT OF LOT 1, BLOCK 1, SANDHILLS FIFTH ADDITION; A REPLAT OF LOTS 1-2 IN BLOCK 1, LOT 1, BLOCK 2, LOTS 1-2 IN BLOCK 3, ALL IN SANDHILLS SIXTH ADDITION; A REPLAT OF LOT 1, BLOCK 1, SANDHILLS SEVENTH ADDITION; A VACATION PLAT OF PART OF SECOND AVENUE NORTH, PART OF PARK BOULEVARD AND PART OF GRESS AVENUE, CASS COUNTY, NORTH DAKOTA



Curve #	Delta	Radius	Length
C1	90°17'47"	20.00'	31.52'
C2	35°36'36"	120.00'	74.58'
C3	35°36'36"	280.00'	174.02'

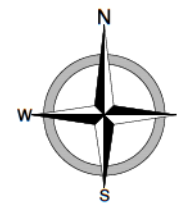
EASEMENTS OF RECORD

- RIGHT OF WAY EASEMENT TO CASS COUNTY ELECTRIC COOPERATIVE, INC., RECORDED AS DOCUMENT NO. 422121.
- RIGHT OF WAY EASEMENT TO CASS COUNTY ELECTRIC COOPERATIVE, INC., RECORDED AS DOCUMENT NO. 422123.
- RIGHT OF WAY EASEMENT TO CASS COUNTY ELECTRIC COOPERATIVE, INC., RECORDED AS DOCUMENT NO. 422124.
- RIGHT OF WAY EASEMENT TO CASS COUNTY ELECTRIC COOPERATIVE, INC., RECORDED AS DOCUMENT NO. 422126.
- RIGHT OF WAY EASEMENT TO CASS COUNTY ELECTRIC COOPERATIVE, INC., RECORDED AS DOCUMENT NO. 461991.

NOTES

- THIS PLAT FALLS WITHIN SHADED ZONE "X" ACCORDING TO FEMA FLOOD INSURANCE RATE MAP 38017C0565G, EFFECTIVE JANUARY 16, 2015. THIS AREA IS ALSO NOTED AS BEING PROTECTED BY THE 1 PERCENT ANNUAL CHANCE OR GREATER FLOOD HAZARD BY A LEVEE SYSTEM. OVERTOPPING OR FAILURE OF ANY LEVEE SYSTEM IS POSSIBLE.

BASIS OF BEARINGS:
SANDHILLS SIXTH ADDITION ACCORDING
TO THE RECORDED PLAT THEREOF.



LEGEND

- IRON MONUMENT FOUND
- SET 5/8"x18" REBAR WITH YELLOW PLASTIC CAP #6571
- POINT OF BEGINNING
- LOT AREA IN SQUARE FEET
- ACCESS CONTROL
- PLAT BOUNDARY LINE
- LOT LINE
- EASEMENT LINE
- EXISTING LOT LINE
- QUARTER SECTION LINE
- EXISTING TRACT LINE
- EXISTING DEDICATED ROADS TO BE VACATED WITH THIS PLAT
- EXISTING 10' UTILITY EASEMENTS TO BE VACATED WITH THIS PLAT

PLAT OF SANDHILLS EIGHTH ADDITION

TO THE CITY OF WEST FARGO, A REPLAT LOTS 1-2, 8-11 AND PART OF 21-22 IN BLOCK 4, LOTS 3, 12-15 AND 17-18 IN BLOCK 5, LOTS 5-9, 11-12 AND 14-19 IN BLOCK 8, LOTS 1-2 IN BLOCK 9, ALL IN MEADOW BROOK PARK SUBDIVISION; A REPLAT OF LOT 1, BLOCK 2 AND LOT 1, BLOCK 3, ALL IN SANDHILLS THIRD ADDITION; A REPLAT OF LOT 1, BLOCK 1, SANDHILLS FIFTH ADDITION; A REPLAT OF LOTS 1-2 IN BLOCK 1, LOT 1, BLOCK 2, LOTS 1-2 IN BLOCK 3, ALL IN SANDHILLS SIXTH ADDITION; A REPLAT OF LOT 1, BLOCK 1, SANDHILLS SEVENTH ADDITION; A VACATION PLAT OF PART OF SECOND AVENUE NORTH, PART OF PARK BOULEVARD AND PART OF GRESS AVENUE, CASS COUNTY, NORTH DAKOTA

CERTIFICATE

STEVEN W. HOLM, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "SANDHILLS EIGHTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT LOTS 1-2, 8-11 AND PART OF 21-22 IN BLOCK 4, LOTS 3, 12-15 AND 17-18 IN BLOCK 5, LOTS 5-9, 11-12 AND 14-19 IN BLOCK 8, LOTS 1-2 IN BLOCK 9, ALL IN MEADOW BROOK PARK SUBDIVISION; A REPLAT OF LOT 1, BLOCK 2 AND LOT 1, BLOCK 3, ALL IN SANDHILLS THIRD ADDITION; A REPLAT OF LOT 1, BLOCK 1, SANDHILLS FIFTH ADDITION; A REPLAT OF LOTS 1-2 IN BLOCK 1, LOT 1, BLOCK 2, LOTS 1-2 IN BLOCK 3, ALL IN SANDHILLS SIXTH ADDITION; A REPLAT OF LOT 1, BLOCK 1, SANDHILLS SEVENTH ADDITION; A VACATION PLAT OF PART OF SECOND AVENUE NORTH, PART OF PARK BOULEVARD AND PART OF GRESS AVENUE, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE BOUNDARY SURVEY, THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT SAID ADDITION IS DESCRIBED AS FOLLOWS, TO WIT:

THAT PART OF MEADOW BROOK PARK SUBDIVISION, THAT PART OF SANDHILLS THIRD ADDITION, THAT PART OF SANDHILLS FIFTH ADDITION, THAT PART OF SANDHILLS SIXTH ADDITION AND ALL OF SANDHILLS SEVENTH ADDITION, ACCORDING TO THE RECORDED PLATS THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, CASS COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2, BLOCK 3, SAID SANDHILLS SIXTH ADDITION; THENCE SOUTH 87 DEGREES 17 MINUTES 47 SECONDS WEST ON A RECORD BEARING ALONG THE SOUTH LINE OF SAID LOT 2 AND ALONG THE NORTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 94 FOR A DISTANCE OF 410.41 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 02 DEGREES 24 MINUTES 45 SECONDS WEST CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE AND ALONG THE WEST LINE OF SAID LOT 2 FOR A DISTANCE OF 85.00 FEET TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 3 SAID SANDHILLS SIXTH ADDITION; THENCE SOUTH 87 DEGREES 17 MINUTES 47 SECONDS WEST CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE AND ALONG THE SOUTH LINE OF SAID LOT 1 FOR A DISTANCE OF 764.24 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 02 DEGREES 25 MINUTES 36 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 1 FOR A DISTANCE OF 622.11 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE NORTH 87 DEGREES 20 MINUTES 52 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID LOT 1 FOR A DISTANCE OF 467.07 FEET TO THE SOUTHEAST CORNER OF SANDHILLS SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE SAID RECORDER; THENCE NORTH 02 DEGREES 25 MINUTES 28 SECONDS WEST ALONG THE EASTERLY LINE OF SAID SANDHILLS SUBDIVISION AND ALONG THE WEST LINE OF SAID SANDHILLS SEVENTH ADDITION FOR A DISTANCE OF 333.24 FEET TO THE NORTHWEST CORNER OF SAID SANDHILLS SEVENTH ADDITION; THENCE NORTH 87 DEGREES 17 MINUTES 46 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID SANDHILLS SEVENTH ADDITION FOR A DISTANCE OF 297.39 FEET TO THE SOUTHWEST CORNER OF BLOCK 8, SAID MEADOW BROOK PARK SUBDIVISION; THENCE NORTH 02 DEGREES 24 MINUTES 45 SECONDS WEST ALONG THE WEST LINE OF SAID BLOCK 8 FOR A DISTANCE OF 279.95 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 8; THENCE NORTH 87 DEGREES 17 MINUTES 38 SECONDS EAST ALONG THE NORTH LINE OF SAID BLOCK 8 AND ALONG THE NORTH LINE OF LOT 1, BLOCK 1, SAID SANDHILLS FIFTH ADDITION FOR A DISTANCE OF 870.03 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 80 DEGREES 56 MINUTES 25 SECONDS EAST FOR A DISTANCE OF 81.63 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 2, SAID SANDHILLS THIRD ADDITION; THENCE SOUTH 77 DEGREES 41 MINUTES 56 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID LOT 1 FOR A DISTANCE OF 51.57 FEET; THENCE NORTH 87 DEGREES 17 MINUTES 38 SECONDS EAST CONTINUING ALONG THE NORTHERLY LINE OF SAID LOT 1 FOR A DISTANCE OF 610.35 FEET TO THE WEST LINE OF LOT 3, BLOCK 5, SAID MEADOW BROOK PARK SUBDIVISION; THENCE NORTH 02 DEGREES 24 MINUTES 51 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 3 FOR A DISTANCE OF 30.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE NORTH 87 DEGREES 17 MINUTES 38 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 3 FOR A DISTANCE OF 80.03 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 02 DEGREES 25 MINUTES 04 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 3 FOR A DISTANCE OF 30.00 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 3, SAID SANDHILLS THIRD ADDITION; THENCE NORTH 87 DEGREES 17 MINUTES 38 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 1 FOR A DISTANCE OF 143.27 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 02 DEGREES 24 MINUTES 46 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 1 FOR A DISTANCE OF 250.03 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 87 DEGREES 17 MINUTES 46 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 1 FOR A DISTANCE OF 143.27 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 02 DEGREES 24 MINUTES 34 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 1 FOR A DISTANCE OF 140.01 FEET TO THE NORTHEAST CORNER OF LOT 20, BLOCK 5, SAID MEADOW BROOK PARK SUBDIVISION; THENCE SOUTH 87 DEGREES 17 MINUTES 42 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 20 AND ALONG THE NORTH LINE OF LOT 19, SAID BLOCK 5 FOR A DISTANCE OF 160.05 FEET TO THE NORTHWEST CORNER OF SAID LOT 19; THENCE SOUTH 02 DEGREES 24 MINUTES 54 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 19 FOR A DISTANCE OF 140.01 FEET TO THE SOUTHWEST CORNER OF SAID LOT 19; THENCE SOUTH 87 DEGREES 17 MINUTES 46 SECONDS WEST ALONG THE SOUTH LINE OF BLOCK 5, SAID MEADOW BROOK PARK SUBDIVISION FOR A DISTANCE OF 160.05 FEET TO THE SOUTHEAST CORNER OF LOT 16, SAID BLOCK 5; THENCE NORTH 02 DEGREES 25 MINUTES 02 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 16 FOR A DISTANCE OF 140.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 16; THENCE SOUTH 87 DEGREES 17 MINUTES 42 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 16 FOR A DISTANCE OF 80.03 FEET; THENCE SOUTH 02 DEGREES 25 MINUTES 05 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 16 FOR A DISTANCE OF 140.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 16; THENCE SOUTH 02 DEGREES 25 MINUTES 25 SECONDS EAST FOR A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 2, SAID SANDHILLS SIXTH ADDITION; THENCE NORTH 87 DEGREES 17 MINUTES 46 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 1 AND ALONG THE NORTH LINE OF BLOCK 4, SAID MEADOW BROOK PARK SUBDIVISION FOR A DISTANCE OF 560.16 FEET TO THE EAST LINE OF SAID MEADOW BROOK PARK SUBDIVISION; THENCE SOUTH 02 DEGREES 25 MINUTES 34 SECONDS EAST ALONG THE EAST LINE OF SAID MEADOW BROOK PARK SUBDIVISION FOR A DISTANCE OF 205.01 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF 3RD AVENUE NORTHWEST, ACCORDING TO SAID SANDHILLS SIXTH ADDITION; THENCE SOUTH 87 DEGREES 17 MINUTES 23 SECONDS WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 291.57 FEET; THENCE 174.02 FEET WESTERLY CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE ON A TANGENTIAL CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 280.00 FEET AND A CENTRAL ANGLE OF 35 DEGREES 36 MINUTES 36 SECONDS TO A POINT OF REVERSE CURVATURE; THENCE 74.58 FEET WESTERLY CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE ON A REVERSE CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 120.00 FEET AND A CENTRAL ANGLE OF 35 DEGREES 36 MINUTES 36 SECONDS; THENCE SOUTH 87 DEGREES 17 MINUTES 23 SECONDS WEST CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 916.04 FEET TO ITS INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 2, BLOCK 3, SAID SANDHILLS SIXTH ADDITION; THENCE SOUTH 02 DEGREES 25 MINUTES 27 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 2 AND THE NORTHERLY EXTENSION THEREOF FOR A DISTANCE OF 709.95 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 42.97 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

PRELIMINARY

STEVEN W. HOLM
REGISTERED LAND SURVEYOR
REG. NO. LS-6571

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED STEVEN W. HOLM, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO PLANNING COMMISSION APPROVAL
THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2024.

JOSEPH F. KOLB, CHAIRMAN

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOSEPH F. KOLB, CHAIRMAN OF THE WEST FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE WEST FARGO PLANNING COMMISSION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY COMMISSION APPROVAL
THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2024.

BERNIE L. DARDIS, PRESIDENT OF
THE WEST FARGO CITY COMMISSION

DUSTIN T. SCOTT, CITY AUDITOR

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BERNIE L. DARDIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION, AND DUSTIN T. SCOTT, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "SANDHILLS EIGHTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT LOTS 1-2, 8-11 AND PART OF 21-22 IN BLOCK 4, LOTS 3, 12-15 AND 17-18 IN BLOCK 5, LOTS 5-9, 11-12 AND 14-19 IN BLOCK 8, LOTS 1-2 IN BLOCK 9, ALL IN MEADOW BROOK PARK SUBDIVISION; A REPLAT OF LOT 1, BLOCK 2 AND LOT 1, BLOCK 3, ALL IN SANDHILLS THIRD ADDITION; A REPLAT OF LOT 1, BLOCK 1, SANDHILLS FIFTH ADDITION; A REPLAT OF LOTS 1-2 IN BLOCK 1, LOT 1, BLOCK 2, LOTS 1-2 IN BLOCK 3, ALL IN SANDHILLS SIXTH ADDITION; A REPLAT OF LOT 1, BLOCK 1, SANDHILLS SEVENTH ADDITION; A VACATION PLAT OF PART OF SECOND AVENUE NORTH, PART OF PARK BOULEVARD AND PART OF GRESS AVENUE, CASS COUNTY, NORTH DAKOTA, THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF STEVEN W. HOLM, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT. WE HEREBY DEDICATE ALL STREETS, AVENUES, SANITARY SEWER EASEMENTS, STORM SEWER EASEMENTS, WATER MAIN EASEMENTS, ACCESS EASEMENTS AND UTILITY EASEMENTS SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC.

OWNER: LOTS 1, 3 AND 4, BLOCK 1 & LOTS 1, 3, 5, 6 AND 8, BLOCK 2:
OCHO INDY, LLC
BY: BAM HOLDINGS, LLP, ITS MANAGER

OWNER: LOT 2, BLOCK 1:
RJR, LLC

RYAN RESTAD, AGENT

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED RYAN RESTAD, KNOWN TO ME TO BE AN AGENT OF RJR, LLC THAT IS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF RJR, LLC.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

AUSTIN J. MORRIS, PARTNER

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2024, BY AUSTIN J. MORRIS, A PARTNER OF BAM HOLDINGS, LLP, A NORTH DAKOTA LIMITED LIABILITY PARTNERSHIP, MANAGER OF OCHO INDY, LLC, A NORTH DAKOTA LIMITED LIABILITY COMPANY, ON BEHALF OF THE LIMITED LIABILITY PARTNERSHIP.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

OWNER: LOT 4, BLOCK 2:
WEST SIDE INDUSTRIAL, LLC

RYAN RESTAD
TITLE: _____

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED RYAN RESTAD, KNOWN TO ME TO BE THE SAME IN THE NAME OF WEST SIDE INDUSTRIAL, LLC.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

OWNER: LOTS 2 AND 7, BLOCK 2:
CITY OF WEST FARGO

BERNIE L. DARDIS, PRESIDENT OF
THE WEST FARGO CITY COMMISSION

DUSTIN T. SCOTT, CITY AUDITOR

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BERNIE L. DARDIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION, AND DUSTIN T. SCOTT, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY ATTORNEY APPROVAL

I HEREBY CERTIFY THAT PROPER EVIDENCE OF TITLE HAS BEEN EXAMINED BY ME AND I APPROVE THE PLAT AS TO FORM AND EXECUTION THIS _____ DAY OF _____, 2024.

JOHN T. SHOCKLEY, CITY ATTORNEY

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOHN T. SHOCKLEY, CITY ATTORNEY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THE CITY ATTORNEY.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2024.

DANIEL R. HANSON, CITY ENGINEER

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DANIEL R. HANSON, CITY ENGINEER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THE CITY ENGINEER.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA



CLIENT:

ENCLAVE
Kyle McCamy, PE
300 23rd Ave E, Suite 300,
West Fargo, ND 58078
D. 701.997.7550
O. 701.478.4300
C. 701.271.9214

PROJECT:

OCHO INDY, LLC AND R.J.R., LLC
SANDHILLS DEVELOPMENT

LOCATION:



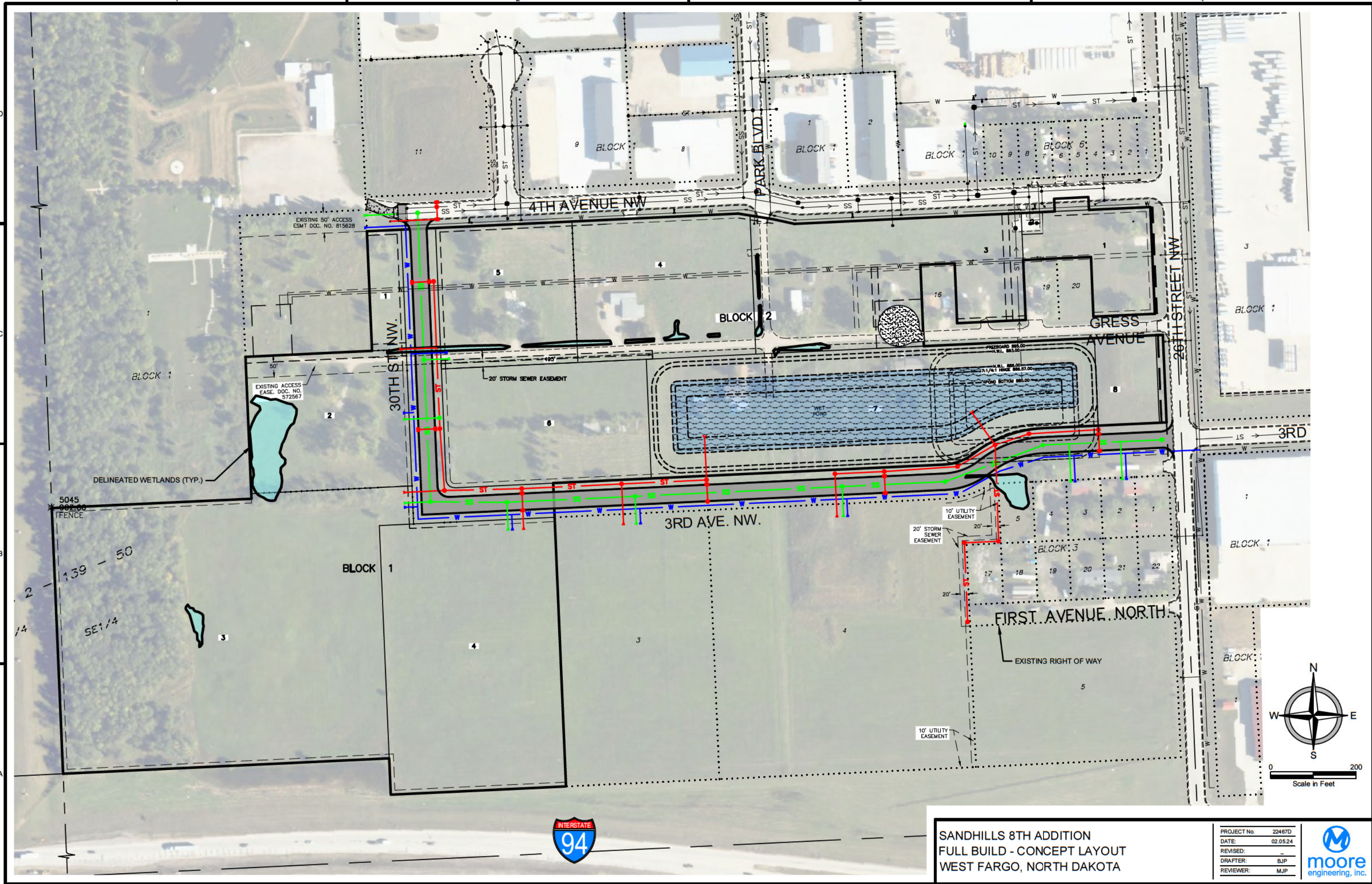
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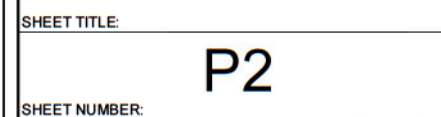
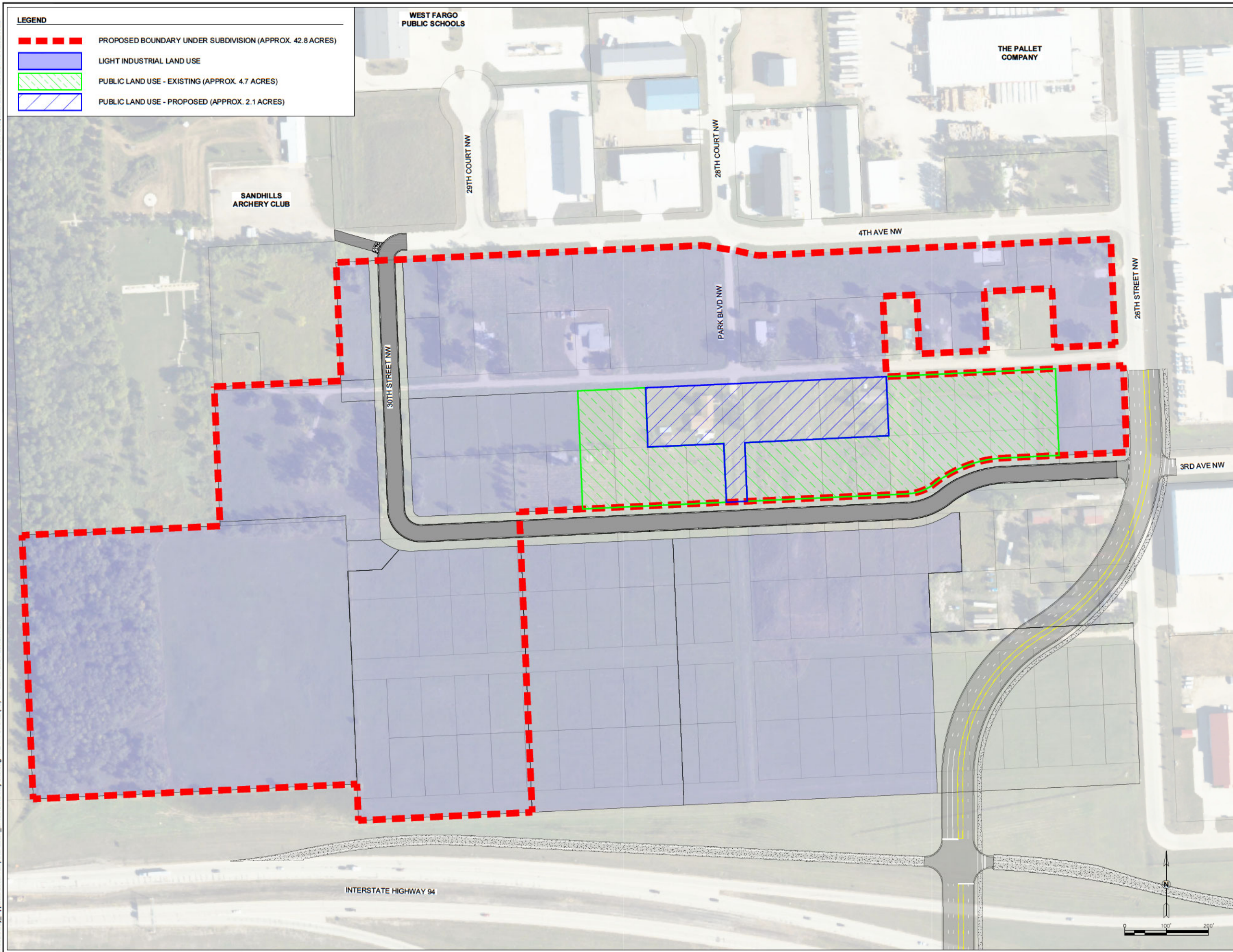
NO.	DESCRIPTION	DATE
1	OPTION 1	01/18/2024

JOB NUMBER:
DRAWING BY: D. BOSS
DATE: 2024.01.18

SANDHILLS 8TH ADDITION -
ZONING EXHIBIT

SHEET TITLE:
P3
SHEET NUMBER:





MEMORANDUM

TO: West Fargo Planning & Zoning Commission

FROM: Aaron Nelson, Planning Director *AN*

DATE: February 9, 2024

SUBJECT: Discussion on Proposed Revisions to Title IV Ordinances regarding Off-Street Parking, Pool Fencing, & Backyard Chicken Keeping

Targeted text amendments to Title IV zoning & subdivision ordinances were identified as a short-term project need within the West Fargo Planning Needs Assessment Action Plan. As discussed during the November 14, 2023 Planning & Zoning Commission meeting, staff will be bringing forward a series of proposed Title IV ordinance amendments for discussion and consideration by the Planning & Zoning Commission in 2024. Proposed amendments will first be brought forth for introduction and discussion purposes at least one month prior to inclusion on the regular agenda as an actionable item.

At the February 13 meeting, staff will provide an overview of proposed text amendments to three different topic areas for discussion by the Planning & Zoning Commission. These topic areas include:

- 1) Off-street parking regulations (§4-450)
- 2) Pool fence regulations (§4-442)
- 3) Backyard Chicken Keeping (multiple sections)

Off-Street Parking Regulations

The off-street parking regulations of Section 4-450 are proposed to be modified in the following ways:

- 1) Restructuring of the content for purposes of clarity and ease of use—including structured headings and subheadings.
- 2) Updating of minimum parking standards:
 - a. To be based on measurable metrics such as floor area as opposed to other metrics such as number of staff for a given business.
 - b. To calibrate minimum parking standards in relation to peer cities and modern best practices, including a slight general reduction in City-mandated parking.
- 3) Updating of parking reduction options:
 - a. Administrative approval of minor reductions
 - b. Planning & Zoning approval of major reductions

A draft of the proposed update to §4-450 is attached, along with a copy of the current regulations. Also attached is the 2018 Fargo/West Fargo Parking and Access Plan that includes recommendations regarding off-street parking standards.

Pool Fence Regulations

Staff is proposing to better align the City's pool fencing regulations with those of peer cities and industry standards. Currently the City requires at least a 6-foot tall barrier (e.g., fence) around inground pools, above ground pools, and spas, which is taller than requirements in surrounding communities. Like the City's building codes, staff is proposing to adopt relevant provisions of the International Property Maintenance Code (IPMC) regarding barrier standards for private pool and spa facilities. Currently, the IPMC require a minimum 4-foot tall barrier.

Backyard Chicken Keeping

The West Fargo City Commission has directed the City Attorney and staff to draft a backyard chicken keeping ordinance to allow the keeping of chickens for egg production. While this ordinance will predominantly be contained within Title XI animal regulations of the City Ordinances, there will likely need to be some minor tweaks to Title IV zoning regulations to maintain regulatory consistency regarding the keeping of chickens in non-agricultural zoning districts.

Attachments



§4-450 Off-Street Parking and Loading Regulations

4-450 Purpose

This section establishes regulations for the provision of safe and efficient parking, stacking, and loading facilities in West Fargo, in amounts sufficient to meet existing and/or proposed development, while balancing these needs against equally important safety, environmental, and aesthetic considerations. This section is intended to help protect the public health, safety, and general welfare by:

- A. Avoiding and mitigating traffic congestion in the streets;
- B. Avoiding and mitigating the adverse visual and environmental impacts of large concentrations of exposed parking;
- C. Reducing stormwater runoff, reducing heat island effect from large expanses of pavement, improving water quality, and minimizing dust pollution;
- D. Providing necessary access for service and emergency vehicles;
- E. Providing for safe and convenient interaction between vehicles and pedestrians; and
- F. Providing flexible methods of responding to the transportation and access demands of various land uses in different areas of the city.

4-451 Applicability

4-451.1 New Development

All new development shall provide off-street parking, stacking, and loading areas in accordance with the standards of this section, unless otherwise exempt by this code.

4-451.2 Expansion or Enlargement

- A. Any expansion or enlargement of an existing structure that results in an increase of floor area of greater than 20 percent, or any increase in the number of dwelling units, shall be required to provide additional parking spaces in proportion to the extent of the expansion or enlargement, as required by Table 4-1.
- B. Additional off-street parking and loading spaces shall be required only to serve the enlarged or expanded area, not the entire building or use.

4-451.3 Change of Use

When a new use or combination of uses requires 20 percent more parking than the previous use or combination of uses, the new use or combination of uses shall provide additional parking spaces in proportion to the increase, as required by Table 4-1.

4-452 Parking and Loading Plan Required

- A. Plans for improved, new, or expanding off-street parking spaces and/or private driveways shall be prepared and submitted to the City Building Administrator and City Planner for review and approval.
- B. Before approving any private driveway or parking layout, the Building Administrator and City Planner shall verify that the driveway and/or spaces provided are usable and meet standard design criteria, as described in this ordinance.

4-453 Required Off-Street Parking

4-453.1 Minimum Requirement

Unless otherwise specified by this section, all development shall provide off-street parking in compliance with Table 4-1, Minimum Required Off-Street Parking Spaces.

4-453.2 Accessible Spaces Required

Accessible off-street parking for persons with disabilities must be provided in accordance with the International Building Code, as contained within Title V of the City Ordinances. No reductions or adjustments to ADA-mandated accessible spaces are permitted.

4-453.3 Unlisted Uses

For uses not expressly listed in Table 4-1, the City Planner shall have the authority to make the following determinations:

- A. Apply the minimum off-street parking space requirement specified in Table 4-1 for the listed use that is deemed most similar to the proposed use (based on operating characteristics, the most similar related occupancy classification, or other factors determined by the City Planner); or
- B. Establish the minimum off-street parking space requirement by reference to standards in parking resources published by the National Parking Association, American Planning Association, or the Institute of Transportation Engineers (ITE) Parking Generation Manual.

Table 4-1: Minimum Required Off-Street Parking Spaces

DU = DWELLING UNIT

SQ FT = SQUARE FEET (SQUARE FOOTAGE OF GROSS INDOOR FLOOR AREA, UNLESS OTHERWISE INDICATED)

Proposed Requirement	
Residential Uses	
Dwelling, multi-family	Efficiency/studio & 1 bedroom: 1 per DU 2 or more bedrooms: 2 per DU
Dwelling, single-family	2 per DU
Civic and Institutional Uses	
Community and Cultural Facilities	
Day or nursery school, child care center	1 per 500 sq ft
Library or Museum	1 per 500 sq ft

Table 4-1: Minimum Required Off-Street Parking Spaces

Group assembly spaces (e.g., exhibition hall, church, sports arena, theatre, auditorium)	1 per 5 persons of max. seating capacity in main assembly space
Educational Facilities	
Elementary and junior high school	1 per classroom PLUS 1 per 400 sq ft of office area
High school	10 per classroom PLUS 1 per 400 sq ft of office area
College, trade, and vocational school	1 per 300 sq ft of academic space PLUS 1 per 400 sf of office area
Health Care Services	
Clinic, medical or dental	1 per 250 sq ft
Hospital	1 per 2 beds
Nursing home	1 per 4 beds
Recreation and Entertainment	
Recreation, indoor	Bowling, axe-throwing or similar use: 1 per lane Theaters, auditoriums, arenas, stadiums, or similar use: 1 per 5 seats in main assembly areas; if no seating, 20 percent of maximum capacity Playing/sports surfaces with no fixed seating: 10 per field; 4 per ice rink; 2 per court Other uses not listed separately: 1 per 400 sq ft indoor area
Recreation, outdoor	Playing/sports surfaces with fixed seating: 1 per 5 seats Playing/sports surfaces with no fixed seating: 10 per field; 4 per ice rink; 2 per court Outdoor theaters, stadiums, or similar uses: 1 per 5 seats in assembly areas; if no seating, 20 percent of maximum capacity Golf, miniature golf, or driving range: 4 spaces per golf hole; 2 spaces per miniature golf hole; and 1 space per 2 driving bays. Other uses not listed separately: 1 per 1,000 sq ft of outdoor recreation area
Commercial Uses	
Generally	
If not otherwise specified	1 per 400 sq ft
Food and Beverage Uses	
Eating and drinking establishments, tavern, night club, or lounge	1 per 100 sq ft
Fast food restaurant	1 per 100 sq ft With drive-through: 3 stacking spaces from point of placing order
Lodging Uses	
Hotel or motel	1 per guest room PLUS 50 percent of the spaces otherwise required for accessory uses (e.g. restaurants and bars)

Table 4-1: Minimum Required Off-Street Parking Spaces**Office and Services**

Bank or financial institution	1 per 350 sq ft
Funeral home	1 per 5 seats in communal assembly areas PLUS 1 per 400 sq ft of office area
Gym or health club	1 per 250 sq ft
Laundry, self-service	1 per 400 sq ft
Office	1 per 400 sq ft
Repair Service	1 per 400 sq ft
Veterinary clinic	1 per 300 sq ft

Retail Sales Uses

Grocery or supermarket	1 per 250 sq ft
Furniture and home furnishing stores	1 per 750 sq ft

Vehicle-Related Uses

Vehicle repair and maintenance services	1 per 400 sq ft of indoor sales/office area PLUS 2 per service bay
Vehicle sales	1 per 400 sq ft of indoor sales/office area PLUS 1 per 1,000 sq ft of sales lot area

Industrial Uses

General industrial uses (e.g., industrial services, contractor businesses, manufacturing/production, warehousing, freight/trucking facilities, wholesale distribution), plant nursery or landscaping businesses	1 per 400 sq ft of office or administrative area PLUS 1 per 500 sq ft of indoor sales, service, or display area PLUS 1 per 1,000 sq ft of outdoor sales, service, or display area PLUS 1 per 2,500 sq ft of indoor/outdoor storage, warehousing, equipment service, or manufacturing area.
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4-454 District-Specific Parking Standards**4-454.1 Residential Districts**

- A. In all residential districts, required parking spaces shall be located on the same lot as the use they serve.
- B. Parking areas for one- or two- family dwellings shall be in the garage, in the rear or side yards, or on the driveway leading to the garage only.

4-454.2 DMU District

Provision of parking in the DMU district shall be subject to limits, location, and design requirements as described in §434.4.1, Parking Areas.

4-454.3 EMU District

Provision of parking in the DMU district shall be subject to limits, location, and design requirements as described in §434.5.1, Parking Areas.

4-454.4 Industrial Districts

- A. Gravel and/or crushed concrete may be used for vehicular circulation areas within industrial zoning districts provided that all circulation areas within 100 feet of any access onto a public street is paved with concrete, asphaltic concrete, or asphalt.

4-455 Adjustments to Off-Street Parking Requirements

4-455.1 Reductions in Parking Requirements

Applicants may pursue reductions in required parking as follows.

- A. Parking reductions of up to 25 percent, as described in §4-455.2 through §4-455.5, may be approved by the City Planner upon finding that the request for reduction complies with all requirements described in the applicable subsection.
- B. Parking reductions of greater than 25 percent, as described in §4-455.2 through §4-455.5, may be approved by the Planning & Zoning Commission upon finding that the request for reduction complies with all requirements described in the applicable subsection.

4-455.2 Parking Demand Study

A parking demand study may be submitted to demonstrate the need for a lower quantity of parking than required by Table 4-1, or as otherwise stated in this Section.

The parking demand study shall be prepared by a traffic engineer or similarly qualified professional and shall estimate parking demand for the proposed use based on the recommendations of the Institute of Traffic Engineers (ITE), Urban Land Institute, the American Planning Association, or other acceptable source of parking demand data for uses and/or combinations of uses of comparable activities, scale, bulk, area, and location.

4-455.3 Shared and/or Off-Site Parking Spaces

The City may approve the use of shared parking lots, and/or off-site parking spaces, subject to the following requirements:

- A. No shared lot or off-site space shall be more than 300 feet from the subject property, measured along a legal pedestrian route.
- B. A long-term agreement shall be negotiated and agreed between property owners for both uses, and shall be submitted to the City for review and approval.
- C. The long-term agreement shall be accompanied by a Parking Plan that shows the current or proposed layout of the off-site parking or the parking area proposed to be shared.

4-455.4 Proximity to a Transit Stop

Except for single- and two-family dwellings, development within 500 feet of a fixed transit stop, measured along a legal pedestrian route, may be reduced by 10% from the requirements in Table 4-1.

4-455.5 Affordable and Senior Housing

Minimum parking requirements may be reduced by 20% if at least 25% of the dwelling units are restricted in occupancy to residents of 55 years of age or older, and/or income-restricted for a period of at least 30 years to households earning 80% or less of the Department of Housing and Urban Development Area Median Income for West Fargo, ND.

4-456 Parking Area Design and Maintenance

4-456.1 General Parking Area Design

- A. Parking areas shall be used for automobile parking only, with no sales, dead storage, repair work, dismantling or servicing of any kind permitted.
- B. Parking areas shall include applicable buffering and/or screening as required by the Zoning Ordinance.

4-456.2 Access and Maneuvering

- A. Except for single- and two-family dwellings and individual townhome dwellings with driveways exiting onto public or private streets, parking areas shall be designed so that exiting vehicles do not back out across a sidewalk onto a street. In all other instances, a means of turnaround must be provided within the parking lot.
- B. Where a parking lot has five or fewer spaces and a turnaround cannot be accommodated within the lot on site, the City may consider an alternative design, subject to review and approval by the Planning & Zoning Commission.

4-456.3 Surfacing

- A. Unless otherwise allowed by this ordinance, all parking areas, drive aisle, aprons, and other areas subject to vehicular access or used for the parking, maneuvering, or storing of motor vehicles shall be surfaced with concrete, asphaltic concrete, or asphalt; unless pervious or semi-pervious surfacing receives conditional use approval.
- B. The use of gravel and/or crushed concrete may be used for parking and vehicular circulation where the property takes primary access from a public street that is graveled.
- C. Unless otherwise specified, all hard-surfaced parking lot stalls shall be striped. Areas used for storing motor vehicles, equipment, or materials, and not required to meet minimum parking space requirements, shall be paved but do not need to be striped.

4-456.4 Parking Lot Layout Dimensions

A. Parking Stall Dimensions

Except as indicated in Table 4-2 below, the minimum size of each parking stall shall be nine feet by 18.5 feet, exclusive of aisle width.

B. Parking Layout Dimensions

Parking lots shall be designed to meet the minimum dimensions in Table 4-2.

Table 4-2: Parking Layout Dimensions

	45°	60°	75°	90°	Diagram Reference
Stall width, parallel to aisle	12.7	10.4	9.3	9.0	A
Stall length of line	25.0	22.0	20.0	18.5	B
Stall depth	17.5	19.5	19.0	18.5	C
Driving aisle width between stall lines	12.0	16.0	23.0	26.0	D
Stall depth, interlock	15.3	17.5	18.8	18.5	E

Module, edge of pavement to interlock	44.8	52.5	61.3	63.0	F
Module, interlocking	42.6	51.0	61.0	63.0	G
Module, interlock to curb face	42.8	50.2	58.8	60.5	H
Offset	6.3	2.7	0.5	0.0	J
Side and rear yard setback	Lots in Residential & C Districts Abutting Residential Districts: 5 feet Other Districts: None				K
Cross aisle, one-way	14.0	14.0	14.0	14.0	L
Cross aisle, two-way	24.0	24.0	24.0	24.0	L

C. Parking Layout Diagram

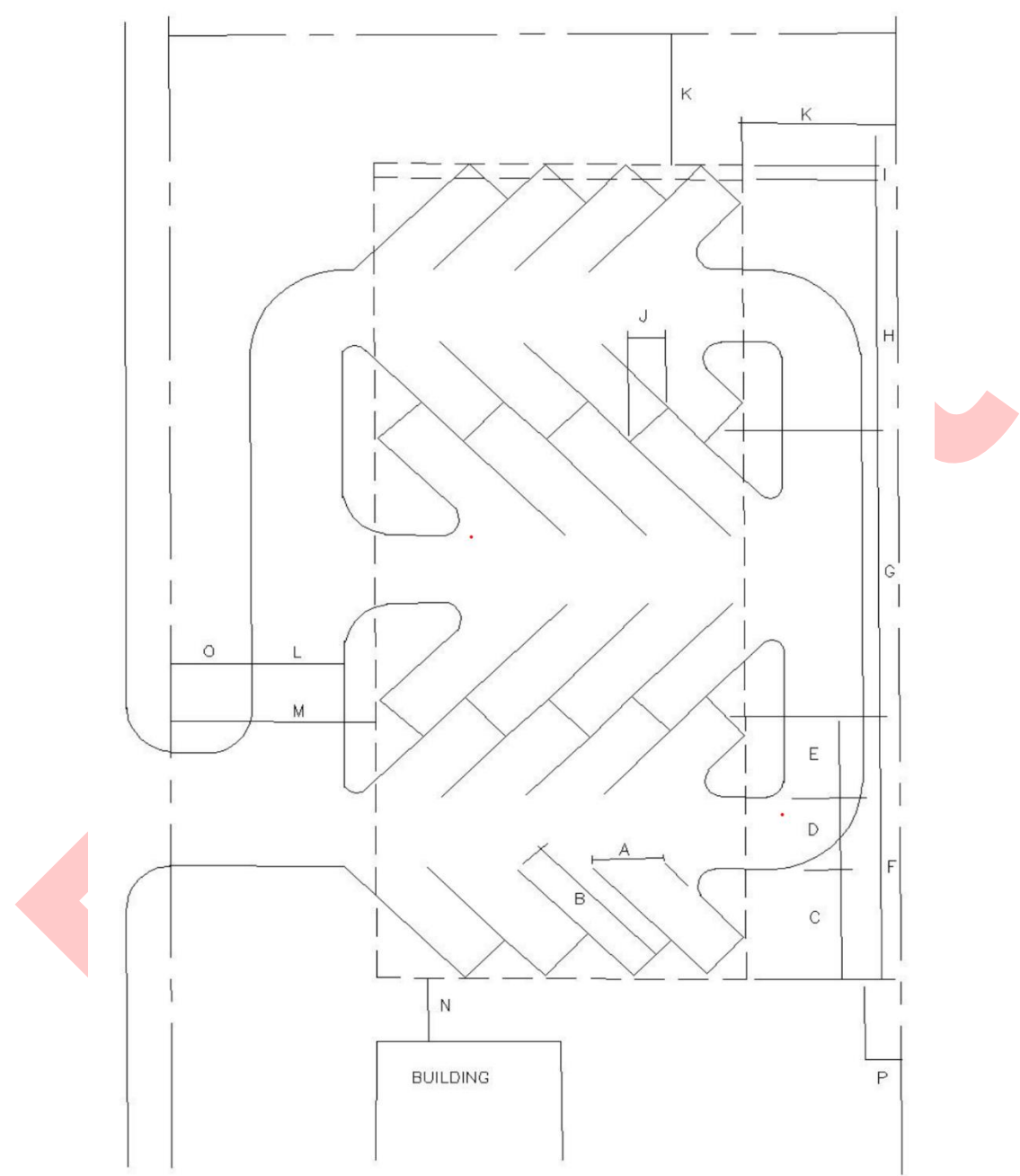


Figure 1: Parking Layout Dimensions

4-457 Loading Standards

4-457.1 Applicability

Commercial and industrial uses shall provide for loading areas on the property which do not affect traffic on public streets.

4-457.2 General Requirements

- A. Loading areas shall be shown on the Parking and Loading Plan and approved by the City Planner and Building Administrator as part of the building permit.
- B. Uses requiring loading spaces may provide more loading spaces than required by this subsection, but each space shall meet the dimensional requirements of this subsection.

4-457.3 Number of Spaces Required

- A. Commercial and industrial structures with a total floor area of at least 10,000 square feet, and structures used for office or research purposes with a total floor area of at least 20,000 square feet, shall be provided with one off-street loading space.
- B. Commercial and industrial structures where the floor area of all buildings exceeds 100,000 square feet shall provide at least one additional off-street loading space.

4-457.4 Design Standards

- A. Loading spaces shall be at least 50 feet long and 12 feet wide.
- B. Adequate space shall be provided on the property to allow for ingress into the property, circulation within the property, and egress from the property, without requiring loading vehicles to reverse into or out of a public right-of-way.
- C. Required loading spaces are prohibited in any front setback area or in any required street side setback area.
- D. Loading spaces may occupy all or any part of a required rear setback area where visibility will be minimized.
- E. Loading spaces shall be located so as not to interfere with customer parking and circulation.
- F. Loading spaces and access to loading spaces shall not block or restrict the access of surrounding uses.

4-450. OFF-STREET PARKING AND LOADING REGULATIONS.

Subsections:

- 4-451. Automobile Parking Space Required.
- 4-452. Plans and Approval Required.
- 4-453. Design Standards.
- 4-454. Required Off-Street Loading Spaces.

4-451. AUTOMOBILE PARKING SPACE REQUIRED. No building shall be erected, enlarged to the extent of increasing the floor area, or changed in use unless there is provided on the lot, space for parking of automobiles as specified below. When sufficient off-street parking cannot be provided on the same lot or a lot contiguous to the principal use because of unique circumstances, and arrangements can be made to provide off-street parking on a noncontiguous lot, such parking arrangements shall be considered by the Planning and Zoning Commission on a case-by-case basis. The Planning and Zoning Commission may grant permission to provide parking on a noncontiguous lot provided traffic or land use problems are not created, and a long-term agreement can be negotiated so the required off-street parking is maintained as long as the principal use exists.

The Planning and Zoning Commission may allow sharing of required off-street parking by two separate uses provided the normal peak parking times of the two uses do not coincide. Only the off-street parking spaces not normally used by the off-peak use shall be counted as off-street parking for the peak use. Each use shall have the total required off-street parking available during their respective periods of peak parking use. A long-term agreement shall be negotiated whereby both uses are bound to the establishment and maintenance of the shared off-street parking.

If it can be demonstrated by the property owner through market studies or other means that the required off-street parking is excessive and/or a lower parking demand is supported by the Institute of Traffic Engineers Parking Generation manual and a lesser requirement justifiable, the City Commission may reduce the number of required spaces by passage of a resolution approved by a majority of the members of the City Commission.

Parking areas shall be so designed that vehicles may enter, circulate, park and exit in a convenient and orderly fashion. Required off-street parking shall be provided in such a manner that vehicles do not encroach on a public right-of-way. The minimum size of each parking stall shall be nine feet by 19 feet, exclusive of aisle width. For any parking area except for single, two-family, and 3-4 unit townhome dwellings, a suitable means of turnaround must be provided at maximum design capacity so no vehicle shall back onto public streets or alleys. Where this cannot be accomplished for parking lots of five (5) or fewer vehicles, the City may consider an alternative design as a conditional use.

Reference herein to "employee(s) on the largest shift" means the maximum number of employees employed at the facility regardless of the time period during which this occurs and regardless of whether

any such person is a full-time employee. The largest shift may be a particular day of the week or a lunch or dinner period in the case of a restaurant.

The term "capacity," as used herein, means the maximum number of persons which may be accommodated by the use as determined by its design or by building or fire code regulations, whichever is greater.

Any use not specifically mentioned below shall meet the requirements for uses most clearly related as determined by the Zoning Enforcement official.

The number of off-street parking spaces which shall be required are as follows:

1. Agricultural Support Uses - One space per employee on the largest shift, plus one space per 200 square feet of gross floor area provided for customer sales and service operations.
2. Residential Uses:
 - a. Single-Family - Two spaces per dwelling.
 - b. Multiple Family Units - One space per efficiency dwelling unit and two spaces per dwelling unit for one or more bedroom units or the floor area divided by 440, whichever is greater.
3. Institutional, Recreational and Special Residential Uses:
 - a. Camps (Day or Youth) - One space per employee on the largest shift, plus one space per camp vehicle normally stored on the premises.
 - b. Church - One space per three seats of maximum capacity.
 - c. Community and Recreation Center - One space per 250 square feet of gross floor area, or one space per four patrons to the maximum capacity, plus one space per employee on the largest shift.
 - d. Day or Nursery School, Child Care Center - One space per teacher/employee on the largest shift, plus one per space per ten students for loading and unloading.
 - e. Group Dwellings, Fraternity or Sorority, Boarding or Lodging Houses - One space per bedroom or sleeping room, unless it can be demonstrated that the occupants will not be driving.
 - f. Libraries and Museums - One space per 350 square feet of floor area or one space per four seats to the maximum capacity, whichever is greater, plus one space per employee on the largest shift.

- g. Monasteries, Convents - One space per six residents, plus one space per employee on the largest shift, plus one space per five chapel seats if the public may attend.
- h. Nursing Homes - One space per six patient beds, plus one space per employee on the largest shift.
- i. Schools:
 - (1) Elementary and Junior High - One space per teacher and staff member.
 - (2) Senior High - One space per teacher and staff member on the largest shift, plus one space per five students.
 - (3) College, Trade and Vocational - One space per staff member of the largest shift, plus one space per four students of the largest class attendance period.
- j. Swimming Facility - One space per 100 square feet of gross water area, plus one space per employee on the largest shift.
- k. Tennis, Racquetball, Handball Courts - Two spaces per court, plus one space per employee on the largest shift.
- l. Bowling Alley - Three spaces per lane, plus one space per employee on the largest work shift.
- m. Miniature Golf - One space per hole, plus one space per employee on the largest work shift.
- n. Outdoor Theatre - One space per four patrons to the maximum capacity of the facility inclusive of both indoor and outdoor capacity.
- o. Skating Rink, Ice or Roller - One space per 300 square feet of gross floor area.
- p. Health Club - One space per 100 square feet of gross floor area, plus one space per employee on the largest shift.
- q. Golf Courses - Five spaces per hole.
- r. Other Commercial Recreational Uses - One space per four patrons to the maximum capacity of the facility, or one space per 250 square feet of gross floor area, whichever is more appropriate.

Source: Ord. 1219, Sec. 14 (2023)

- 5. Commercial and Entertainment Uses, Except as Specifically Designated Below - One space per 250 square feet of gross

floor area of customer sales and services, plus one space per 250 square feet of storage and/or office gross floor area.

- a. Banks - One space per 200 square feet gross floor area.
- b. Eating and Drinking Establishments - One space per four patron seats or one space per 100 square feet of gross floor area, whichever is greater, plus one space per employee on the largest shift.
- c. Fast Food Establishments:
 - (1) With Seating - One space per three patron seats, plus one space per employee on the largest shift.
 - (2) Without Seating - One space per 200 square feet of gross floor area, plus one space per employee on the largest shift.
- d. Funeral Home - One space per four patron seats or 25 spaces per chapel unit, whichever is greater.
- e. Grocery or Supermarket - One space per 200 square feet of gross floor area or customer sales and service, plus one space per 200 square feet gross floor area of storage.
- f. Hospital - One space per three patient beds, plus one space per staff doctor and per employee on the largest shift.
- g. Hotel or Motel - One space per room or suite, plus 50 percent of the spaces otherwise required for accessory uses, e.g. restaurants and bars.
- h. Private Clubs and Lodges - Required parking spaces are to be determined by the specific uses associated with the facility.
- i. Repair Services - A minimum of three spaces shall be provided for the first 2,000 square feet of gross floor area, plus one additional space for each 1,000 square feet of gross floor area thereafter, plus one space per employee on the largest shift.
- j. Furniture and Home Furnishing Stores - One space per 500 square feet of customer sales, plus one space for every 1,000 square feet of storage area.
- k. Self-Service Laundry - One space per three machines.
- l. Assembly or Exhibition Hall, Sports Arenas, Theaters and Auditoriums - One space per five seats based on maximum capacity.

- m. Taverns, Dance Halls, Night Clubs and Lounges - One space per 50 square feet of gross floor area.
 - n. Vehicle Sales - Six parking spaces plus one space per 500 square feet of gross floor area over 1,000 feet.
 - o. Vehicle Repair and Maintenance Services - One space per 400 square feet of gross floor area, plus one space per employee on the largest shift.
 - p. Games of Chance Operations - One space per three patron seats.
- 6. Offices Uses, Except as Specifically Designated Below - One space per 300 square feet of gross floor area.
 - a. Medical Offices and Clinics - One space per 200 square feet of gross floor area.

Source: Ord. 1199, Sec. 1 (2021)

- 7. Industrial Uses, Except as Specifically Designated Below - One space per employee on the largest shift, plus one space per company vehicle regularly stored on premises.
 - a. Veterinary Office - Three spaces per doctor, plus one space per employee on the largest shift.
 - b. Adult Entertainment Center - One space per employee on the largest shift, plus one space per 150 square feet of gross floor area.
- 8. Nursery Uses - One space per employee on the largest shift, plus one space per 500 square feet gross floor area of inside sales or display.
- 9. Handicapped Parking - All parking lots must be designed to provide handicapped parking spaces according to standards established under Americans with Disabilities Act (ADA).

Source: Ord. 434, Section 1 (1992); Ord. 458, Sec. 18 (2005); Ord. 1049, Sec. 38 (2015).

4-452. PLANS AND APPROVAL REQUIRED. Plans for improved, new or expanding private driveways and off-street parking spaces, shall be prepared and submitted to the City Building Administrator and City Planner for review and approval. Before approving any private driveway or parking layout, the Building Administrator and City Planner shall satisfy themselves that the driveway and/or spaces provided are usable and meet standard design criteria. All driveways and off-street parking spaces within the City limits shall be improved with a concrete or bituminous surface except for structures which are located on public roads or alleys that are graveled. In lieu of improving all driveways and off-street parking spaces in industrial areas, a property owner may submit a

plan demonstrating that improved driveways and off-street parking spaces will, within reason, retain soils, mud or other loose materials from being carried onto public streets by vehicles or equipment, i.e., by improving with concrete or bituminous surface fifty (50) feet or more of the area on the property where access to the public street(s) is gained. In addition to providing improved driveways and parking areas, industrial areas may need to expand those areas with gravel and/or crushed concrete to avoid carrying soils, mud or other loose materials into the street(s). All required off-street parking spaces shall be clearly marked. All parking lots being hard surfaced must be designed and striped to meet the design standards according to Section 4-453.

Source: Ord. 434, Sec. 2 (1992); Ord. 458, Sec. 19 (2005); Ord. 916, Sec. 48 (2012); Ord. 976, Sec. 4 (2013); Ord. 989, Sec. 1 (2014); Ord. 1066, Sec. 1 (2016)

4-453. DESIGN STANDARDS.

1. In all residential districts, required parking spaces shall be located on the same premises as the use they serve. In other districts, they shall be located on the premises or within 300 feet distance.
2. Parking areas for one or two family dwellings shall be in the garage, in the rear or side yards, or on the driveway leading to the garage only.
3. Parking areas shall be used for automobile parking only, with no sales, dead storage, repair work, dismantling or servicing of any kind permitted.
4. All uses, excluding one and two family residences, where parking or access facilities are located within 20 feet of a one or two family property line shall be required to effectively screen their parking facility from the residential use. Screening may include a sight obscuring fence at least 5 feet in height or plantings of sufficient type, density, and height so as to provide year-round screening. Before a building permit shall be issued, the building official shall approve the screening proposal.
5. Off-street parking areas shall be improved with a durable surface, afford adequate drainage and shall have bumper guards, unless owner can establish to the satisfaction of the Building Official that such guards are not necessary.

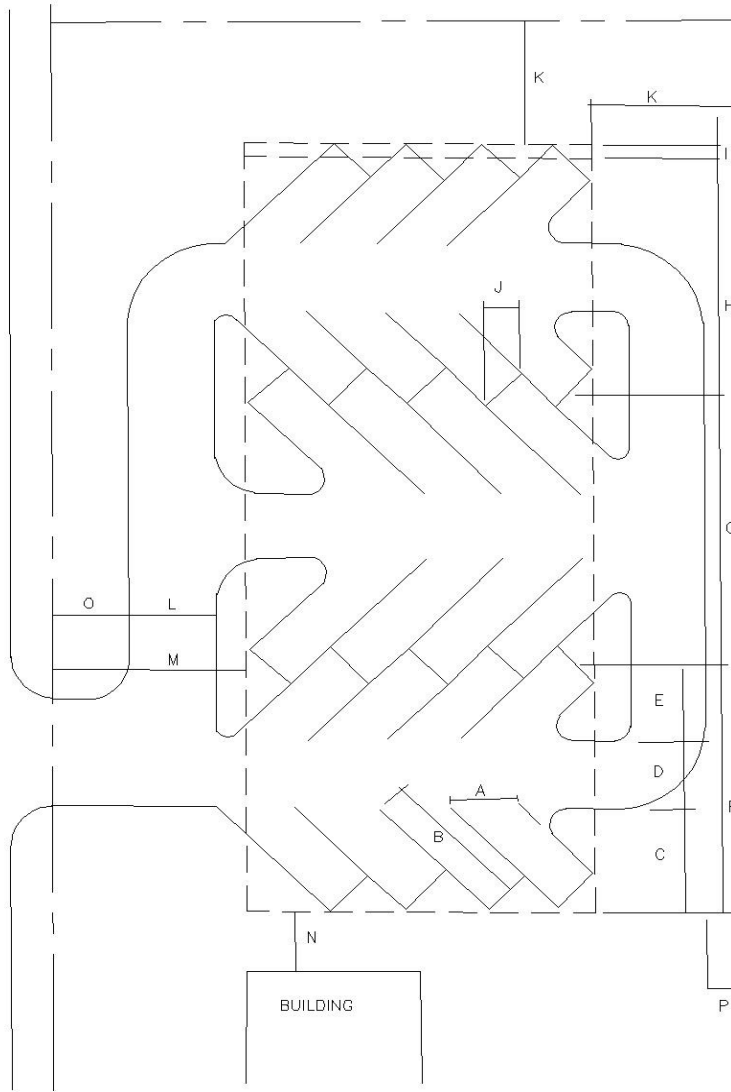
Source: Ord. 1049, Sec. 39 (2015)

PARKING LAYOUT REQUIREMENTS FOR 9 FOOT BY 18.5 FOOT
STALLS AT VARIOUS ANGLES

<u>DIMENSION</u>	<u>ON DIAGRAM</u>	<u>MINIMUM DIMENSIONS (feet)</u>			
		<u>45°</u>	<u>60°</u>	<u>75°</u>	<u>90°</u>
Stall width, parallel to aisle	A	12.7	10.4	9.3	9.0
Stall length of line	B	25.0	22.0	20.0	18.5
Stall depth	C	17.5	19.0	19.5	18.5
Driving aisle width between stall lines	D	12.0	16.0	23.0	26.0
Stall depth, interlock	E	15.3	17.5	18.8	18.5
Module, edge of pavement to interlock	F	44.8	52.5	61.3	63.0
Module, interlocking	G	42.6	51.0	61.0	63.0
Module, interlock to curb face	H	42.8	50.2	58.8	60.5
Bumper overhang (typical)	I	2.0	2.3	2.5	2.5
Offset	J	6.3	2.7	0.5	0.0
Side and rear yard setback	K	Lots in Residential & C Districts Which Abut Residential Districts: 5 feet. Other Districts: None			
Cross aisle, one-way	L	14.0	14.0	14.0	14.0
Cross aisle, two-way	-	24.0	24.0	24.0	24.0
Front yard setback (Parking Lots)	M	10' in Residential Districts or for Residential Uses in "C" Districts. Other: None.			
Setback from principal building	N	Residential Districts: 10 feet. Other Districts: 5 feet			
Front lot line to drive (landscape area)	O	10' in Residential Districts or for Residential Uses in "C" Districts. Other: None.			
Side and rear lot line to drive (landscape area)	P	Residential & C Districts: 5 feet. Other Districts: None			

Source: Ord. 334, Sec. 3 (1992); Ord. 455, Sec. 7 (1993); Ord. 916, Sec. 49 (2012).

PARKING LAYOUT DIAGRAM



4-454. REQUIRED OFF-STREET LOADING SPACES. REQUIRED OFF-STREET LOADING SPACES. Commercial and industrial uses shall provide for loading areas on the property which do not affect traffic on public streets. Adequate space shall be provided on the property to allow for ingress into the property, circulation within the property and egress from the property. Loading areas shall be shown on a site plan and approved by the City Planner and Building Administrator as part of the building permit. Loading spaces required under this section shall be at least 50 feet long and 12 feet wide. Every lot used for commercial or industrial purposes and having a building or buildings with a total floor area of at

least 10,000 square feet and every lot used for office or research purposes on which there is a building or buildings having a total floor area of at least 20,000 square feet, shall be provided with an off-street loading space. An additional off-street loading space shall be required for lots used for commercial or industrial purposes where the floor area of all buildings exceeds 100,000 square feet.

Source: Ord. 458, Sec. 20 (2005)

FARGO/ WEST FARGO PARKING & ACCESS STUDY

Prepared for:

Fargo-Moorhead Metropolitan Council of
Governments (Metro COG)

December 2018



The preparation of this document was funded in part by the United States Department of Transportation with funding administered through the North Dakota Department of Transportation, the Federal Highway Administration, and the Federal Transit Administration. Additional funding was provided by the Minnesota Department of Transportation and through local contributions from the governments of Fargo, West Fargo, Horace, and Cass County in North Dakota; and Moorhead, Dilworth, and Clay County in Minnesota. The United States Government and the States of North Dakota and Minnesota assume no liability for the contents or use thereof.

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The contents of this document reflect the views of the authors, who are responsible for the facts and the accuracy of the data presented herein. The contents do not necessarily reflect the policies of the state and federal Departments of Transportation.

Prepared by:



partnering with





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INTRODUCTION

Mobility and parking are key, interdependent elements that drive the region’s transportation system. As Fargo and West Fargo undergo unprecedented growth, ensuring that visitors, employees, and residents can get to the places they need to go is key to supporting economic development and enhancing the region’s overall quality-of-life. The purpose of this study is to analyze how parking plays a role in site development, how street networks can be best laid out to create efficiency in the transportation network, and how modifications to both access and parking regulations can achieve the goals of Metro COG, Fargo, and West Fargo.

The key goals of this study are to:

- Develop guidelines that encourage safe traffic flow, as well as a comfortable walking and biking experience
- Develop access and roadway guidelines that complement land use form, as opposed to just functional classifications
- Reduce the need to build excess off-street parking
- Enable sustainable development patterns

Recommendations aim to improve the efficiency of the transportation network and its connection to land use, enhance mobility and access, and encourage sustainable development patterns. In a region like the greater Fargo area, particularly its growth areas, a balance needs to be struck that ensures compact, walkable neighborhoods and corridors that are not congested with traffic. This study discusses how establishing

distinct Street Types that specifically correlate to the surrounding land uses will help create livable neighborhoods that enhance the urban environment and assist in long-term planning decisions. And how better development patterns, illustrated by the Development Prototypes, can support the overall transportation network through an intentional street framework and “Right-Sized” Parking footprint.

Study Review Committee

This study was a collaborative process with a Study Review Committee (SRC) made up of Metro COG and staff from Fargo and West Fargo. The group was responsible for steering the study and providing feedback on critical project direction. At major milestones, the project team met to discuss and collaborate on key issues, potential solutions, and next steps. The names and affiliations of SRC members are listed below:

**Fargo-Moorhead
Metropolitan Council
of Governments**



Michael Maddox, AICP
*Senior Transportation
Planner*

**City of
West Fargo**



Tim Solberg, AICP
*Director of Planning and
Zoning*

**City of
Fargo**



Aaron Nelson, AICP
Planing Coordinator
Jeremy Gordon, PE, PTEO
*Division Engineer -
Transportation*

EXISTING CONDITIONS

Fargo and West Fargo consist of a variety of residential, commercial, office, and industrial land uses that serve over 150,000 residents daily, and is experiencing continued, exponential growth. Creating a seamless connection between the street network and parking system is key to establishing smart growth. As is common in this country, the area roadway classification system is separated from parking requirements and land use patterns, which can lead to sprawling, segmented, and car-centric development patterns.

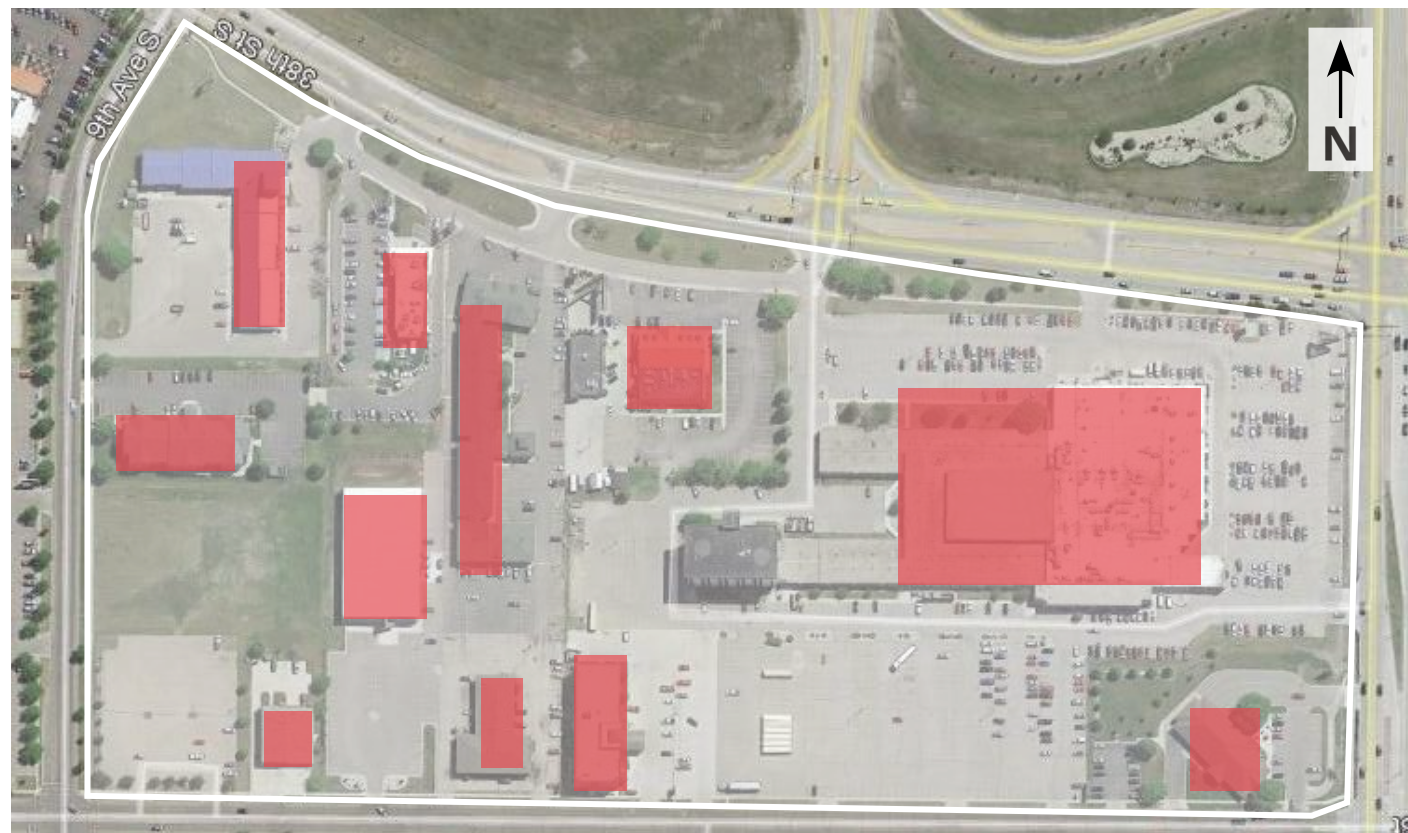
This section identifies the core issues of the region's transportation and development process through assessing existing land uses, surveying parking utilization patterns, and conducting stakeholder interviews.



Development pattern assessment

The region's land use patterns are a product of the existing zoning codes, regulations, and transportation policies currently in place. Assessing the site design elements in Fargo and West Fargo today provides valuable insights into which design tools and strategies should be used in shaping the future. Five primary issues were identified and are outlined below.

Separated land uses



KEY ISSUES

Within this single block in Fargo, there are 11 separate land uses, which are each surrounded by their own separate parking field. This type of development pattern segments land uses, encourages additional car trips, disconnects traffic flow and travel patterns, and discourages pedestrian traffic and cross shopping.

Best Practices



Shared surface parking lots increase the efficiency of the parking pool and encourages walking

Businesses and retail services located adjacent to one another encourage cross shopping and discourage additional car trips.

Small block size and narrow streets encourage walking and provide opportunities for on-street parking.

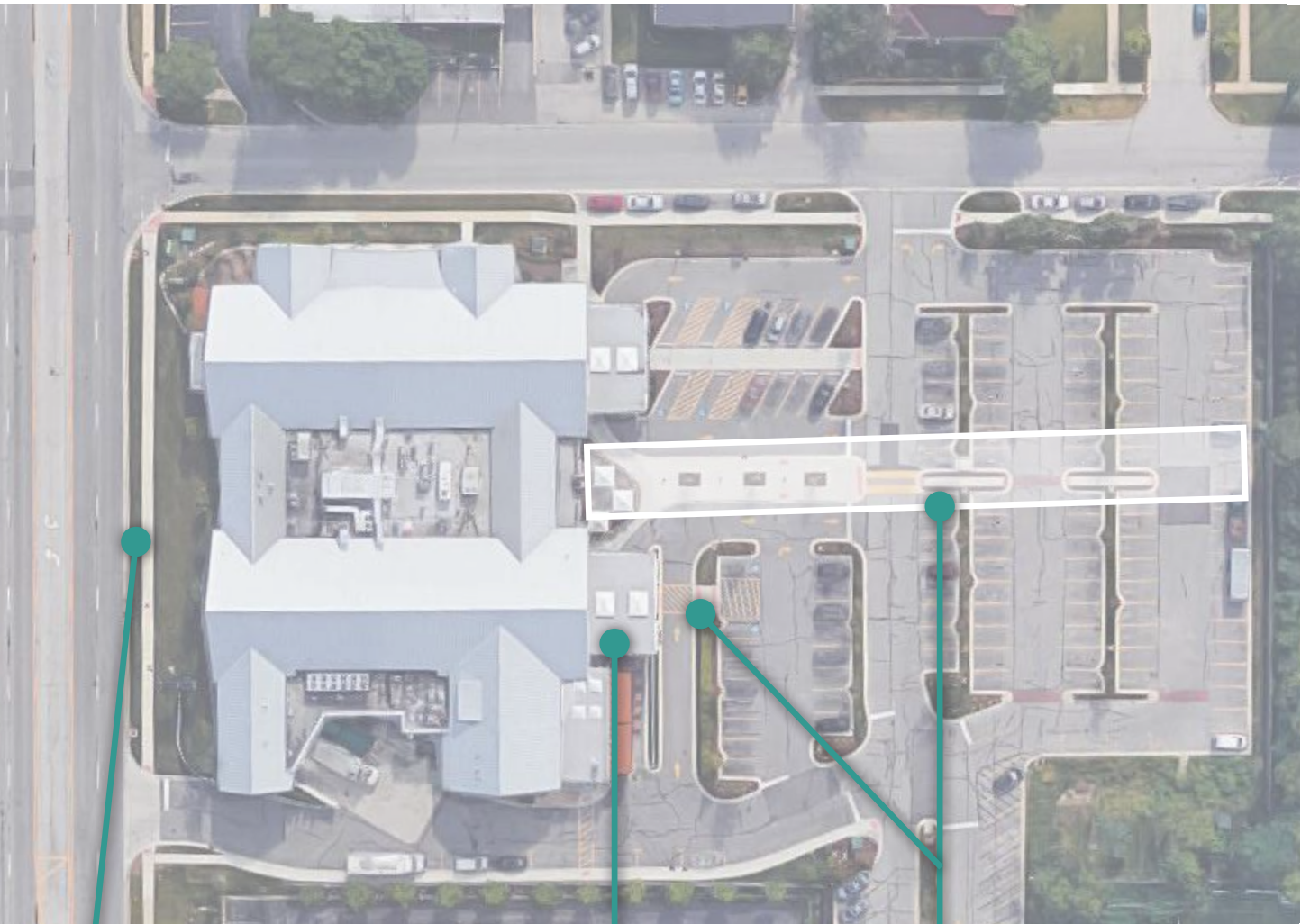
Large number of curb cuts

KEY ISSUES

This example examines a portion of 42nd Street South between 13th Avenue South and 15th Avenue South. The west side of the street has seven driveways (curb cuts) to access land uses, while the east side of the street has one driveway to access businesses. Many curb cuts along a single blockface creates an uncomfortable and unsafe pedestrian environment, encourages additional car trips if cross access is not provided, segments land uses, and interrupts traffic flow/circulation.



Best Practices



Single access shared with neighboring use creates a more continuous pedestrian environment while improving traffic flow.

Buildings are oriented towards the arterial streets.

Includes designated area for pick-up/drop-off and pedestrian walkway.

Site design barriers between land uses



KEY ISSUES

Osgood Plaza located on 40th Avenue South and 45th Street South offers a variety of services for the needs of adjacent residents; however, with entrances exclusively facing the parking toward the arterial, as well as a lack of pedestrian connections, the large building acts as a physical barrier and residents are forced to drive to access these services. This type of development pattern encourages additional car trips and discourages walking trips.

Best Practices

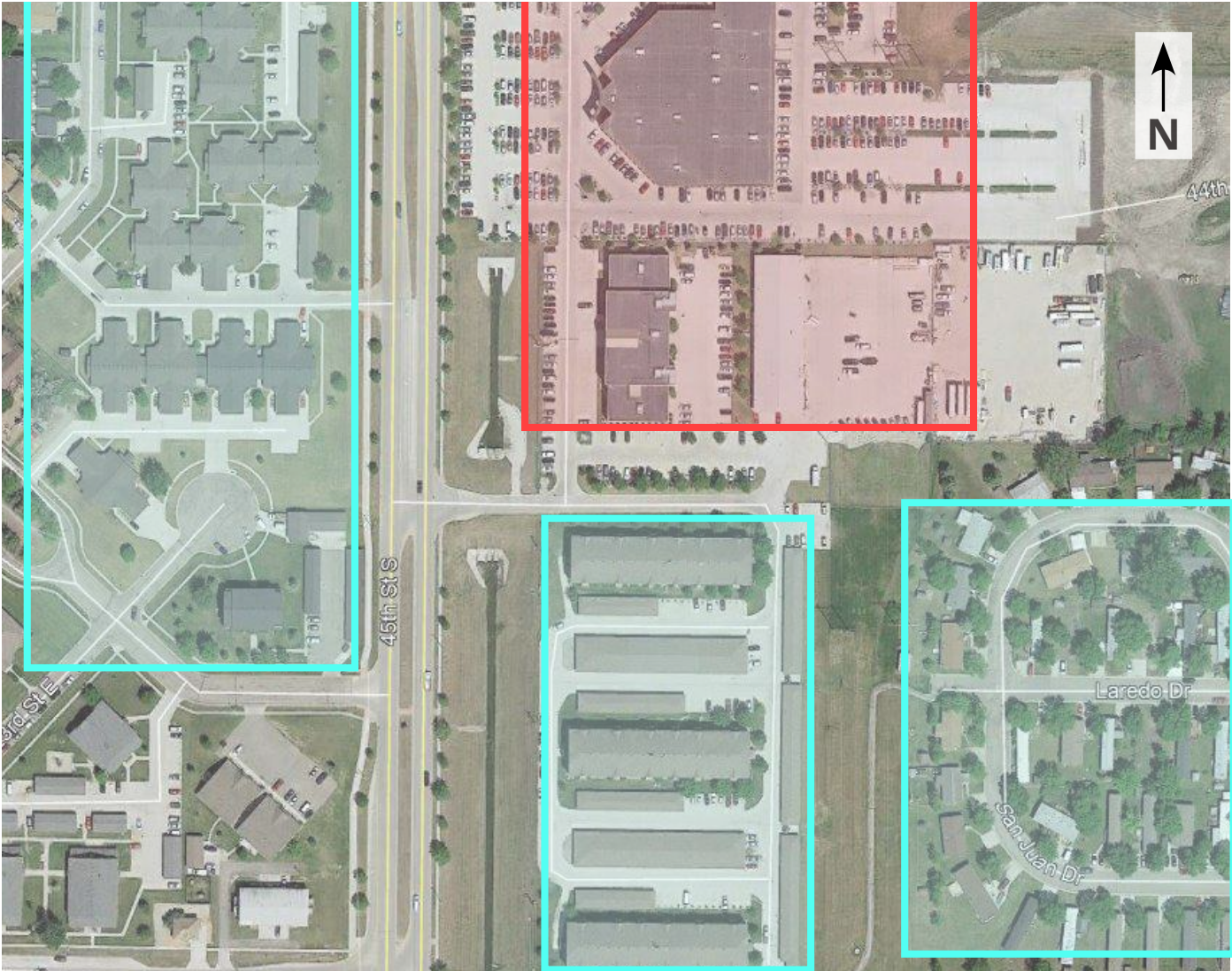


On-street parking slows traffic, increases parking supply, and establishes safe pedestrian connections.

Larger parking facilities are located on the outskirts of the development, with more active uses located in the central part of the development. This type of dense development encourages cross shopping.

Small blocks with narrow streets and landscaping create a more comfortable environment for pedestrians.

Roadway barriers between land uses



The shopping/office plaza located along 45th Street South between Main Avenue and 9th Avenue South, like the previous example, offers services that benefit adjacent residents. However, none of these services are accessible due to limited pedestrian amenities, water detention infrastructure, and entrances exclusively facing the parking lot/arterial roadway. Self-contained and separated residential and commercial development patterns create oversized and car-centric land use patterns.

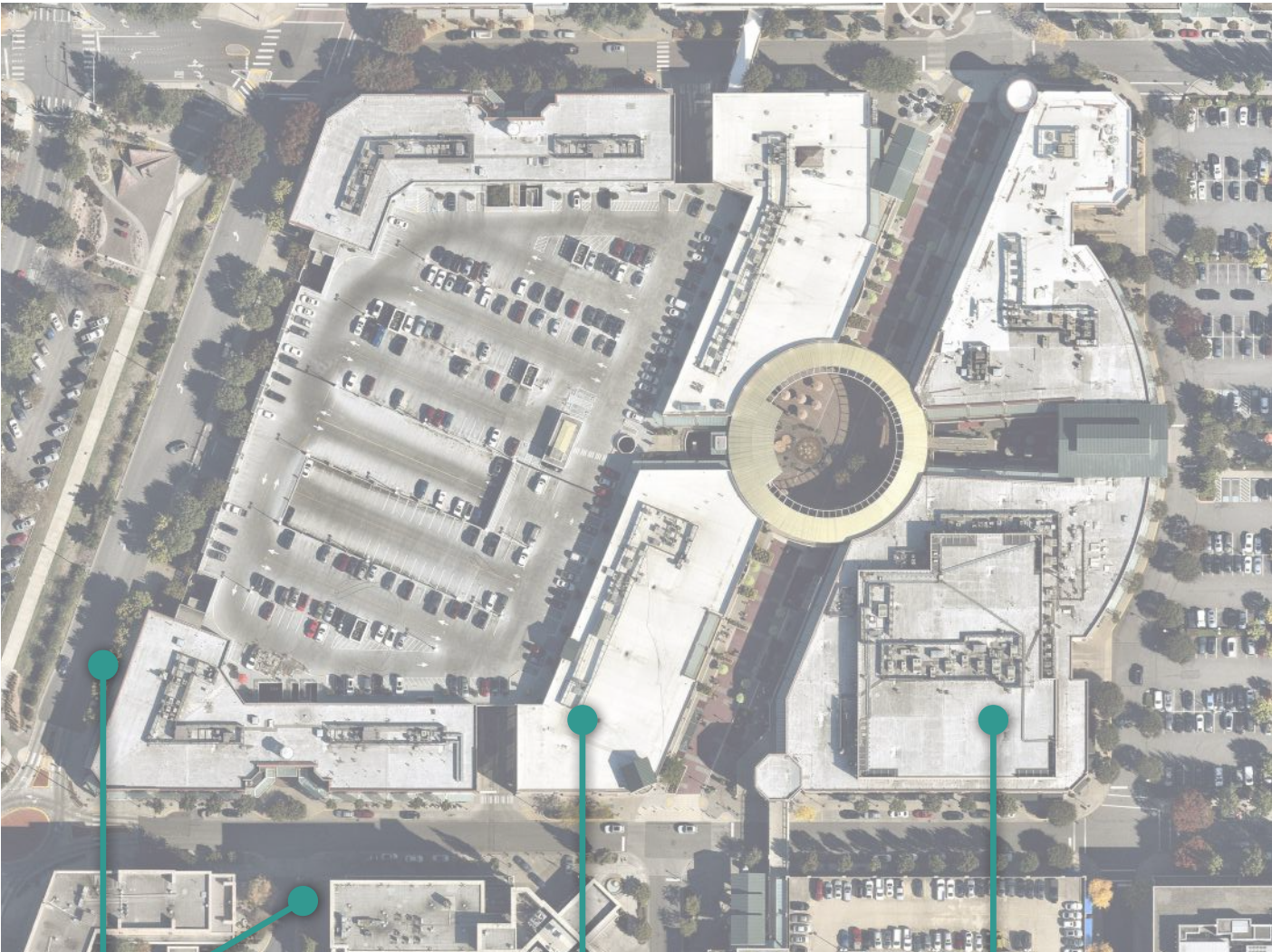
Separated Garages



A series of residential developments on 9th Avenue South is shown that have single-story row garages (in red). This type of development increases the land dedicated to parking and disconnects travel patterns. Stakeholder interviews and anecdotal evidence have informed us that these garages are often used for personal storage, as opposed to vehicle storage.



Best Practices



Businesses and residential front narrow, low volume streets that are easy for pedestrians to cross.

Singular, shared parking facility can be used by customers, employees, and visitors during the day, and residents at night.

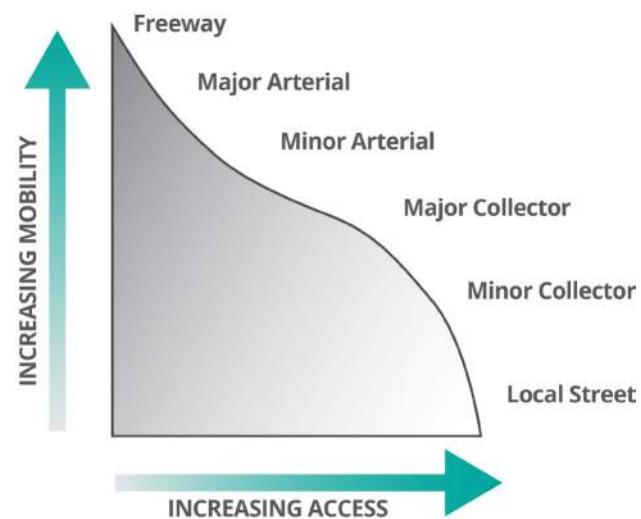
Integrating residential and commercial land uses creates a more dense, walkable environment, while using land more productively and encouraging shared parking.

Functional Classifications

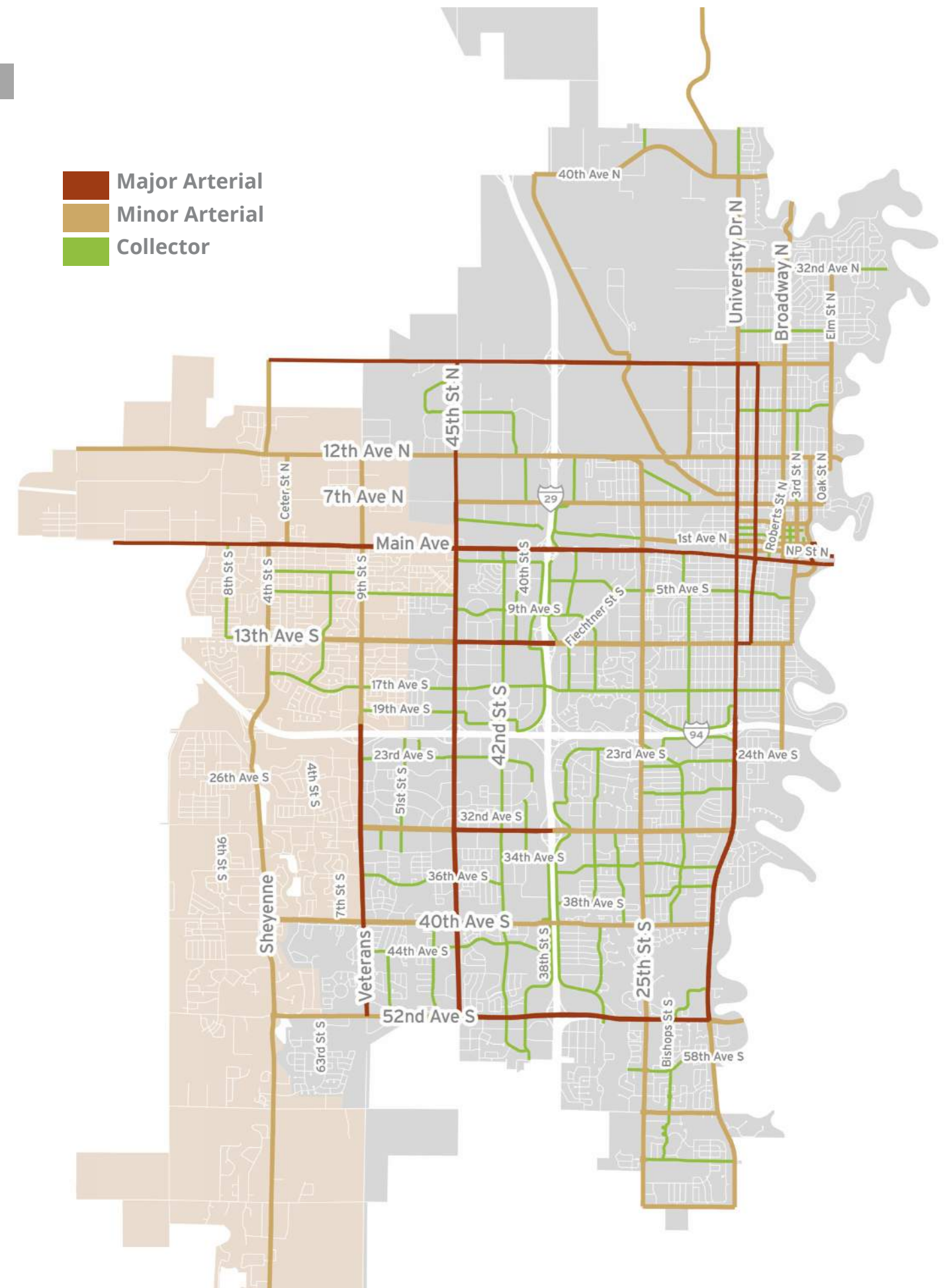
Streets across the United States are typically classified according to the Federal Highway Administration's (FHWA) functional classification system of arterial, collector, and local streets. The intended purpose of the functional classification system is to define a street's role in moving cars within a larger highway network, balancing the movement of vehicles with property access.

Why does a street's classification matter? Functional classifications dictate the way a street is designed, from the width of the lanes to the distance between traffic signals. The classifications also dictate how many access driveways are provided as policies are implemented that minimize/control the number of conflict points on a corridor. The design standards associated with the functional classification system are primarily focused on moving cars without delay. Prioritizing moving cars too quickly though, can create streets that are unsafe, disconnected, and inhospitable for people walking, biking, or waiting for the bus. It can also lead to designing roads that are bigger than they need to be, which means spending extra money on materials, construction, and maintenance.

The current network classifications in the greater Fargo and West Fargo area are no exception and follow a system generally consisting of the following hierarchy:



- Interstate – serve the longest uninterrupted distances at high speeds with limited access opportunities
- Principle Arterial
- Minor Arterial
- Major Collector
- Minor Collector
- Local – serve short, localized trips and provide frequent access opportunities to adjacent properties



Zoning & Variance Procedures

In recent years, Fargo and West Fargo have seen increased requests for variances, waivers, and reductions to the parking requirements prescribed by local zoning codes for both residential and commercial areas, indicating preferences towards lowering parking minimum requirements and increased flexibility. The following section of the report outlines existing policies and procedures surrounding parking requirements and variance requests.

Existing Zoning Code

Parking minimum requirements for both Fargo and West Fargo were examined and compared to national standards. The table below outlines the minimum requirements in comparison to national standards for major land uses. While the single and multi-family households are aligned with—or slightly below—national standards, the minimum parking requirements in Fargo and West Fargo were higher than the national standard for all other land uses. Implementing minimum parking requirements that are greater than the demand for parking raises the cost of construction for developers, increases the distance that land uses can locate between one another, and expands the street and infrastructure system.

Parking Minimum Requirements for major land uses in Fargo, West Fargo, and National Standards

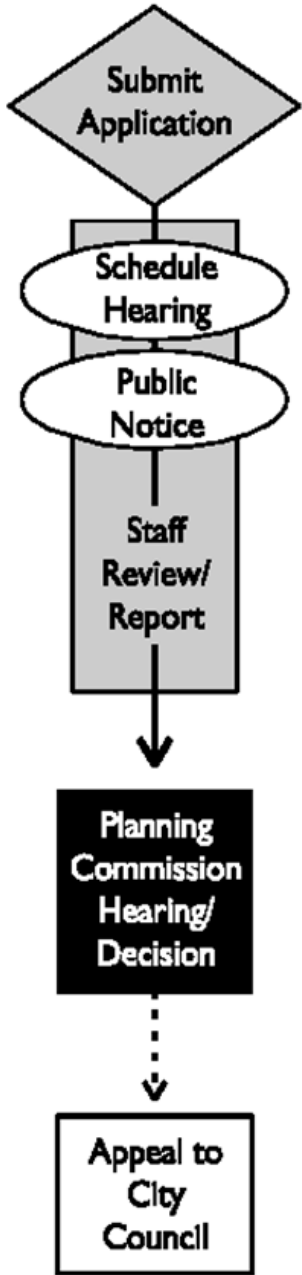
Landuse	City of Fargo	City of West Fargo	National Standard ¹	Unit	% difference
Single family	2.00	2.00	2.00	Bedroom	0%
Multi-dwelling household	2.25	1.00	1.23	Dwelling Unit	45%
Office - medical	5.00	5.00	3.20	1,000 sqft	36%
Office - general	3.33	5.00	2.84	1,000 sqft	15%
Restaurant/bar/tavern/lounge	13.33	10.00	10.60	1,000 sqft	20%
Religious Institutions	0.40	0.33	0.20	Seat	50%

1. ITE (Institute of Transportation Engineers) Parking Generation Manual, 4th Edition

Parking Reduction Request Procedures

City of West Fargo. City of West Fargo. If it can be demonstrated by the property owner through market studies or other means that the required off-street parking is excessive and/or a lower parking demand is supported by the Institute of Traffic Engineers Parking Generation manual and a lesser requirement justifiable, the City Commission may reduce the number of required spaces by passage of a resolution approved by a majority of the members of the City Commission. Shared parking is also encouraged and can be allowed through shared parking agreements.

City of Fargo. City of Fargo provides developers seeking to supply parking below the minimum parking requirement with two types of review/approval procedures for parking reductions: (1) an administrative review for small reductions in parking or (2) review by the Planning Commission for larger reductions. Parking reductions approved administratively are referred to as Alternative Access Plan (AAP), and reductions approved by the Planning Commission are referred to as Conditional Use Permits (CUP). The process in obtaining a CUP involves four key steps to complete prior to a Planning Commission hearing including submitting an application, scheduling a hearing, public notice, and staff review. The City of Fargo has received 19 CUP and AAP applications since 2015.



Key data points for each of these reduction permit types are summarized below:

Conditional Use Permit

- 14 applications since 2015.
- The majority of applicants were pursuing shared parking agreements.
- The average reduction rate was 40%.
- The most common land uses submitting CUP applications were medical, religious institutions, and retail.

Alternative Access Plan

- 5 applications since 2015.
- The majority of applicants were making a case for lower parking demand for their development.
- The average reduction rate was 18%.
- The most common land uses submitting AAP applications were medical, office, and residential land uses.

Furthermore, applicants pursuing a CUP or AAP may apply to use Transportation Demand Management (TDM) and/or shared parking strategies as tools in approving their request, as summarized below.

Transportation Demand Management

May authorize a reduction in the number of required off-street parking spaces for developments that institute and commit to maintain a transportation management program. The applicant must submit a study that clearly indicates the types of transportation management activities and measures proposed.

- Posting and Distribution of Information.
- Transportation Coordinator. Disseminating information on ride-sharing and other transportation options.
- Off-Peak Work Hours. Allow employees to arrive at times other than the peak morning commute period.
- Preferential Parking. Specially marked spaces for each registered car pool and van pool.
- Financial Incentives. Financial incentives for employees commuting by car pool, van pool and transit may also reduce demand.

Shared Parking

Developments or uses with different operating hours or peak business periods may share off-street parking spaces if approved as part of an Alternative Access and Parking Plan.

- Location. Unless shuttles are provided, parking must be located within 600 feet of entrances.
- Zoning Classification. Shared parking areas serving uses located in nonresidential zoning districts must be located in nonresidential zoning districts. Serving uses located in residential zoning districts may be located in residential or nonresidential zoning districts.
- Shared Parking Study. Study must address the size/type of the proposed development, the composition of tenants, turnover rate and anticipated peak for all uses.
- Agreement for Shared Parking. A shared parking plan will be enforced through written agreement among all owners of record.

Parking Utilization Surveys

To better understand parking demand patterns in Fargo and West Fargo today, a parking inventory and utilization survey was completed on three major land use typologies: (1) multi-family residential, (2) commercial, and (3) mixed use. Separate sites that best represent each of these land uses were identified and surveyed during peak demand periods. The location of each of the surveyed sites are identified in the figure to the right; the names of each site, as well as the hours surveyed can be seen below.

A map of the selected sites can be seen in the correlating figure. The names of each site, as well as the hours surveyed can be seen below.

Multi-family Residential Typologies

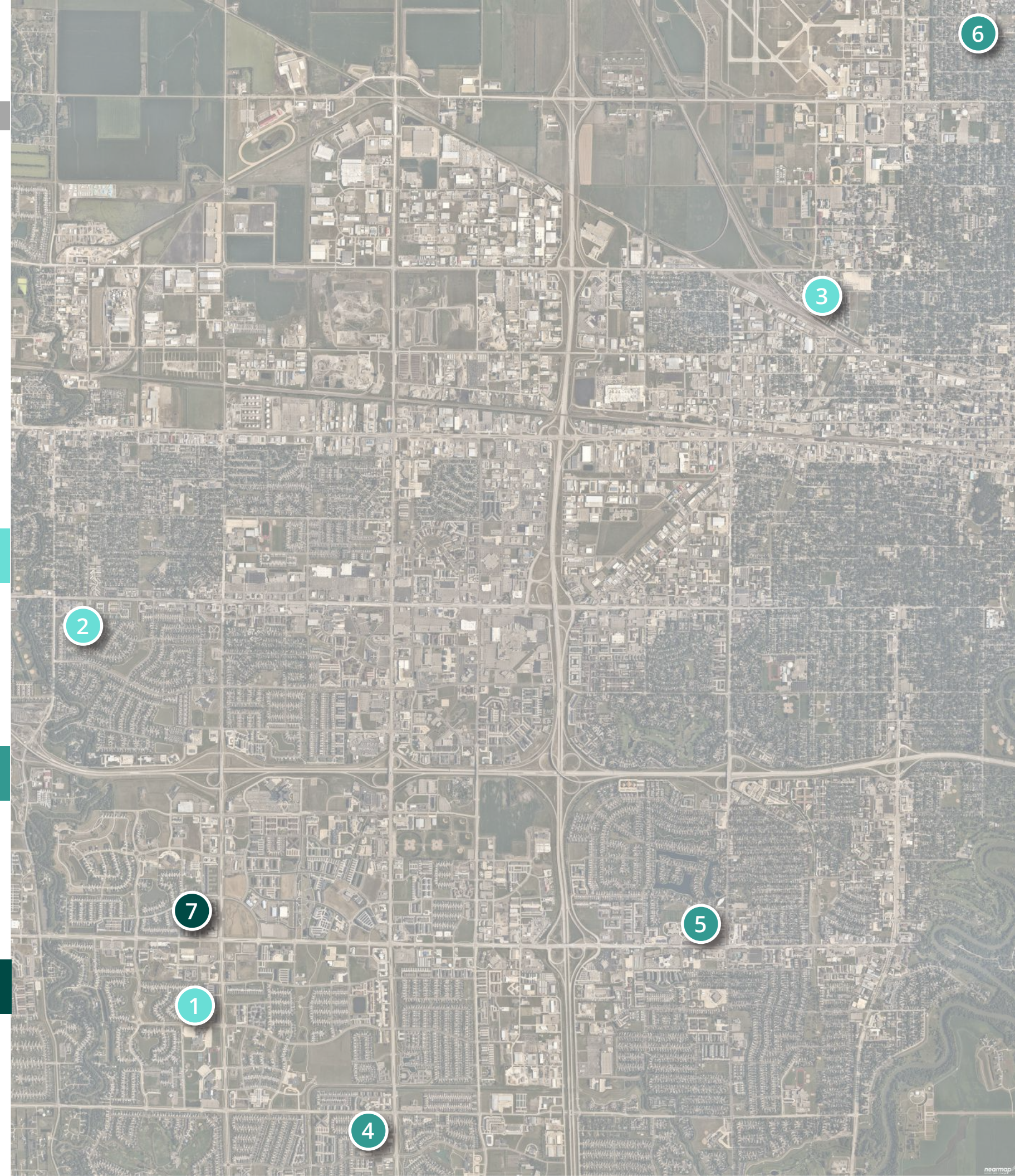
- 1 Shadow Ridge/Shadow Bay Apartments
- 2 Sheyenne Crossing's retirement center
- 3 NDSU student housing units

Commerical

- 4 Osgood Plaza
- 5 1st International Plaza
- 6 Northport Plaza

Mixed use Typologies

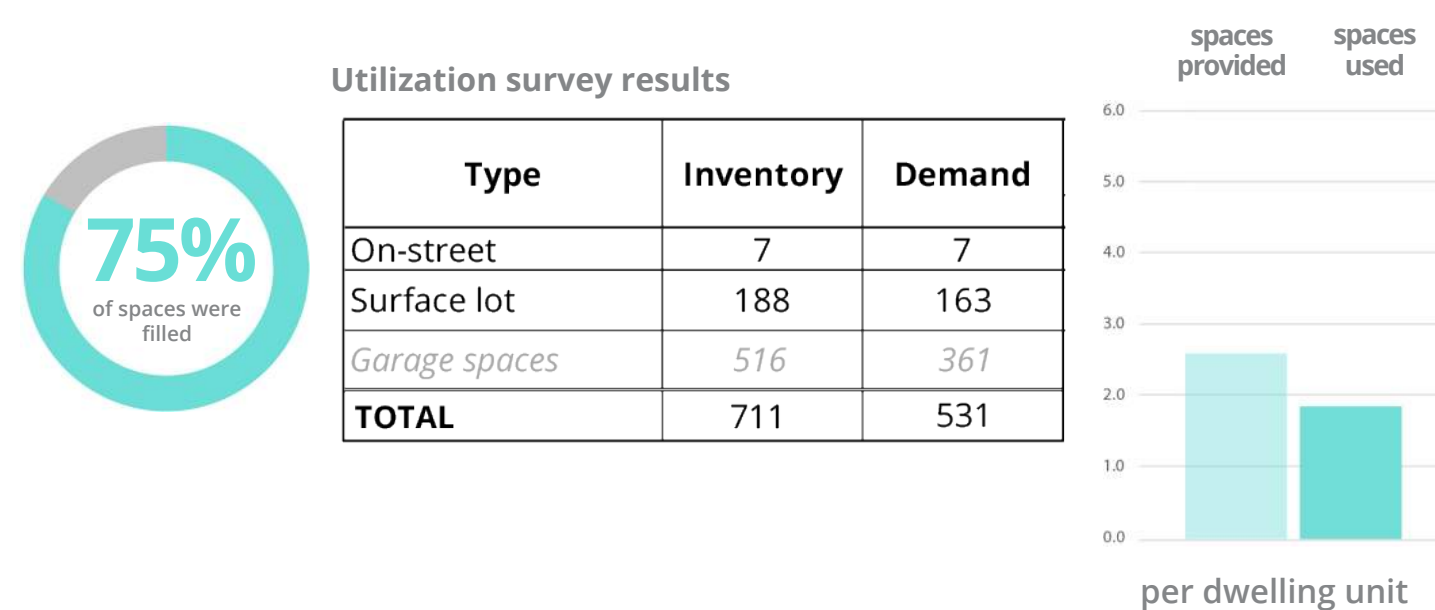
- 7 Boulevard Square



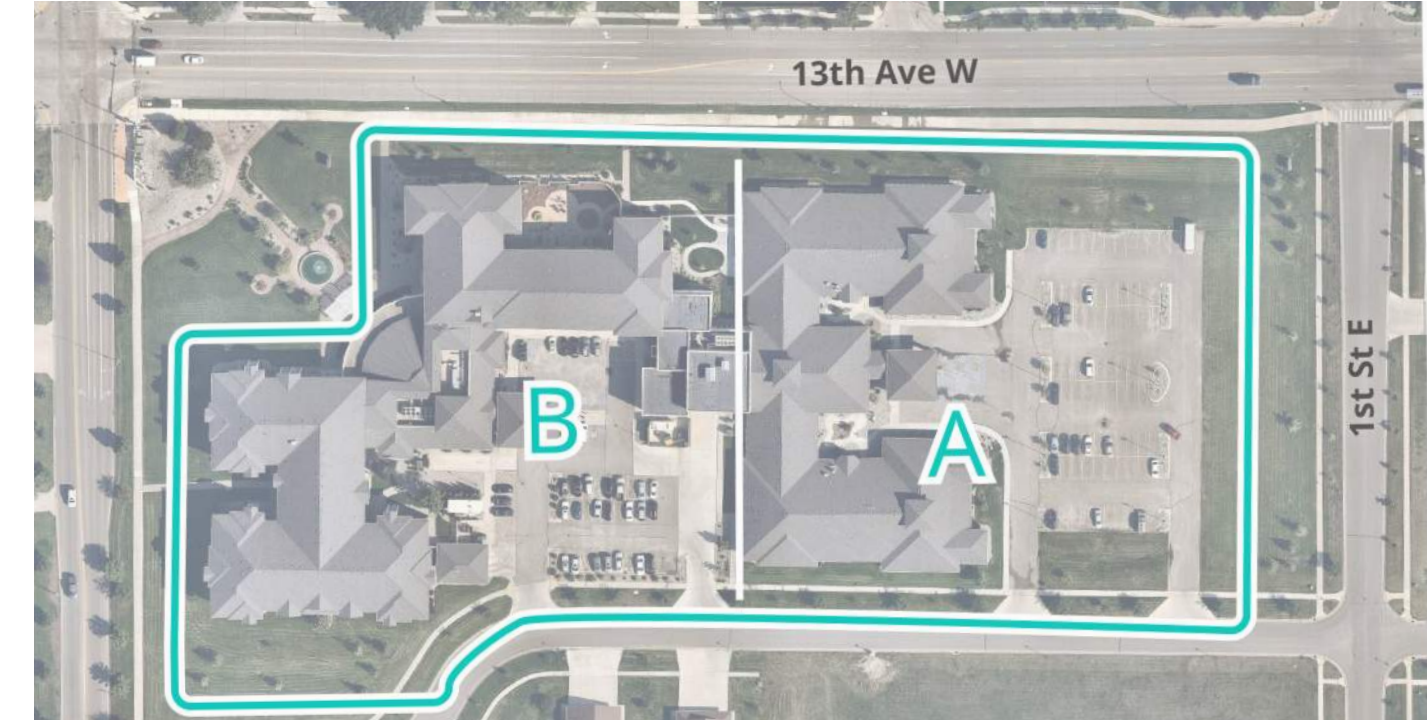
1 Shadow Ridge/ Shadow Bay Multi-family apartments



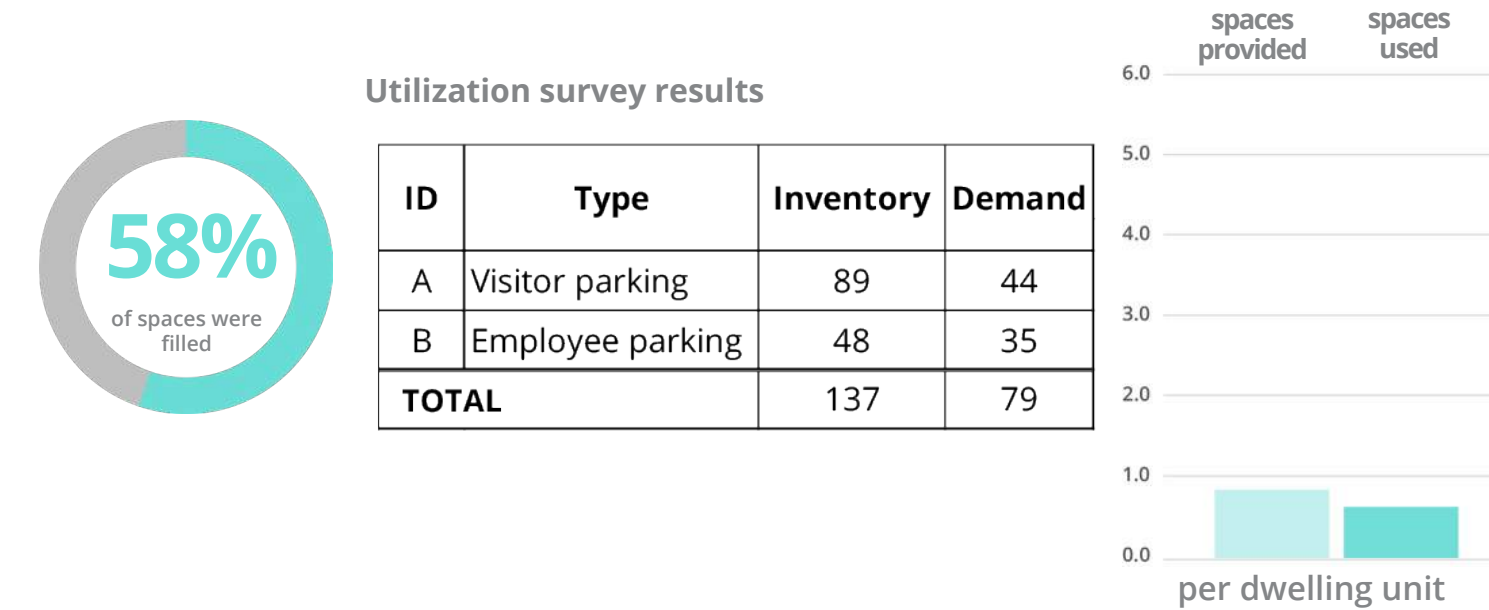
Shadow Ridge/ Shadow Bay is a 276-dwelling unit complex with a variety of apartment types ranging from studio to three-bedroom. While there are 188 outdoor parking spaces, there are also 516 enclosed garage spaces, which were unable to be examined as part of the utilization survey. These facilities were assumed as occupied since incoming vehicles were not able to access them.



2 Sheyenne Crossings Retirement community

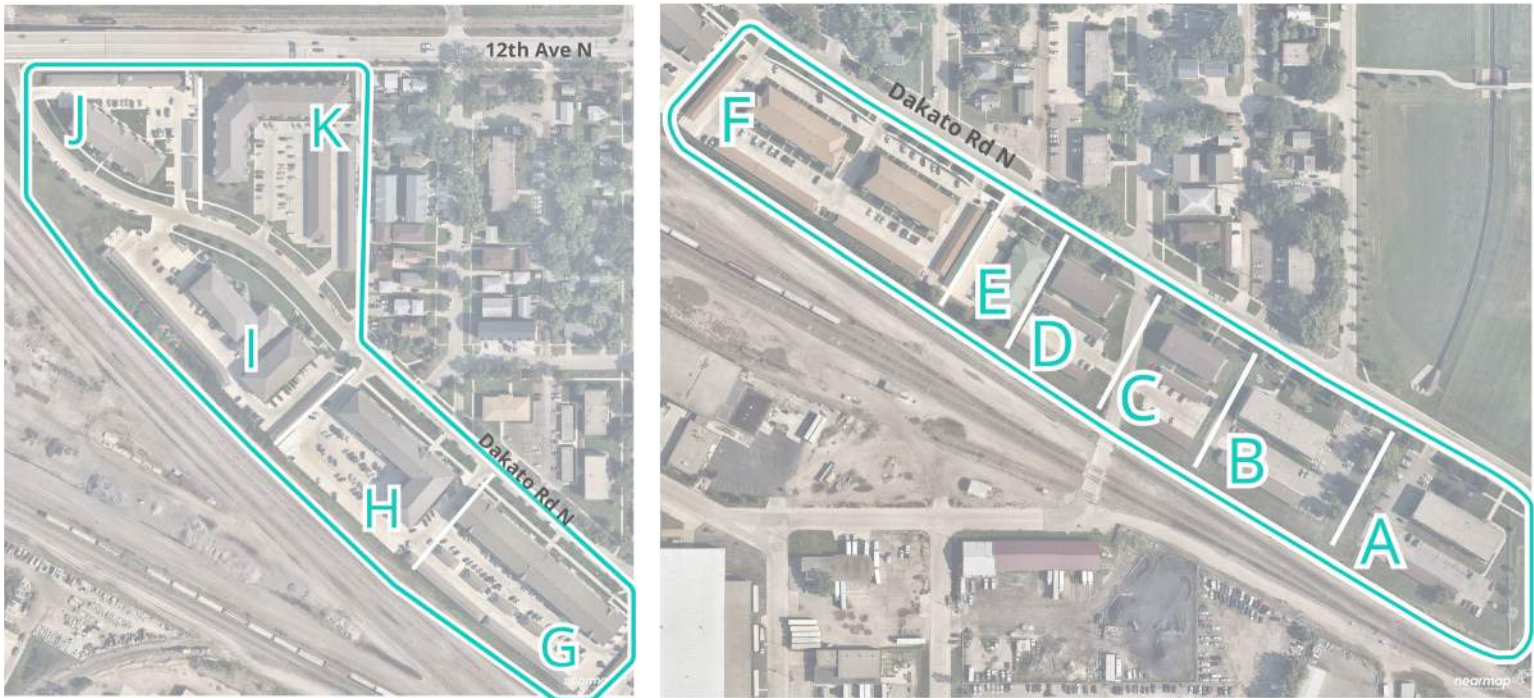


A retirement community that provides a full range of lifestyle and service options from independent living, assisted living, memory care, transitional care, home care, memory care and skilled nursing care. Sheyenne Crossings has 193 units with a total of 137 parking spaces for employees and residents.



*Analysis assumes that 70% of enclosed garages are filled.

③ North Dakota State University, student housing

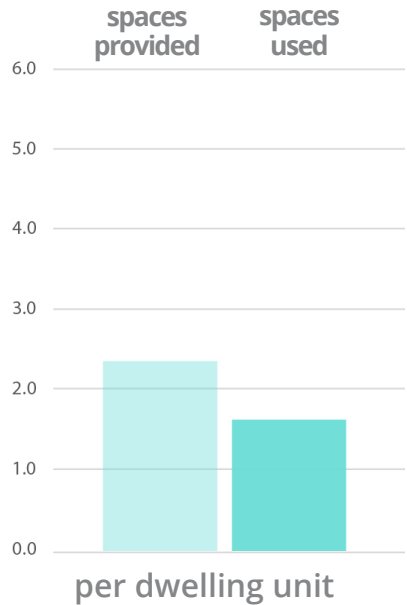
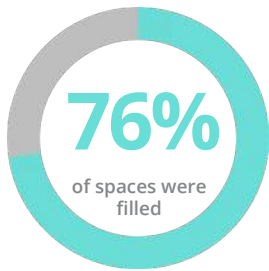


The 11 sites examined are representative of typical student housing developments in that they are mid- to high-rise apartment buildings that are ½- to 1-mile away from the NDSU campus. Similar to the Shadow Bay apartments, several of the examined sites have separated enclosed garages that could not be examined as part of the utilization survey. In addition to the demand in the off-street lot and garages, over 60 vehicles were parked along adjacent side streets, indicating that the demand for parking in this area is high.

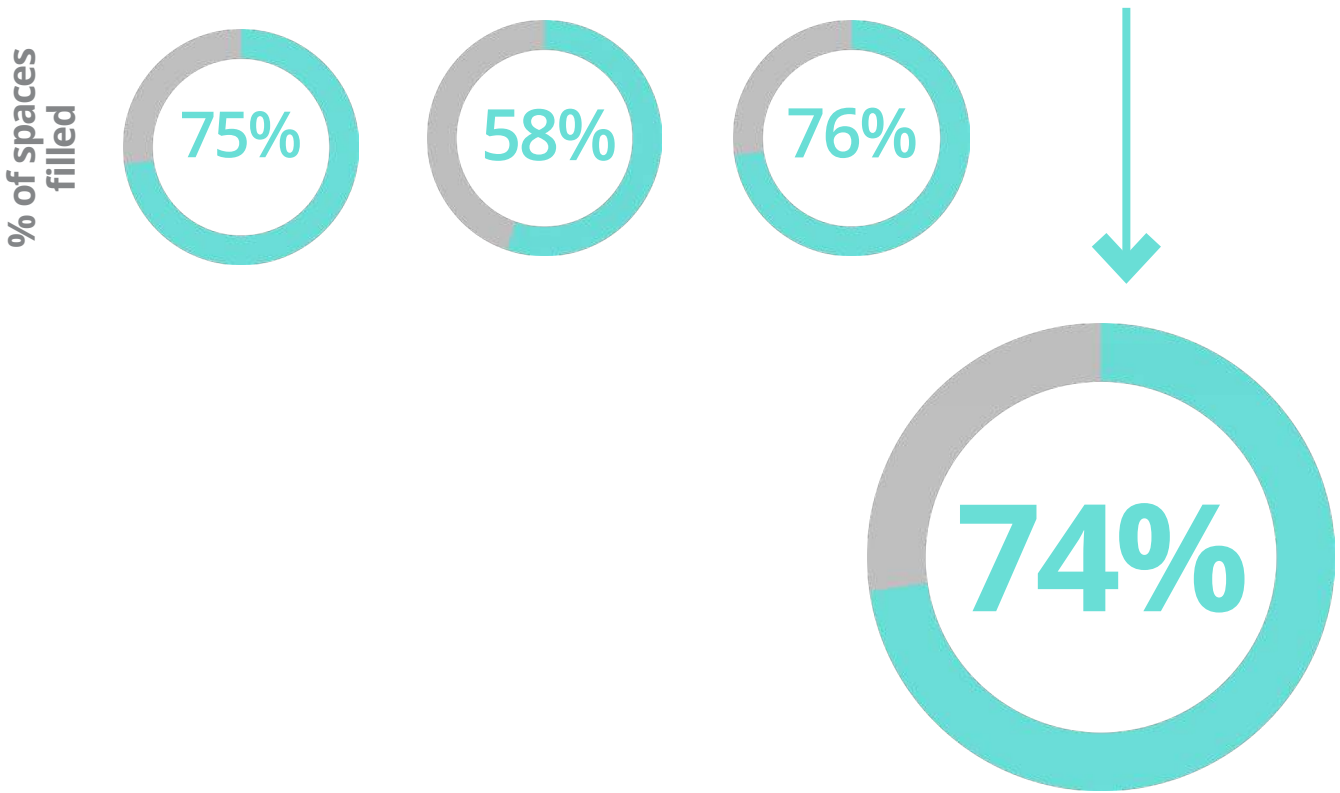
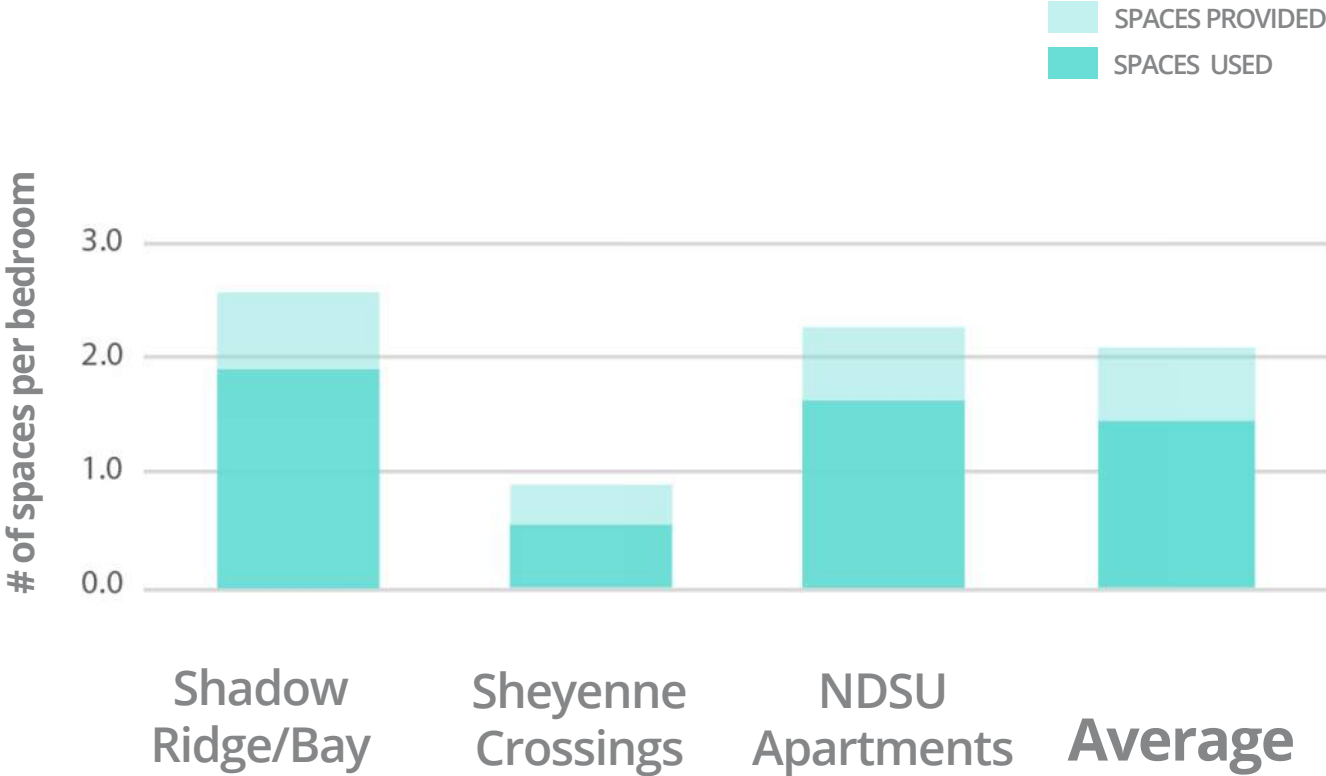
Utilization survey results

ID	Type	Inventory	Demand
A	Surface lot	69	39
	Garage	12	-
B	Surface lot	61	42
	Garage	14	-
C	Surface lot	21	13
	Garage	17	
D	Surface lot	12	10
	Garage	12	
E	Surface lot	18	13
	Garage	14	
F	Surface lot	91	52
	Garage	63	

ID	Type	Inventory	Demand
G	Surface lot	96	88
	Garage	66	
H	Surface lot	124	121
	Garage	0	
I	Surface lot	117	74
	Garage	51	
J	Surface lot	48	47
	Garage	37	
K	Surface lot	73	60
	Garage	58	
	On-street	67	67
	Surface lot	730	559
	Garage	344	241
TOTAL		1,141	867



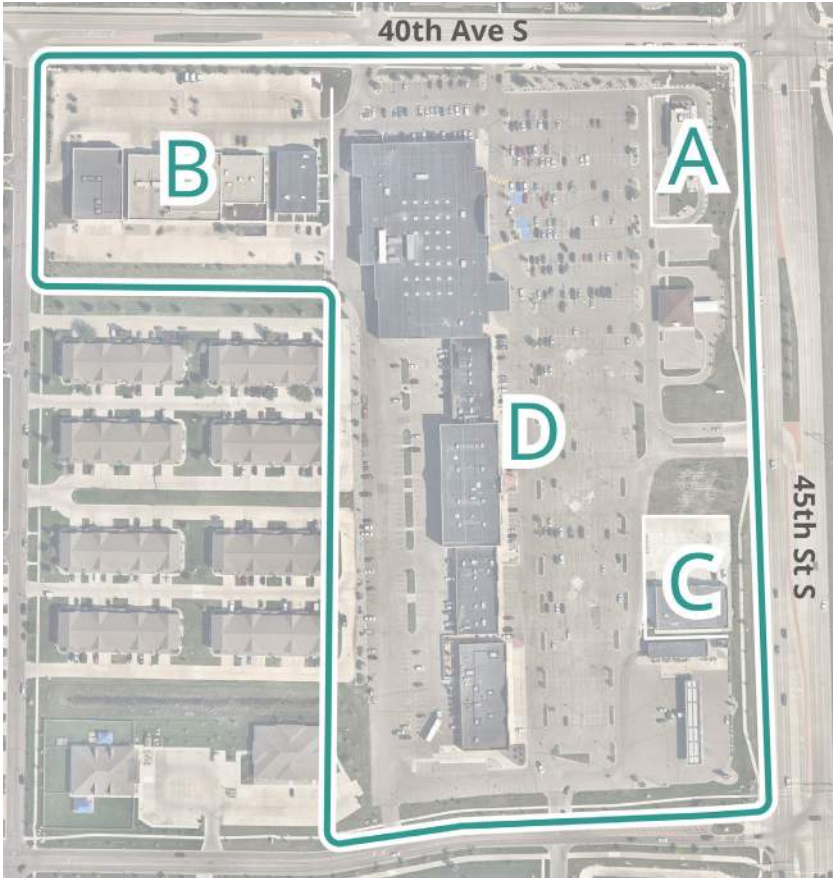
Summary of Residential Land Uses



*Analysis assumes that 70% of enclosed garages are filled.

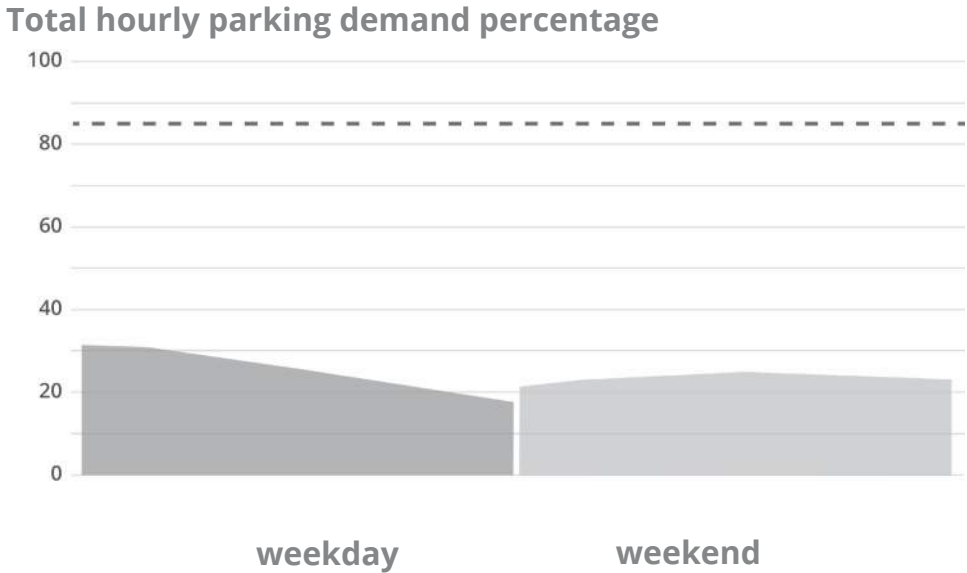
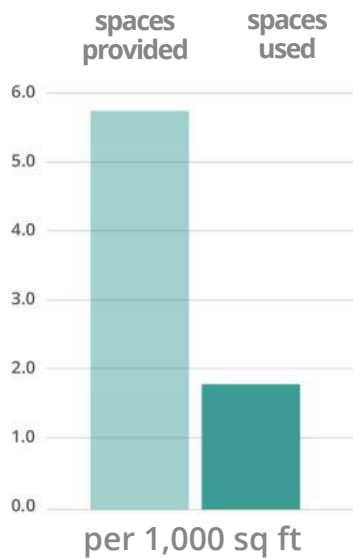
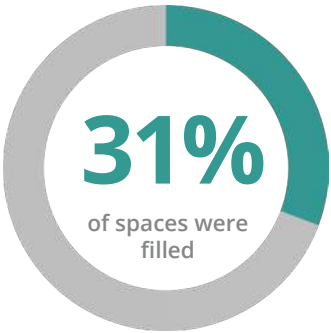
④ Osgood Plaza, 4151 45th Street

The shopping center is anchored by Hornbacher’s and includes other personal services such as a Men’s Hair Company, Nail Spa, Cherry Berry, Jimmy John’s, and Bulldog Tap. Area A is a Dairy Queen, Area B includes an Essentia Health Day Clinic, Lil Bloomers, Chiropractor, and other restaurants. This site is surrounded by residential housing developments.



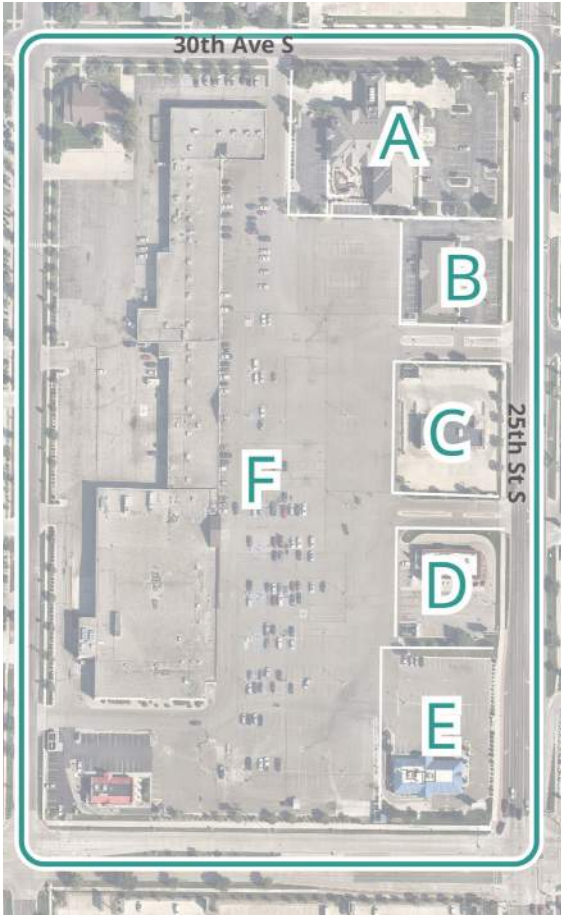
Utilization survey results

ID	Subsection	Inventory	Demand					
			Weekday			Weekend		
			5pm	6pm	7pm	11am	12pm	1pm
A	Dairy Queen	12	3	2	4	4	9	2
B	Western retail	240	75	31	19	16	14	12
C	T+Mobile area	35	1	1	1	0	1	1
D	Main lot	948	298	268	200	263	279	275
TOTAL		1,235	377	302	224	283	303	290



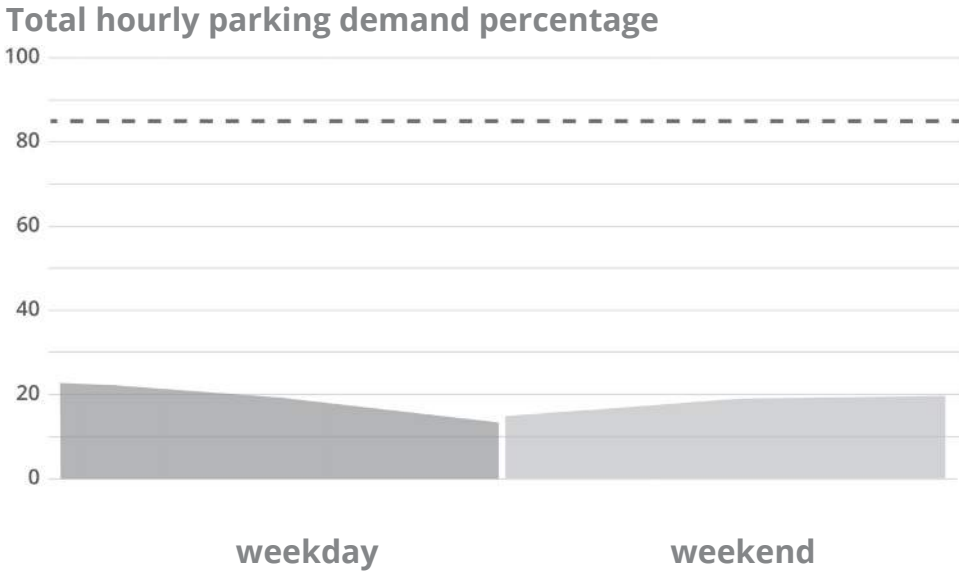
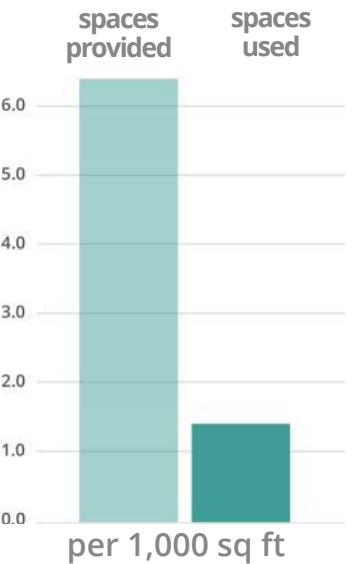
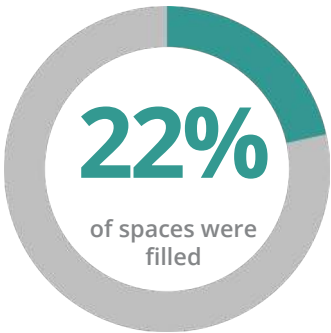
⑤ 1st International Plaza, 3051 25th Street

The largest of the three commercial sites examined, it has the largest number of retail stores, with Area F including a Coinstar, Family Fare Super market, Caribou Coffee, Royal Liquors, Pizza Hut, Great Clips, Boppa’s Bagels, Shang Hai, and a Men’s Hair Company. Area A is a First National Bank & Trust; Area B is a Schmidt’s Gems & Fine Jewelry; Area D is an Arby’s; and Area E is a Culver’s. The site is primarily surrounded by commercial land uses with some residential.



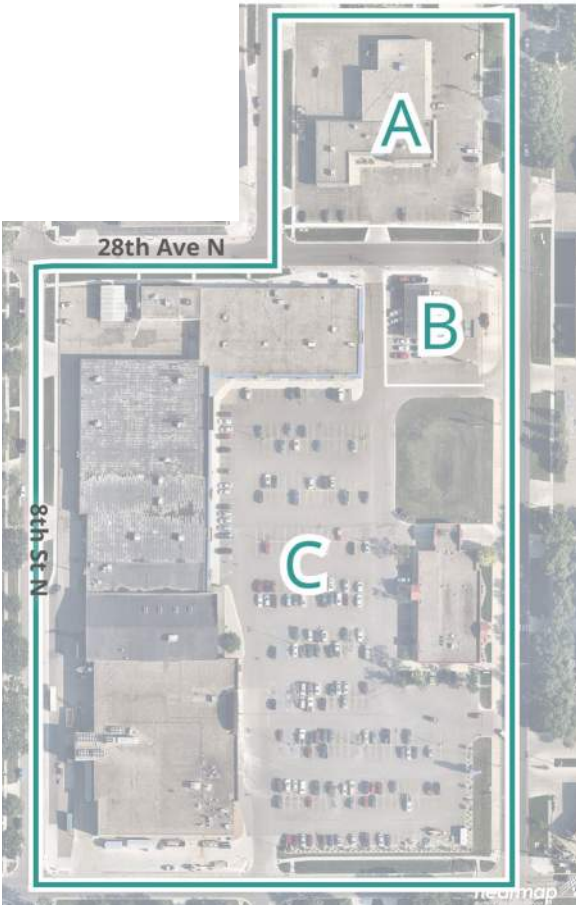
Utilization survey results

ID	Subsection	Inventory	Demand					
			Weekday			Weekend		
			5pm	6pm	7pm	11am	12pm	1pm
A	First Int'l Bank	81	29	9	9	12	10	11
B	Jewelry Store	30	11	4	3	3	3	4
C	KFC	39	8	10	5	1	6	9
D	Arby's	36	4	4	3	2	3	4
E	Culvers	56	12	14	11	6	11	13
F	Main lot	711	149	143	98	132	151	145
TOTAL		953	213	184	129	156	184	186

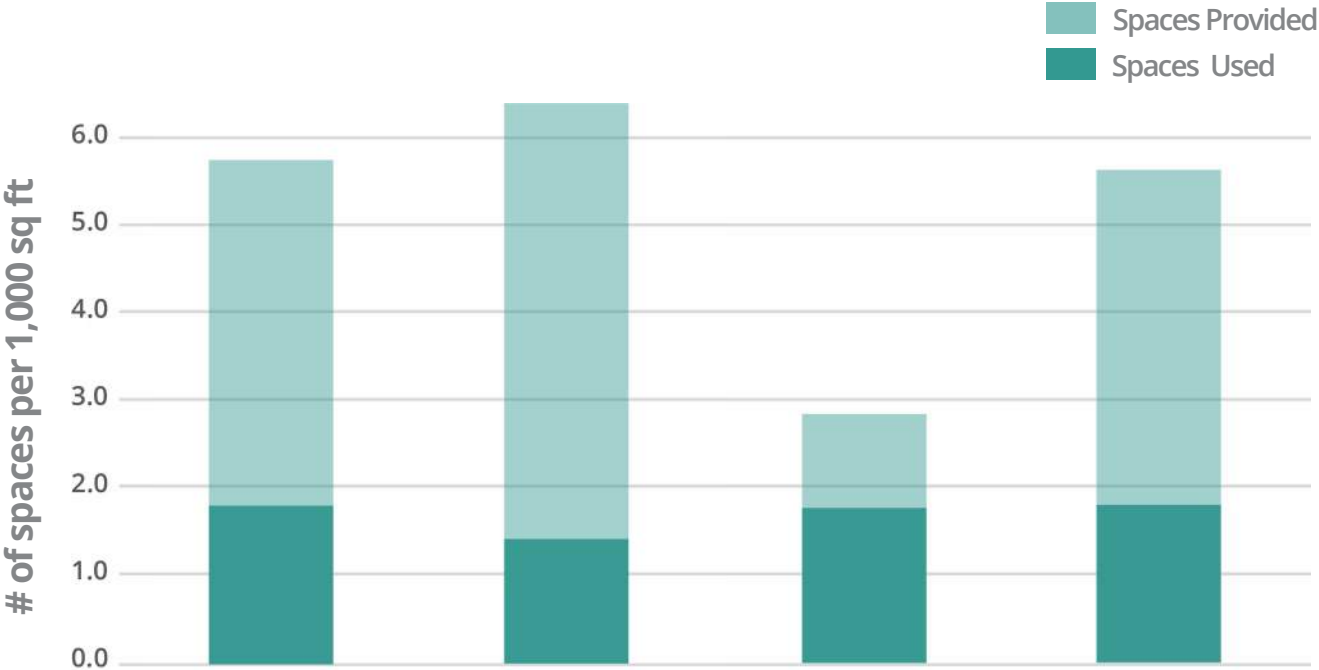


⑥ Northport Plaza, 2602 Broadway North

Considered to be one of the older retail developments in the region with several larger tenants in Area C including a Hornbacher's, Ace Hardware, Anytime Fitness, and Fargo Public Library. Area A consists of a Family Dollar and Dog Grooming facility; and Area B is a Tesero gas station. There is a combination of residential and retail uses surrounding the Northport Plaza.



Summary of Commercial Land Uses



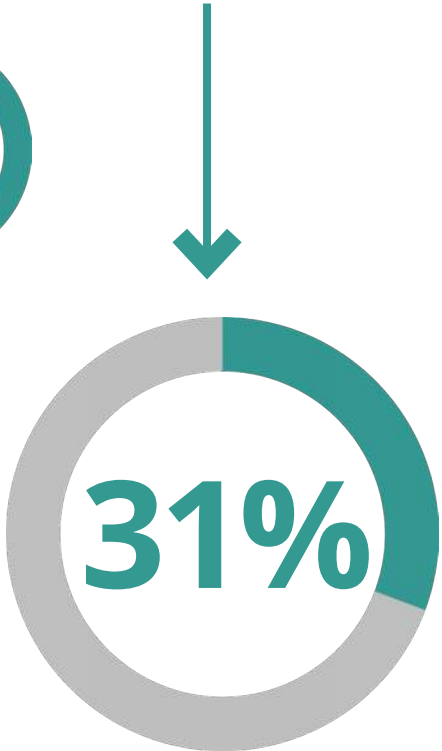
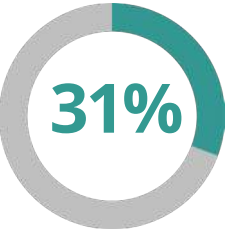
Osgood Plaza

1st International Plaza

Northport Plaza

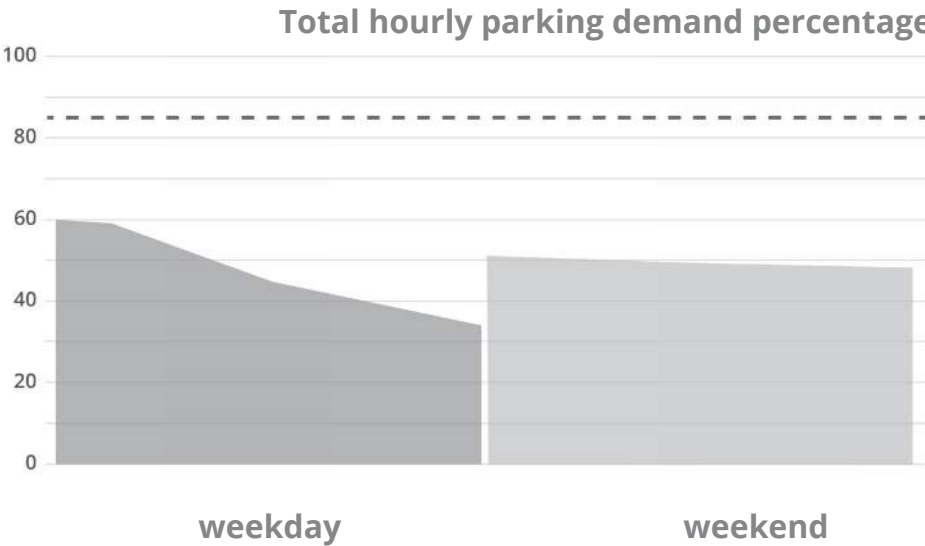
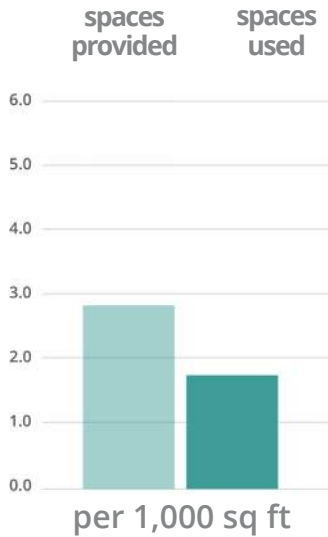
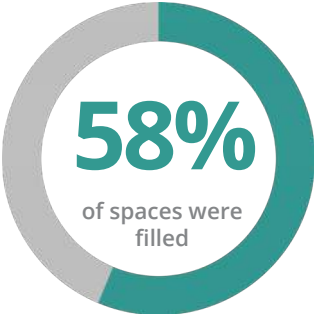
Average

% of spaces filled



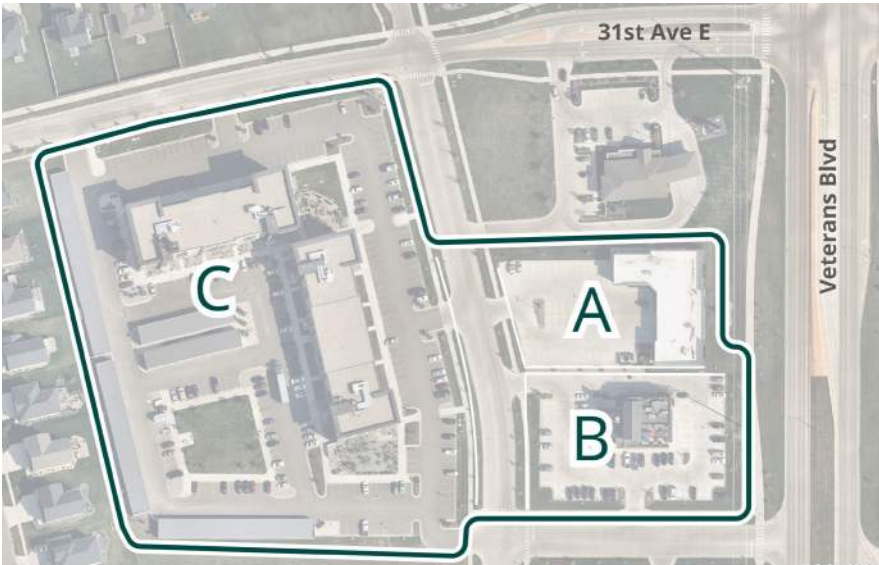
Utilization survey results

ID	Subsection	Inventory	Demand					
			Weekday			Weekend		
			5pm	6pm	7pm	11am	12pm	1pm
A	Family dollar	52	27	14	13	14	15	12
B	Gas station	13	12	11	6	15	15	15
C	Main lot	366	213	167	136	188	181	180
TOTAL		431	252	192	155	217	211	207



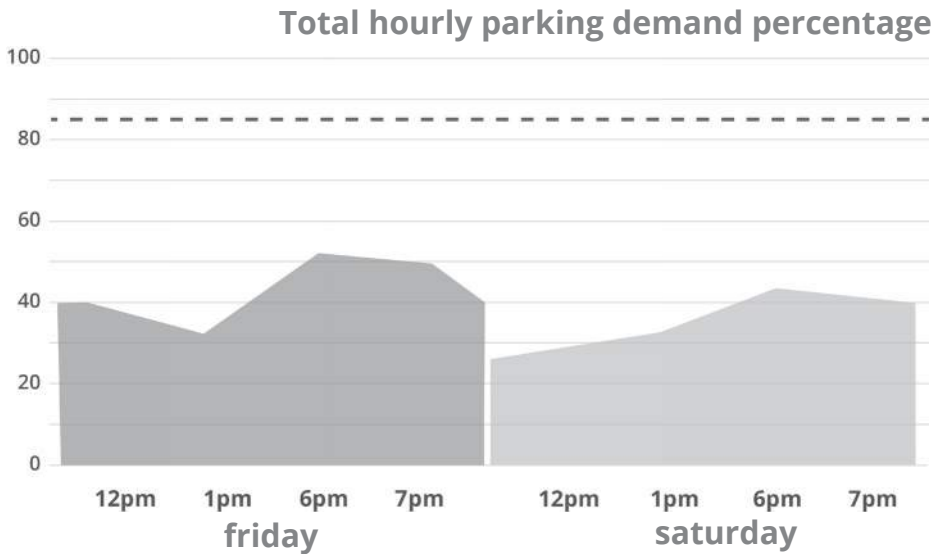
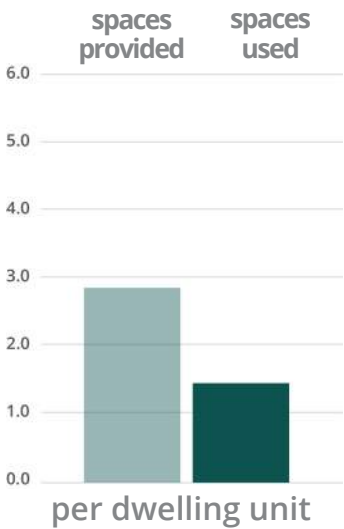
7 Boulevard Square, 745 31st Avenue East

Boulevard Square was recently constructed and includes a variety of retail stores such as Spicy Pie, Flatland Brewery, Pub West, Summit Software, and TrueIT, as well two stories of residential units above the commercial amenities. Area A consists of a Steep Me A Cup of Tea, Insurance Agent, and Glacial Peak Cryotherapy; and Area C consists of a Boulevard Pub.

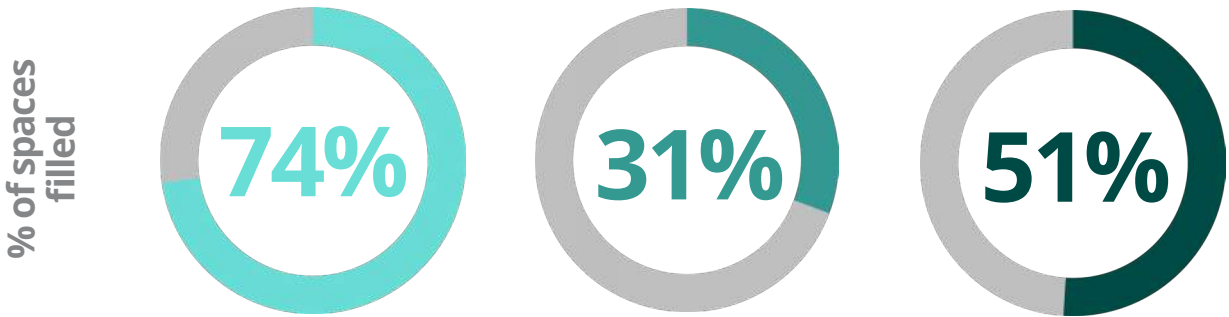
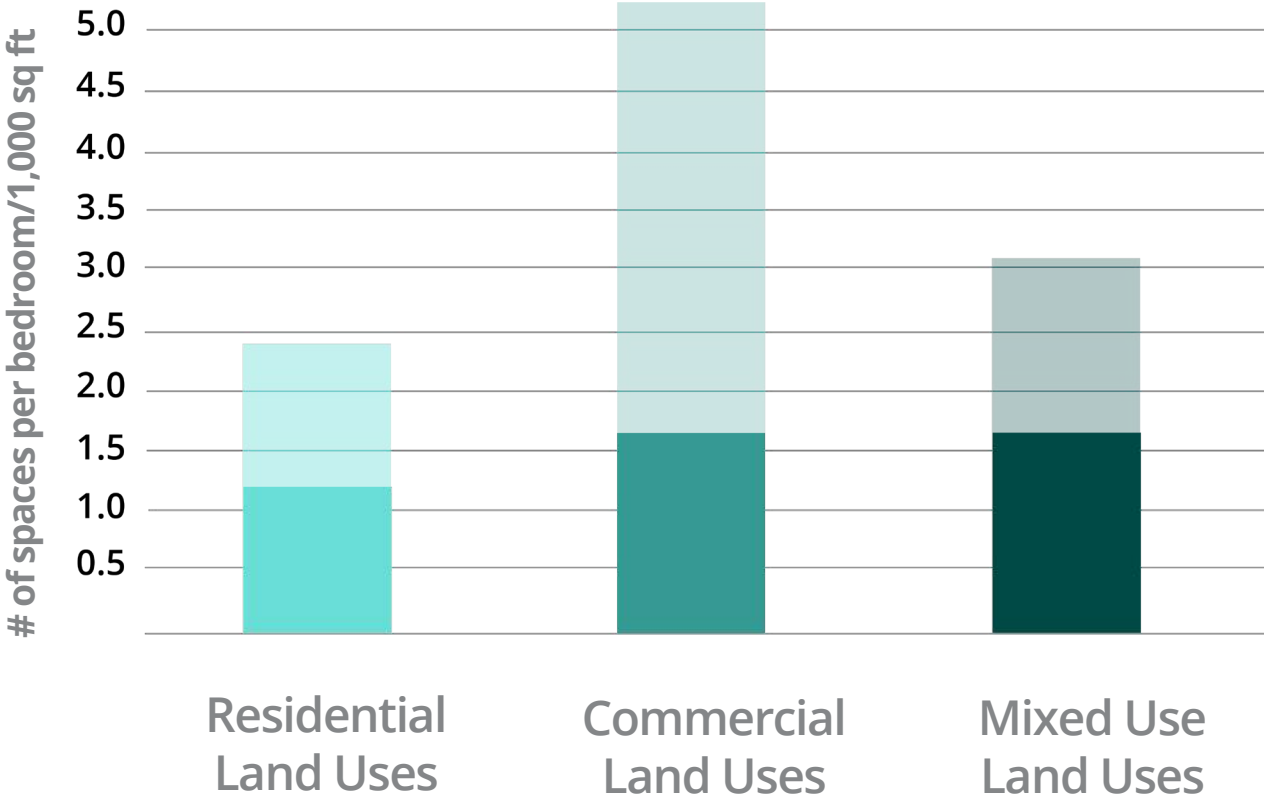


Utilization survey results

ID	Subsection	Inventory	Demand							
			Friday				Saturday			
			12pm	1pm	6pm	7pm	12pm	1pm	6pm	7pm
A	Steep me a cup	47	16	14	0	0	8	8	0	0
B	Boulevard Pub	75	26	22	50	54	14	27	47	45
C	Retail	285	119	98	159	146	97	100	129	120
	Structured garages	71								
	TOTAL	407	161	134	209	200	119	135	176	165



Summary of All Land Uses



Stakeholder Interviews

With the area's primary parking and access issues quantified, hearing from residents, employees, customers, and other day-to-day users provided us with a more complete picture. One-on-one interviews with developers, financial institutions, and non-profit organizations were conducted to understand the specific parking needs, challenges, and opportunities for alterations in the development process.

The key stakeholders identified for this process were determined by the SRC and consultant team. Those willing to be interviewed included:

- Homebuilders Association
- Greater Fargo/Moorhead Economic Development Corporation
- Goldmark Commercial Real Estate
- Kilbourne Group
- Investor Group
- Dietrich Construction
- Terry Welle Construction

“Whenever you want to do anything that is out of the norm, you have to spend a lot of time and money”.

Overall, developers were interested in letting the market dictate development, allowing them to build more of what is selling and less of what is not. Six of the seven stakeholders interviewed were aware of options to alter minimum parking requirements but commented that the City is stringent on their minimum parking requirements, stating that they would be very unlikely to offer a variance. Those that were aware of the opportunity to reduce minimum parking requirements in Fargo through a CUP or AAP commented on the increased time and money spent on in filling out the application, preparing the proper documentation and studies, and presenting at the Planning Commission. Developers commented that they prioritize “following the path of least resistance” and are not likely to reduce the number of spaces supplied because it would take more time and cost more money. They are more likely to continue developing the same (or similar) projects since they have successfully done so in the past and feel more secure in the profitability. Several stakeholders stated interest in learning more about the procedures associated with reducing parking supply, shared parking, and other zoning regulations that could be applied to their developments in the future.

Some of the other key points stated by the stakeholders interviewed are outline below:

- The cost of building in the metro area has increased dramatically due to infrastructure costs associated with flood protection. This has led the majority of residential construction to occur in the surrounding neighborhoods. However, the majority of jobs (schools, hospitals, healthcare, etc) are still located—and being constructed—in Fargo, which leads to a large number of commuters between Fargo and the surrounding region. Residential housing stock in Fargo tends to be multi-family rental.

- Generally, the design of homes is a direct reaction to market preferences – builders build homes that are selling. The goal is to find a balance between what the consumer is willing to pay for, what regulations allow, and what is affordable. One example stated that there was a push for neo-traditional development with alleyways and front porches but people do not want to walk to and from their car and wanted larger garages so that is what is built.
- Senior housing is a common housing development type but the parking requirement for this land use is much higher than the demand for parking. Many senior housing residents want a 2-bedroom unit for one resident. About 60 to 75% of residents do not have a car and none have 2 cars which leads to an oversupply of parking for these developments.
- There are several developments in which the developer spent a ton of money on parking that is just sitting there remaining unused. And reducing the volume of parking requires the developer to spend additional money and time to hire a firm to complete a parking study to justify it. When everything is purely by the book, the characteristics of the individual sites are neglected. The City should have guidelines to allow for substantiated parking reductions, why would they not allow developers to downscale to a level that is adequate? There are several developments in which they spent a ton of money on parking that is just sitting there remaining unused.
- Developers, builders and property management companies understand the preferences of the region, so the City should give these entities more flexibility and independence moving forward.

“There are several developments in which we spent a ton of money on parking that is just sitting there unused”.

- Parking is an element for every business that considers locating in Fargo and West Fargo; it has never been the sole reason that a business or company has chosen not to locate in the Fargo, but it has been a contributing factor.
- Preferences in downtown and nodal areas is mixed use development, for which shared parking has become easier to get approval on. Residents living in these units understand that it is an urban environment and that walking is part of that experience. Office employees can be more challenging since the employees are more likely to be commuting from further and expect parking directly in front of the office.

Issues & Opportunities

! **ISSUE.** Many of the streets in Fargo and West Fargo are designed to maximize traffic flow, with several lanes and high speeds. It negatively impacts walkability and creates safety issues for all users.

+ **OPPORTUNITY.** Not all streets are used the same way, and their amenities need to reflect that. Different streets should accommodate different users based on the distinct characteristics and land use patterns.

! **ISSUE.** Fargo and West Fargo's non-vehicular networks are limited and disconnected from one another, preventing people who are walking, biking, or accessing transit from reaching their destination.

+ **OPPORTUNITY.** Future development needs to be more compact and connected to give people more options when traveling in and around Fargo. Managing street intervals and driveways is a key factor in shaping development pattern.

! **ISSUE.** Developers are attuned to the distinct parking characteristic for different land uses, but are more likely to follow existing regulations than challenge parking minimum requirements as it would slow down the approval process.

+ **OPPORTUNITY.** Giving developers the flexibility to provide less parking is a key aspect of satisfying market demand and increasing affordability.

! **ISSUE.** The amount of parking supplied vastly exceeds demand. All three of the land use types surveyed did not require the amount of parking that was supplied. Creating too much parking diminishes a neighborhood's vitality and walkability, creating sprawled development patterns, and leading to vehicle-dominated neighborhoods.

+ **OPPORTUNITY.** When planned holistically, parking can accommodate residents, employees, and businesses, without detracting from the vitality of the public realm. Creating policies and regulations that accurately reflect the parking demand, costs, and economic characteristics of a particular location is essential in achieving a balanced parking supply overall.

FRAMEWORK FOR THE FUTURE

Recommendations presented in this section consider the intrinsic connection between land use, parking and transportation, and specifically address the key access issues identified through this study. The following framework establishes distinct street types that specifically correlate to the surrounding land uses, supporting the development of livable neighborhoods and the right amount of parking.



Streets for the Future

In a region like the greater Fargo area that needs to provide a broad range of infrastructure facilities to support its current footprint and upcoming developments, establishing distinct typologies that consider the residents of the region first will improve the efficiency of the transportation network and assist in long-term planning decisions. Streets of the future will be classified to better reflect how people use the street and the street’s character, in addition to the street’s role in the network. The typologies will align the way streets are designed with the surrounding land uses.

Seven Street Types were identified that encapsulate the variety of street functions needed to create a complete transportation network. The street typologies are designed to align with the existing and future land uses, as well as the more traditional corridor classifications. Thus, the street typologies follow a similar naming convention, combining the predominate land use with the scale (e.g., residential + neighborhood or mixed use + arterial).

The Street Types explained on the following pages will guide Fargo and West Fargo in designing streets and deciding what elements to include on certain streets, such as on-street parking, a landscaped median, or crosswalks. The street typologies will also help inform important policy decisions that impact all users of the streets, such as setting speed limits that are comfortable and safe and providing convenient access to housing and businesses.

The design and configuration of a street has a major impact on how safe and easy it is to cross the street for people walking, how efficient it is for cars, trucks and buses, and how comfortable it is to visit with friends or shop at local businesses. For each of the street types, guidelines detailed below will help decide which street elements (e.g., medians, on-street parking) should be included on which streets, the spacing and/or configuration of those elements, and other important factors such as speed limit.



Since street design should be informed by context, compatible land use types are important in determining street type.



Speed is a crucial factor in the number of traffic crashes that occur on streets and a major determinant of the severity of those crashes. Speed should be linked to access, context, users, and purpose.



Streets should have enough lanes to move people, within reasonable delay parameters, driving but also consider the impact on people crossing the street, how a wider a street can alter a community’s character, and the added construction and maintenance costs of building larger streets.



On streets with multiple lanes of traffic moving in opposite directions, providing physical separation will improve safety, regulate access, and present an opportunity for landscaping and traffic calming benefits.



On-street parking is convenient for residents and visitors, leads to more efficient land use, and provides safety benefits for all street users; however, on streets with higher speeds and traffic volumes, on-street parking may not be appropriate.



The appropriate type of pedestrian crossing depends on vehicle speeds and volumes along the street and should be tailored to the surrounding land uses.



Managing street intervals and driveways is a key factor in shaping development pattern. On streets with higher speeds and traffic volumes, increasing the distance between full access points or traffic signals improves traffic flow; however, controlled access must be balanced with a connected, walkable street network.

Regional Arterial. Act as a secondary alternative and direct connection to the Interstate system, serving large traffic volumes with highly controlled/limited interruptions.

Commercial Arterial. Act as gateways, connecting people from Fargo, West Fargo, and the wider region to the area's major destinations.

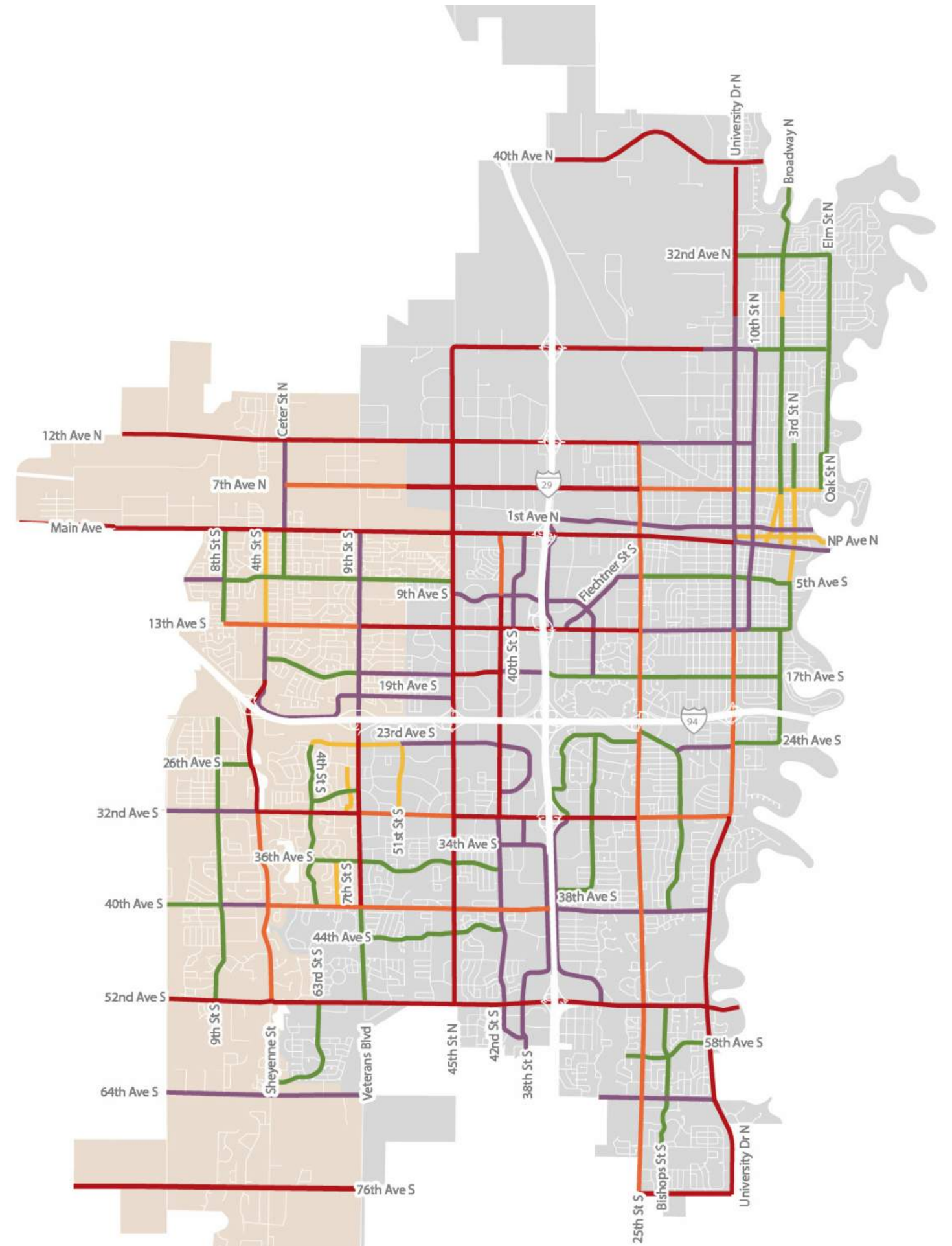
Mixed Use Arterial. Act as cross-town links and business corridors where people live, shop, dine, and work while supplying parking to support economic activity.

Mixed Use Collector. Connect residents from their neighborhoods to commercial nodes and corridors and are critical in enabling economic activity

Residential Collector. Connect neighborhoods and link residents with important facilities like libraries, schools and parks.

Mixed Use Neighborhood. Prioritize pedestrian safety and comfort over the mobility of cars.

Residential Neighborhood. Connect residents to each other and serve as shared space for neighbors to socialize and play.

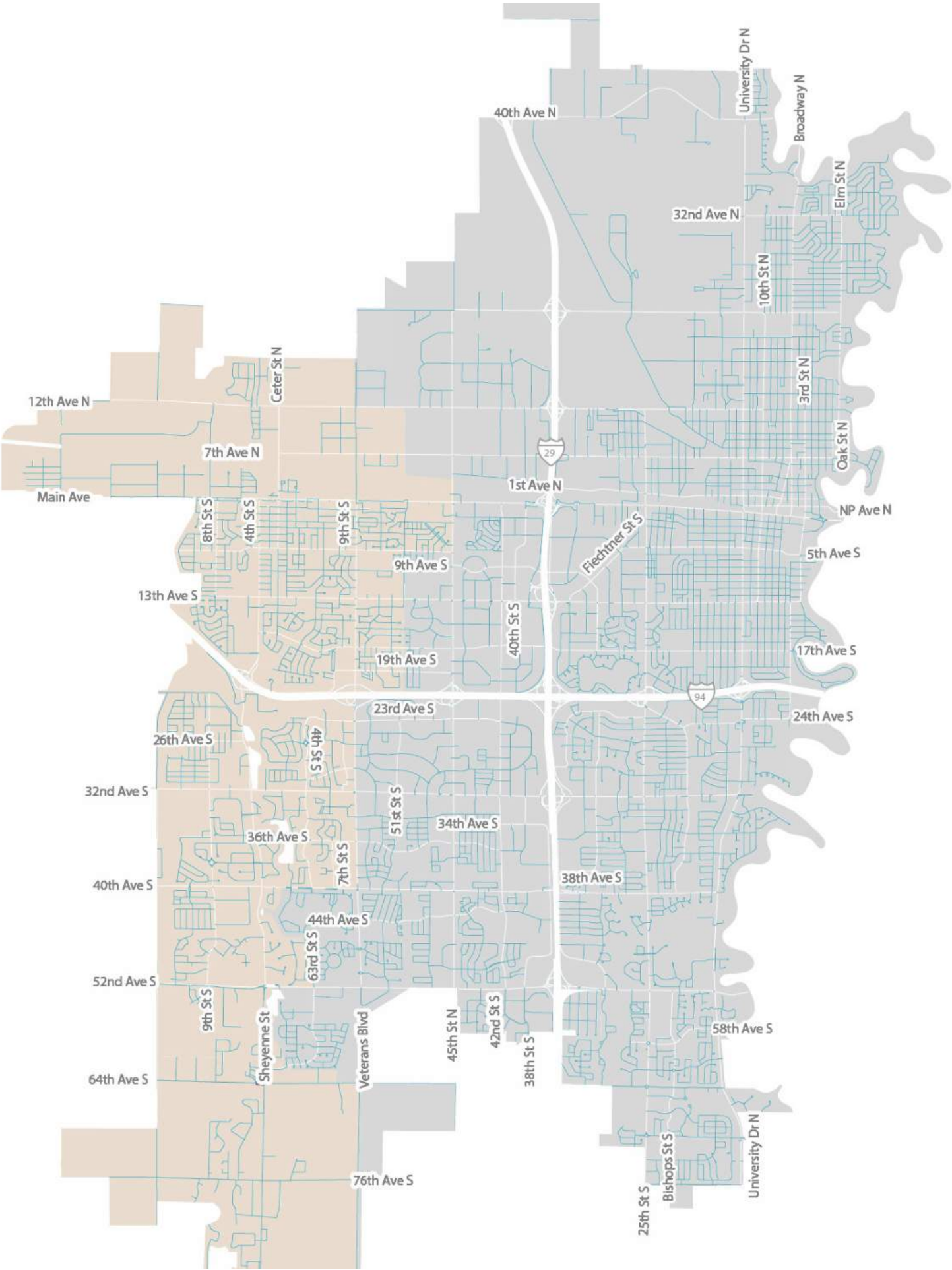


RESIDENTIAL NEIGHBORHOOD

Residential Neighborhood streets are calm and connect residents to each other and nearby destinations, carrying low traffic volumes at low speeds. These streets serve as much as a place for neighbors to socialize and play as they do to move vehicles. Neighborhood residential streets are predominately fronted by single family houses or other low-density housing and access occurs at the property level. Direct property access is a functionality of this street type.

Land Use	Speed Limit	Travel lanes	Other	Parking	Pedestrian Crossing
					
Low-density Residential, Civic	25 mph maximum	2 travel lanes	No median	On-street parking	Crosswalk

Access spacing	Traffic Signal:	Unsignalized Full Access:	Right-in/Right-out:	Driveways:
	N/A	Block-Level (300-400 feet)	N/A	30-50 feet

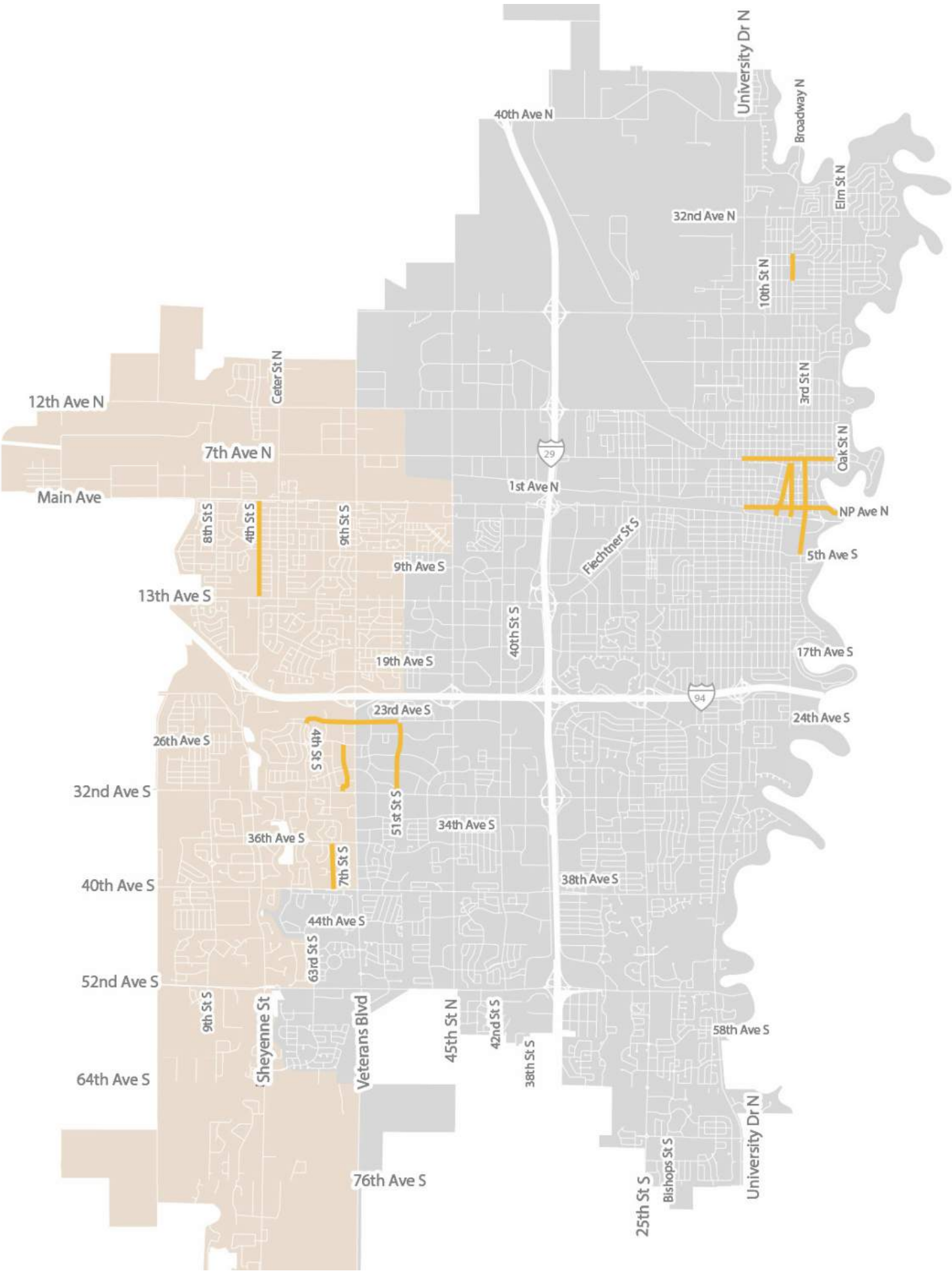


MIXED USE NEIGHBORHOOD

Mixed Use Neighborhood streets have a particular focus on prioritizing pedestrian safety and comfort over the mobility of cars. These streets are activity corridors that foster economic interaction and provide convenient parking opportunities to that effect. Mixed Use Neighborhood streets accommodate traffic at low speeds but limit access points to minimize pedestrian conflicts.

Land Use	Speed Limit	Travel lanes	Other	Parking	Pedestrian Crossing
					
Multi-family Residential, Ped-oriented	25 mph maximum	2 travel lanes	Boulevard	On-street parking	Crosswalk

Access spacing	Traffic Signal:	Unsignalized Full Access:	Right-in/Right-out:	Driveways:
	600-800 feet	Block-Level (300-400 feet)	N/A	150-200 feet

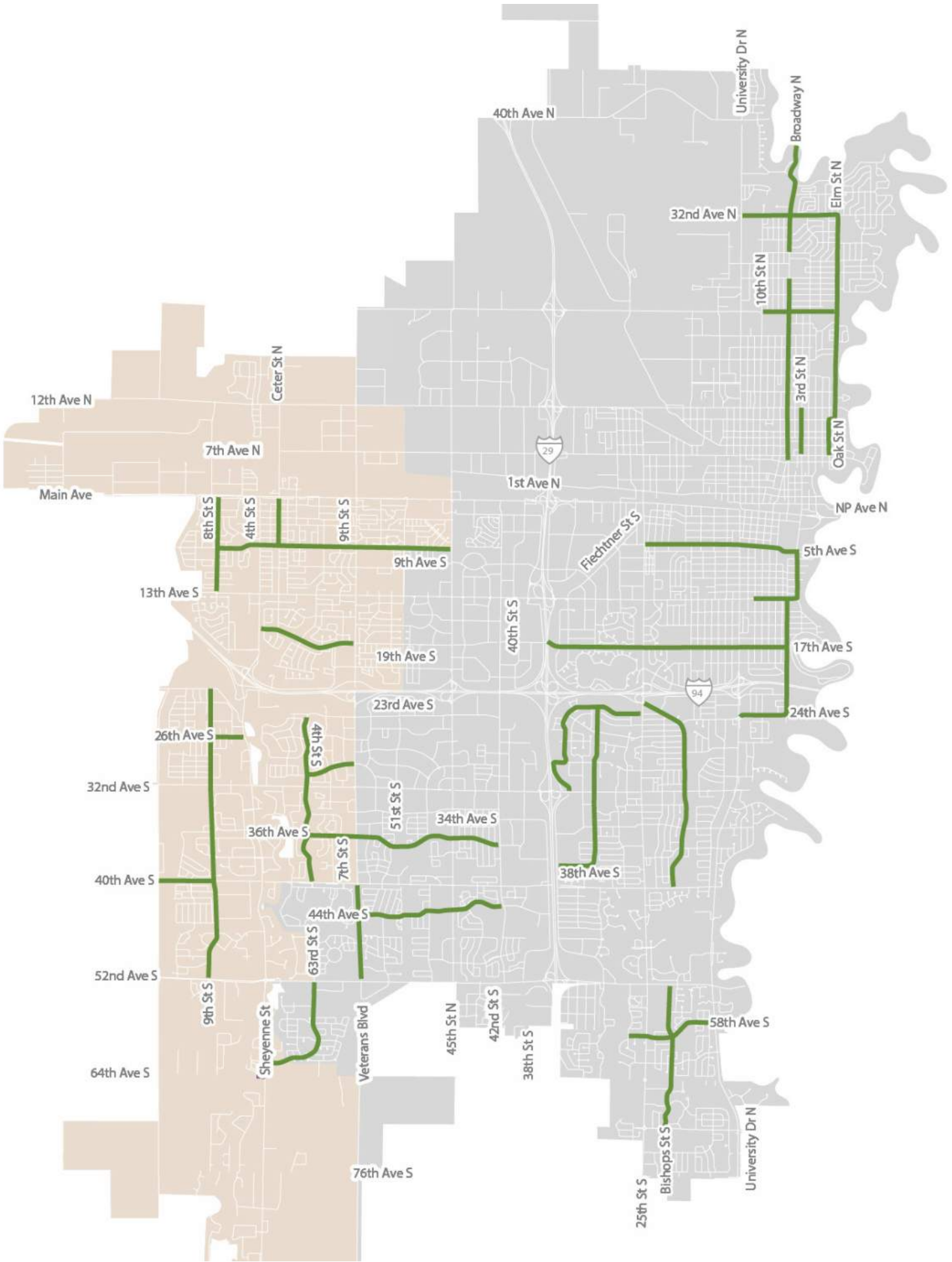


RESIDENTIAL COLLECTOR

Residential Collector streets connect neighborhoods and link residents with important institutional and recreational facilities like libraries, schools, and parks. These streets act as important links in the network for people using all modes of travel. There are a variety of housing types along these corridors from single family homes to apartment buildings, as well as community facilities. While these streets carry a moderate level of vehicular traffic, Residential Collector streets should also support community uses and character. These streets function to funnel traffic to defined access points on the arterial system that are usually attenuated by a traffic signal, allowing for ease of access.

Land Use	Speed Limit	Travel lanes	Other	Parking	Pedestrian Crossing
					
Variety of Residential, Institutional	25 mph maximum	2 travel lanes	Roundabout	On-street parking	Crosswalk

Access spacing	Traffic Signal:	Unsignalized Full Access:	Right-in/Right-out:	Driveways:
	N/A	Block-Level (300-400 feet)	N/A	50-100 feet

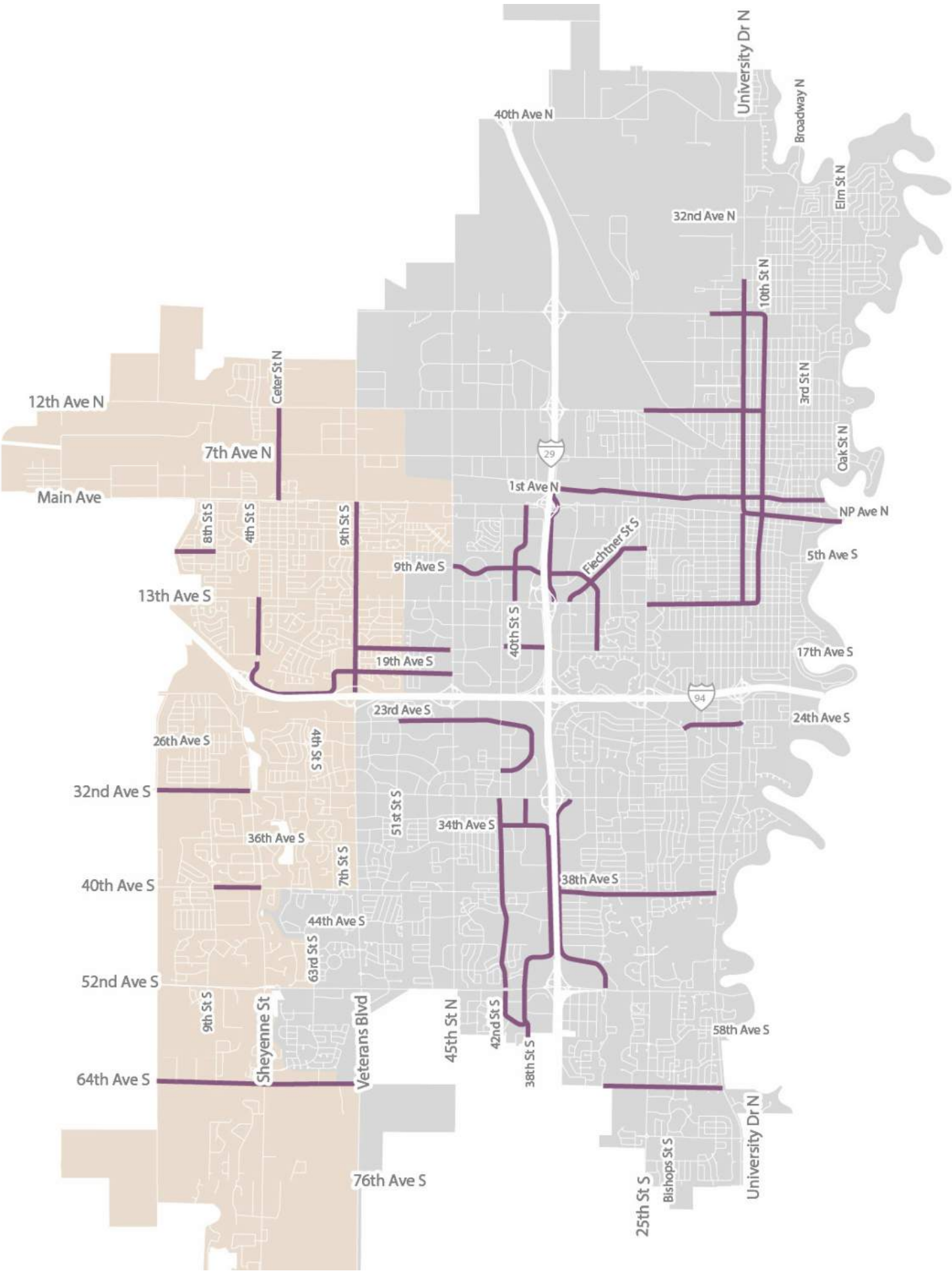


MIXED USE COLLECTOR

Mixed Use Collector streets connect residents from their neighborhoods to commercial nodes and corridors and are critical in enabling economic activity. There is a mix of uses along these types of streets, including multi-family housing, employment centers, and businesses. Mixed Use Collector streets should accommodate a moderate level of vehicles, as well as buses, delivery trucks, and people walking for daily errands.

Land Use	Speed Limit	Travel lanes	Other	Parking	Pedestrian Crossing
Low-density Residential, Civic	25-30 mph	3 travel lanes	Center turn lane	On-street parking	Median-protected

Access spacing	Traffic Signal:	Unsignalized Full Access:	Right-in/Right-out:	Driveways:
	N/A	Block-Level (300-400 feet)	N/A	200 feet

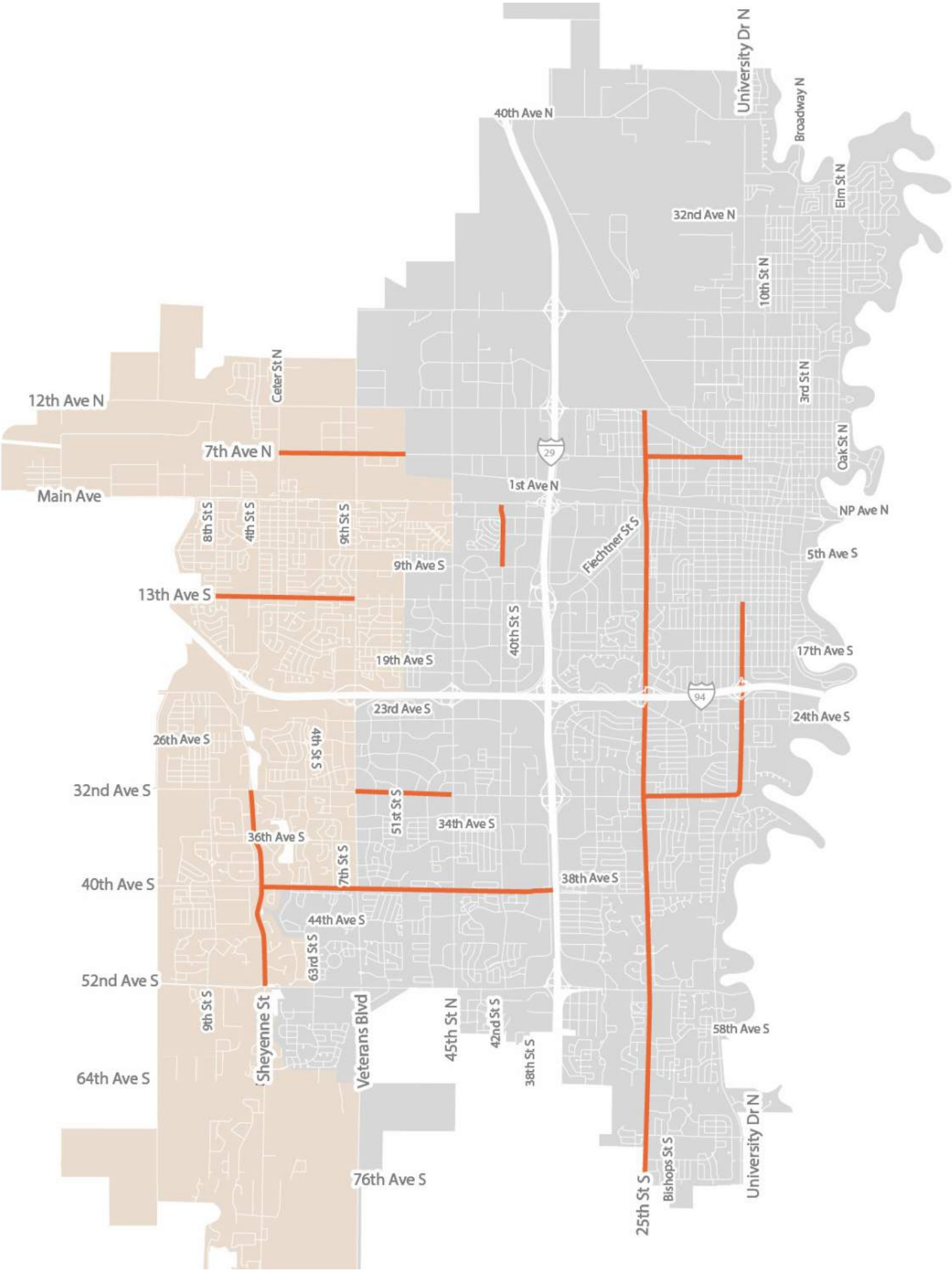


MIXED USE ARTERIAL

Mixed Use Arterial streets are business corridors where people live, shop, dine, and work. Mixed Use Arterial streets provide cross-town links to employment and commercial centers. These types of streets carry a higher volume of cars while providing access to a walkable street network. On-street parking should be allowed on these types of streets to encourage economic activity, as well as calm traffic and create a pedestrian buffer.

Land Use	Speed Limit	Travel lanes	Other	Parking	Pedestrian Crossing
					
Commercial, Multi-family Residential, Industrial	30-35 mph	3-5 travel lanes	Landscaped median or center turn lane	On-street parking	Signal or median-protected crosswalk

Access spacing	Traffic Signal:	Unsignalized Full Access:	Right-in/Right-out:	Driveways:
	600-800 feet	Block-Level (300-400 feet)	200 feet	Preferred on minor street

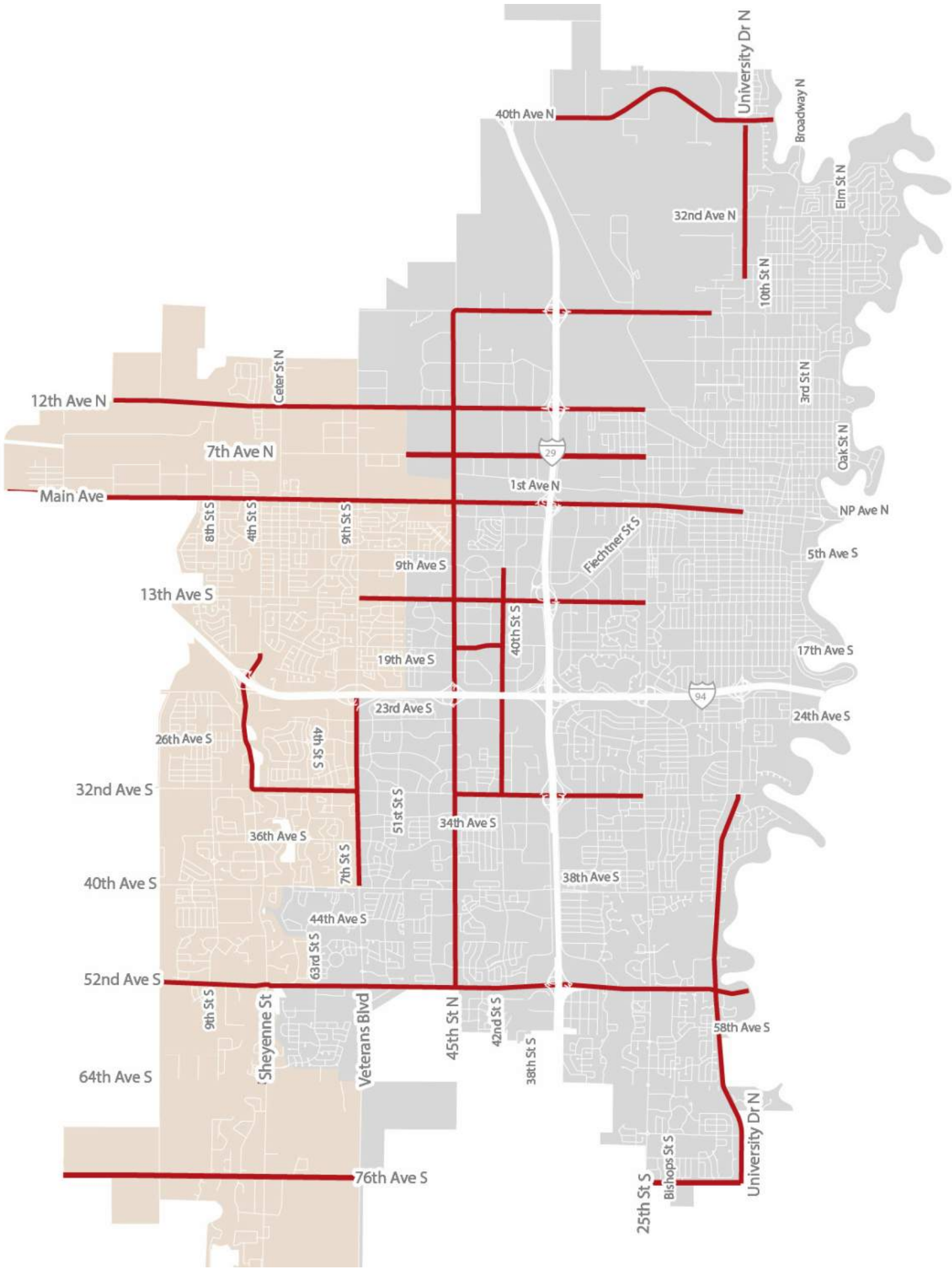


COMMERCIAL ARTERIAL

Commercial Arterial streets act as gateways, connecting people from Fargo, West Fargo, and the wider region to the area’s major destinations. Because these streets link everyone to important points of interest, it is critical that pedestrians have safe crossing opportunities. Access is more stringently managed on these types of streets, and on-street parking is generally not appropriate, so that a high volume of cars, trucks, and buses can travel efficiently.

Land Use	Speed Limit	Travel lanes	Other	Parking	Pedestrian Crossing
					
Commercial, multi-family	30-40 mph maximum	4-6 travel lanes	Landscaped medians	No on-street parking	Signalized crosswalks only

Access spacing	Traffic Signal:	Unsignalized Full Access:	Right-in/Right-out:	Driveways:
	1/4 mile	None	400 ft	None

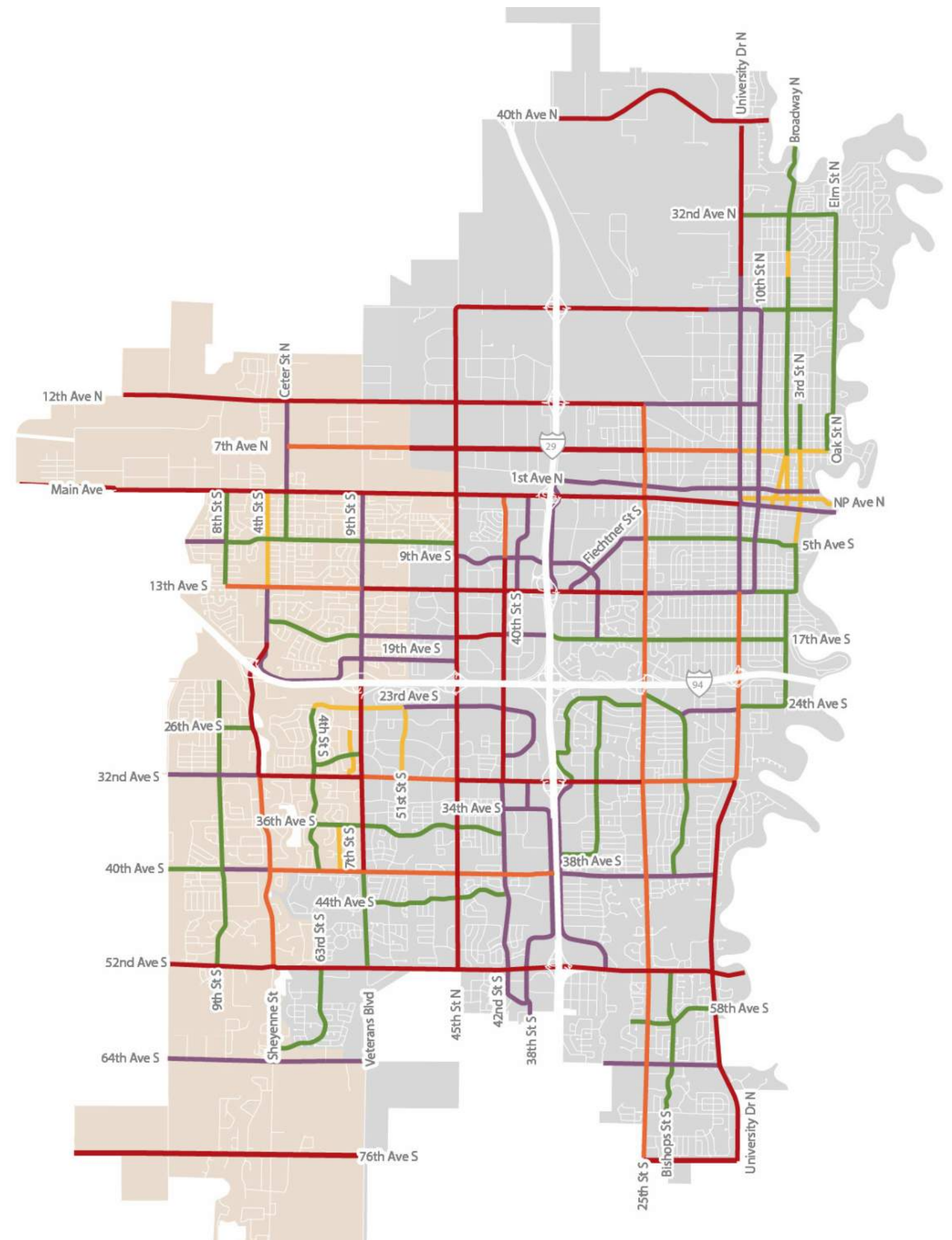


REGIONAL ARTERIAL

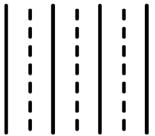
Regional Arterial streets are intended to serve large traffic volumes with highly controlled interruptions and function as a secondary alternative and direct connection to the Interstate system. This type of street does not exist currently in the Fargo/West Fargo area and is intended to be used for future planning purposes.

Land Use	Speed Limit	Travel lanes	Other	Parking	Pedestrian Crossing
					
Commercial, Industrial, Multi-family	45 mph maximum	4 travel lanes	Divided Roadways	No on-street parking	Grade- separated or signalized crosswalks

Access spacing	Traffic Signal:	Unsignalized Full Access:	Right-in/ Right-out:	Driveways:
	1/2 mile	None, frontage system	1/4 mile	None



Guidelines for each street type are summarized in the table.

	 Functional Classification	 Grade Separation	 Land Use	 Pedestrian Crossing	 Median	 Travel lanes	 Speed Limit	 Parking	Access spacing 			
									Traffic Signal:	Unsignalized Full Access:	Right-in/ Right-out:	Driveways:
Regional Arterial	Primary Artery	Interstate, other Regional Arterials	Commercial, Industrial, High-density residential	Grade separation, Signal	Yes	4 travel Lanes	45 mph	No	1/2-mile	None/ frontage system	1/4-mile	None
Commercial Arterial	Primary Artery Minor Artery	Interstate, probably Regional Arterials	Commercial, Mixed Use, Multi-family	Signal	Yes	4-6 travel Lanes	30-40 mph	No	1/4-mile	None	400 feet	None
Mixed Use Arterial	Minor Artery	Interstate	Neighborhood, Commercial, Mixed Use, Institutional	Signal, Median protected	Yes or No	3-5 travel Lanes	30-35 mph	Yes	600-800 feet	300-400 feet	200 feet	Preferred on minor street
Mixed Use Collector	Major Collector	No	Commercial, Mixed Use, Multi-family	Median protected, Crosswalk	No	3 travel Lanes	25-30 mph	Yes	N/A	300-400 feet	N/A	200 feet
Residential Collector	Minor Collector	No	Mixed Use, Residential	Crosswalk	No	2 travel Lanes	25 mph	Yes	N/A	300-400 feet	N/A	50-100 feet
Mixed Use Neighborhood	Major/ Minor Collector Local	No	Pedestrian-oriented commercial, Mixed Use, Residential	Highest priority	No/Blvd	2 travel Lanes	25 mph	Yes	600-800 feet	300-400 feet	N/A	150-200 feet
Residential Neighborhood	Local	No	Residential	Crosswalk	No	2 travel Lanes	25 mph	Yes	N/A	300-400 feet	N/A	30-50 feet

RIGHT-SIZING THE REGIONAL PARKING FOOTPRINT

Parking plays a critical role in site development and overall development patterns and, as this study determined, Fargo and West Fargo have significant areas of underutilized parking. Several strategies can be implemented by the communities, and supported by MetroCOG, that allow for “Right Sized” parking.

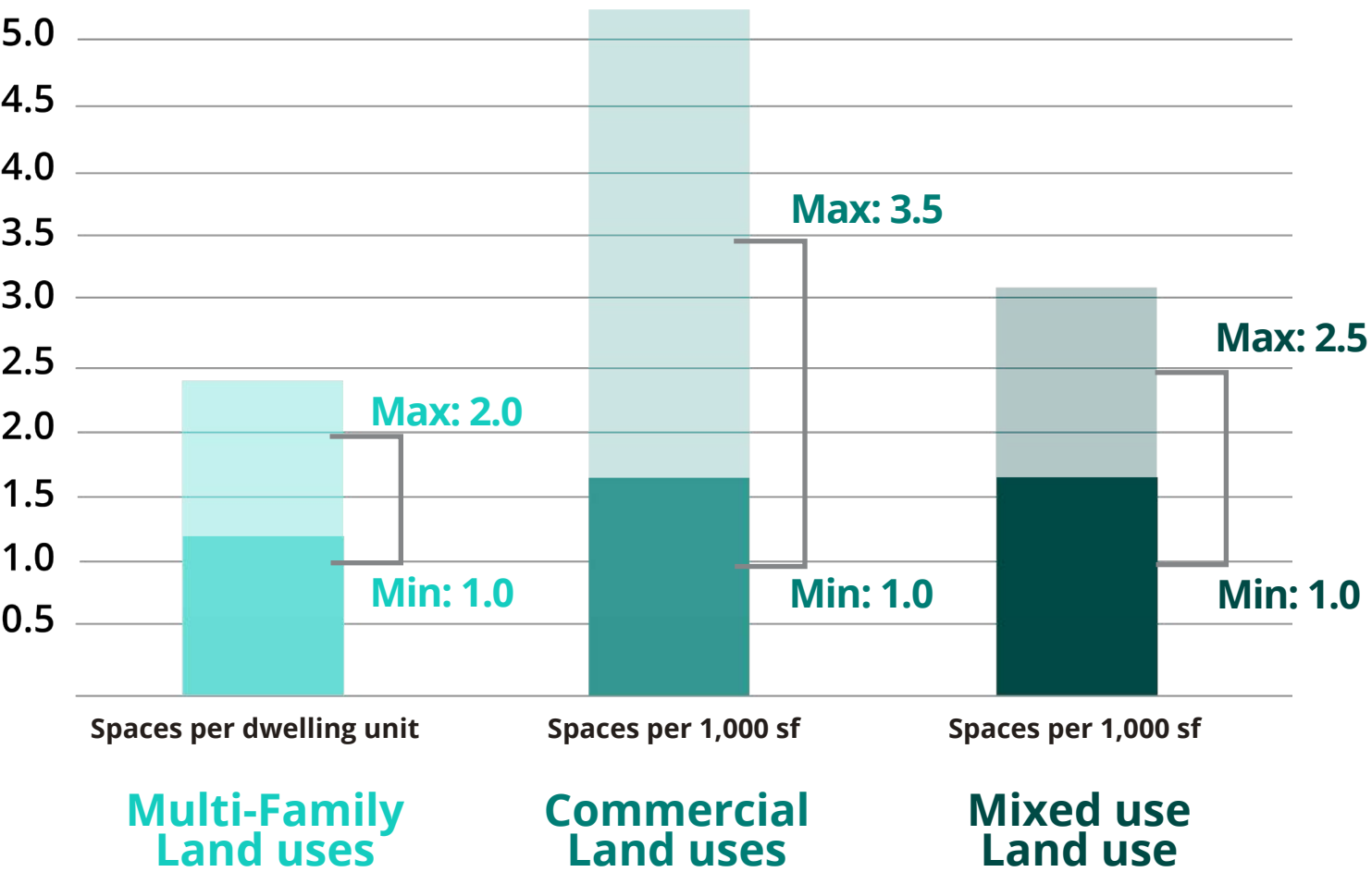


MINIMUM AND MAXIMUM REQUIREMENTS

Excessive parking requirements make market-rate housing more expensive, reduce the amount of space for non-parking uses, increase impervious surface, and encourage people to drive more frequently. When minimum parking requirements are implemented, even those that do not drive share in the cost of parking through higher retail prices, higher rents, and other taxes. Deregulating off-street parking allows the market to determine parking supply levels, creates more walkable development patterns, and begins to level the playing field for all travel modes. Additionally, mobility services like Uber and Lyft, and – eventually – the widespread adoption of driverless vehicles, are likewise contributing to a trend toward needing less parking and more pick-up/drop-off space. Even if traffic volumes and driving mode split were to stay the same, the demand for parking will decline, making the implementation of parking maximums a powerful and necessary tool to prepare for emerging transportation trends.

Recommendation. It is recommended that the cities of Fargo and West Fargo adopt parking maximums in combination with minimum requirements to provide developers with the flexibility to provide parking over demand while preventing excessive parking from being constructed. The parking ranges shown below summarize potential minimum and maximum requirements for the land use typologies for which demand was determined. Each of the minimum requirements is set below the existing demand to ensure that enough parking is provided, but the maximums are set below the volume of parking that is currently provided to ensure that excess parking is not constructed.

Proposed minimum and maximum parking requirements



MINIMUM AND MAXIMUM REQUIREMENTS: CASE STUDIES

Eliminate Parking Minimums. Fayetteville, AR



In 2015, Fayetteville eliminated all nonresidential parking requirements citywide. This was part of the City’s “Smart Parking” approach in it’s Master Plan, along with the adoption of shared parking standards. The impetus of this initiative came from the community’s commercial real estate brokers who had growing frustrations filling vacant commercial spaces with new uses. After two years of this program being in place, the City’s planning staff have found that businesses continue to provide the maximum amount of parking in more auto-oriented suburbs, while others, closer to the downtown core, have made use of the increased flexibility to fill spaces that were previously vacant.

Various Parking Maximums.

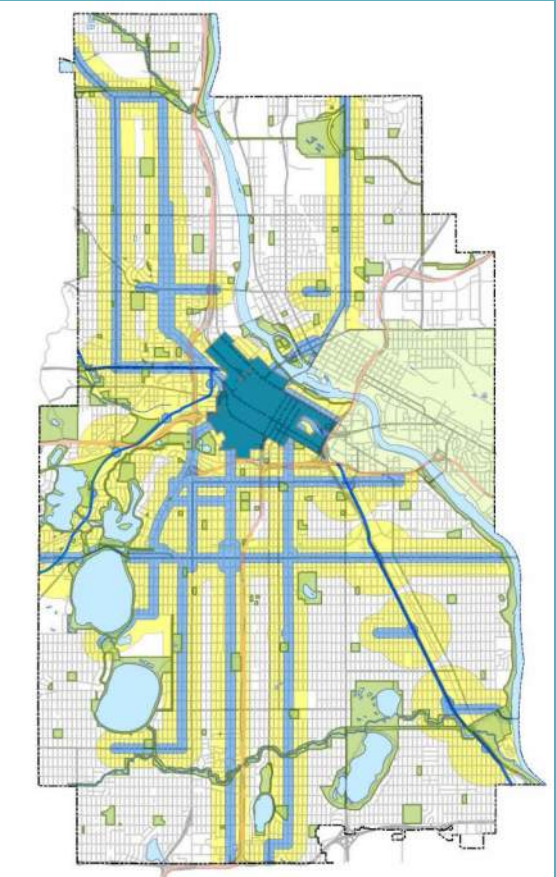
Cities across the country are picking up on the negative impacts minimum parking requirements have on the livability of their communities. And in response, have eliminated minimum parking requirements, introduced overlays, or established parking maximums. Strong Towns, a nonprofit research organization, has mapped cities that have adopted these policies. The organization also documents low parking demand during Black Friday each year, to show that parking minimums are excessive, even during the day of the year that is associated with one of the highest parking volumes.



Transit Oriented Development. Minneapolis, MN

The City of Minneapolis has instituted a series of Transit-Oriented Development (TOD) ordinances that allow for the elimination of off-street parking requirements in proximity to transit. These policies are distinguished between “high” and “moderate” frequency transit service: moderate frequency is defined as a 15-30 minute midday service, while high frequency is defined as midday service every 15 minutes or less. The ordinance allows for the elimination of off-street parking requirements for multi-family residential buildings located within 350 feet of a high frequency bus route or rail station. Depending on the size of the building, a 50 to 100 percent reduction is allowed within a TOD area, ¼-mile around a high frequency bus route or, ½-mile from a rail station. The City also has an ordinance that allows for a 10 percent reduction of off-street parking requirements for multi-family residential buildings located within 350 feet of a moderate-frequency bus route or rail station.

Minneapolis has two light rail lines, one commuter rail line and over 100 bus routes that carry over 85 percent of the system’s daily passengers.



Parking Spaces Required Per Residential Unit		
	3-50 Units	>50 Units
Within 350 feet of a bus or rail transit stop with midday service headways of 15 minutes or less	No Parking Required	No Parking Required
Within one-quarter mile of a bus stop with midday service headways of 15 minutes or less, or within one-half mile of a rail transit stop with midday service headways of 15 minutes or less	No Parking Required	One Parking Space Per Two Units
Within 350 feet of a bus or rail transit stop with midday service headways between 15 and 30 minutes	10% Reduction from 1:1	10% Reduction from 1:1

Residential Off-Street Parking Requirements

- Downtown Districts: Currently off-street parking not required
- Subject to UA/University Area Overlay District parking requirements
- Qualifies for 100% reduction
- Smaller development 100% reduction - larger development 50% reduction

MINIMUM AND MAXIMUM REQUIREMENTS: NEXT STEPS

Task	Parties Involved	Level of Complexity (low, medium, high)	Priority (short, mid, long)
Conduct parking utilization surveys for other land uses in the region. The land use typologies used in this report were selected based on discussions held by the SRC. There are a number of other land uses throughout the region that should be accounted for when introducing new parking minimum or maximum requirements. And in order to ensure the requirement reflects the demand for these spaces, a parking utilization survey should be completed and used to guide zoning policies. These studies should monitor the utilization of at least three modes and capture what is understood to be the peak demand period by local users, as well as national parking publications.	City of Fargo, City of West Fargo, Metro COG	Low	Short-term
Streamline land use type and categories. These three categories include a variety of other land uses, with their own parking requirements. The City of Fargo has over 30 separate land uses defined in their parking code, while the City of West Fargo has over 45. Simplifying the code to be more flexible within broader categories would provide developers with more freedom to construct parking below the requirements. For example, the residential parking minimum of one (1) and maximum of two (2) should be enforced, and on-street parking can accommodate additional supply.	City of Fargo, City of West Fargo	High	Mid-term
Eliminate parking minimums in Transit Oriented Development (TOD) areas or in transit hubs. Many communities throughout the country have eliminated parking minimum requirements in proximity to transit. This has enabled the presence of dense, walkable environments while encouraging the use of transportation. Through eliminating parking requirements within a 1/2-mile radius of transit hubs or bus stations, the possibility of more dense development will become possible, which will further encourage the use and availability of transit when traveling to and from these areas.	City of Fargo, City of West Fargo, MATBUS, Bicycle bikeshare	Medium	Mid-term

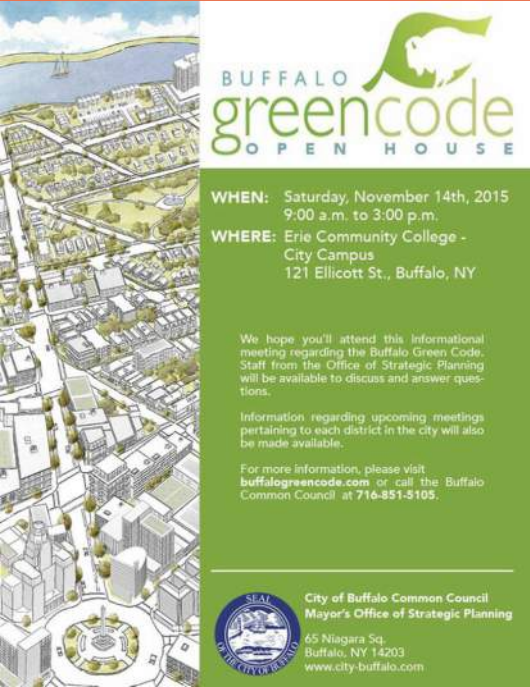
ALTERNATIVE TRANSPORTATION MODE INITIATIVES

Supplemental to the proposed minimum and maximum parking requirements will be changing the procedures associated with requesting and receiving parking variances. Existing policies encourage developers to construct parking beyond their demand by requiring them to obtain a variance if they wish to provide parking below the existing minimum requirement.

It is recommended that this is reversed: if a development provides parking above the maximum range, a Transportation Demand Management (TDM) or shared parking analysis must be completed to justify that the project will generate the additional demand requested and demonstrate that the demand cannot be accommodated by shared parking initiatives or other transportation programs. And if a development wishes to provide parking below the minimum requirement, they make up for the cost through a payment-in-lieu of parking, as discussed in the subsequent recommendation. The goal of these policy changes is to make it more difficult to provide parking that is not necessary.

TDM requirements. Buffalo, NY

Buffalo New York became the first city in the United States to remove parking minimum requirements city-wide. This alteration was part of the Buffalo Green Code, a Unified Development Ordinance that replaced standard land use-based code with form-based code. In addition to eliminating parking requirements, the code required certain buildings to prepare a TDM plan justifying that the project accommodates the travel demand it generates and specifying the tools that are used to accommodate that demand (bicycle parking, subsidized bus passes, alternative work schedules, etc.).



The poster for the Buffalo Green Code Open House features a green header with the Buffalo Green Code logo. Below the header, it lists the event details: 'WHEN: Saturday, November 14th, 2015 9:00 a.m. to 3:00 p.m.' and 'WHERE: Erie Community College - City Campus 121 Ellicott St., Buffalo, NY'. A central text block states: 'We hope you'll attend this informational meeting regarding the Buffalo Green Code. Staff from the Office of Strategic Planning will be available to discuss and answer questions. Information regarding upcoming meetings pertaining to each district in the city will also be made available. For more information, please visit buffalogreencode.com or call the Buffalo Common Council at 716-851-3105.' The bottom of the poster includes the City of Buffalo Common Council logo and address: 'City of Buffalo Common Council Mayor's Office of Strategic Planning 65 Niagara Sq. Buffalo, NY 14203 www.city-buffalo.com'.

SHIFT TDM Ordinance. San Francisco, CA

In combination with San Francisco's Transportation Sustainability Program, the City created SHIFT TDM Ordinance to reduce SOV trips and encourage the use of other modes. The program allows developers to choose an applicable combination of TDM measures that will work best for reducing vehicle trips associated with their project. TDM measures are comprised of a menu of different on-site TDM measures, each worth different point values based on the relative impact and effectiveness they will have on reducing vehicle trips. For example, providing showers for bike commuters is worth one point, while reducing on-site parking is worth up to 11 points. Each project is required to meet a minimum point threshold based on project size, characteristics, and location.

The program is part of the development application. Meaning, developers are required to select the measures they are planning to utilize before filing a development application which allows planning staff an opportunity to comment or recommend measures for a project prior to starting the development application process.

There is also an inspection prior to the before occupancy is certified, as well as ongoing monitoring requirements, and a program audit every three years. Enforcement is funded through program fees—developers must pay an initial fee of \$6,000 and an annual fee of \$1,000. Building applicable to SHIFT TDM include projects that exceed 10,000 square feet of non-residential development or over 10 residential projects.



ALTERNATIVE TRANSPORTATION MODE INITIATIVES: NEXT STEPS

Task	Parties Involved	Level of Complexity (low, medium, high)	Priority (short, mid, long)
Require pedestrian amenities and landscaping to be included in surface lots. Existing parking lots in the Fargo region mostly consist of large swaths of asphalt, which creates an uncomfortable and unsafe experience for pedestrians. Including walkways to/from store entrances, landscaping, and lighting improves the pedestrian environment and encourages cross shopping.	City of Fargo zoning department, City of West Fargo zoning department, shopping center merchants	Low	Mid-term
Require and enforce Transportation Demand Management (TDM) for new developments. TDM strategies are key to shifting the demand for parking and beginning to shift modes to transit. While the Fargo region is dominated by car use, enforcing TDM measures will provide more people with more options when traveling, and begin to make driving an option as opposed to a necessity. TDM requirements for incoming developments might include, the presence of bicycle facilities, improved bus stops, pedestrian amenities, or discounted transit passes for employees. There are a wide array of TDM options, and this would work towards identifying an effective combination of strategies for each incoming development.	City of Fargo, City of West Fargo, major employers	High	Long-term
Allow development projects to include on-street parking to meet minimum parking requirements. On-street parking can increase the parking supply without increasing the parking footprint, while slowing traffic and creating a more pedestrian oriented roadway. We recommend that the Fargo region encourage the use of shared on-street parking, by allowing developments to count adjacent on-street spaces to meet their parking minimum, and that these spaces be shared with nearby buildings.	City of Fargo, City of West Fargo	Medium	Short-term

FEE-IN-LIEU OF PARKING PROGRAM

Under a fee-in-lieu of parking program, a developer is given the choice to opt out of providing the minimum amount of parking required in substitution for a payment given to a governing entity. These funds can then be used towards alternative transportation initiatives, creating additional shared parking supply, or upgrading existing parking assets.

The rate of the in lieu fee varies from city to city. While some entities set fees-in-lieu on a case-by-case basis, most set a uniform rate for all incoming development. The majority of fee-in-lieu rates do not cover the full cost of providing a public parking space but aim to be high enough to pay for parking and low enough to attract development. Considering these factors, we recommend setting a uniform fee-in-lieu rate that is based on the cost to construct a surface parking lot in Fargo and West Fargo.

Task	Parties Involved	Level of Complexity (low, medium, high)	Priority (short, mid, long)
Determine fee in-lieu of parking payment. The rate of fee-in-lieu payments should reflect the cost of constructing a parking facility in that particular region. To gain an accurate understanding of this number, the City of Fargo and West Fargo should research local construction costs for surface lots and determine a rate per space.	City of Fargo, City of West Fargo	Medium	Short-term
Create list of capital improvement projects that can be performed with additional funding based on feedback from developers and business owners. Many cities use direct feedback from the business and/or the real estate community to guide how fee-in-lieu money is spent. This increases collaboration between the city and stakeholders, and incentivizes stakeholder to use this tool.	City of Fargo zoning department, City of West Fargo zoning department, developers, employers, merchants	Medium	Mid-term

Fee-in-lieu of Parking. Miami, FL

Miami's Coconut Grove allows developers to pay the City a flat rate or monthly payment in lieu of constructing the required amount of parking for a site. This money goes towards the City's public parking and other mobility efforts. Since the program was adopted, developers have opted out of approximately 1,000 spaces, generating approximately \$3 million in revenues. Funds from this program have been used to:

- Develop a 416-space garage with ground floor retail
- Fund a study for a downtown circulator shuttle
- Pursue landscaping improvements
- Install traffic control devices to improve parking and pedestrian access

SHARED PARKING PROGRAM

Shared parking is crucial in creating a vibrant region; different land uses have different peak parking demands. Sharing parking among a daytime office building and adjacent restaurant for example, allows less parking to be built than if each entity had to construct its own parking. This results in less land being dedicated to parking and enables growth without exacerbating congestion problems. Building reserved parking for each individual building induces more vehicle trips on Fargo streets.

It is recommended that the City of Fargo and West Fargo takes steps that encourage the use of shared parking including variance alterations, establishing parking management districts around key commercial nodes, and encouraging the use of on-street parking.

Shared Parking with Private Entities. Omaha, NB

Omaha’s parking system includes a Partners program which provides a user-friendly, online process for property owners to offer their unused spaces, at a specified schedule, to the Park Omaha network through a shared parking agreement.

The process begins with an online application. Partner locations are added to the Park Omaha interactive map and includes information on location and hours of operation. Park Omaha identifies these facilities, as “partner” facilities, and distinguishes them from Park Omaha facilities, in its maps and information materials. As Partner facilities, private lots are given official (copyrighted) signage/iconography with a distinct logo that identifies them as part of the Park Omaha network.

Shared Parking Districts. Montgomery County, VA

Montgomery County has established several parking management districts that correspond with commercial nodes or central business districts. In each city, a shared parking program has been developed and is part of a long-term strategy to offer parking as a shared resource. City officials have found that financial lenders are more accepting of shared parking when these districts are established, which has worked successfully promoting mixed use and more dense development patterns in these areas.



**Park Omaha**
Park Omaha App

OFF-STREET ON-STREET SERVICES

Interested in becoming a Park Omaha Partner?

If your residential or business building has unused parking spaces (for example after 5 p.m. or on weekends) and you would like to be part of the shared Park Omaha Partner program, fill out the form below or call City of Omaha Parking Division at 402-444-PARK to learn more.

NAME OF FACILITY

LOCATION OF FACILITY *

TYPE OF FACILITY *

AVAILABILITY *

How many spaces will you have available for public parking?

HOURS/RATES *

SHARED PARKING PROGRAM: NEXT STEPS

Task	Parties Involved	Level of Complexity (low, medium, high)	Priority (short, mid, long)
Eliminate zoning stipulations that require developers to obtain a conditional use permit to share parking. Parking utilization surveys reveal that the City of Fargo and West Fargo both have an excess supply of parking, however 14 CUP applications were presented to Fargo’s City council since 2015. It is recommended that Fargo and West Fargo eliminate the need to obtain a CUP to share parking, and instead present a written agreement to Council.	City of Fargo, City of West Fargo	Medium	Short-term
Establish Shared Parking Districts. Creating Shared Parking Districts would provide a boundary in which tenants would be able to share parking with one another, and use these assets to meet their minimum requirement. To pursue this, both cities should identify and prioritize nodes with a 1/2-mile to 1/4-mile radius and begin to draft zoning stipulations that would promote this type of development.	City of Fargo, City of West Fargo	Medium	Mid-term

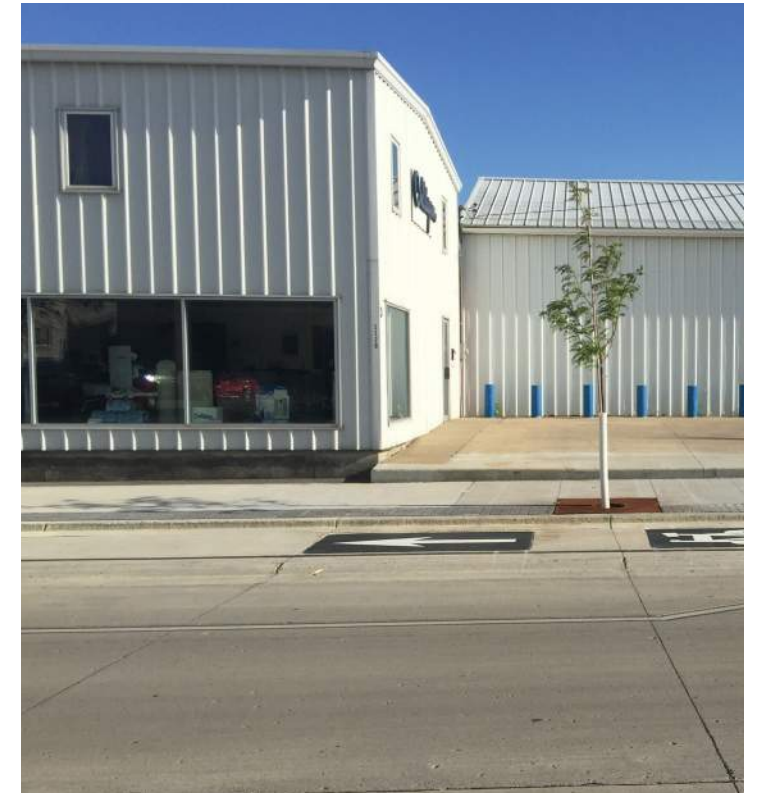
Development Prototypes

To translate how Street Types and their associated access guidelines can set a successful and connected development pattern, three prototypes were developed. These prototypes illustrate how each of the roadway typologies should be accessed by different land uses, while incorporating parking in a shared and effective manner. These prototypes are meant to be used as guidelines to reference when approving building permits, initiating parking policy changes, or constructing new roadways.

The following prototypes represent three land use typologies, with key features highlighted throughout:

- (1) commercial
- (2) mixed use
- (3) residential

The dimensions of the blocks and buildings included in each prototype, were derived from existing land uses throughout the region to ensure that these models are aligned with the regions market and preferences.



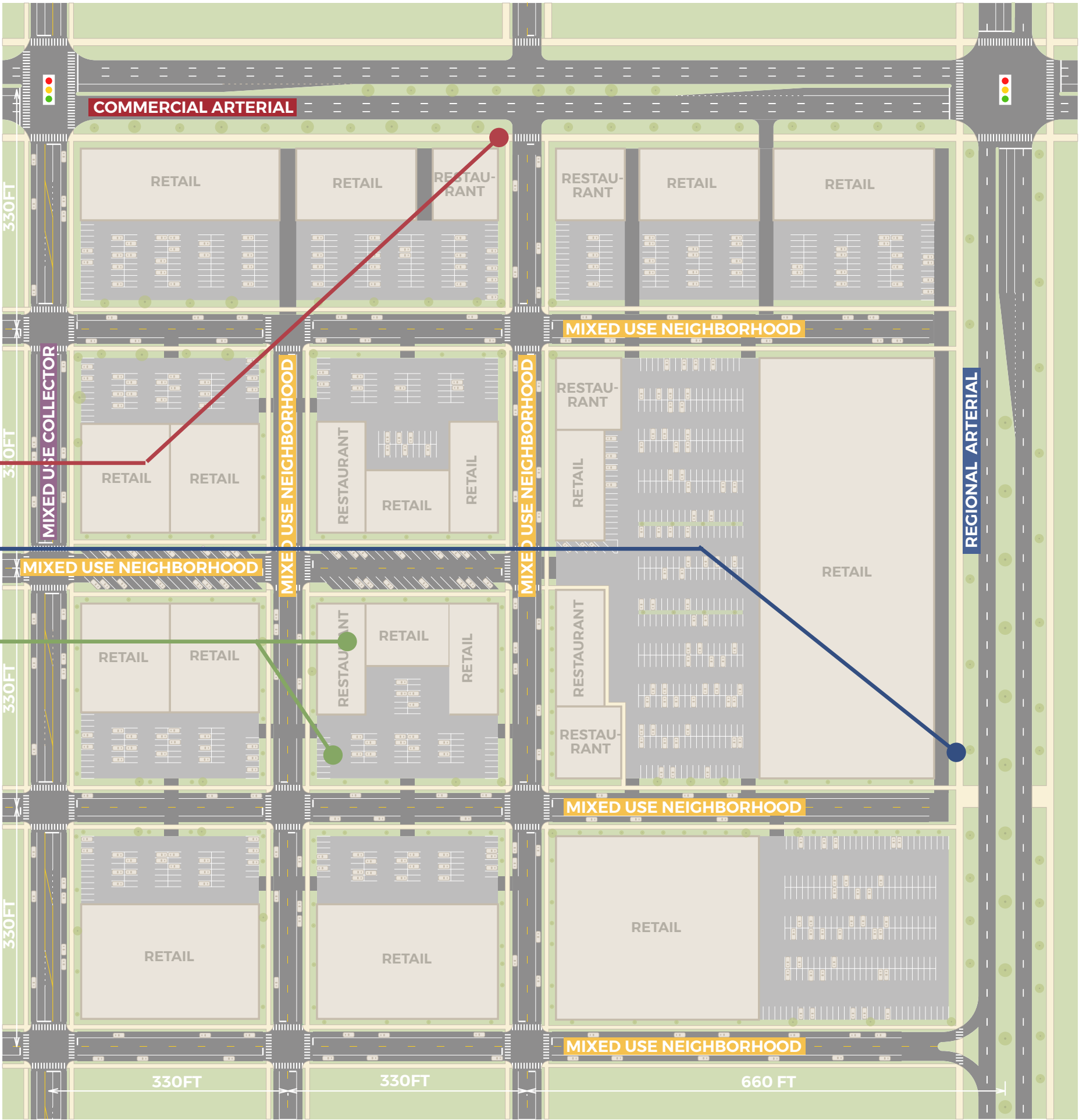
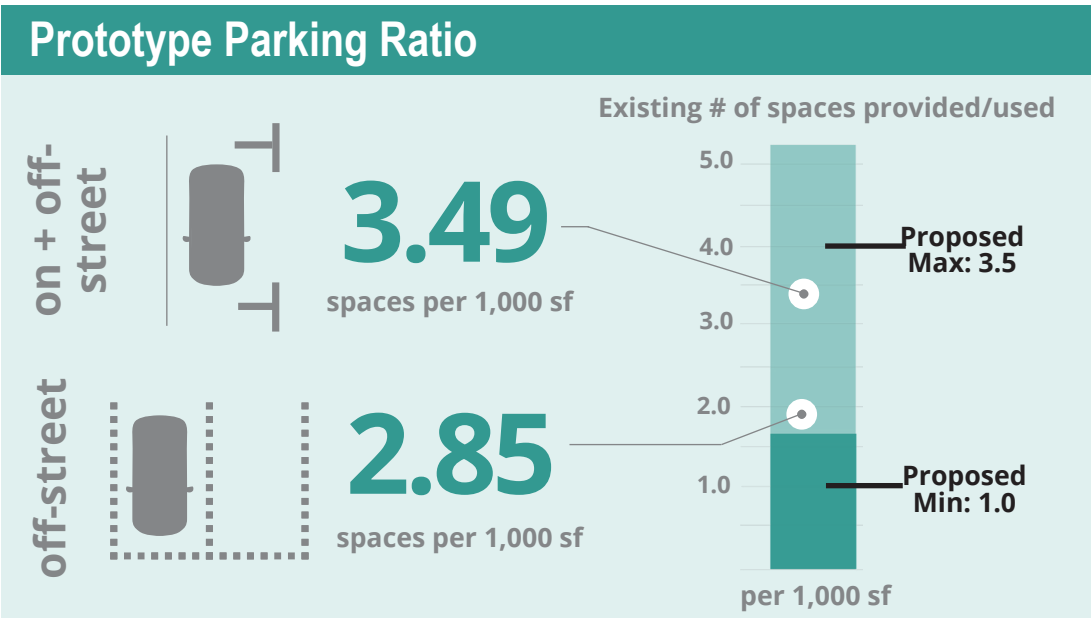
Commercial Prototype

The framework presented here on this 1/4-mile by 1/4-mile tracts uses regular block sizes to set a walkable grid pattern with sidewalks and plentiful on-street parking to reduce the need for large surface parking lots. Shared parking fields are made feasible by slow traffic speeds and safe pedestrian crossing points. Building fronts are generally oriented toward the street. This development illustration is bordered by a Regional Arterial, which allows only stringent right-in/right-out vehicular access, so neighborhood connections are maintained with sidewalks and grade-separated pedestrian crossings.

Access points managed along the arterial streets while still allowing for a connected, walkable grid

Grade-separated pedestrian crossings needed along Regional Arterial to connect neighborhoods

Shared surface parking lots increase the efficiency of the parking pool and encourages walking



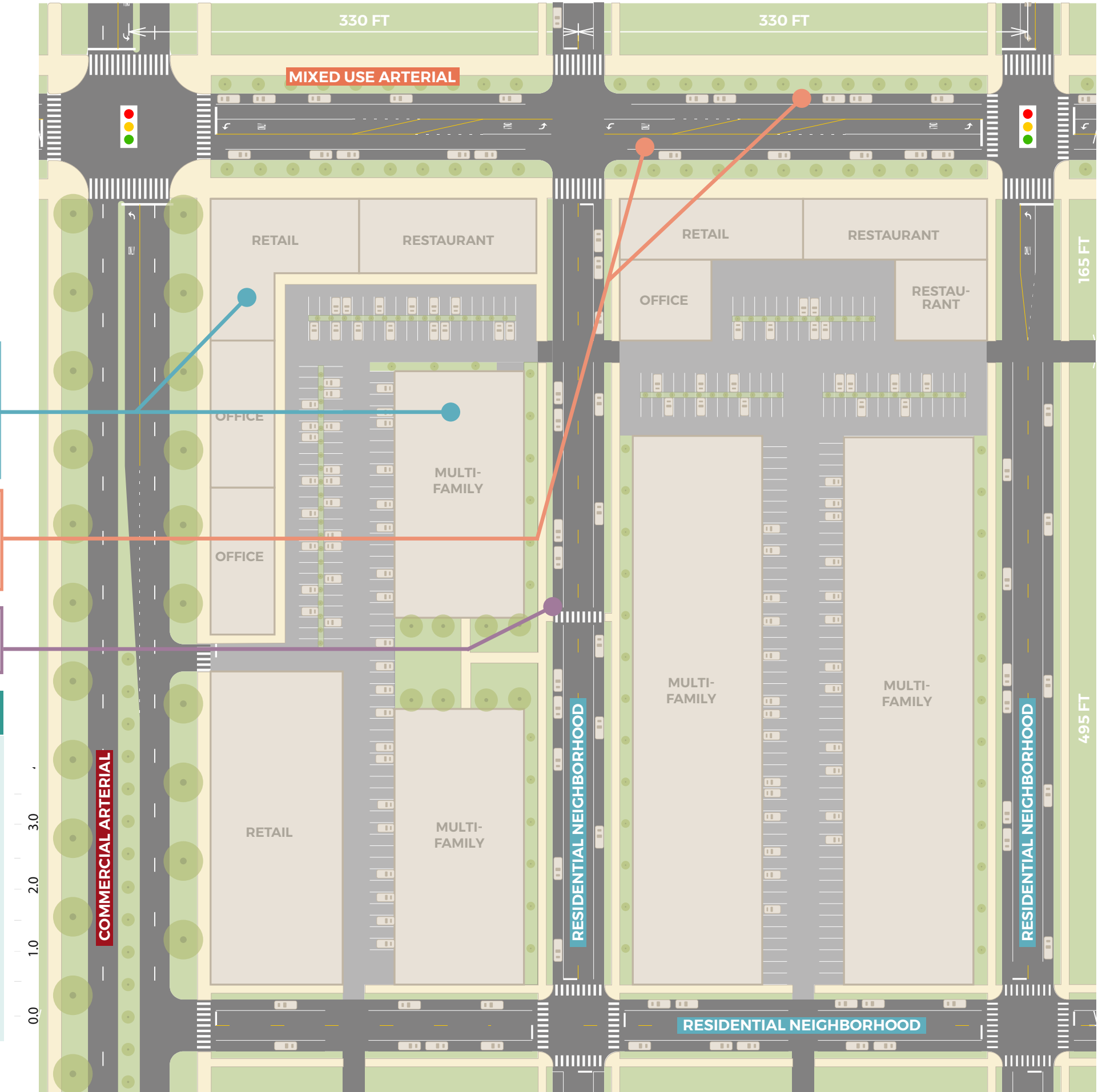
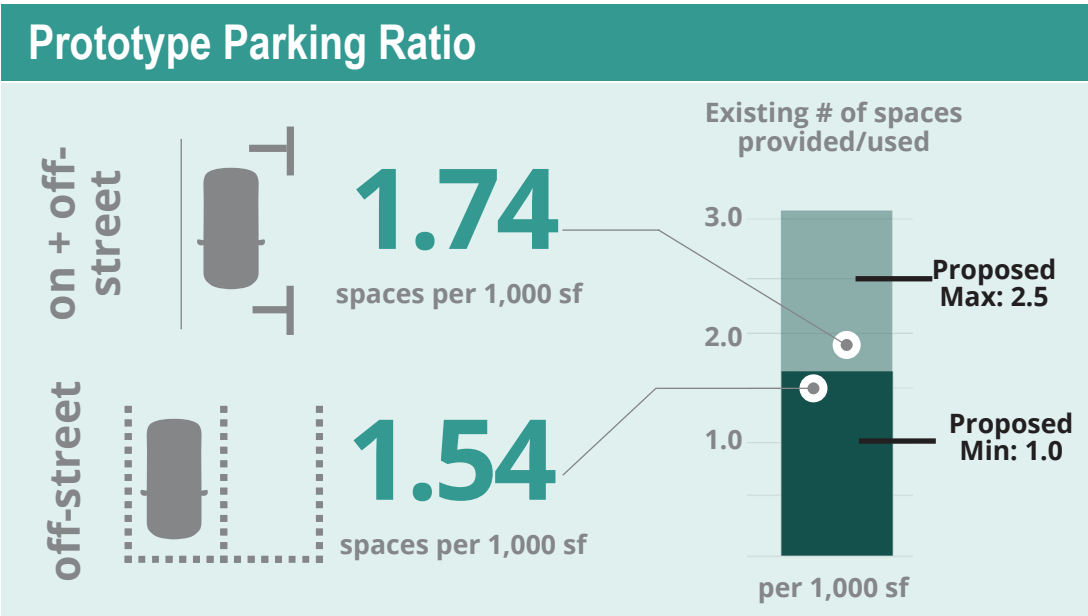
Mixed Use Prototype

The framework presented here on this 1/8-mile by 1/8-mile tracts assumes typical blocks at the intersection of a Commercial Arterial and Mixed Use Arterial. The commercial and residential uses are connected with sidewalks to encourage walking trips. Plentiful on-street parking is provided along the Mixed Use Arterial street, as well as the Residential Neighborhood streets, to slow traffic and create a buffer for pedestrians. Building fronts are generally oriented toward the street with parking in the rear.

Retail, office, and mixed use buildings are oriented towards the arterial streets and residential buildings are oriented toward the Residential Neighborhood streets. Underground or 1st floor residential parking is assumed.

On-street parking on the Mixed Use Arterial street supports businesses, reduces the off-street parking footprint, and calms traffic

Sidewalks and crosswalks encourage walkability between blocks.



*Assumes for approximately 350 residential units between multi-family structures and on top of retail office spaces

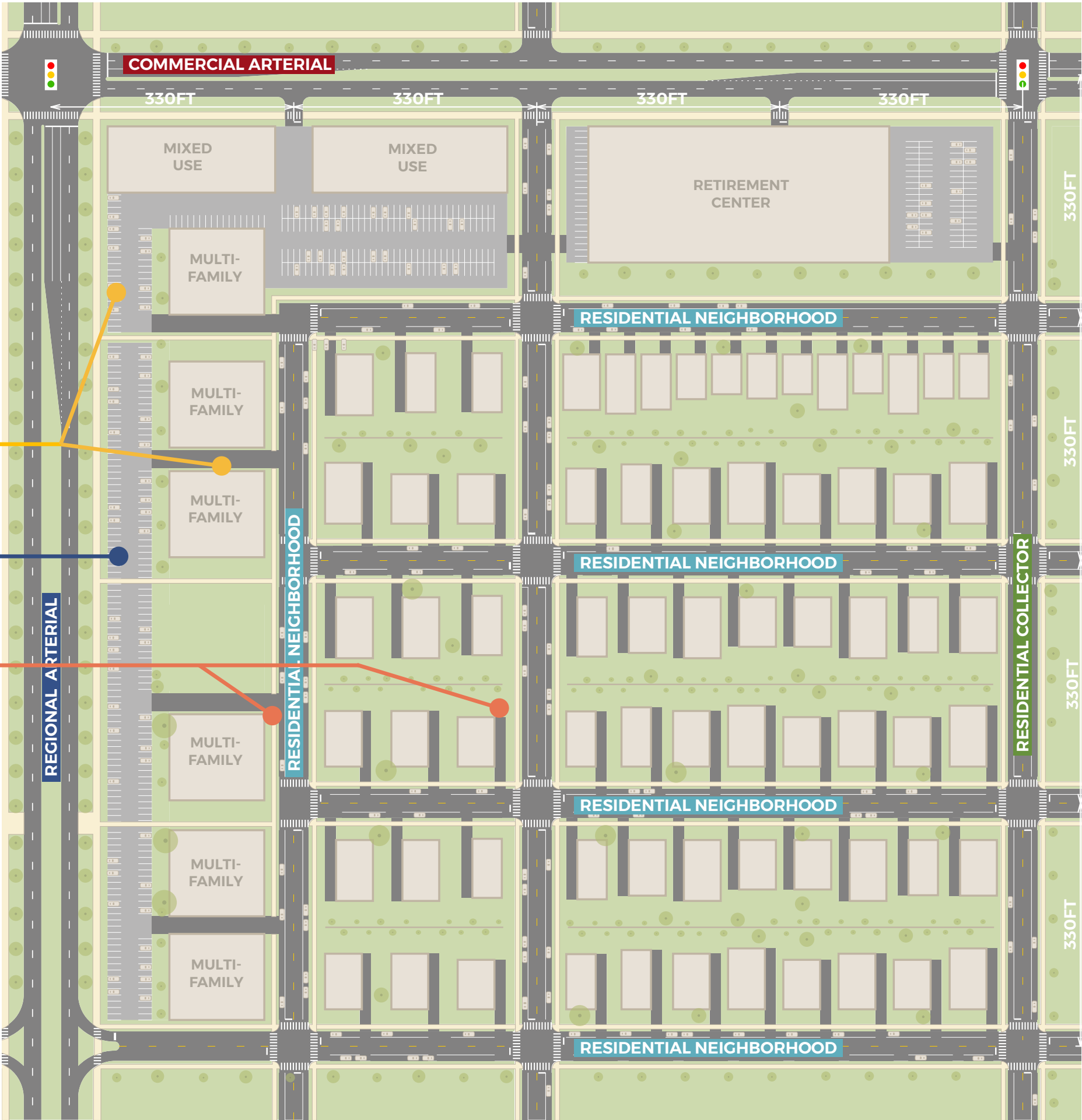
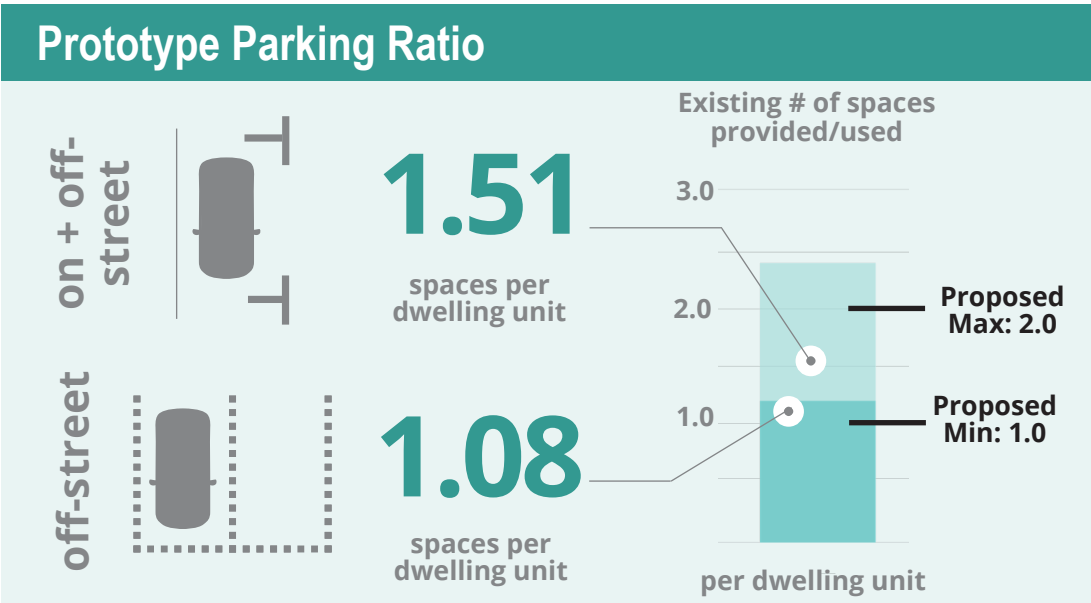
Residential Prototype

The framework presented here on this ¼-mile by ¼-mile tracts uses regular block sizes to set a walkable grid pattern even though a Regional Arterial borders the site and limits street connections. Neighborhood connections are maintained with sidewalks and signalized/grade-separated pedestrian crossings. Multi-family housing and mixed use buildings are oriented along the Regional Arterial and Commercial Arterial streets, respectively, while single-family homes front the Residential Neighborhood streets. Interior residential parking garages eliminate the need for a separated, covered garages.

Multi-family residential parking is shared with retail land uses during non-peak hours. Enclosed row garages may be appropriate along the Regional Arterial.

Multi-family residential buildings are oriented away from the Regional Arterial, with surface parking facing the corridor.

Access to driveways, on-street parking, and crosswalks slow traffic and encourage walking.





International Property Maintenance Code (2021)

SECTION 303

SWIMMING POOLS, SPAS AND HOT TUBS

303.1 Swimming pools.

Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures.

Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exception: Spas or hot tubs with a safety cover that complies with ASTM F1346 shall be exempt from the provisions of this section.

District where accessory buildings up to 1,600 square feet are allowed. Accessory buildings greater than 1,000 square feet in the Rural Estate District and 1,600 square feet in the Rural Residential District are allowed as a conditional use.

6. All swimming pools as defined by this ordinance shall be regulated as follows:

- a. All permanent swimming pools shall be provided with safeguards to prevent children from gaining uncontrolled access. This can be accomplished with fencing, screening or other enclosure, or any combination thereof (collectively "barrier") of sufficient density as to curtail access. Hard and soft pool covers are not considered to be adequate barriers. All barriers must be at least six feet (6') in height. Fences shall be of a noncorrosive material and shall be constructed so as to be not easily climbable. All barrier openings or points of entry into the pool enclosure shall be equipped with gates or doors. All gates or doors to permanent swimming pools shall be equipped with self-closing and self-latching devices placed at a height of at least fifty-four (54) inches from finished grade so as to be inaccessible to all small children. All barrier supports shall be decay or corrosion resistant and shall be set in concrete bases or other suitable protection. The opening between the bottom of the barrier and the ground or other surfaces shall not be more than four inches (4"). A permit for permanent pools is required to be reviewed and approved by the West Fargo Building Inspections Department and West Fargo Planning and Zoning Department prior to construction.
- b. Permanent swimming pools with platforms and railings that are six (6) feet in height above the ground and temporary pools are not required to be enclosed as provided in paragraph (a) above; however, all ladders and stairways providing access to such swimming pools shall be removed from the swimming pool or shall be adequately fenced and fitted with gates, or folded up and locked to prevent entry when the swimming pool is not in use.

Source: Ord. 501, Sec. 11 (1996); Ord. 916, Sec. 44, (2012); Ord. 1137, Sec. 3 (2019); Ord. 1202, Sec. 3 (2022)

ORDINANCE NO. xxxx

AN ORDINANCE TO AMEND AND REENACT SECTIONS 11-0101 (RELATING TO DEFINITIONS) AND 11-0106 (RELATING TO KEEPING AND/OR FEEDING OF FOWL AND OTHER NON-DOMESTIC ANIMALS), AND TO CREATE AND ENACT SECTION 11-0112 (RELATING TO KEEPING OF CHICKENS) OF THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO.

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

SECTION 1. Section 11-0101 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted by adding and/or amending the following definitions and renumbering the existing definitions accordingly:

11-0101. DEFINITIONS.

1. As used in this chapter, “owner” means any person, firm or corporation owning, harboring, or keeping an animal.
2. “At large” means off the premises of the owner and not under the control of the owner or some member of his immediate family or other authorized person either by leash, cord, or chain.
3. “Animal” includes every living animal except a member of the human race.
4. “Chicken” means a female chicken or hen.
5. “Coop” means a structure for housing chickens made of wood or other similar materials that provides shelter from the elements.
46. “Dangerous or Vicious Animal” is any animal that:
 - a. when unprovoked, inflicts bite(s) on any human or domestic animal either on private or public property;
 - b. has a documented history with the West Fargo Police Department or other public agency of biting or attacking any human or domestic animal;
 - c. has a known propensity, tendency, or disposition to attack, to cause injury, or otherwise threaten or endanger the safety of humans or domestic animals;
or
 - d. is not properly vaccinated.

57. "Feed" means making food, including corn or seeds, available for consumption outdoors, either by spreading on the ground or hanging at a height of less than five feet (5') as measured from the grade at the pole or structure supporting the bird feeder. For purposes of this chapter, a person does not feed wildlife by maintaining live vegetation such as fruit trees, gardens, or flower beds.
68. "Non-Domestic Animal" or "Wildlife" is an animal commonly considered to be naturally wild and not naturally trained or domesticated. Unless otherwise defined, such animals shall include, but are not limited to:
- a. Any member of the large cat family (family *lanidae*) including lions, tigers, cougars, bobcats, leopards and jaguars, but excluding commonly accepted domesticated house cats.
 - b. Any naturally wild member of the canine family (family *lanidae*) including wolves, foxes, coyotes, dingoes, and jackals, but excluding commonly accepted domesticated dogs.
 - c. Any crossbreeds such as the crossbreeds between a wolf and a dog, unless the crossbreed is commonly accepted as a domesticated house pet.
 - d. Any member of or relative of the rodent family including any skunk (whether or not de-scented), raccoon, squirrel, or ferret, but excluding those members otherwise defined or commonly accepted as domesticated pets.
 - e. Any poisonous, venomous, constricting, or inherently dangerous member of the reptile or amphibian families, including rattlesnakes, restricted non-venomous constricting snakes, pit vipers, crocodiles, and alligators.
 - f. Any other animal which is not explicitly listed above, but which can be reasonably defined by the terms of this subpart, including but not limited to bears, deer, monkeys and game fish.
 - g. Any type, species or breed of turkey, geese, ducks, pheasants, wood ducks, owls, eagles, and any other type of fowl not being kept for agricultural purposes within an agriculturally zoned district.
9. "Owner" means any person or persons, firm, association or corporation owning, keeping or harboring a dog or a cat.
10. "Persons" means the resident, property owner, custodian or keeper of any chicken.
11. "Premises" means any lot or group of contiguous lots, parcels or tracts of land located within the City of West Fargo.

12. “Proper Enclosures” shall have sidewalls with a minimum height of five feet (5') and be constructed of 11-gauge or heavier wire. Openings in the wire shall not exceed two inches (2"). Support posts shall be one and one-fourth inch (1 1/4") or larger steel pipe buried in the ground eighteen inches (18") or more. When a concrete floor is not provided, the sidewalls shall be buried a minimum of eighteen inches (18") in the ground.

713. “Restricted non-venomous constricting snake” include the following non-venom producing constricting snakes:

- a. Green anacondas;
- b. Yellow anacondas;
- c. Reticulated pythons;
- d. Indian pythons;
- e. Burmese pythons;
- f. North African rock pythons;
- g. South African rock pythons;
- h. Amethystine pythons;
- i. Boa constrictors.

14. “Run” means an enclosed outside yard for keeping chickens.

815. “Service animal” means any guide dog, signal dog, or other animal trained to do work, perform tasks, or provide assistance for the benefit of an individual with a disability. The term includes an animal trained to provide assistance or protection services to an individual with a disability, pull a wheelchair, lend balance support, retrieve dropped objects, or provide assistance in a medial crisis.

SECTION 2. Section 11-0106 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby created and enacted to read as follows:

11-0106. KEEPING AND/OR FEEDING OF FOWL AND OTHER NON-DOMESTIC ANIMALS. Except as authorized pursuant to Section 11-0112 of this chapter, No person shall keep, feed, or maintain Wildlife, fowl or other non-domestic animals of any kind within the City, except horses, swine or cattle temporarily held in shipping pens for shipment to market or elsewhere, or as otherwise permitted by the applicable Zoning Ordinances of the City of West Fargo, and/or if that person is doing so in the course of that person’s employment as a veterinarian, City employee or State of North Dakota employee. No person shall keep, feed, or maintain

restricted non-venomous constricting snakes as defined by Chapter 11-01 of the City of West Fargo Ordinances, except as otherwise permitted by the applicable Ordinances of the City of West Fargo.

1. No person that possesses a restricted non-venomous constricting snake shall fail to post and display any of the following:
 - a. On each container in which a restricted non-venomous constricting snake is confined, signs warning the public that a restricted non-venomous constricting snake is in the container;
 - b. At the main entrance to each structure where a restricted non-venomous constricting snake is confined, a sign warning the public that a restricted non-venomous constricting snake is in the structure.
2. No person shall allow a restricted non-venomous constricting snake to roam off the property where it is confined.

SECTION 3. Section 11-0112 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby created and enacted to read as follows:

11-0112. KEEPING OF CHICKENS. Pursuant to Section 11-0106 of this chapter, it is unlawful for any person to own, control, keep, maintain, or harbor chickens on any premises within the City unless that person has a permit to do so as provided in this chapter. A permit will not be issued for the keeping or harboring of more than six (6) chickens on any premises. The keeping or harboring of male chickens or roosters is prohibited.

1. Permit. A person shall not maintain a coop or run unless granted a permit by the City. The permit is subject to all terms and conditions of this chapter and any additional conditions deemed necessary by the City to protect public health, safety, and welfare.
 - a. Annual Permit. Permits will not exceed one (1) year and are subject to annual renewal. The initial permit automatically expires at the end of the initial calendar year and, thereafter, renewals of said permit extend for calendar-year periods. The annual permit fee is set by resolution of the City Commission, as amended from time to time.
 - b. Permit Requirements. An application for a permit includes a complete application with a scaled diagram that indicates the location of the coop and run, approximate size and distance of the coop and run from adjoining structures and property lines, the number and species of chickens to be maintained at the premises, and a signed statement that the applicant will, at all times, keep the chickens in accordance with this chapter and comply with all the conditions within the application and permit. Failure to comply with said conditions, or modification thereof, will constitute a violation of

the provisions of this chapter and are grounds for revocation or suspension of the permit. Chickens may be slaughtered on the premises only if for consumption by the occupants of the premises.

- c. A property with three (3) or more residential dwelling units, commercial, mixed use, and industrial properties is prohibited from keeping chickens.
2. Confinement. A person who owns, controls, keeps, maintains, or harbors chickens must keep them confined at all times in a coop and run and may not allow the chickens to run at large. Chickens must be secured in a chicken coop from sunset to sunrise each day.
- a. The following conditions apply to both coops and runs:
 - i. Must not be located within the front yard;
 - ii. Must be setback a minimum of three (3) feet from any adjacent structures;
 - iii. Must be setback a minimum of ten (10) feet from all property lines;
 - iv. Must not be located on any public easements;
 - v. Must be a minimum of four (4) square feet per chicken and may not exceed ten (10) square feet per chicken;
 - vi. Must not exceed seven (7) feet in total height from adjacent ground level;
 - vii. May be a commercially purchased chicken coop that substantially conforms with the requirements of this ordinance;
 - viii. Fencing for coops and runs may not exceed six (6) feet in total height from adjacent ground level;
 - ix. Must not be located in any part of a dwelling unit or garage;
 - x. Feed must be kept within the coop and run and must be kept in metal predator proof containers; and
 - xi. Manure must be removed frequently, and use of quality bedding material is recommended. Manure which is not properly disposed of and/or causes odor issues will result in revocation of the permit.
 - xii. Coops and runs shall be enclosed by a solid opaque fence or wall measuring a minimum of five feet (5') in height and not more than four inches (4") from the ground or other surface.
 - b. The following conditions apply to coops:
 - i. Must be either elevated with a clear open space of at least sixteen (16) inches between the ground surface and grading/floor of the coop or;
 - ii. May be a commercially purchased chicken coop that substantially conforms with the requirements of this ordinance.
 - iii. The coop floor, foundation and footings must be constructed using rodent resistant construction.

- c. The following apply to runs:
- i. Must not exceed ten (10) square feet per chicken;
 - ii. Fencing must not exceed six (6) feet in total height from adjacent ground level; and
 - iii. May be enclosed with wood, woven wire materials, or a combination thereof.
3. Conditions and Inspections. A person who owns, controls, keeps, maintains, or harbors chickens must not permit the premises where the chickens are kept to be maintained in an unhealthy, unsanitary, or noxious condition or to permit the premises to be in such condition that noxious odors are carried to adjacent properties. Any coop or run authorized by permit under this chapter may be inspected at any reasonable time by the animal control officer, law enforcement officer, public health official, or other employee or agent of the City.
4. Private Restrictions/Covenants. A permit issued to a person whose premises is subject to private restrictions and/or covenants that prohibit the keeping of chickens is the sole responsibility of the person applying for the permit. The interpretation and enforcement of the private restrictions and/or covenants is the sole responsibility of the private parties involved, the City is in no way responsible for interpreting or enforcing private restrictions and/or covenants.
5. Refusal to Grant Permit. The City may refuse to grant or renew a permit to keep or maintain chickens for failure to comply with the provisions of this chapter, submitting an inaccurate or incomplete application, failure to comply with permit conditions, creation of a nuisance condition, or if the public health and safety is unreasonably endangered by the granting or renewing of such permit. Any coop or run constructed or maintained on any premises must be removed from said premises within thirty (30) days after the suspension, expiration, or revocation of the permit for said premises or after a period of thirty (30) days from which chickens have not been lawfully kept on the premises.
6. Suspension and Appeal. A permit for keeping of chickens may be revoked or suspended by the City for any violation of this chapter following written notice or, upon request for renewal, the renewal permit may be refused by the City. The applicant may appeal the revocation, suspension, or refusal to renew the permit to the City Auditor by requesting a hearing before the City Commission within seven (7) days of the date of the notice. The City Commission shall hear testimony from the permittee and City staff and render a decision on the matter or request additional information.
7. Violation. A person who owns, controls, keeps, maintains, or harbors chickens without obtaining or maintaining a current permit or after a permit has been suspended or revoked is guilty of an infraction as provided under Section 1-0211.

8. A person who had a permit to harbor chickens and who no longer harbors chickens must remove any related structures (coop, run, or other) within ten (10) days of no longer harboring chickens.

SECTION 4. 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: