



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

www.westfargond.gov

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

- A. Call to Order
- B. Approval of Order of Agenda
- C. Approval of Minutes- July 9th, 2024
- D. Regular Agenda
 - 1. Public Hearing- A24-20 South Pond at the Preserve 4th Addition, a request for variance to exceed height of an accessory structure at 2920 6th St E (Lot 17, Block 1 of South Pond at the Preserve 4th Addition)- McGillivray-Rivas (*continued from July 9, 2024 meeting; withdrawn*)
 - 2. Public Hearing- A24-23 North Pond at the Preserve 18th Addition, a request for subdivision at 2400 Bluestem Dr. (Lot 1, Block 3 North Pond at the Preserve 9th Addition)- McGillivray-Rivas
 - 3. Public Hearing- A24-24 Nelson Acres 5th Addition, a request for a Planned Unit Development (PUD) Amendment regarding an existing landscaping business and a proposed event/entertainment venue at 225 40th Ave W (Lot 1, Block 1 of Nelson Acres 5th Addition)- McGillivray-Rivas
- E. Non-Agenda Items
- F. Adjourn from Regular Agenda
- G. Discussion Agenda
 - 1. Proposed revisions to Title IV Ordinances regarding landscaping, screening, & outdoor storage
 - 2. Project updates & Proposed Growth Area Master Plan
- H. Adjourn from Discussion Agenda



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

Members Present: Kathi Schwan, Eric Dodds, Mike Thorstad, Dave Gust

Members Absent: Aleya Leibfried, Joe Kolb

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

Minutes Submitted by: Breanna Siegler, Office Manager

Meeting was called to order by Vice-Chair Dodds at 5:30pm. Vice-Chair Dodds asked for approval of the order of the agenda. Commissioner Schwan motioned to approve the regular agenda. Commissioner Thorstad seconded the motion. No opposition. Motion passed.

Commissioner Gust moved and Commissioner Schwan seconded the motion to approve the minutes from June 11, 2024. No opposition. Motion passed.

Vice-Chair Dodds acknowledged that A24-15 North Pond at the Preserve 18th Addition, a request for replat at 450 23rd Ave. E (Lot 1, Block 1 of North Pond at the Preserve 14th Addition) has been withdrawn. No further action was necessary.

Vice-Chair Dodds opened a public hearing for A24-20 South Pond at the Preserve 4th Addition, a request for variance to exceed height of an accessory structure at 2920 6th St E (Lot 17, Block 1 of South Pond at the Preserve 4th Addition). Vice-Chair Dodds asked for public comment. Applicant Brian Albrecht asked for a clarification regarding heights. Vice-Chair Dodds closed the public hearing. Discussion was held. Commissioner Gust motioned to table this application item until the August 13, 2024 meeting with the permission of the applicant. The applicant gave permission and then Commissioner Thorstad seconded the motion to table this item until the August 13th meeting. No opposition. Motion passed. City staff will continue to work with the applicants to design a structure that will meet the criteria outlined in the ordinance prior to the August 9th meeting.

Vice-Chair Dodds opened a public hearing for A24-21 Charleswood River Estates 13th Addition, a request for replat at 381, 389, and 397 20th Ave E (Lots 4-6 Charleswood River Estates 10th Addition). Vice-Chair Dodds opened the public hearing for comments. No public comment was brought forth. Vice-Chair Dodds closed the public hearing. Discussion held. Commissioner Thorstad motioned to approve with the two conditions listed by city staff. Commissioner Schwan seconded the motion. No opposition. Motion passed.

Vice-Chair Dodds opened a public hearing for A24-22 Simpsons 7th Addition, a request for a retracement plat and a variance to reduce the building control line of the CO-SR: Sheyenne River Corridor Overlay district to

construct an addition onto an existing home at 1444 Sheyenne St. & 1442 River St (Lots 1 & 2, Block 1 Simpsons 2nd Subdivision). Vice-Chair Dodds asked for public comment. No public comment was brought forth. Vice-Chair Dodds closed the public hearing. Commissioner Gust motioned to approve with the four recommendations from City Staff. Commissioner Schwan seconded the motion. No opposition. Motion passed.

Vice-Chair Dodds opened the floor for non-agenda items. None were brought forth. Vice-Chair Dodds adjourned from the regular agenda at 5:59pm.

Vice-Chair Dodds opened the discussion agenda. Planning Director Nelson brought forth the proposed revisions to Title IV Ordinances regarding landscaping. Discussion was held.

Vice-Chair Dodds adjourned from discussion agenda at 6:27pm.

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A24-23 MAJOR SUBDIVISION	
Name of Development: North Pond at the Preserve 18 th Addition	
Legal Description: Lot 1, Block 3 North Pond at the Preserve Ninth Addition	
Applicant and Property Owner: Westport Investments, LLC	Staff Contact: Leslie McGillivray-Rivas
Planning & Zoning Commission Public Hearing:	August 13, 2024
City Commission Public Hearing	

PURPOSE:

Replat to subdivide a single platted lot into seven individual parcels

STATEMENTS OF FACT:

Land Use Classification:	G-2 Sub -Urban - Growth Sector
Existing Land Use:	Platted– Vacant
Current Zoning District(s):	C: Light Commercial
Proposed Lot size(s) or range:	33,146 sf to 85,480 sf
Total area size:	324,563 sf or Approximately 7.45 Acres
Adjacent Zoning Districts:	North – C: Light Commercial South – R-1A Single Family Dwelling East – C: Light Commercial/CO: Corridor Overlay District West – C-OP: Commercial Office Park
Adjacent street(s):	Bluestem Drive (Local) and 26 th Avenue East (Collector).
Adjacent Bike/Pedestrian Facilities:	Pedestrian walkways on Bluestem Drive, Multi-use trail on both sides of 26 th Ave East.
Available Parks/Trail Facilities:	Rustad Recreation Center is located .1 mile southwest of the site providing indoor recreation. Maple Ridge Park is located .63 miles accessible A multi-purpose trail is located .1 mile easterly on Veteran's Boulevard by 23 rd Ave East, 24 th Avenue East, or 26 th Avenue East. A multi-purpose trail is located westerly connected from 23 rd Avenue East and 26 th Avenue East.
Public Dedication Requirements:	Parkland dedication has been fulfilled by way of an agreement dated March 15, 2015, completed as part of North Pond at the Preserve 6 th Addition. The agreement included undeveloped parcels.

STAFF REPORT

DISCUSSION AND OBSERVATIONS:

- The applicant has applied for a proposed replat.
- The parcel to be subdivided was created through replatting in 2016 of a 17.88-acre lot into smaller parcels of varying sizes which established the North Pond at the Preserve 9th Addition.
- The replat is necessary to subdivide the single platted parcel into seven individual parcels to further ready the area for development.
- The property is zoned C: Light Commercial District.
- The six southerly parcels will be served by public right of way which includes the north/south local street of Bluestem Drive and the west bound traffic Lane of 26th Avenue East.
- There is an access control adjacent to the southern boundary and along a portion of the eastern boundaries intended to limit traffic movements and access originating from the public Right of Way.
- To assist in providing legal access and increased connectivity within the six southerly parcels, an internal private road system has been proposed. The private road to be named Alexander Way will be constructed within a north/south 45-foot easement intended for both Ingress/Egress and will include placement of utilities. The east/west easement is 40-feet width overall with the easement on Lot 2, Block 1 reduced to 16' in depth.
- The applicant intends to construct a 30' wide private road with a sidewalk on one side for pedestrian connectivity.
- The applicant will create a private maintenance agreement for Alexander Way which will be managed by an association. This agreement will be recorded with the county.
- The placement of the southern access of Alexander Way at the public right of way necessitates adjustment of the boundaries of the traffic access control on 26th Avenue East. These adjustments are agreeable to the City of West Fargo engineering.
- City Engineering staff requested the lot line separating Lot 2, Block 1 and Lot 3, Block 1 be aligned with the center line of 24th Avenue East.
- The northern parcel, Lot 1 Block 1 of the proposed North Pond at the Preserve Eighteenth Addition is to be served by direct access to Bluestem Drive.
- The revised grading and drainage plan will be reviewed and approved by the City Engineer prior to final plat approval.
- A subdivision development agreement will be drafted prior to final plat approval which will detail long-term maintenance and construction of the private drive, and any additional details as needed.

NOTICES:

Sent to:	Legal notices published in the Forum and notices sent to applicable agencies and departments.
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Comments Received in relation to preliminary plat:

- No other comments were received.

STAFF REPORT

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

- The proposed application is consistent with City plans and ordinances. The West Fargo comprehensive planning document, West Fargo 2.0 highlights desire to support diversity of commercial establishments to strengthen economic vitality and create a sustainable economy that spans all sectors.

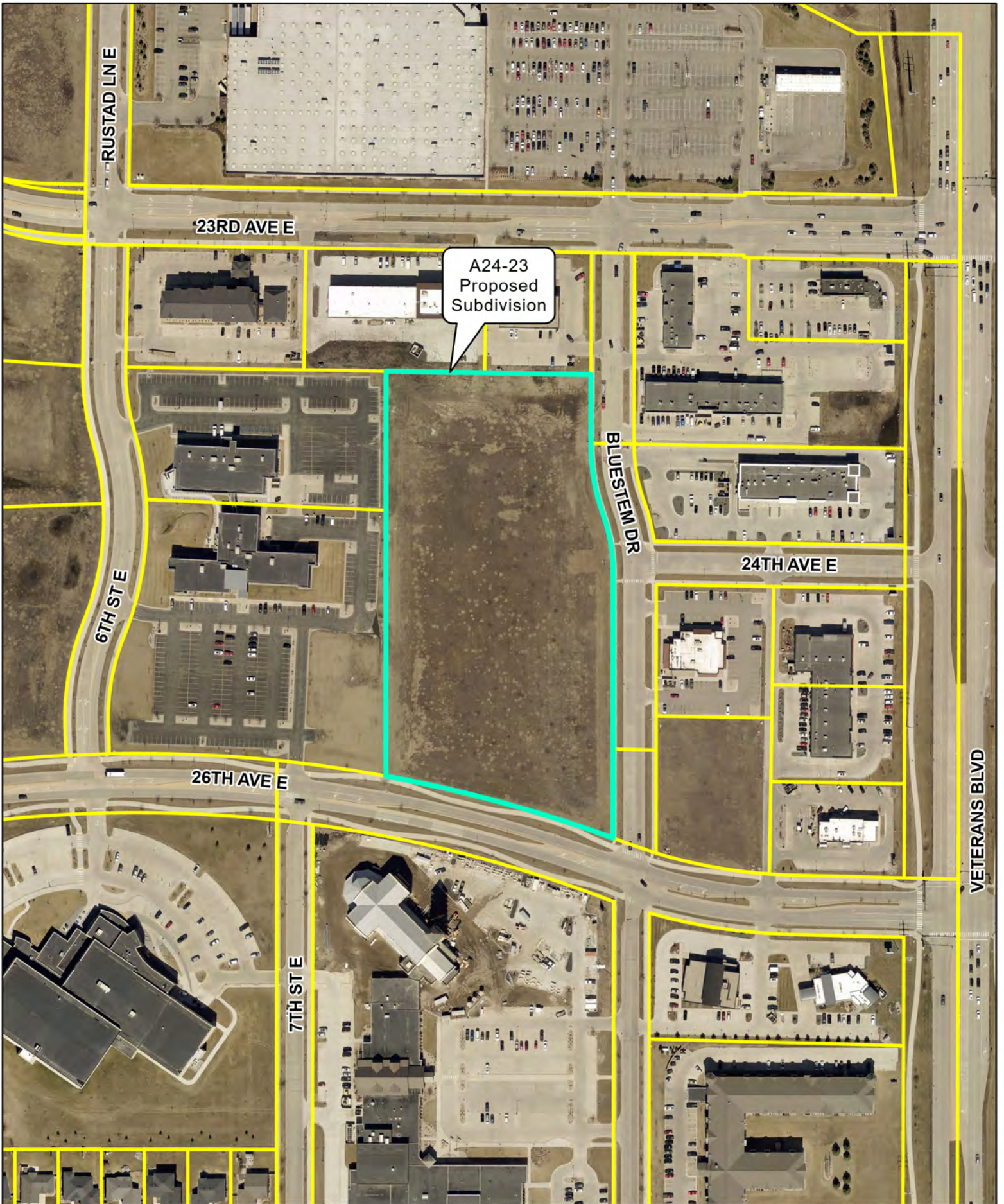
RECOMMENDATIONS:

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

- A signed subdivision development agreement be received prior to final plat approval.

Attachments:

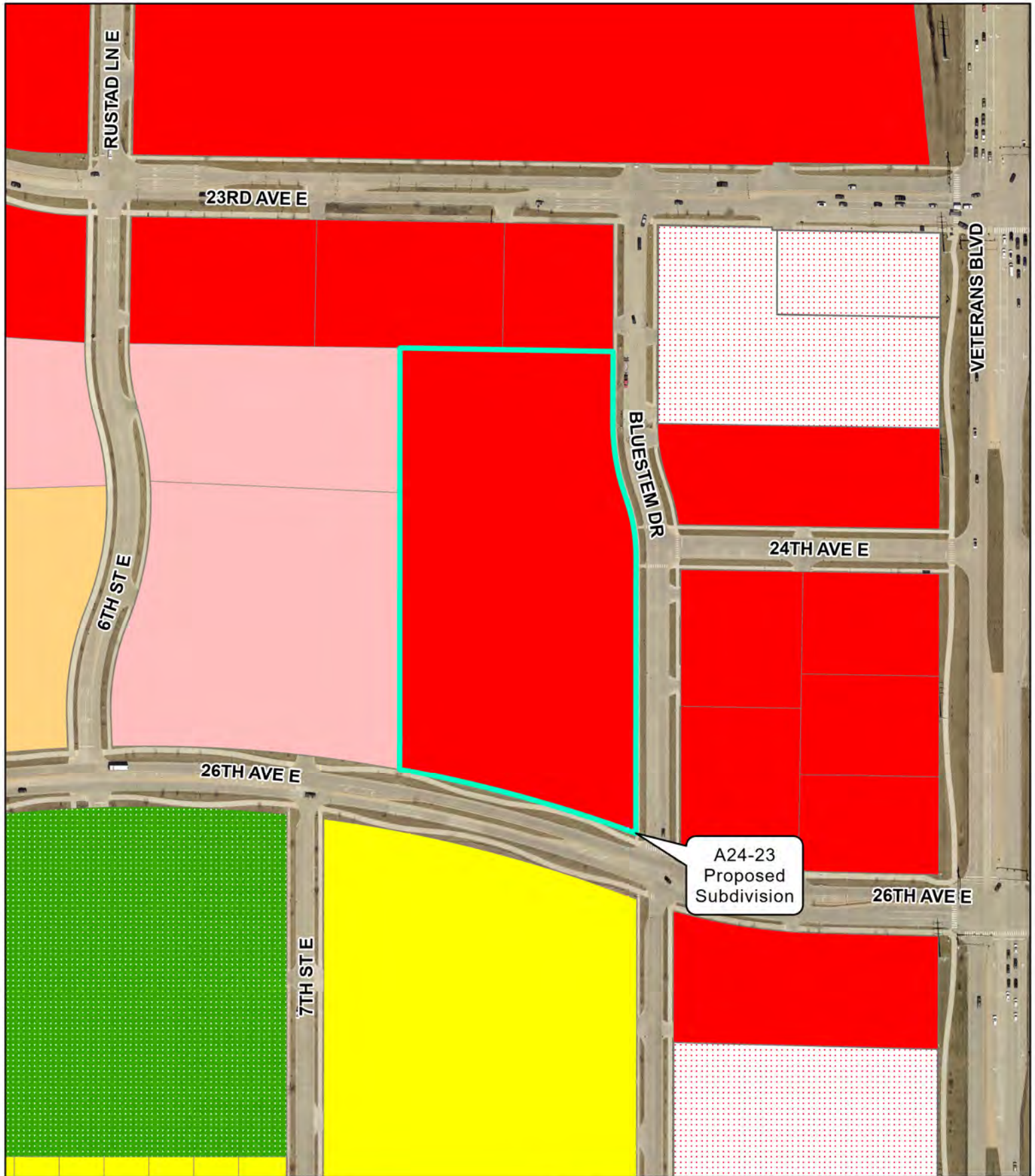
1. Aerial Location map
2. Zoning map
3. Plat
4. Site Plan



Features

 Agenda Zone  Lots





West Fargo Zoning

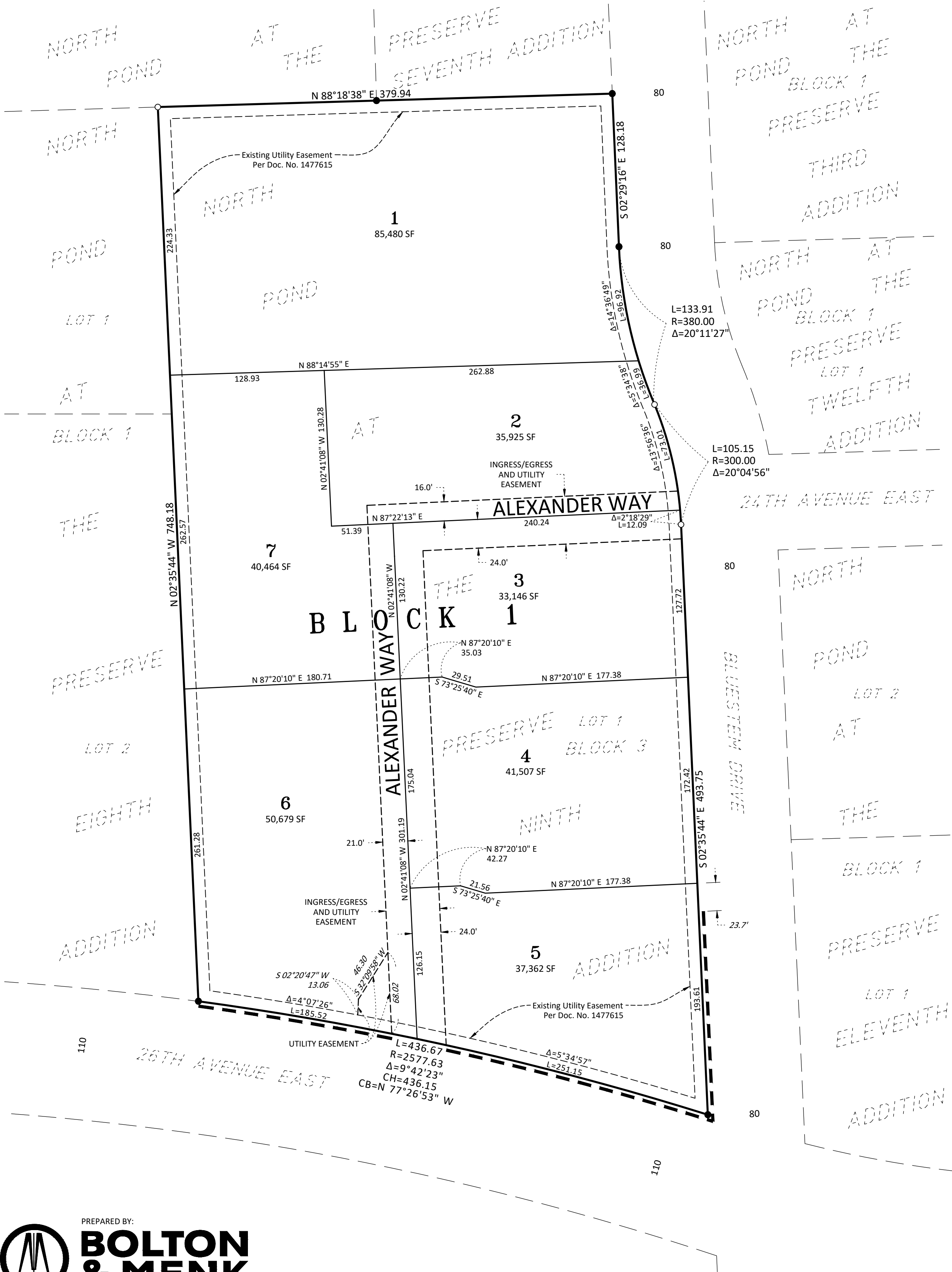
A: Agricultural	LI: Light Industrial	R-1SM: Mixed One and Two Family Dwelling
C: Light Commercial	M: Heavy Industrial	R-2: Limited Multiple Dwelling
C-OP: Commercial Office Park	P: Public	R-3: Multiple Dwelling
DMU: Downtown Mixed Use	PUD: Planned Unit Development	R-4: Mobile Home
EMU: Entertainment 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



0 200 400
US Feet

NORTH POND AT THE PRESERVE EIGHTEENTH ADDITION

TO THE CITY OF WEST FARGO, A REPLAT OF LOT 1, BLOCK 3, NORTH POND AT THE PRESERVE NINTH ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA.



OWNERS DESCRIPTION AND DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS, That West Fargo Holdings, LLC a North Dakota Limited Liability Company as owner of a parcel of land located in the Northeast Quarter of Section 20, Township 139 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, and more particularly described as follows:

Lot 1, Block 3, NORTH POND AT THE PRESERVE NINTH ADDITION, according to the recorded plat thereof, on file and of record in the office of the Recorder, Cass County, North Dakota.

Said parcel contains 324,563 square feet, more or less, and is subject to all easements, restrictions, reservations and rights-of-way of record, if any.

Said owner has caused the above described parcel of land to be surveyed and platted as "NORTH POND AT THE PRESERVE EIGHTEENTH ADDITION" to the City of West Fargo, Cass County, North Dakota and does hereby dedicate to the public for public use the utility easement as shown on this plat for the purpose so stated and does hereby dedicate to Lots 2 through 7 the ingress/egress and utility easements as shown on this plat for the purposes so stated.

OWNER:
West Fargo Holdings, LLC

By: Kevin Christianson, President

State of North Dakota }
County of Cass }SS

On this ____ day of ____, in the year 2024, before me, a notary public within and for said County and State, personally appeared Kevin Christianson, President of West Fargo Holdings, LLC, a North Dakota Limited Liability Company, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of Westport Investments, LLC.

Notary Public

WEST FARGO PLANNING COMMISSION APPROVAL

This plat in the City of West Fargo is hereby approved this ____ day of ____, 2024.

Joseph F. Kolb, Chairman, West Fargo Planning Commission

State of North Dakota }
County of Cass }SS

On this ____ day of ____, in the year 2024 before me, a notary public within and for said County and State, personally appeared Joseph F. Kolb, Chairman, West Fargo Planning Commission, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of the West Fargo Planning Commission.

Notary Public

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

Attest:
Justin T. Scott, City Auditor

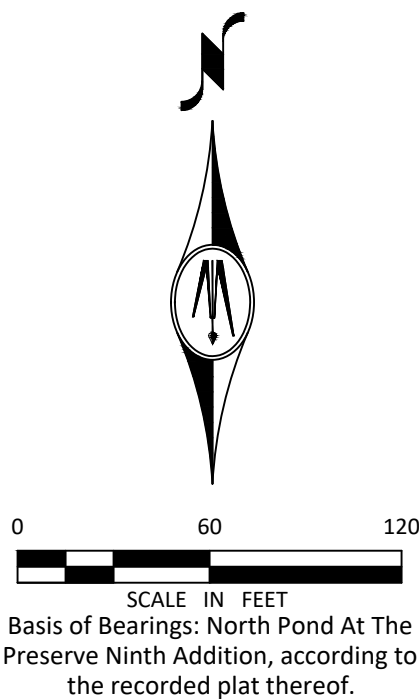
State of North Dakota }
County of Cass }SS

On this ____ day of ____, in the year 2024 before me, a notary public within and for said County and State, personally appeared Bernie L. Dardis, President of the West Fargo City Commission, and Justin T. Scott, City Auditor known to me to be the persons who are described in and who executed the within instrument, and acknowledged to me that they executed the same on behalf of the City of West Fargo.

Notary Public

LEGEND

- 5/8"x18" REBAR MONUMENT SET, CAP MARKED BY LIC. NO. LS-5900
- MONUMENT FOUND, 5/8" REBAR
- SUBJECT PROPERTY LINE
- - - EXISTING PROPERTY LINE
- - - ACCESS CONTROL LINE



SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

I, Shawn M. Thomasson, Registered Professional Land Surveyor under the laws of the State of North Dakota, do hereby certify that this plat is a correct representation of the survey, that all distances shown are correct and that the monuments for the guidance of future surveys have been located or placed in the ground as shown, and that the outside boundary lines are correctly designated on the plat.

Shawn M. Thomasson, Professional Land Surveyor
North Dakota License Number LS-5900

State of North Dakota }
County of Cass }SS

On this ____ day of ____, 2024, before me, a notary public within and for said County and State, personally appeared Shawn M. Thomasson, Registered Professional Land Surveyor, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same.

Notary Public

WEST FARGO CITY ATTORNEY APPROVAL

I do 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 }SS

On this ____ day of ____, in the year 2024 before me, a notary public within and for said County and State, personally appeared John T. Shockley, City Attorney, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of the City of West Fargo.

Notary Public

CITY ENGINEER'S APPROVAL

This plat in the City of West Fargo is hereby approved this ____ day of ____, 2024.

Daniel R. Hanson, P.E., City Engineer

State of North Dakota }
County of Cass }SS

On this ____ day of ____, in the year 2024 before me, a notary public within and for said County and State, personally appeared Daniel R. Hanson, P.E., City Engineer, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of the City of West Fargo.

Notary Public

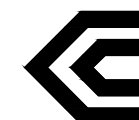
preliminary

SHEET 1 OF 1

[illegible]

**OFFICE PARK
2400 BLUESTEM DR
WEST FARGO, ND**

CONSTRUCTION SET

CHRISTIANSON
COMPANIE

PH. (701) 281-9500
FAX (701) 281-9501

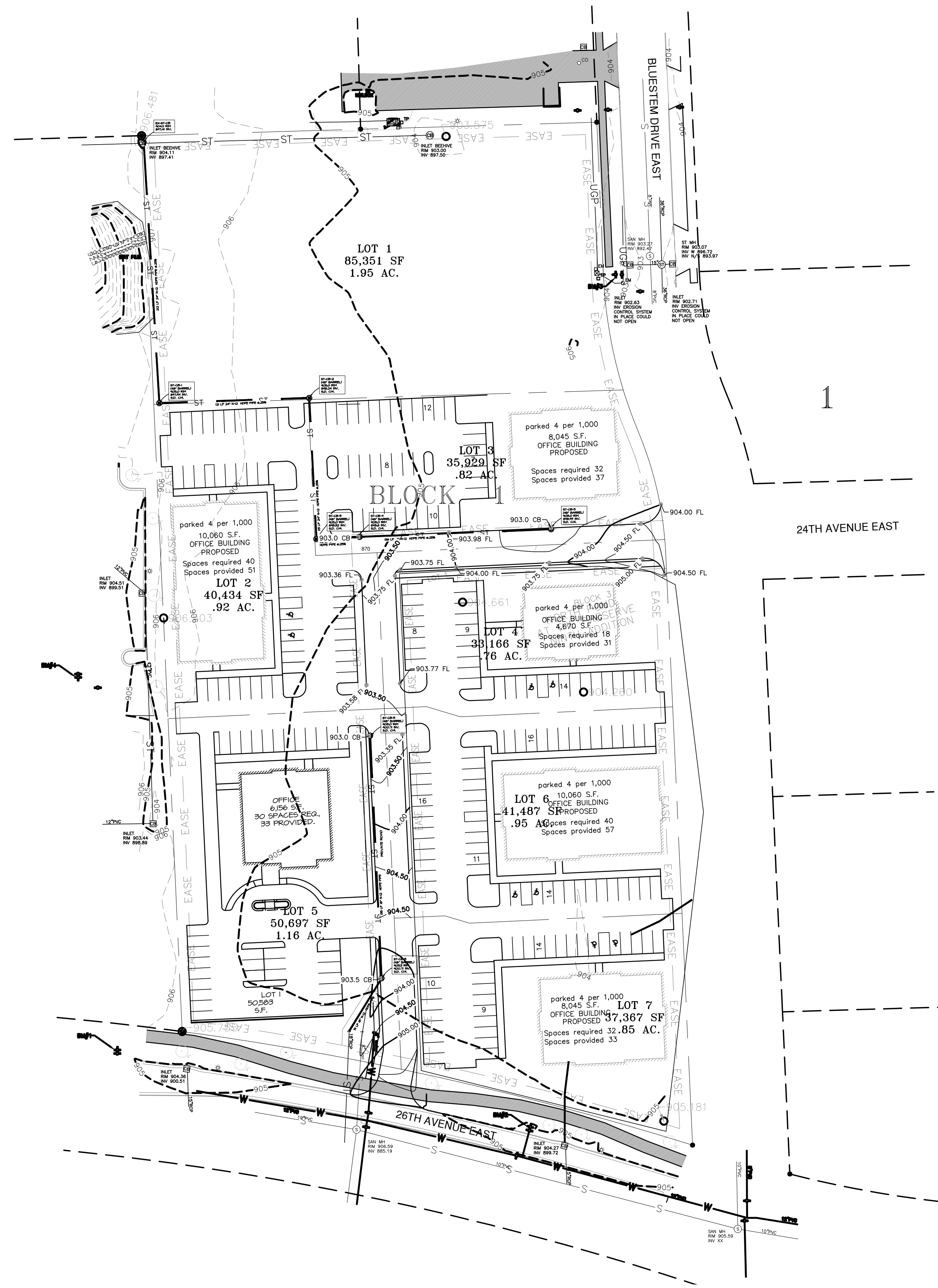
**4609 33RD AVE. S.
SUITE 400
FARGO, ND 58104**



PH. (701) 499-0212
FAX (701) 281-9501

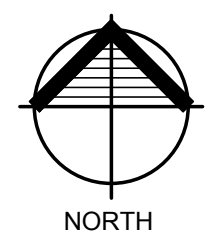
SHEET DESCRIPTION:
Preliminary Drainage Plan

Sheet
C1.1



(K6) Preliminary Drainage Plan

SCALE: 1" = 60'



STAFF REPORT

A24-24 PLANNED UNIT DEVELOPMENT AMENDMENT	
Nelson Acres 5 th Addition-SheyWest Planned Unit Development (PUD) Amendment	
Legal Description: Block 1, Lot 1 Nelson Acres 5 th Addition	
Applicant: Jodi Kallias Property Owner: Greenworks Properties, LLC	Staff Contact: Leslie McGillivray-Rivas
Planning & Zoning Commission:	August 13, 2024
City Commission:	

PURPOSE:

Request Amendment to the Planned Unit Development

STATEMENTS OF FACT:

Land Use Classification:	G-2 Sub-Urban-Growth Sector
Existing Land Use:	Planned Unit Development
Current Zoning District(s):	Planned Unit Development-based on zoning district C: Light Commercial District standard for Greenhouses and Plant Nurseries
Zoning Overlay District(s):	CO: Corridor Overlay District
Total area size:	2.25 Acres
Adjacent Zoning Districts:	North – R1A: Single Family Dwelling South – R-R: Rural Residential East – R-1E: Rural Estate West – R-R: Rural Residential
Adjacent street(s):	40 th Avenue West (Arterial): North Sheyenne Street (Arterial): East
Adjacent Bike/Pedestrian Facilities:	Multi-Use Path along 40 th Avenue West
Available Parks/Trail Facilities:	Eagle Run Park on North Side of 40 th Avenue West

DISCUSSION AND OBSERVATIONS:

Project purpose and methodology: The applicant is requesting approval to amend an approved Planned Unit Development plan. Zoning Ordinance Section 4-432.6 D. (PUD) Amendments provides that when “(a) change constitutes substantial alteration of the original plan, especially with regards to a change in land use or an increase in development density or intensity,” an amended plan shall be submitted to the City Planning Commission for review and approval. The applicant is requesting the PUD Amendment primarily to:

1. **allow a private banquet/party/event venue on the subject property;**
2. allow gravel parking & vehicular circulation on the subject property; and
3. allow illegal signage on the property to temporarily remain until permanent signage is installed.

STAFF REPORT

Planning Action History: The applicant originally applied for a zone change in 2019 when seeking to acquire the property, to amend the site from a Rural Residential Neighborhood to the C: Light Commercial Zoning District. The City Commission denied the application and guided the applicant to apply for a Planned Unit Development to support the business/commercial diversity supported by city policies while also responding to concerns of the community. The PUD Plan was approved on February 11, 2020, by City Commission.

2020 Approval Details:

In a departure of the ordinance PUD standards requiring an applicant to provide a detailed development plan, the PUD was approved instead with a specific permitted use, that being identified as the C: Light Commercial District standard for Greenhouses and Plant Nurseries. SheyWest garden center's business operations began upon approval of the Planned Unit Development in March of 2020.

2024 Zoning Violations:

- In May of 2024, a notice of zoning violation letter was issued to the owner upon a review of the subject property stemming from numerous complaints the City received during the weekend of May 11-12, 2024. Violations identified include:
 - Prohibited land use (use of the greenhouse building for private event rentals and the use of the property by numerous off-site vendors (food & beverage sales, entertainment, sales of crafts and other goods).
 - Gravel driving surfaces (vehicular parking & circulation areas are required to be paved)
 - Two illegal signs (a temporary banner sign exceeding time limitations and the use of a vehicle for a sign)
- The applicant has applied for this PUD Amendment to address the violations noted above.

PUD Amendment Considerations:

- SheyWest Garden Center has expanded the business on site through a measurable increase in the retail building footprint with the conversion of a former workshop into retail space. A greenhouse structure was moved onto the site intended to expand the nursery business.
- Over time, the greenhouse structure has transitioned to a private rental venue and classroom space. While the classroom programming for gardening education could be considered an accessory use of the primary nursery business, the rental venue/event business is a new primary land-use addition to the site.
- Additional site programming, diversification of garden themed features and enhanced shopping amenities with live music performances, independent vendor market events days with internal booth or space rentals have proved to exceed the site's ability to support parking and provide vehicular circulation both on and off the site.

Ancillary Studies and Actions:

- Review of the external conflicting traffic patterns and access to the property has been explored. Investigations and the ultimate solution to resolve the access issue has yet to be reached. The process to resolve the access issue is a separate action from the PUD approval.
- The parking ordinance has recently been updated and it has been determined that the parking calculations of the 2020 plan approval will be used for plan amendments going forward.

STAFF REPORT

Staff Review and Recommendations:

- The main concern with the applicant's proposal to allow a private banquet/party/event venue on the subject property is the limited off-street parking available when the garden center is busy. According to the applicant, May and June are by-far the busiest months for the garden center—which does correspond to when the City has received complaints regarding overflow parking this past May. To address this concern, the applicant is willing to place restrictions on the number of guests permitted to attend a private event and to restrict the times which private events are permitted to take place. Due to the seasonal nature of the garden center business, staff see this as a viable approach to accommodating vehicles visiting the site.
- In discussions with the applicant regarding the application, the city processes and exploration of administrative strategies to both manage and support the goals and objectives of the primary business and the accessory uses, three strategies are proposed to encapsulate the amended PUD:
 1. Review and seek approval of two plans for the Planned Unit Development for implementation in a phased approach. The "Phase 1" PUD Plan includes all elements that exist on the site today. The "Phase 2" PUD plan shows the location of a future large greenhouse (replacing two hoop houses), removal of the Mini Product Bin storage areas, and provide additional parking.
 2. Execution of Development Agreement which will serve to memorialize the PUD restrictions in detail. Further, the development agreement makes the distinction between approved uses with certain limitations regarding scale, dates and time of use, and those events which require City approval through Special Event permitting among others. Two Market Plans have been provided by the applicant which are to be considered for information purposes only. The Market Plans are not approved as part of the PUD.
 3. Explicitly document that certain elements/site features illustrated by the applicant on PUD plans are not approved nor supported by the PUD approval process. These include the proposal to locate a school bus on site as an amenity feature and the notes/illustration of the center median on 40th Avenue that show future removal.
- The attached PUD Development Agreement outlines the proposed PUD details, including restrictions and limitations on land-uses, off-street parking minimums, and a phased approach to anticipated future modifications on the subject property.
- Staff supports approval of the PUD Amendment with the conditions and restrictions as outlined in the attached PUD Development Agreement.

NOTICES:

Sent to:	Property owners within 150' and applicable agencies and departments
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Comments Received:

- | |
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| <ul style="list-style-type: none"> • None to date. |
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STAFF REPORT

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

- The 03-02-2020 approval of the Planned Unit Development notes the following: The application is a mix of commercial for the neighborhood that is otherwise completely developed with residential... and therefore the application would be strongly supported by the Comprehensive Plan by providing a mix of uses.

RECOMENDATIONS

Staff recommends approval of the PUD Amendment as outlined within the attached PUD Development Agreement and subject to the following conditions:

- A signed PUD Agreement is received prior to final approval.
- PUD site plans are updated to remove reference to modification of median within 40th Ave. West

Attachments:

- Draft PUD Development Agreement
- Location Map
- Zoning Map
- PUD Concept Development Plan & Detailed Development Plan - Phase One
- PUD Concept Development Plan - Phase Two
- Application/Request Narrative
- Grading and Drainage Plan
- Supplementary information provided by the applicant.



PLANNED UNIT DEVELOPMENT AGREEMENT
******DRAFT******

THIS AGREEMENT, entered into this 13th day of August, 2024, by and between the City of West Fargo, North Dakota (the “City”), and Greenworks Properties, LLC (the “Developers”).

WHEREAS, the Developers are the owners of the following described property: Lot 1, Block 1, Nelson Acres 5th Addition, to the City of West Fargo, Cass County, North Dakota; and

WHEREAS, the City is considering for approval a Planned Unit Development Amendment of Lot 1, Block 1, Nelson Acres 5th Addition to the City (the “Property”); and

WHEREAS, the Developers and the City desire to set out in writing certain conditions of approval and responsibilities of the parties to this Agreement; and

NOW THEREFORE, it is agreed between the parties as follows:

I. PARTIES

1. The City, a North Dakota Home Rule Charter City, is vested with the authority to control access to its streets and municipal infrastructure. The City has authority to approve or disapprove of all Planned Unit Developments within its territorial jurisdiction. The City has the express authority to withhold building permit approval for any structure on the Property for a failure by the Developers to comply with the terms and conditions of this Agreement.

2. Greenworks Properties, LLC. is a legally recognized North Dakota corporation, with the authority to own and develop land. The Developer is the legal and equitable owner of the Property described as Lot 1, Block 1, Nelson Acres 5th Addition. The Individual signing this Agreement is expressly authorized to execute this Agreement on behalf of the Developer.

II. JURISDICTION

1. This Agreement only covers Lot 1, Block 1, Nelson Acres 5th Addition.
2. The Developers agree and acknowledge that they must comply with all Federal, State and City statutes, rules and regulations regarding the development of the Property.
3. The Developers are the “responsible party” for compliance with all Federal and State environmental statutes, rules and regulations including storm water runoff regulations.
4. The Developers agree to submit to the authority of the City of West Fargo. The Developers agree and acknowledge that they must receive approval from the City of West Fargo for any proposed platting, zoning, flood plain permits, building permits and any other permit required by the City for resubdivision or structural alterations to the site noted within this agreement. The Developer must secure approval for any other permit necessary to execute special events.
5. The Developers have applied for a Planned Unit Development (PUD) Amendment which was approved/denied by the Planning and Zoning Commission on August 13, 2024. Development shall be consistent with the approved standards as stated in the application and staff report as approved by the Planning and Zoning Commission.
6. Development on Lot 1, Block 1, Nelson Acres 5th Addition will be subject, but not limited to: Greenhouse and Nursery business as defined in the C: Lt Commercial Zoning District CO, Corridor Overlay, 4-400 Supplementary District Regulations, 4-450 Off-Street Parking and Loading Requirements, and 4-460 Sign Regulations.
7. In the event that the Developers aspire to construct a future phase of development beyond that of the application, staff report, and conditions of approval noted within this agreement,

the Developers are required to submit a Planned Unit Development (PUD) Amendment prior to applying for building permits and/or beginning construction.

III. CONDITIONS OF APPROVAL

1. The Developer agrees that development will be subject to the “SheyWest Garden Center Planned Unit Development (PUD) Standards” as detailed in the attached Exhibit A to this Agreement (the “Approval Conditions”). The terms and conditions of the Approval Conditions are hereby incorporated by reference into this Agreement.

IV. GENERAL MATTERS

1. This Agreement constitutes the entire agreement by and between the parties, and any other prior representations or agreements are deemed merged herein, and those not specified herein do not represent any agreements or promises or covenants or representations on the part of either party hereto.

2. Whenever the singular number is used herein, the same shall include the plural

3. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective personal representatives, successors and assigns.

4. This Agreement shall be recorded.

5. This Agreement shall be controlled by the laws of the State of North Dakota, and any action brought as a result of any claim, demand or cause of action arising under the terms of this Agreement shall be brought in an appropriate venue in the State of North Dakota.

Dated this ____ day of _____, 2024.

CITY OF WEST FARGO

GREENWORKS PROPERTIES, LLC.

BY: _____
Its: Mayor

BY: _____
Its: President

BY: _____
Its: Auditor

BY: _____
Its: Secretary

STATE OF NORTH DAKOTA)
)
COUNTY OF CASS)

On this ____ day of _____, 2024, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Aaron Nelson and Dustin T. Scott, known to me to be the persons who are described in and who executed the above and foregoing document and acknowledged to me that they executed the same.

[SEAL]

Notary Public

STATE OF NORTH DAKOTA)
)
COUNTY OF CASS)

On this ____ day of _____, 2024, before me, the undersigned, a Notary Public in and for said county and state, personally appeared _____, as President and _____, as Secretary Greenworks Properties, LLC known to me to be the person who is described in and who executed the above and foregoing document and acknowledged to me that they executed the same.

[SEAL]

Notary Public

Exhibit A

SheyWest Garden Center Planned Unit Development (PUD) Standards

Statement of Intent: The provisions of the PUD for SheyWest Garden Center are intended to define development standards and limitations for the operation of a greenhouse and plant nursery business with a private banquet/party/event venue within the context of a predominantly residential area. The PUD is intended to recognize the seasonal nature of the existing greenhouse and plant nursery business and to accommodate the addition of private banquet/party/event venue in such a manner that does not cause undue impacts to surrounding properties. The PUD is limited to Lot 1, Block 1, Nelson Acres 5th Addition and has no bearing as to the design, layout, or access control of adjacent streets and rights-of way. The PUD does not exempt any future development/construction from standard permitting and review requirements.

Phased PUD: This PUD is proposed to be developed in two phases. As such, the accompanying PUD Concept Development Plan consist of two site plans illustrating both phases of development.

Zoning Standards: Unless otherwise noted below, development within this PUD shall be in accordance with the C (Light Commercial) and CO (Corridor Overlay) zoning districts.

Permitted Uses: Only the following uses are permitted within this PUD. All other uses are prohibited.

1. Greenhouse(s) and plant nursery
2. Private Banquet/Party/Event Venue, with conditions as follows:
 - a. The use is permitted during the months of July through April. No private banquet/party/events shall be allowed during the months of May and/or June, unless the event is held during hours the Nursery and Garden Center is not open to the public and no other events are being held.
 - b. The use is restricted to the building labeled “Classroom and Private Rentals” on the approved PUD Concept Development Plan, in addition to accessory outdoor spaces adjacent to the building.
 - c. No more than 50 attendees shall be allowed at any banquet/party/event.

Permitted Accessory Uses: Accessory uses are permitted in conjunction with the allowed primary uses listed above, with conditions as follows:

1. Accessory uses must meet all applicable standards for accessory uses in accordance with Title IV of the City Ordinances.
2. Unless otherwise approved by the City (via applicable process, such as approval of a special event permit), the hosting of 3rd party venders (including farmers markets, food trucks/carts, festivals, or outside merchants of any type) shall only be permissible as an accessory use under the following conditions:
 - a. No more than three (3) venders may be allowed on-site at the same time.
 - b. All required off-street parking stall remain open and available for automobile parking.

Parking: Parking shall be based on the ordinance standard in place at the time of the approval of the original PUD plan in 2020. The parking standards for this PUD are defined as follows:

1. Greenhouse & Nursery Use – One space per employee on the largest shift, plus one space per 500 square feet gross floor area of inside sales or display.
2. Private Banquet/Party/Event Venue – One space per five persons.

Phase One Parking Calculation

Greenhouse & Nursery Use:

10 employees on the largest shift = 10 parking spaces

Inside Sales or Display Area Gross SF:

Boutique Retail Building: 2,200 SF

Workshop Retail Building: 3,000 SF

Total: 5,200 SF/500 = 10.4 parking spaces

Private Banquet/Party/Event Venue:

50 people maximum/5 = 10 parking spaces

Total All Required Parking PUD Phase One Plan: 31 Parking Spaces

Phase Two Parking Calculation

Greenhouse & Nursery Use:

12 employees on the largest shift = 12 parking spaces

Inside Sales or Display Area Gross SF:

Boutique Retail Building: 2,200 SF

Workshop Retail Building: 3,000 SF

New Greenhouse (100' x 40') 4,000 SF

Total: 9,200 SF/500 = 18.4 parking spaces

Private Banquet/Party/Event Venue:

50 people maximum/5 = 10 parking spaces

Total All Required Parking PUD Phase Two Plan: 41 Parking Spaces

Required off-street parking stalls shall be used for automobile parking only. The use of parking stalls for sales, storage, or any other purposes is prohibited, unless otherwise approved by the City (via applicable process, such as approval of a special event permit) on a temporary basis.

Durable parking surface provisions: Off street parking areas shown on Phase One of the accompanying PUD Concept Development Plan note existing surface treatments of both gravel and concrete or asphalt. The gravel surface is allowed as existing for Phase One of the PUD Concept Development Plan, given the rural residential nature of the adjacent neighborhood (having gravel streets). In lieu of standard parking stall striping, a concrete tire-stop curb shall be installed at all required off-street parking stalls located on gravel surfaces, to physically demarcate the location of off-street parking stalls.

All off-street parking and vehicular circulation areas are required to be paved prior to development of Phase Two of the PUD Concept Development Plan.

Signage: Signage on site is subject to all applicable sign regulations and permitting requirements, regardless of signage illustrated on the PUD site plans, with the following exception:

1. The existing red pick-up truck sign located along the northern property line shall be allowed to remain in-place temporarily until a permanent sign is installed along the north side of the property or until September 1, 2026, whichever comes first. After which, the sign shall be removed.
2. The existing banner sign located on the east side of the retail shade structure shall be allowed to remain in-place temporarily until a permanent sign is installed along the east side of the property or until September 1, 2026, whichever comes first. After which, the sign shall be removed.

Landscape Buffer:

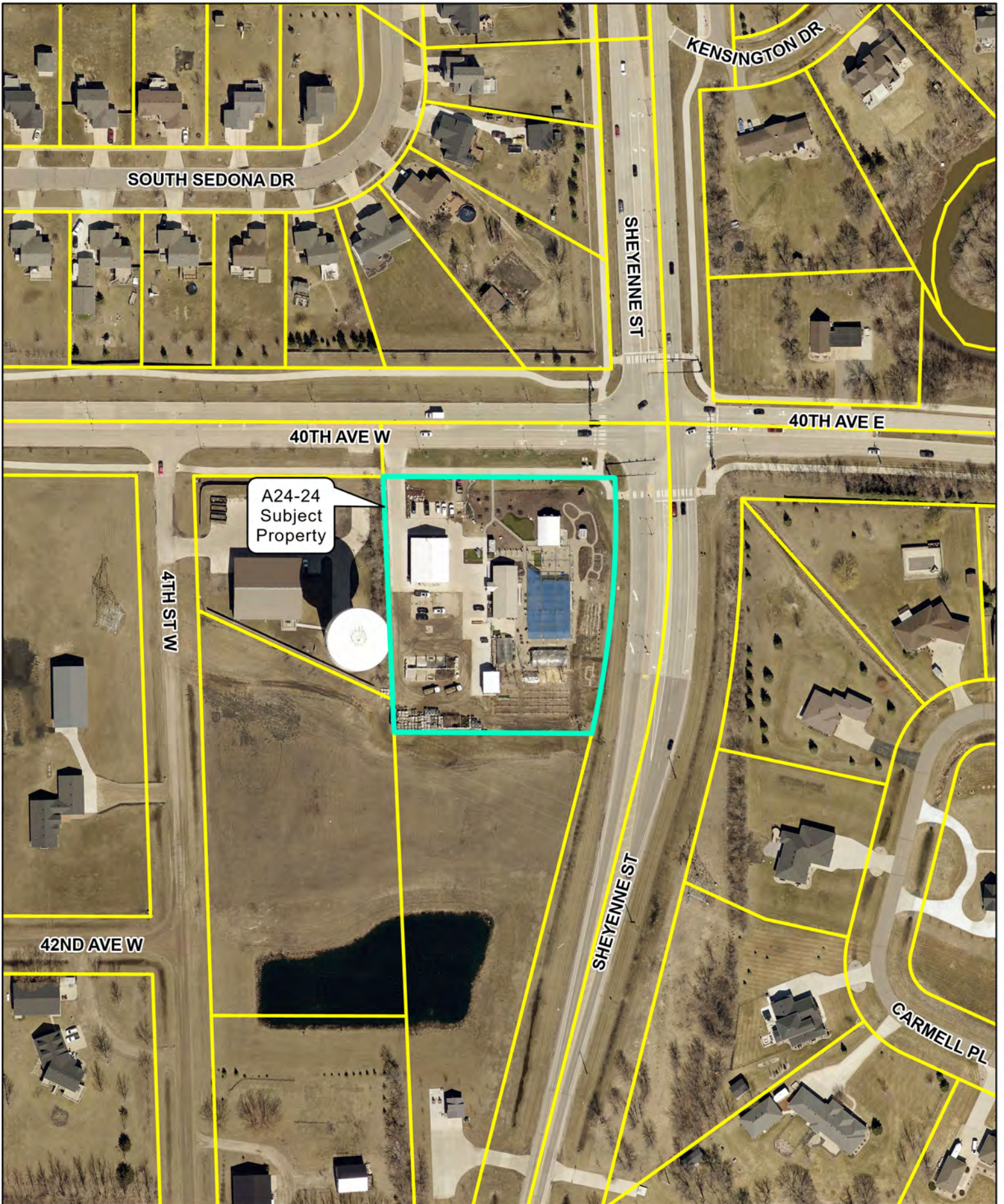
The landscape buffer that would otherwise be required adjacent to the south and west property boundaries is not required for this PUD, due to non-sensitive nature of adjacent municipal uses.

Outdoor Storage: Refuse containers and outdoor storage areas are required to be screened from view, as required by applicable zoning standards. Product displays, outdoor sales areas, and the “Retail Mini Product Bins” used for the storage and sale of aggregate products, are not considered to be outdoor storage and are not required to be screened as such.

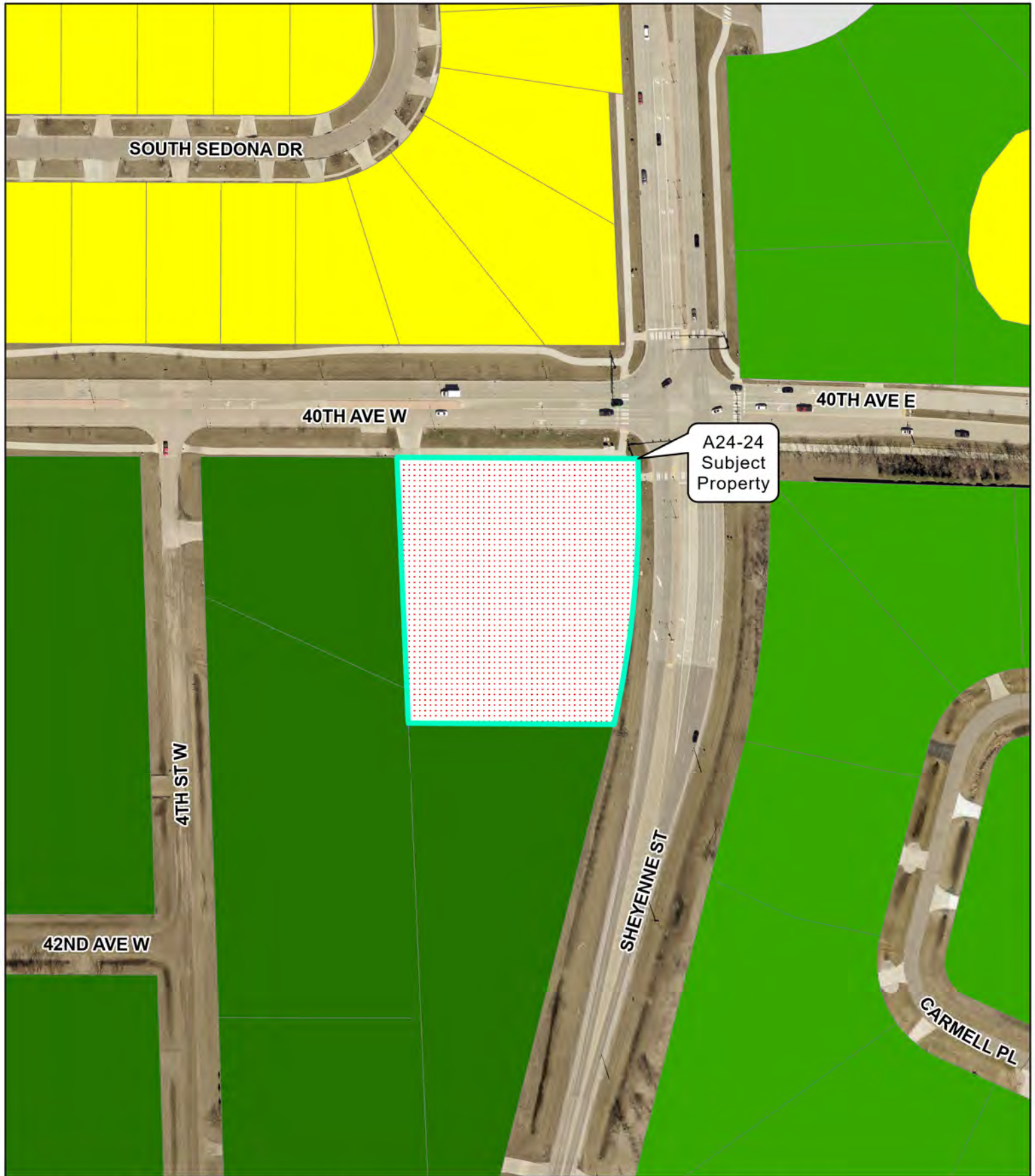
Building Construction:

A future greenhouse is identified on Phase Two of the PUD Concept Development Plan.

1. An updated PUD Detailed Development Plan would be needed prior to construction of the future greenhouse to confirm additional parking and other requirements are being satisfied at that time.
2. A higher construction standard is required in the PUD in accordance with the Corridor Overlay District standard and which include all sections therein.
3. The new greenhouse building may only seek building permitting once the Retail Mini Product Bins and exterior storage areas are removed from the site and parking provided to meet zoning compliance.

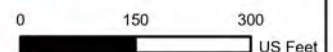


Features



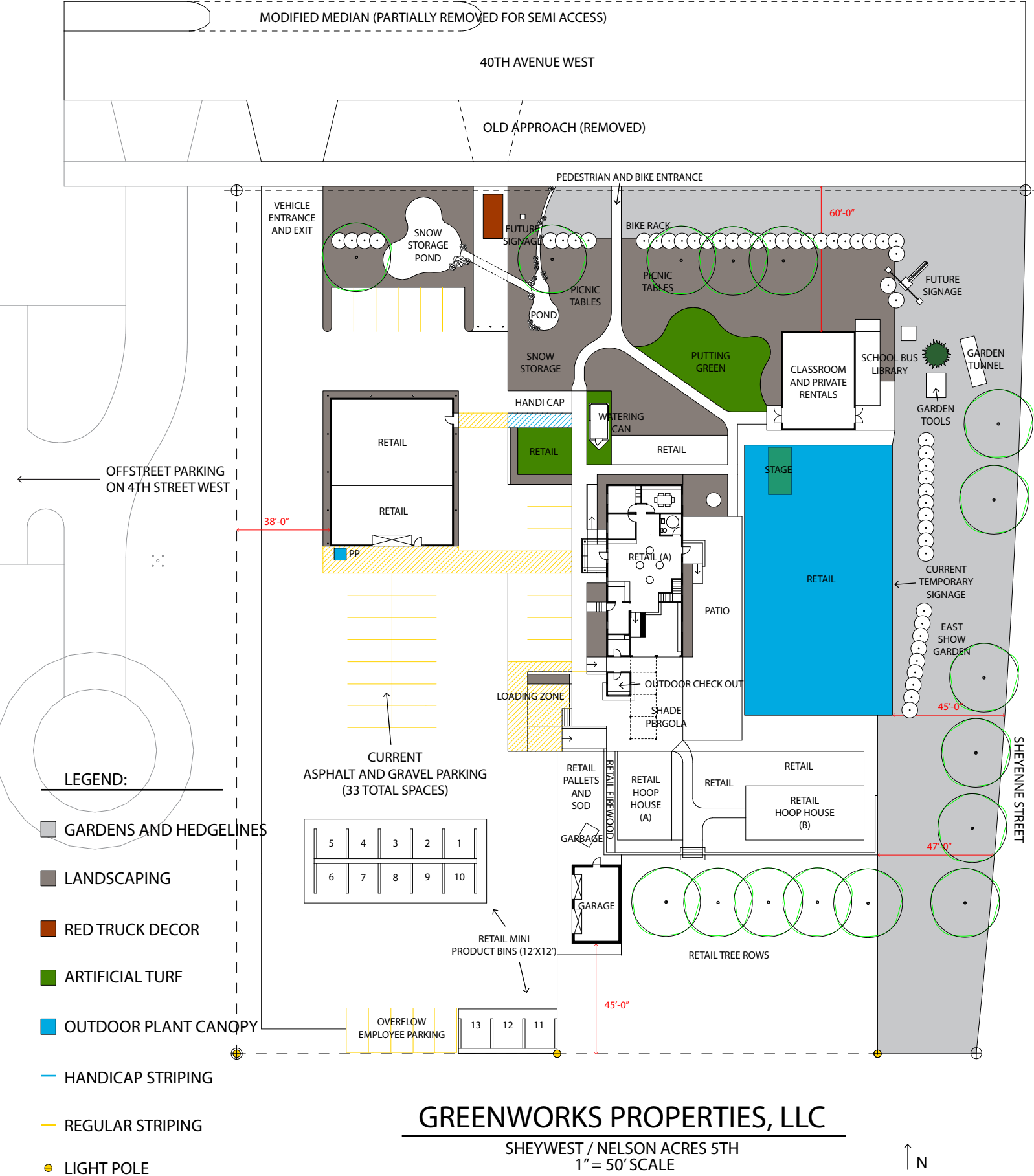
West Fargo Zoning

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

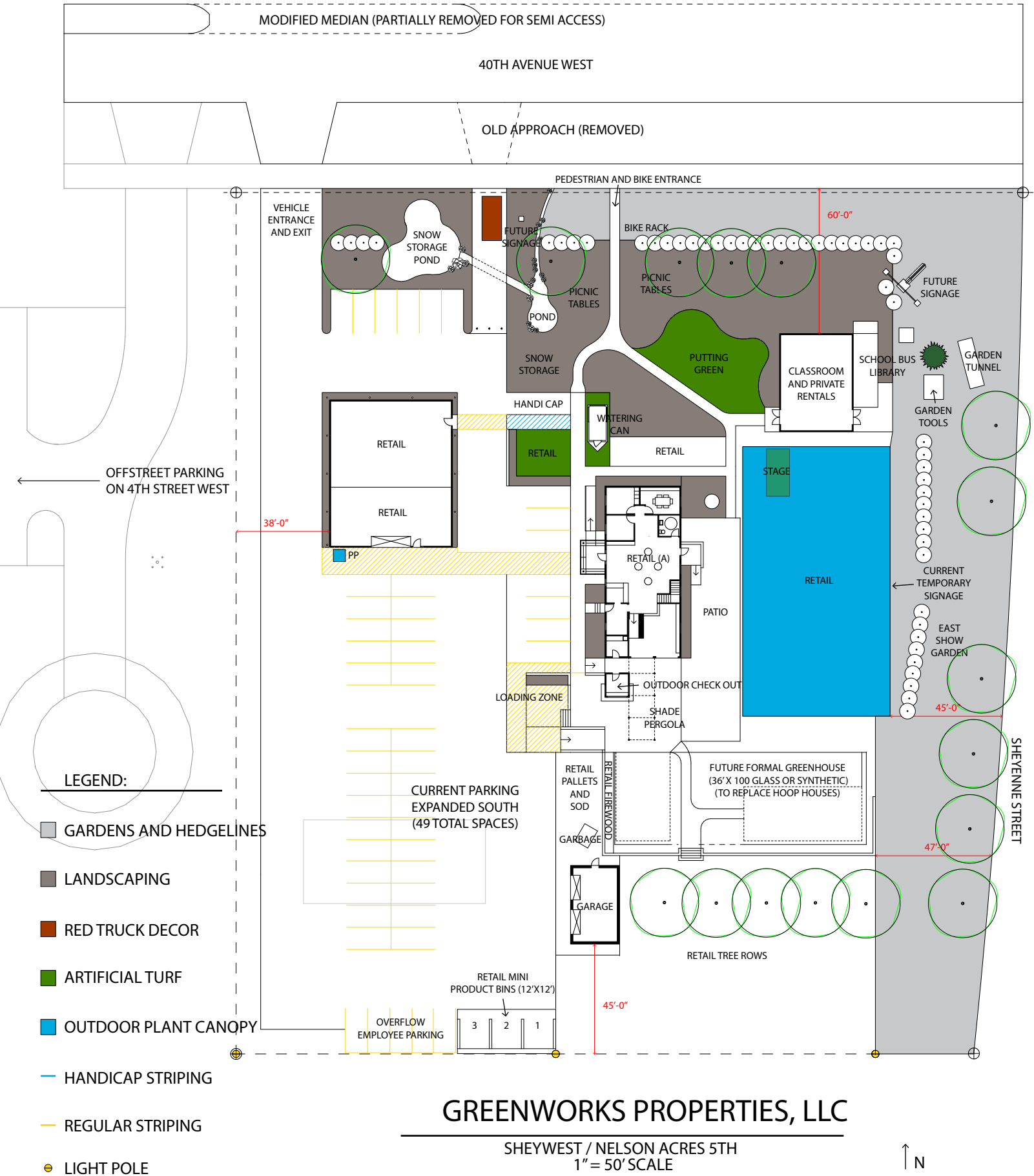


PUD Concept Development Plan and Detailed Development Plan

Phase 1*



PUD Concept Development Plan Phase 2*



PUD Modification Request

July 19, 2024

Briefly describe the reasons for the request:

SheyWest originally was approved as a Garden Center by the Planning Department and the City Commission in 2020. The early communication with department heads and internal staff was documented to include a description of the activity anticipated for the premises, but the consensus was to leave the request more vague "to give us flexibility in operations". Since then, with the change over of several key people within the City departments, it has been difficult to operate with flexibility because the Planning Commission no longer views our PUD as intentionally vague with leeway. It has chosen to consider black and white descriptions over the inherent "accessory uses" that are supposed to be allowed to each business.

In order to move past the poor rapport between the parties involved, and clear up the new "violations" that have been stretched across the previously flexible grey area to operate freely, we are told we must resubmit the original PUD with modifications. This is not presented by choice, but rather by force from the City Planning Commission who have slowly turned to working against our operation over the past several years.

It is unfortunate that it has come to a paperwork war, but we will submit this documentation out of good faith that the City intends to correct its hostile behavior and step aside to let us function in our primary and accessory business capacities moving forward.

The main event that triggered this aggression was an influx of traffic during our Mother's Day sales weekend. The community has embraced our little corner store and come to love its offerings. Some patrons and new visitors made a poor choice and parked on the perimeter of the adjacent public works lot. We did not ask them to do this, and did our best to accommodate the City workers requests to mitigate the parking for those few days to the best of our abilities.

The City told us that they conducted an inspection of our premises in response to the volume on that singular weekend and attributed the high traffic to our craft market that was being held on the north end of our lot. We disagree that the

volume of cars can be attributed to this as a primary cause and strongly oppose dropping the market amenity.

The original request to host the farmers market came directly from the West Fargo Park District in 2020 and the community loves it. We work hard and have spent thousands of dollars to accommodate those community makers and cottage food people. This event is typically only occurring less than once per month all year (usually singular events in February, April, May, June, July, August, September, October and November).

At other points during the year, we see normal inflated traffic for the remainder of May into June and for pumpkins in the fall. Other than those heavier use weeks, our traffic is light and extremely manageable. The lot is rarely full to capacity.

This PUD modification is requesting the following primary changes:

1. Accessibility

Since opening in May of 2020, SheyWest has slowly worked towards its Master Plan that was submitted with the City. On our current PUD request that we are operating under, we were told that we would be granted a turn lane and shared access/egress to 40th Ave and the Recycle Center, which the City promptly reneged on. We have struggled to have safe and adequate access for all traffic, both commercial and lighter duty retail. We are requesting the Commission to reconsider the option to pull back the existing median to allow our larger trucks to have a wider turn into the lot from Sheyenne Street. This is the most cost effective and least invasive option for ALL parties involved.

We have, for years now, struggled with the safety and difficult navigation that the City repeatedly makes worse with their band-aids (e.g. removing the egress to the recycle center, signage for eliminating u-turns, signage to restrict people from turning around on the recycle center aprons, minimal access road on the south side connected to 4th Street, etc).

The Commission should consider this option to modify the median and come to realize that they are the only ones able to fix the issue with an allowed variance or compromise, since the City departments are unable to formally approve or recommend something that goes against "design standard". The situation is NOT standard and does not meet the criteria for the City to work with us internally. We are politely asking the Commission to be reasonable and approve this small modification to alleviate the headaches and safety issues.

2. Signage

Our hope is to formally install a permanent reader sign on the corner of 40th Avenue and Sheyenne Street in the upcoming years. It has been cost prohibitive to work on this part of the Master Plan before our entrance and access issues have been resolved.

The signage currently utilized is an old classic truck with signage mounted in the back end of the bed. The truck has been placed on the old driveway for visibility to 40th Avenue and has been in the same position since our opening day (4+ years). A photo is attached. It is still operable, and we were unaware that the signage was in violation of the sign code ordinances. The truck is not disheveled or in disrepair. Many garden centers around the country use trucks for signage.

The banner signage has also been in place and fastened securely to the posts of our canopy structure since opening. Neither of these signs had been flagged in previous requests for building permits or other "violations" that the City has issued against us since our opening. After the most recent series of violations, we were told this was being sent so that we would have a full and comprehensive list of the ways in which we are in violation. I take this to mean that the City departments are not able to add to its list.

We are looking for approval to keep our current signage (the truck and the banner signs) until access issues are resolved and more permanent signage can be installed (within 1-2 years). If approved, we would prefer to ADD permanent signage and leave the red truck in place as décor. The banner signage could be taken down once permanent signage is established on Sheyenne Street.

3. Pavement

Our current PUD paperwork shows that "existing asphalt" is to remain. The original parcel was a residence with a large asphalt driveway and we have started to concrete the surfaces as affordable. The main entrance to the space is concrete for more than 50 feet and many of the parking spaces are done in concrete already. The lot striping is kept fresh and visible. We intend to add parking blocks to any spaces that are on gravel surfaces, to help outline those even more.

It was a misunderstanding to assume that the notation made by the original engineer on our PUD request included gravel as an option when they stated "impermeable pavement by OWNER". We were told that gravel is an impermeable surface according to the current City Engineer, but the violation comes in as gravel is not a permissible surface by ordinance. We had used gravel since opening and never received any indication from City officials that this was an issue until the May 2024 Mother's Day incident.

We are seeking allowances in this PUD request to leave the gravel where the old asphalt surfaces and new concrete meet, in order to blend the areas more manageably. We intend to slowly pave the surfaces with concrete or asphalt over time as budget allows in the rest of the lot. 4th Street West is a gravel surface directly to our west which means it is present in our area already. The current gravel on our lot is kept in good condition, not overly rutted or too dry to become a dust hazard.

4. Private Rentals

The City of West Fargo received and approved a building permit from us for a "greenhouse" structure that we refer to as the Ivy Room. This is a greenhouse building that has a concrete floor, simple back countertop and storage area for concealing the chair rack. We received our building permit and closed it appropriately in fall of 2022.

Our intention with this building was to host craft and educational classes for the community, which we have been told (even after these violations) is just fine. Once the space was open, we almost immediately started getting requests from the public to rent the room. We did not realize this would be a violation of ordinance or our current PUD and have successfully navigated the rental of the room on numerous occasions without incident. It has become an instrumental way that we receive revenues to supplement the slower seasons of our year. I will attach a copy of the rental agreement that was being distributed most recently. The room is already rented with bookings into 2025 and it would be a huge disservice to the community to restrict this use and cancel those upcoming dates for the patrons of our business, friends and neighbors. The room is advertised as a small venue suited for 8 to 48 people comfortably.

We are asking the City Commission to allow this use and not detriment our business by removing this crucial revenue stream and community amenity.

5. Educational Installments

We are seeking to install two additional elements to our east gardens. They currently have raised planter boxes, a vegetable tunnel and cut flower with show garden. The additional elements to be implemented are a garden growing library inside a school bus shell that we have already purchased and started to modify. The second addition is a small 6' x 6' butterfly house with educational reader boards behind the Ivy Room. We ask that the Commission allow these uses on the space as free additions for community use.

6. Live Music and Food Trucks

Food trucks are occasionally requested to participate in our market days. We normally have no more than two present in spaces on the lot. Typically only one food vendor (aside from our coffee cart that is parked on the lot already). We ask that the Commission allows this to continue and do not understand the violation here. Other businesses routinely have food trucks park in their lots for special occasions and we should be treated no differently.

The last small request we have is to continue the tradition of allowing community musicians to play light music on our garden stage as the weather allows in the summer. We typically have had musicians of all ages, from April into October. They play light jazz, some country, and bluegrass themed music usually in the afternoon. I used to build a schedule on some weekends and market days, but have since been told by the City to cease and desist.

I appreciate your consideration to these requests. The outcome of the PUD modification will determine whether we choose to stay and operate within the City of West Fargo or relocate elsewhere.

It would be heartbreaking to have to uproot our garden center home, because we love the community people that have embraced our campus and helped us grow roots here. We have something special to offer and would like to continue to do so in West Fargo, North Dakota.

Sincerely,

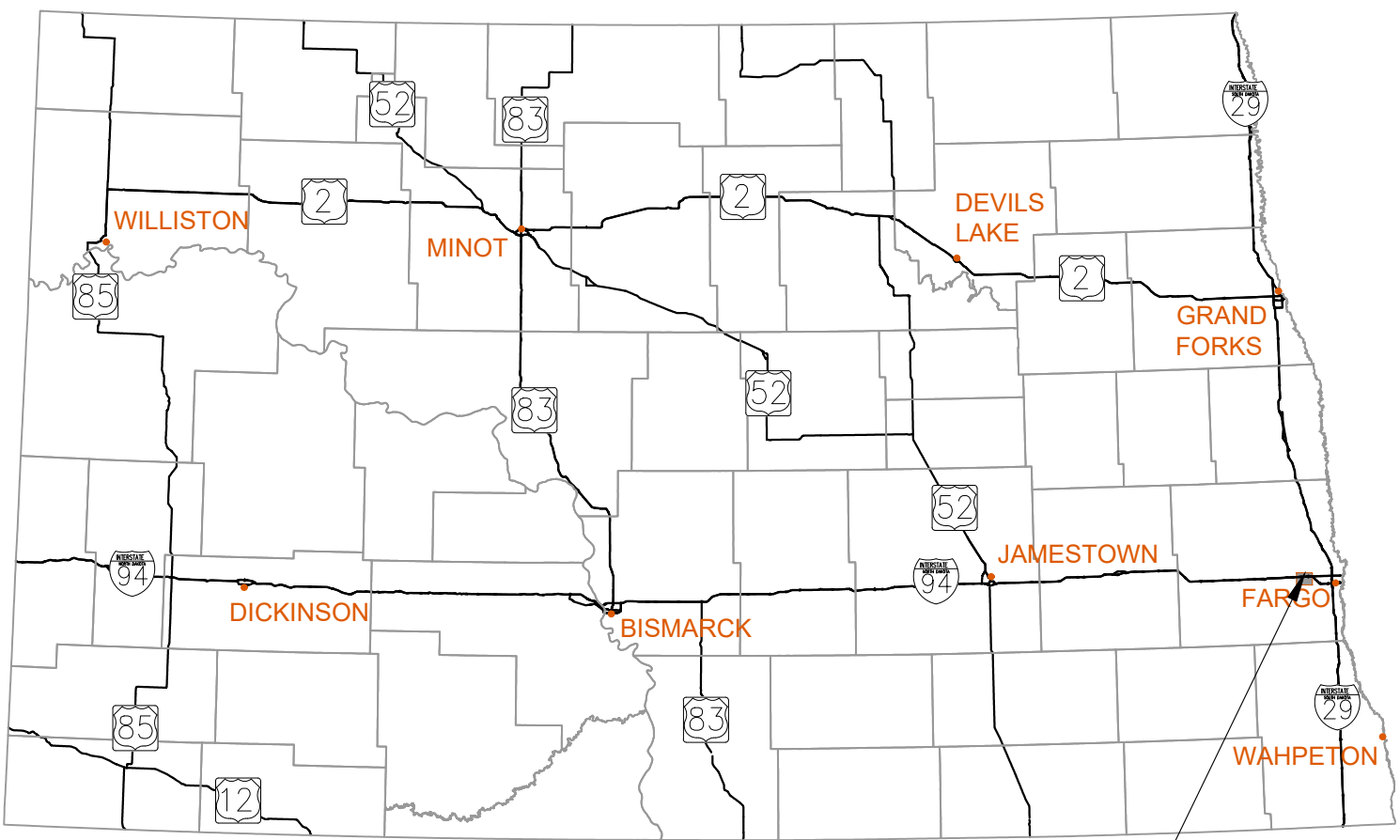
A handwritten signature in black ink, appearing to read "Gretchen Kell". The signature is fluid and cursive, with the first name "Gretchen" written in a larger, more prominent script than the last name "Kell".

ACCELERATED GREEN WORKS SITE IMPROVEMENTS

ACCELERATED GREEN WORKS, INC

225 40TH AVENUE WEST
WEST FARGO, NORTH DAKOTA

MAY, 2020



STATE OF NORTH DAKOTA

PROJECT LOCATION

INDEX OF SHEETS

- 1 COVER SHEET
- 2 EXISTING CONDITIONS & REMOVALS PLAN
- 3 SITE PLAN
- 4 GRADING & EROSION CONTROL PLAN
- 5 DETAILS
- 6 DETAILS

CERTIFICATION

I HEREBY CERTIFY THAT THE ATTACHED PLANS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF NORTH DAKOTA.

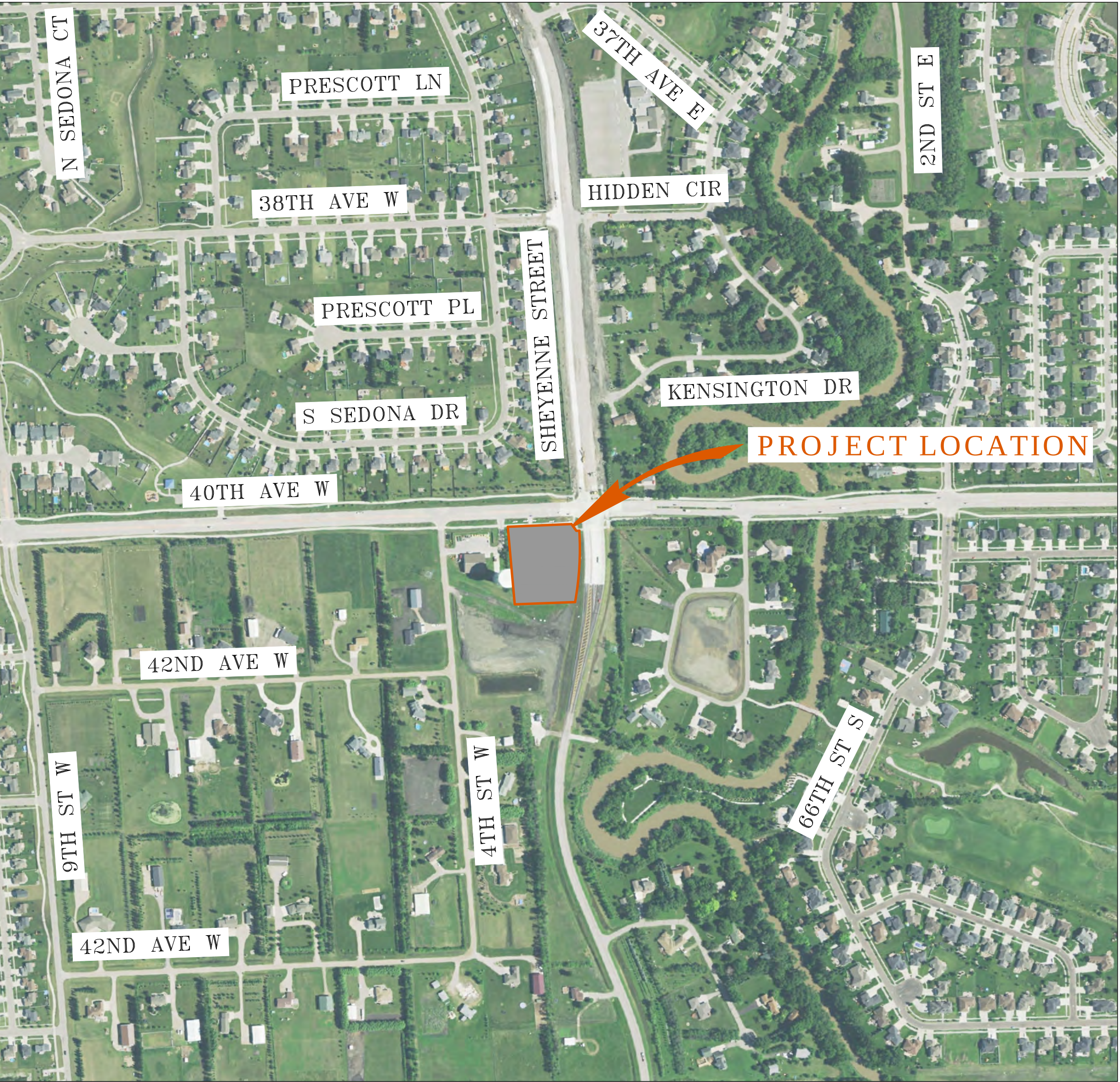
DATE:

JEREMY DEWALD, PE

This document(s) was originally issued and sealed by Jeremy Dewald, Registration Number PE-8769, on 05/01/2020 and the original documents are stored at KLJ, Fargo, ND. This media should not be considered a certified document.



WEST FARGO, NORTH DAKOTA



VICINITY MAP

NO SCALE

LEGEND		
EXISTING	ITEM	PROPOSED
	FIRE HYDRANT	
	GATE VALVE	
	CURB STOP	
	YARD HYDRANT	
	BEND	
	TEE	
	CROSS	
	REDUCER	
	VERTICAL BEND	
	SANITARY MANHOLE	
	SANITARY FORCEMAIN MANHOLE	
	CLEANOUT	
	STORM SEWER MANHOLE	
	CURB INLET	
	CATCH BASIN	
	POWER POLE	
	GUY WIRE	
	LIGHT POLE	
	ELECTRICAL PEDESTAL	
	ELECTRICAL METER	
	ELECTRICAL BOX	
	ELECTRICAL MANHOLE	
	TELEPHONE MANHOLE	
	TELEPHONE PEDESTAL	
	CABLE TV PEDESTAL	
	FIBER OPTIC PEDESTAL	
	UTILITY MARKER	
	GAS METER	
	TREES CONIFEROUS/ DECIDUOUS	
	BUSH/SHRUB	
	SIGN	
	CONTROL POINT	
	BENCHMARK	
	PIPE CAP	
	PROPERTY PIN	
	ASPHALT EDGE	
	BUILDING	
	CABLE TV - UNDERGROUND	
	CENTERLINE	
	CONSTRUCTION LIMITS	
	ELECTRICAL - OVERHEAD	
	ELECTRICAL - UNDERGROUND	
	FIBER - UNDERGROUND	
	GAS - UNDERGROUND	
	SANITARY SEWER SERVICE LINE	
	SANITARY SEWER (24" OR LESS)	
	SANITARY SEWER (24" OR MORE)	
	STORM SEWER EDGEDRAIN	
	STORM SEWER (24" OR LESS)	
	STORM SEWER (24" OR MORE)	
	TELEPHONE - OVERHEAD	
	TELEPHONE - UNDERGROUND	
	WATER SERVICE LINE	
	WATER MAIN	

ABBREVIATIONS:
ALT = ALTERNATE
ASP = ALUMINUM SPIRAL PIPE
C.C. = CENTER TO CENTER
CDF = CONTROLLED DENSITY FILL
COWF = CITY OF WEST FARGO
ELEV = ELEVATION
E.W.F. = ENGINEERED WOOD FIBER
EX = EXISTING
FES = FLARED END SECTION
FFE = FIRST FLOOR ELEVATION
FG = FINISHED GRADE
FL = FLOWLINE
HDPE = HIGH DENSITY POLYETHYLENE
HP = HIGH POINT
INV = INVERT
LP = LOW POINT
(M) = AS MEASURED
ME = MATCH EXISTING
OAE = OR APPROVED EQUIVALENT

O.C. = ON CENTER
OCS = OUTLET CONTROL STRUCTURE
(P) = AS SHOWN ON PLAT
PC = POINT OF CURVATURE
PERF = PERFORATED
PT = POINT OF TANGENCY
PVC = POLYVINYL CHLORIDE
RCP = REINFORCED CONCRETE PIPE
REINF = REINFORCED
SAN = SANITARY
ST = STORM
SVC = SERVICE
TA = TOP OF ASPHALT
TBC = TOP BACK OF CURB
TC = TOP OF CONCRETE
TF = TOP OF FIELD
TW = TOP OF WALL
TYP. = TYPICAL
WM = WATERMAIN

ONE CALL
BEFORE DIGGING
1-800-795-0555

BASIS OF SURVEY

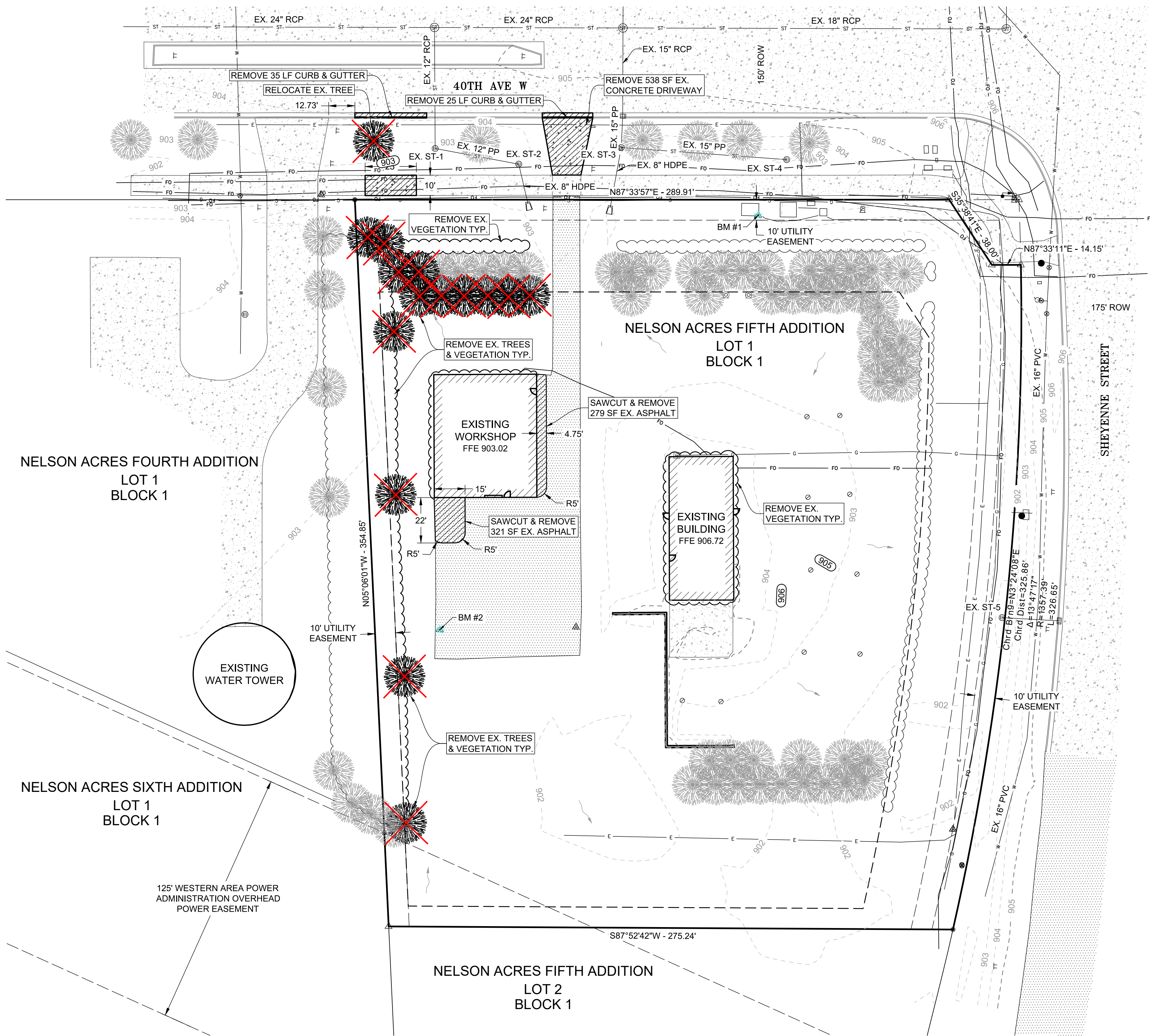
ALL CONTOURS, ELEVATIONS, AND COORDINATES FOR THE PROJECT ARE BASED ON CITY OF WEST FARGO COORDINATE SYSTEM, NAD83 (2011), GEOID 12A, US SURVEY FEET, NGVD 29.

BRETT & JODI KALLIAS
ACCELERATED GREEN WORKS, INC.
WEST FARGO, ND 58078
PH: 701.478.5643
FAX: 701.478.5662
brett@acceleratedgreenworks.com
jodi@acceleratedgreenworks.com

3203 32ND AVE S, SUITE 201
FARGO, ND 58103
PH: 701.232.5353
www.kljeng.com



KLJ PROJECT NO.2014-00567



GENERAL NOTES:

1. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FOR WORK WITHIN THE CITY.
2. THESE NOTES APPLY TO THE ENTIRE PROJECT EXCEPT AS INDICATED OTHERWISE. CONTRACTOR SHOULD NOTE THAT ADDITIONAL CONSTRUCTION NOTES ARE INCLUDED ON INDIVIDUAL DRAWINGS.
3. REQUESTS FOR SUBSTITUTIONS OR DEVIATIONS FROM THE PLANS OR SPECIFICATIONS BY THE CONTRACTOR SHALL BE APPROVED IN WRITING BY THE ENGINEER PRIOR TO IMPLEMENTATION.
4. ANY ERRORS OR OMISSIONS DISCOVERED BY THE CONTRACTOR IN THE PLANS OR SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER WHEN DISCOVERED. THE CONTRACTOR SHALL ALLOW TIME FOR CLARIFICATION PRIOR TO PROCEEDING WITH THE WORK IN QUESTION.
5. THIS PLAN SET INCLUDES A LEGEND OF GENERAL ABBREVIATIONS, SYMBOLS AND MATERIALS. SOME SYMBOLS, MATERIALS, AND ABBREVIATIONS MAY NOT BE UTILIZED ON THIS SPECIFIC PROJECT.
6. THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR THEIR REPRESENTATIVES. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. UNDERGROUND LOCATES SHALL BE MADE BY USING THE "ONE CALL" NUMBER 1-800-795-0555 OR 811.
7. THE CONTRACTOR SHALL PROTECT ALL SURVEY MONUMENTS. ANY MONUMENTS DISTURBED OR DESTROYED SHALL BE REPLACED BY THE ENGINEER/SURVEYOR AT THE CONTRACTOR'S EXPENSE.
8. THE CONTRACTOR SHALL HIRE AN ENGINEERING / SURVEY FIRM TO PROVIDE CONSTRUCTION STAKING SERVICES. PLEASE CONTACT KLJ AT 701-232-5353 FOR A QUOTE.
9. THE CONTRACTOR SHALL ARRANGE, EMPLOY AND PAY FOR THE SERVICES OF AN INDEPENDENT TESTING LABORATORY TO PERFORM ALL INSPECTIONS, TESTS, OR APPROVALS REQUIRED BY THE CONTRACT DOCUMENTS AND FOR COMPLETION OF ALL PHASES OF THE WORK.
10. MATERIALS, EQUIPMENT, LABOR, AND FEES FOR ALL WORK SPECIFIED IN THE PLANS SHALL BE PROVIDED BY CONTRACTOR, INCIDENTAL TO THE CONTRACT, REGARDLESS WHETHER OR NOT THE ITEMS ARE INCLUDED AS PAY ITEMS ON THE BID FORM (IF PROVIDED).
11. CONTRACTOR SHALL MAINTAIN A SET OF RED-LINED PLANS TO DOCUMENT ANY DEVIATION FROM THE APPROVED UTILITY PLANS. CONTRACTOR SHALL NOTIFY ENGINEER IF ANY DEVIATIONS ARE NECESSARY AND ALLOW TIME FOR OWNER'S REPRESENTATIVE TO DOCUMENT INSTALLED LOCATIONS OF UNDERGROUND UTILITIES. CONTRACTOR SHALL PROVIDE RED LINED DRAWINGS TO ENGINEER AT THE COMPLETION OF CONSTRUCTION.

REMOVALS & DEMOLITION:

1. ANY EXISTING STRUCTURES THAT ARE TO REMAIN AND DISTURBED BY CONSTRUCTION ARE TO BE RESTORED TO THEIR ORIGINAL LOCATION AND CONDITION. THIS INCLUDES ALL STRUCTURES SUCH AS CURB AND GUTTER, SIDEWALKS, ETC.
2. MISCELLANEOUS ITEMS INCLUDING, BUT NOT LIMITED TO, MAILBOXES, STREET LIGHTS, TRAFFIC LIGHTS, SIGNS, FENCES, POLES, ETC. SHALL BE PROTECTED OR REMOVED AND REINSTALLED BY THE CONTRACTOR WITH THE OWNERS AND PROPERTY OWNERS PERMISSION, AND THIS WORK SHALL BE INCIDENTAL TO THE CONTRACT.
3. EXCESS EXCAVATED MATERIAL INCLUDING PIPE, STUMPS, ROOTS, SOIL MATERIALS OR ANY OTHER ITEMS THE OWNER DOES NOT WISH TO SALVAGE SHALL BECOME THE CONTRACTOR'S PROPERTY AND SHALL BE REMOVED FROM THE SITE AND DISPOSED OF PROPERLY, INCIDENTAL TO THE CONTRACT. ASPHALT AND ALL CONCRETE SHALL BE DISPOSED OF OFFSITE AT A LICENSED LANDFILL, INCIDENTAL TO THE CONTRACT.
4. THE CONTRACTOR SHALL COORDINATE WORK IN EASEMENTS WITH THE APPROPRIATE UTILITY COMPANIES TO OBTAIN APPROVAL FOR AND DETERMINE THE EXTENTS OF REMOVAL, RELOCATION OR ABANDONMENT OF EXISTING ELECTRICAL, GAS, FIBER OPTIC, CABLE TV, AND TELEPHONE LINES.

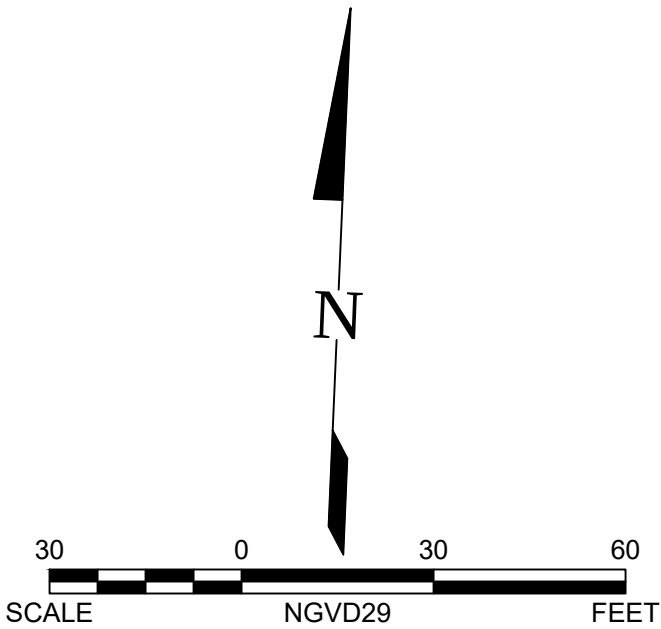
BENCHMARKS:

BM-1
X ON TOP OF TRANSFORMER NORTH OF BOUTIQUE.
ELEV = 904.20

BM-2
MAG NAIL IN ASPHALT LOCATED SOUTH OF WORKSHOP
ELEV = 902.88

EXISTING STORM SEWER STRUCTURE SUMMARY:

ST-1	ST-2	ST-3	ST-4	ST-5
RIM 902.46	RIM 903.42	RIM 903.23	RIM 902.03	RIM 900.61
INV (N) 899.31	INV (NW) 900.72	INV (N) 898.93	INV (NW) 899.23	INV (E) 896.81
INV (SE) 899.36	INV (S) 901.82	INV (SW) 899.63		
		INV (SE) 898.98		



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GENERAL NOTES:

- ALL WORK WITHIN THE CITY RIGHT-OF-WAY OR EASEMENTS SHALL REQUIRE AN EXCAVATION PERMIT FROM THE CITY OF WEST FARGO PUBLIC WORKS DEPARTMENT.
- ANY WORK ON EXISTING CITY-OWNED UTILITIES SHALL REQUIRE NOTIFICATION TO THE CITY OF WEST FARGO PUBLIC WORKS DEPARTMENT BY THE CONTRACTOR 24 HOURS PRIOR TO COMMENCING WORK.
- IF THE LAND BOUNDARY DENOTED ON THE PLANS ENCOMPASSES MORE THAN 1 ACRE, A NOTICE OF INTENT TO OBTAIN A STORM WATER POLLUTION CONTROL PERMIT SHALL BE ACQUIRED BY THE CONTRACTOR AND OWNER FROM THE NORTH DAKOTA STATE HEALTH DEPARTMENT 7 DAYS PRIOR TO CONSTRUCTION. THIS NOTICE OF INTENT SHALL BE PROVIDED WITH THE BUILDING PERMIT APPLICATION.
- THE CITY'S STORM WATER MANAGEMENT PERMIT MUST BE SUBMITTED WITH THE SWPPP.
- REPLACEMENT OF CURB AND GUTTER AND/OR SIDEWALK SHALL BE DONE WITHIN 5 WORKING DAYS.
- DIMENSIONS LISTED ARE TO FACE OF CURB OR EDGE OF PAVEMENT UNLESS NOTED OTHERWISE.

TRAFFIC CONTROL AND SIGNAGE:

- THE CONTRACTOR SHALL FOLLOW THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) STANDARDS AND GUIDES FOR TRAFFIC CONTROL FOR STREET AND HIGHWAY CONSTRUCTION.
- THE CONTRACTOR SHALL FOLLOW CITY OF WEST FARGO AND NDDOT STANDARD DRAWINGS WHEN SETTING UP THE TRAFFIC CONTROL DEVICES.

SITE REQUIREMENTS:

PROPERTY ADDRESS: 225 40TH AVE W

PROPERTY DESCRIPTION: LOT 1, BLOCK 1
NELSON ACRES 5TH ADDITION

LOT AREA: 108,470 SF ~ 2.49 ACRES

ZONE(S): PUD - PLANNED UNIT DEVELOPMENT
C - LIGHT COMMERCIAL DISTRICT
CO - CORRIDOR OVERLAY DISTRICT

MAXIMUM IMPERVIOUS SURFACE AREA:

REQUIRED: 50% OF LOT AREA FOR EX. STORMWATER DETENTION
50% x 108,470 SF = 54,235 SF

PROVIDED: 54,155 SF ~ 49.93%

PARKING REQUIREMENTS - NURSERY:

REQUIRED: 1 SPACE PER EMPLOYEE ON THE LARGEST SHIFT PLUS 1 SPACER PER 500 SF GROSS FLOOR AREA INSIDE SALES OR DISPLAY.

10 EMPLOYEES ON THE LARGEST SHIFT
2,200 SF x 1 SPACE / 500 SF = 5 SPACES
TOTAL SPACES REQUIRED = 15 SPACES

PROVIDED: 23 SPACES (INCLUDES 1 VAN ACCESSIBLE SPACE)

LOADING SPACE REQUIREMENTS:

REQUIRED: COMMERCIAL OR INDUSTRIAL LOT WITH A TOTAL FLOOR AREA OF AT LEAST 10,000 SF SHALL BE PROVIDED WITH AN OFF-STREET LOADING SPACE.
BUILDING TOTAL AREA = 2,200 SF + 3,006 SF = 5,206 SF ~ NONE REQUIRED.

FRONT YARD BUILDING SETBACK:

REQUIRED: 45.00 FT (NORTH) - CO DISTRICT
45.00 FT (EAST) - CO DISTRICT
PROVIDED: 104.63 FT (NORTH) - PROPOSED TEMPORARY SHADE STRUCTURE
52.92 FT (EAST) - PROPOSED TEMPORARY SHADE STRUCTURE

SIDE YARD BUILDING SETBACK:

REQUIRED: 10.00 FT (WEST) - CO DISTRICT
10.00 FT (SOUTH) - CO DISTRICT
PROVIDED: 194.03 FT (WEST) - PROPOSED TEMPORARY SHADE STRUCTURE
150.54 FT (SOUTH) - PROPOSED TEMPORARY SHADE STRUCTURE

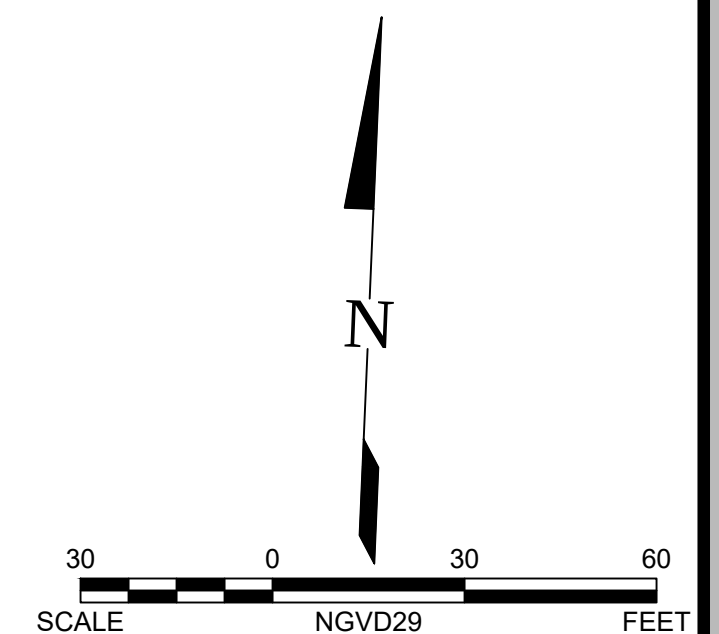
REAR YARD BUILDING SETBACK:

REQUIRED: N/A - CORNER LOT
PROVIDED: N/A - CORNER LOT

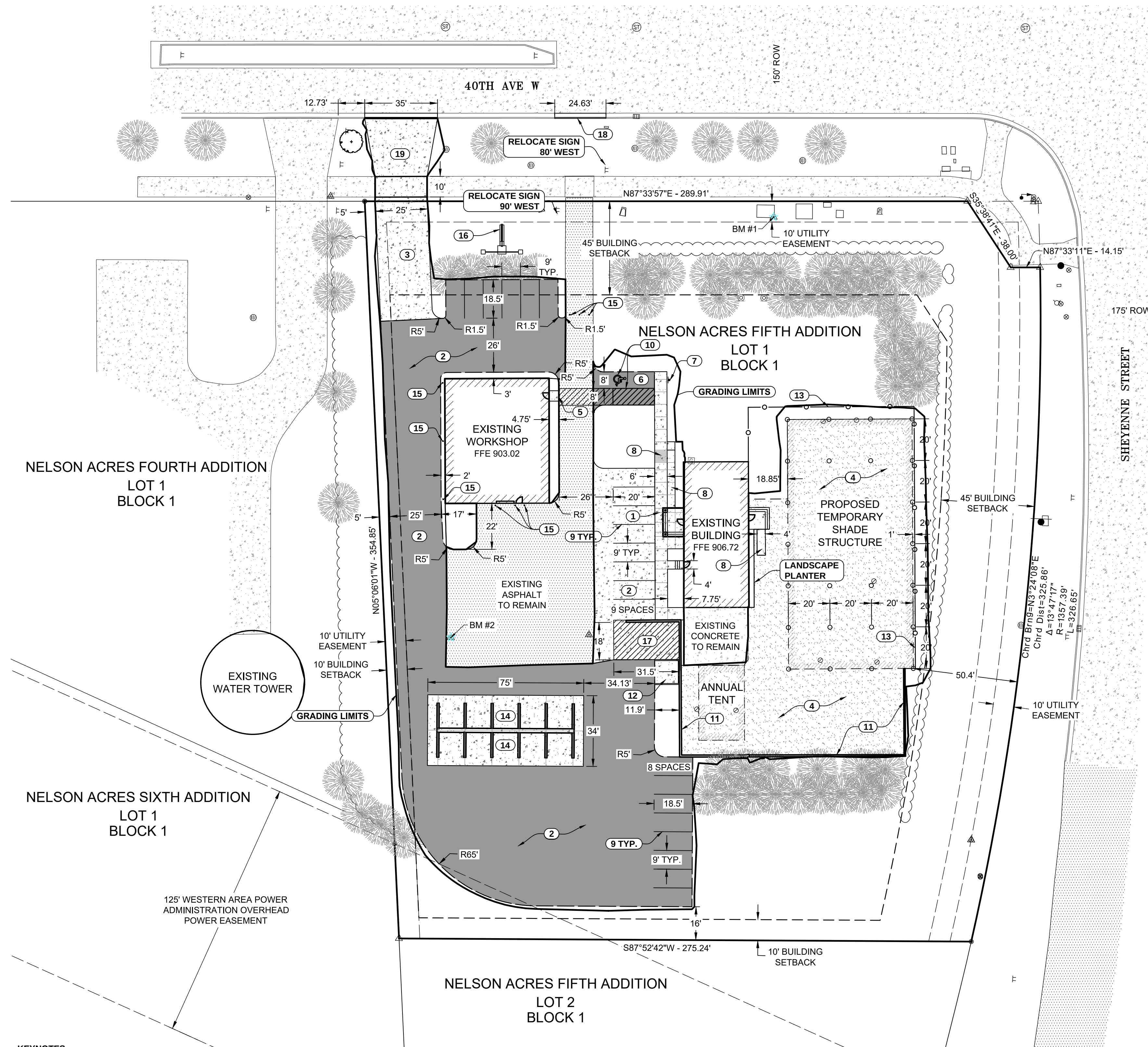
BENCHMARKS:

BM-1
X ON TOP OF TRANSFORMER NORTH OF BOUTIQUE.
ELEV = 904.20

BM-2
MAG NAIL IN ASPHALT LOCATED SOUTH OF WORKSHOP
ELEV = 902.88

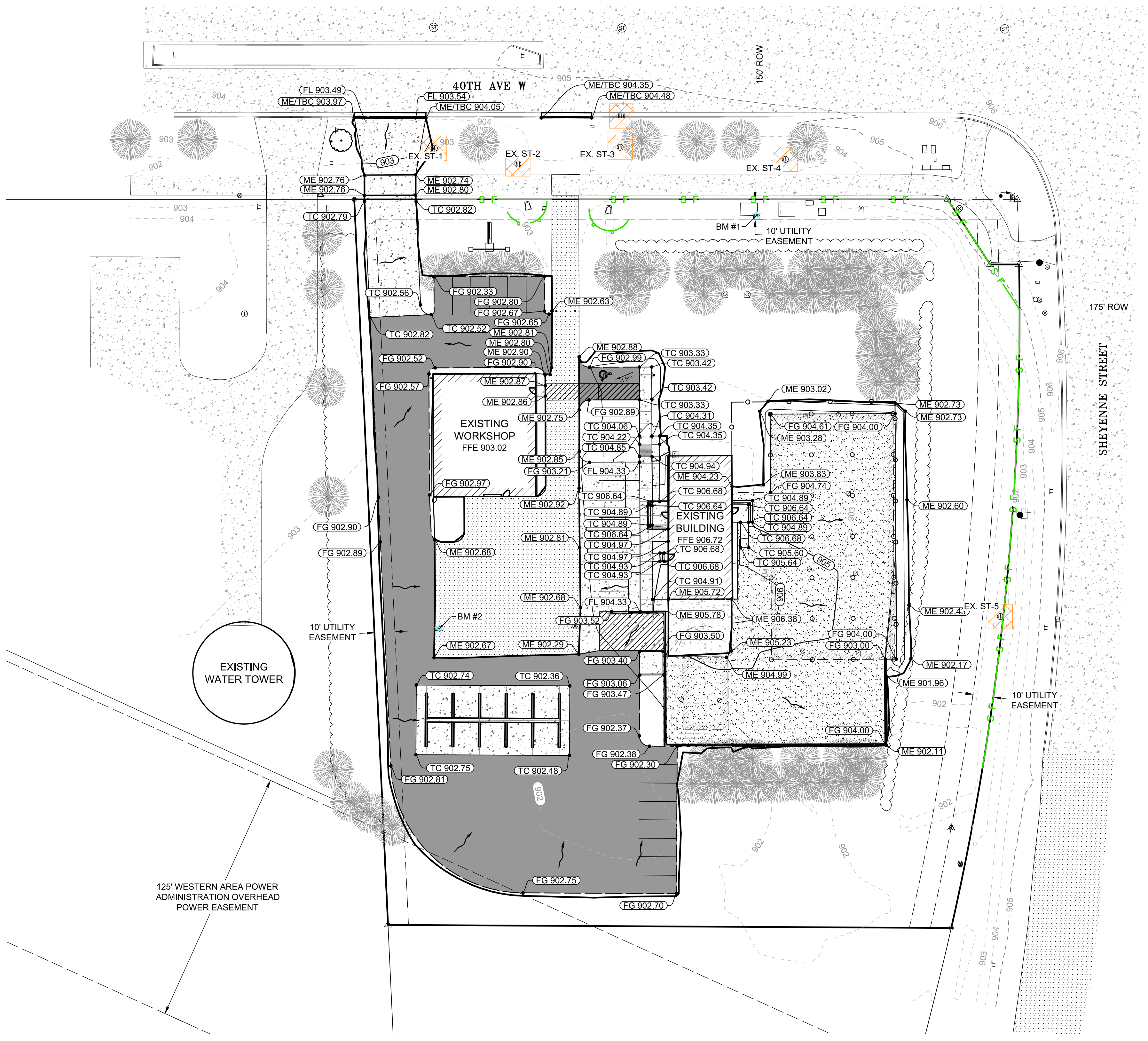


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KEYNOTES:

- | | | |
|------------------------------------|--|-----------------------------|
| (1) THICKENED EDGE SIDEWALK | (10) BLUE PAVEMENT MARKING | (18) STANDARD CURB & GUTTER |
| (2) IMPERVIOUS PAVEMENT - BY OWNER | (11) RETAINING WALL - BY OTHERS | (19) CONCRETE DRIVEWAY |
| (3) CONCRETE PAVEMENT | (12) TRASH ENCLOSURE - BY OTHERS | |
| (4) GRAVEL SURFACE | (13) FUTURE 6' FENCE - BY OTHERS | |
| (5) CONCRETE SIDEWALK | (14) LANDSCAPE MATERIAL BINS - BY OTHERS | |
| (6) VAN ACCESSIBLE PARKING SPACE | (15) BOLLARD | |
| (7) VAN ACCESSIBLE PARKING SIGN | (16) MONUMENT SIGN - BY OWNER | |
| (8) ACCESSIBLE RAMP | (17) CUSTOMER LOADING SPACE | |
| (9) YELLOW PAVEMENT MARKING | | |



GRADING:

1. TOPSOIL SHALL BE FULLY REMOVED FROM AREAS TO BE EXCAVATED OR FILLED UNLESS INDICATED TO BE CONSTRUCTED WITH TOPSOIL. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING TOPSOIL STOCKPILE LOCATIONS. EXCESS TOPSOIL SHALL BE STOCKPILED AT AN APPROVED ONSITE LOCATION OR, WITH APPROVAL OF THE OWNER, SHALL BE REMOVED FROM THE SITE AND DISPOSED OF PROPERLY, INCIDENTAL TO THE CONTRACT.
2. SILT FENCING OR APPROPRIATE EROSION CONTROL MEASURES SHALL BE INSTALLED ON DOWNSTREAM SIDES OF STOCKPILES TO PROTECT RECEIVING WATERS FROM SEDIMENTATION. TOPSOIL STOCKPILES THAT WILL REMAIN FOR PERIODS IN EXCESS OF 14 DAYS SHALL BE STABILIZED WITH TEMPORARY VEGETATION.
3. EXISTING CONTOURS ARE SHOWN AT EXISTING GRADE.
4. PROPOSED CONTOURS ARE SHOWN AT FINISH GRADE.
5. IF AVAILABLE, CONTRACTOR SHALL REVIEW AND FOLLOW ALL REQUIREMENTS OF THE GEOTECHNICAL REPORT.
6. SUBGRADE SHALL BE COMPACTED IN ACCORDANCE WITH THE GEOTECHNICAL REPORT. IF NOT SPECIFICALLY STATED IN THE GEOTECHNICAL REPORT, SUBGRADE SHALL BE COMPACTED TO THE REQUIREMENTS INDICATED FOR SUBGRADE BELOW SLABS AND PAVEMENT.

STORMWATER POLLUTION PREVENTION PLAN:

1. CONTRACTOR IS RESPONSIBLE FOR MINIMIZING TRACKING OF SOIL AND DEBRIS ONTO ROADWAYS. TRACKING MUST BE REMOVED BY THE END OF EACH DAY.
2. THE CONTRACTOR SHALL BE REQUIRED TO CLEAN STREETS WITHIN AND ADJACENT TO THE PROJECT SITE IMPACTED BY CONSTRUCTION THROUGHOUT THE DURATION OF THE PROJECT. UPON PROJECT COMPLETION, CONTRACTOR SHALL PERFORM A FINAL CLEANING AND SHALL REPAIR ANY DAMAGES TO ONSITE AND ADJACENT IMPROVEMENTS CAUSED BY CONSTRUCTION TO PRE-CONSTRUCTION CONDITIONS.
3. THE CONTRACTOR SHALL INSTALL A CONCRETE WASHOUT AT A CENTRAL LOCATION DETERMINED BY THE CONTRACTOR AND PROVIDE A SIGN TO IDENTIFY THE CONCRETE WASHOUT AREA.
4. ALL DISTURBED AREAS SHALL BE SEEDED AND MULCHED OR SODDED WITH LANDSCAPE MATERIALS. SEE LANDSCAPING PLANS. GRADING CONTRACTOR SHALL PROVIDE TEMPORARY SEEDING IN AREAS WHICH WILL BE EXPOSED FOR MORE THAN 14-DAYS PRIOR TO INSTALLATION OF PERMANENT GROUND COVER.
5. CONTRACTOR SHALL REMOVE ALL EROSION CONTROL DEVICES WHEN 70% VEGETATION IS ESTABLISHED.
6. THE OWNER AND CONTRACTOR SHALL BE REQUIRED TO APPLY TO THE NORTH DAKOTA DEPARTMENT OF HEALTH (NDDOH) FOR THE NPDES FOR STORMWATER DISCHARGES AND TO COMPLETE A SWPPP. CONTRACTOR SHALL ABIDE BY ALL REQUIREMENTS OF THE NOI. MAINTENANCE AND REMOVAL OF THE EROSION CONTROL MEASURES AND INSTALLATION OF ADDITIONAL EROSION CONTROL MEASURES SHALL BE CONSIDERED INCIDENTAL TO THE WORK PERFORMED.

GEOTECHNICAL RECOMMENDATIONS		
LOCATION	% COMPACTION	% MOISTURE FROM OPTIMUM
BUILDING AREAS	98% Min	-0% TO +3% FOR CLAY SOILS; -3% TO +3% FOR GRANULARY SOILS; -5% TO +5% FOR NON-FROST SUSCEPTIBLE SOILS
PAVEMENT AREAS	95% Min	
UTILITY TRENCHES	95% Min	
GREEN AREAS	92% Min	
NOTES:		
1. COMPACTION VALUES ARE BASED ON STANDARD PROCTOR (ASTM D698).		
2. THE VALUES IN THIS TABLE ARE MINIMUM RECOMMENDATIONS. THE OWNER IS RESPONSIBLE FOR VERIFYING WITH A GEOTECHNICAL ENGINEER.		

BENCHMARKS:

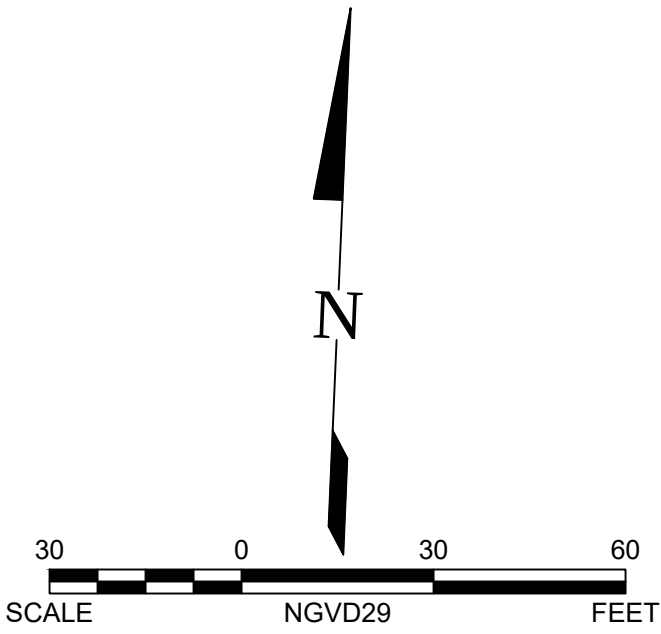
BM-1
X ON TOP OF TRANSFORMER NORTH OF BOUTIQUE.
ELEV = 904.20

BM-2
MAG NAIL IN ASPHALT LOCATED SOUTH OF WORKSHOP
ELEV = 902.88

ABBREVIATIONS:
FG = FINISHED GRADE
FL = FLOWLINE
HP = HIGH POINT
LP = LOW POINT
ME = MATCH EXISTING
TBC = TOP BACK OF CURB
TC = TOP OF CONCRETE

LEGEND

- SILT FENCE
- STRAW WATTLES
- INLET PROTECTION



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ACCELERATED GREEN WORKS SITE IMPROVEMENTS

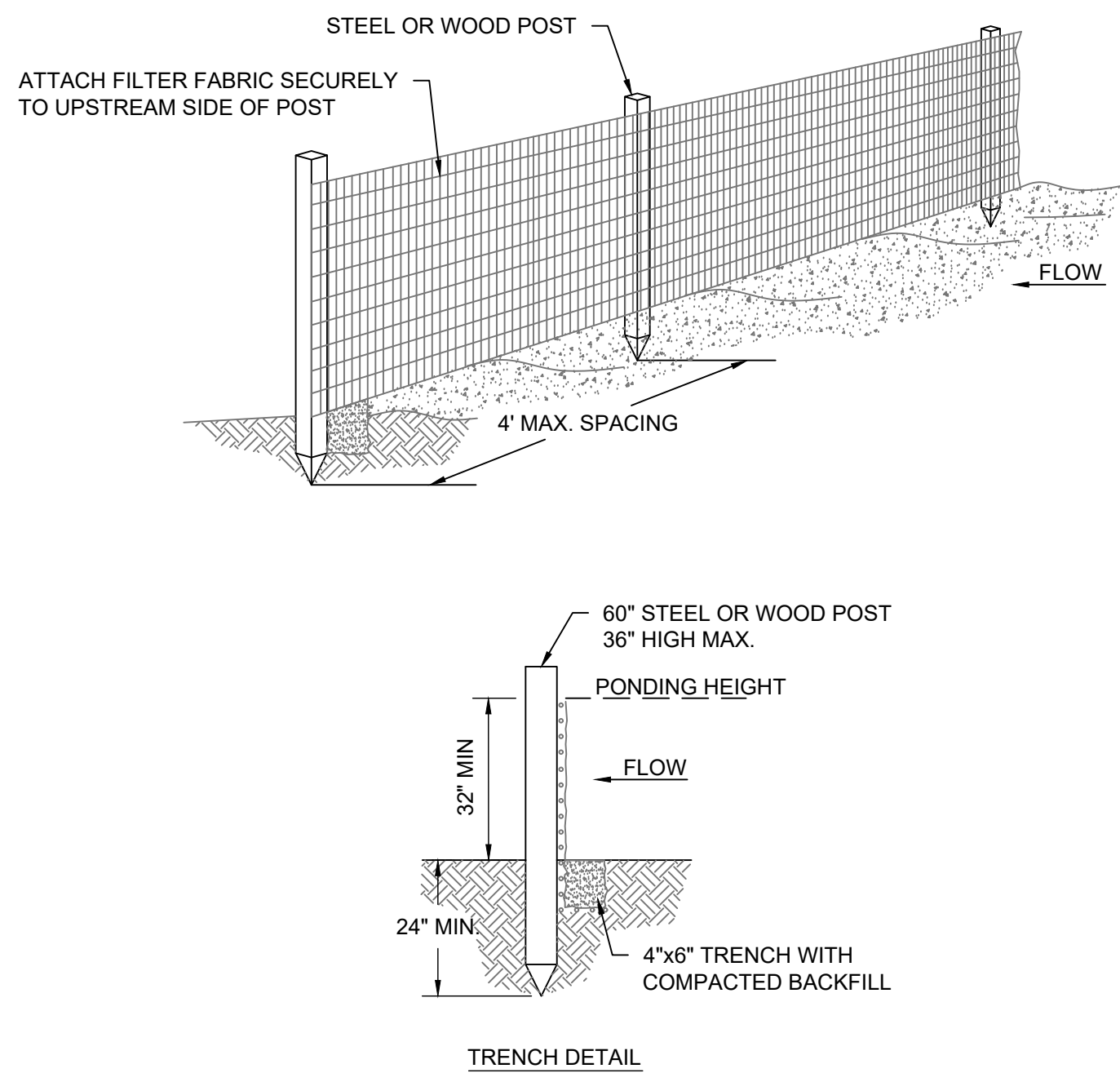
225 40TH AVE W
WEST FARGO, NORTH DAKOTA

GRADING & EROSION CONTROL PLAN



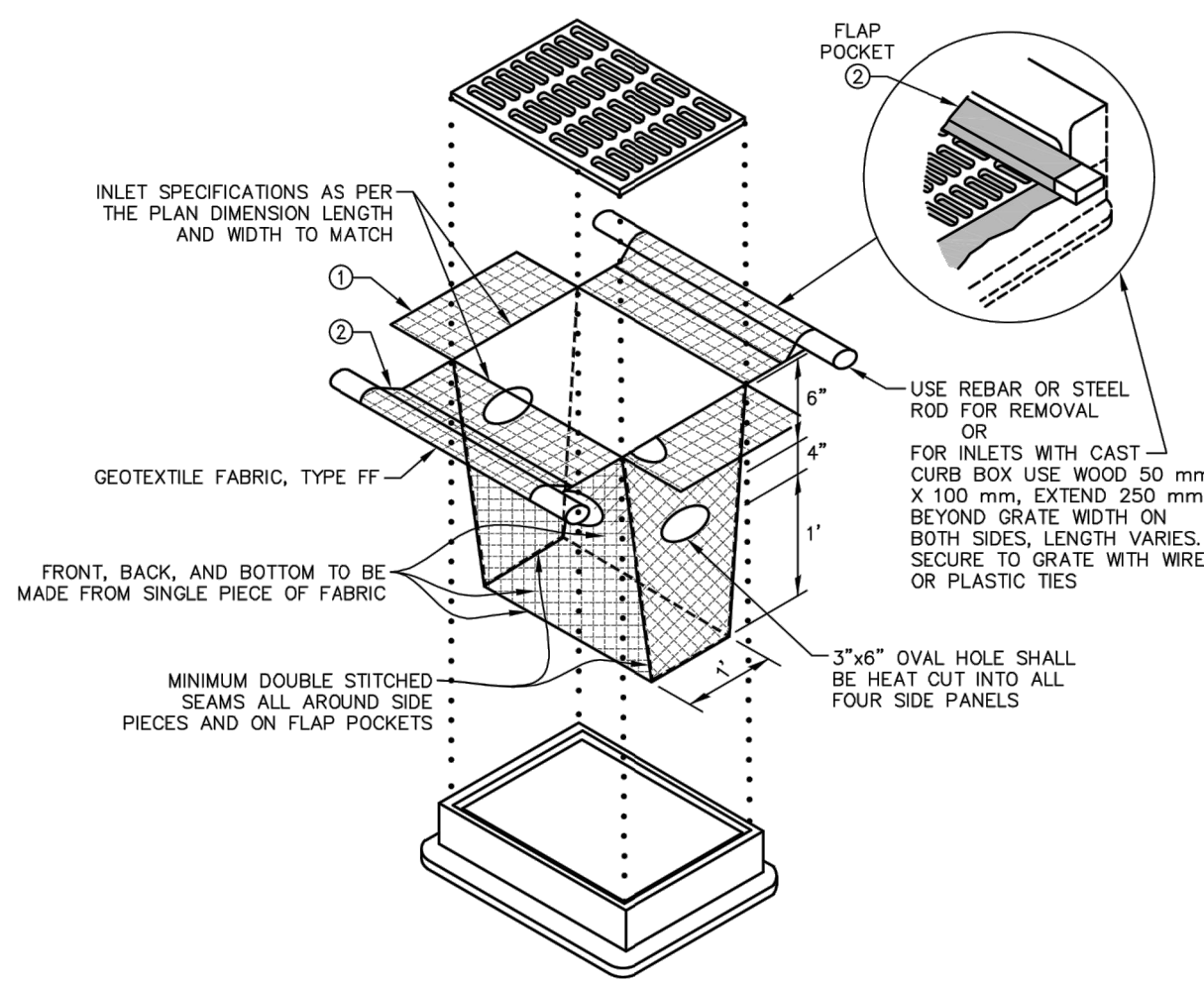
NO.	DATE	REVISION

DRAFTED JD
REVIEWED SK
PROJECT NUMBER 2014-00567
ISSUE DATE 05/01/2020



- NOTES:
1. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.
 2. INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN NECESSARY.
 3. REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED.

SILT FENCE
NOT TO SCALE



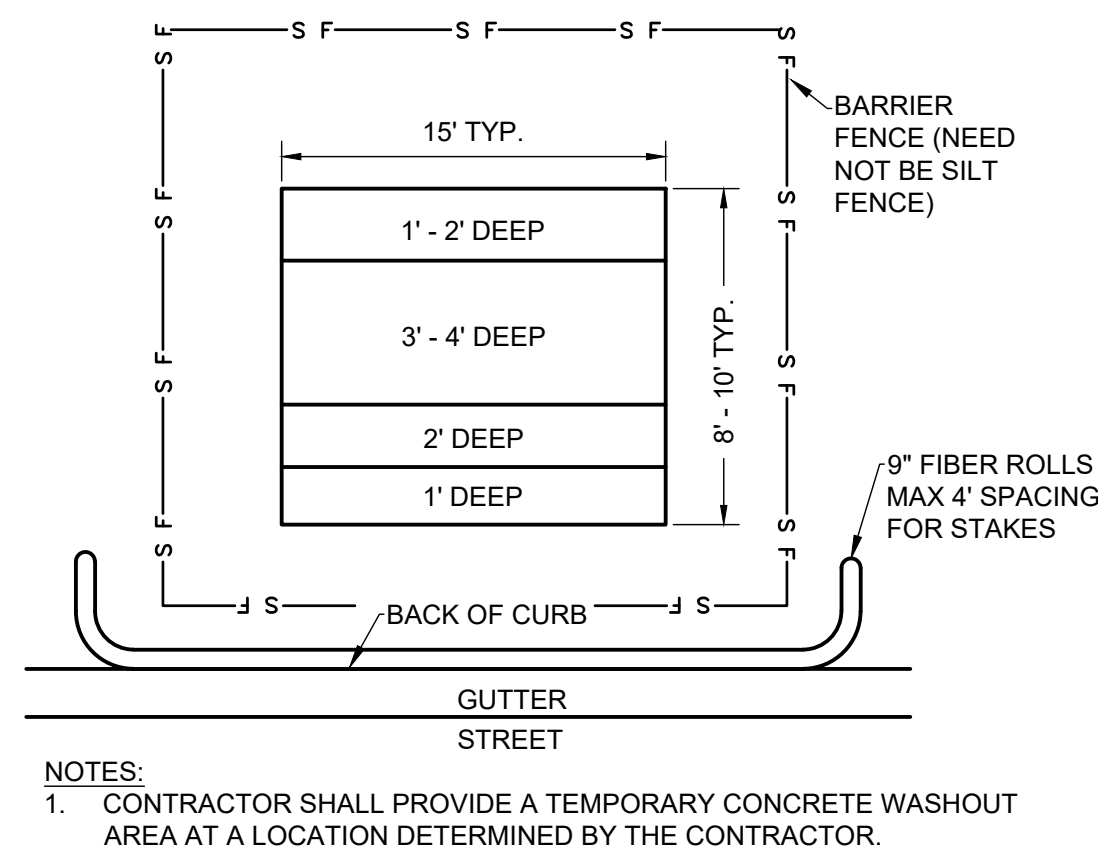
NOTES:

1. INLET PROTECTION SHALL BE MAINTAINED OR REPLACED AT THE DIRECTION OF THE OWNER.
2. MANUFACTURED ALTERNATIVES APPROVED AND LISTED ON THE MINNESOTA DEPARTMENT OF TRANSPORTATION'S EROSION CONTROL PRODUCT ACCEPTABILITY LIST MAY BE SUBSTITUTED.
3. WHEN REMOVING OR MAINTAINING INLET PROTECTION, CARE SHALL BE TAKEN SO THAT THE SEDIMENT TRAPPED ON THE GEOTEXTILE FABRIC DOES NOT FALL INTO THE INLET. ANY MATERIAL FALLING INTO THE INLET SHALL BE REMOVED IMMEDIATELY.

INSTALLATION NOTES:

1. DO NOT INSTALL INLET PROTECTION IN INLETS SHALLOWER THAN 3', MEASURED FROM THE BOTTOM OF THE INLET TO THE TOP OF THE GRATE.
2. TRIM EXCESS FABRIC IN THE FLOW LINE TO WITHIN 3" OF THE GRATE.
3. THE INSTALLED BAG SHALL HAVE A MINIMUM SIDE CLEARANCE, BETWEEN THE INLET WALLS AND THE BAG, MEASURED AT THE BOTTOM OF THE OVERFLOW HOLES, OF 3" WHERE NECESSARY THE CONTRACTOR SHALL QUINCH THE BAG, USING PLASTIC ZIP TIES, TO ACHIEVE THE 3" CLEARANCE. THE TIES SHALL BE PLACED AT A MAXIMUM OF 4" FROM THE BOTTOM OF THE BAG.
 - A. FINISHED SIZE, INCLUDING FLAP POCKETS WHERE REQUIRED, SHALL EXTEND A MINIMUM OF 1' AROUND THE PERIMETER TO FACILITATE MAINTENANCE OR REMOVAL.
 - B. FLAP POCKETS SHALL BE LARGE ENOUGH TO ACCEPT WOOD 2"x4".

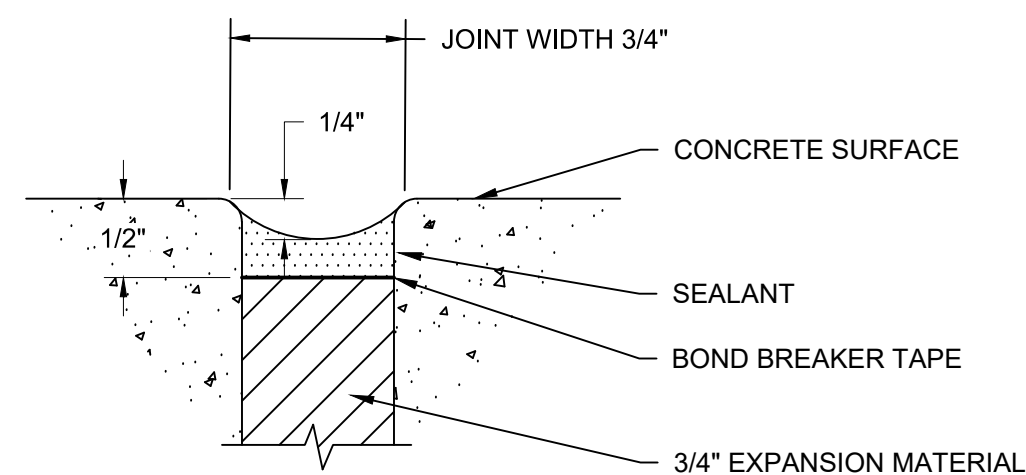
INLET PROTECTION-CURB BAG
NO SCALE WF 07.08.15



NOTES:

1. CONTRACTOR SHALL PROVIDE A TEMPORARY CONCRETE WASHOUT AREA AT A LOCATION DETERMINED BY THE CONTRACTOR.

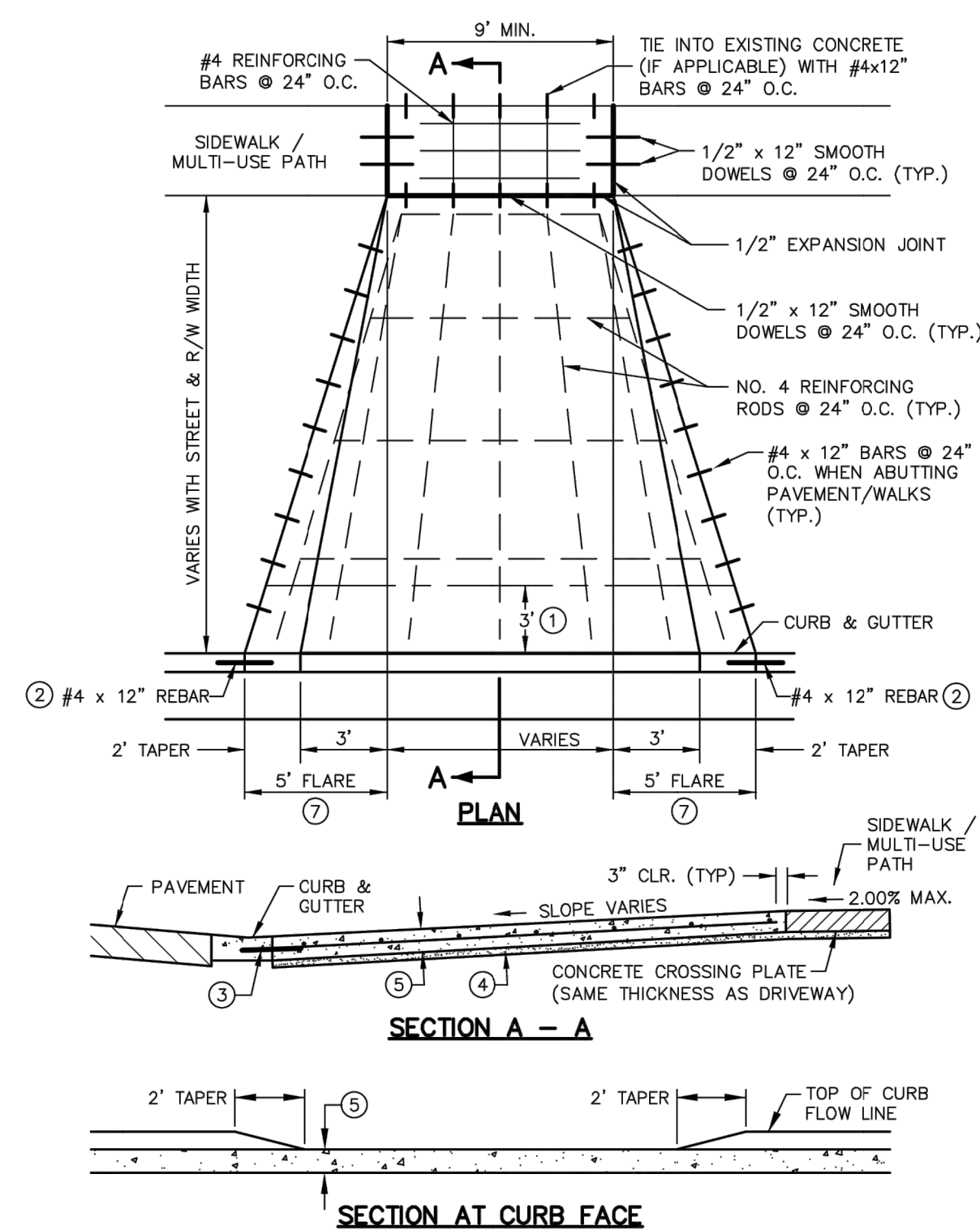
CONCRETE WASHOUT
NOT TO SCALE



NOTES:

1. IN LIEU OF BOND BREAKER TAPE, EXPANSION MATERIAL MAY BE HELD LOW, AND BACKER ROD MAY BE INSTALLED.

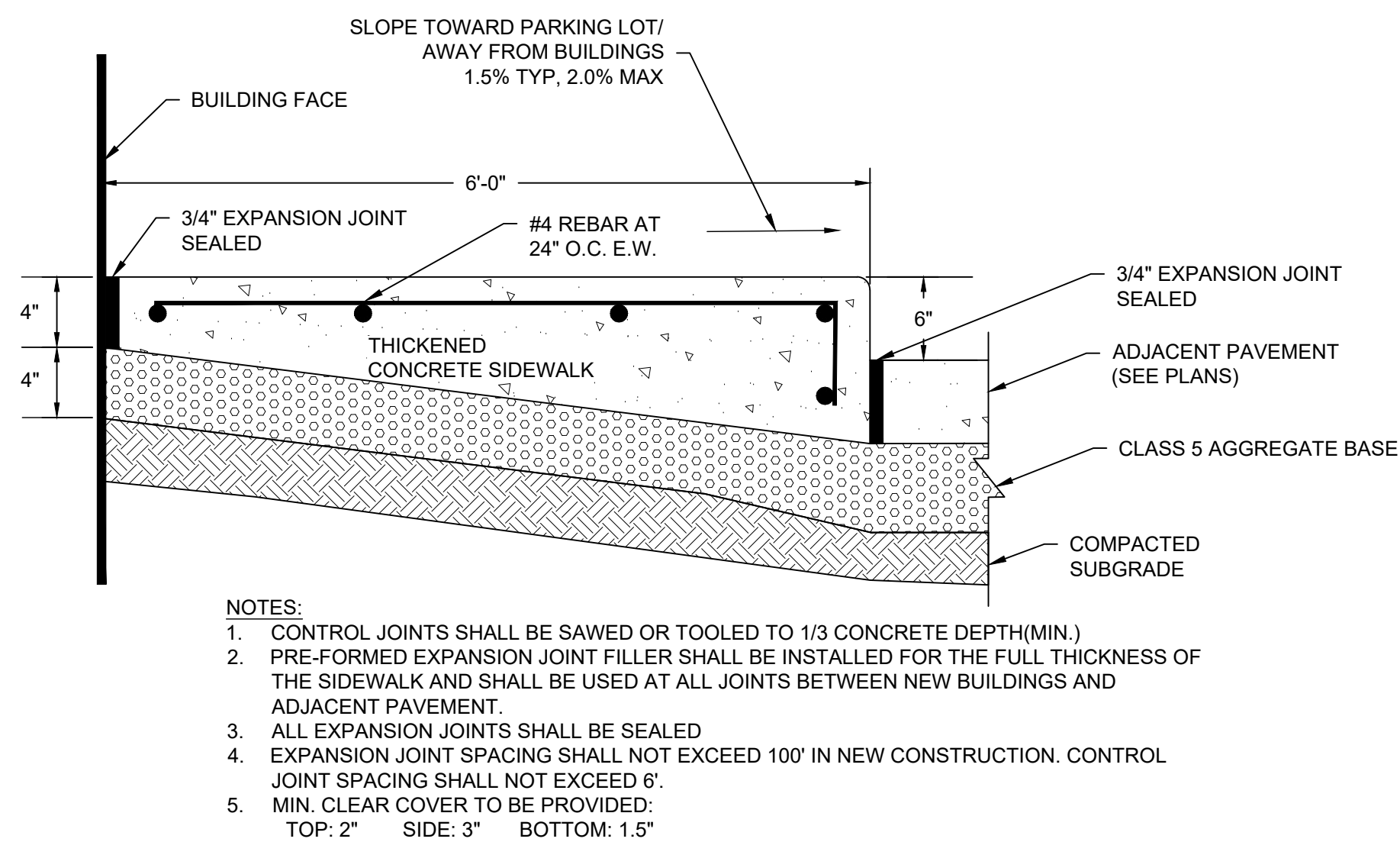
EXPANSION JOINT SEAL
NOT TO SCALE



NOTES:

1. SAW CUT, REMOVE AND REPLACE WHEN CURB & GUTTER IS BEING INSTALLED WITH EXISTING DRIVEWAY.
2. WHEN DRIVEWAY IS BEING INSTALLED WITH EXISTING CURB AND GUTTER, THE CURB AND GUTTER IS REMOVED AND REPLACED. NO INTEGRAL DRIVEWAY/CURB & GUTTER POURS SHALL BE ALLOWED.
3. THE DRIVEWAY AND REINFORCEMENT MAT SHALL BE TIED TO THE CURB AND GUTTER WITH #4 REBAR 12" LONG 24" ON CENTER.
4. CHAIRS OR APPROVED SUPPORT DEVICES SHALL BE USED TO SUPPORT REINFORCEMENT BARS AT MID DEPTH.
5. 6" MINIMUM FOR RESIDENTIAL; 7" MINIMUM FOR COMMERCIAL; OR AS NOTED ON PLANS.
6. SMOOTH DOWELS SHALL NOT BE TIED TO REINFORCING MATS.
7. 60" TAPER WHEN SIDES OF DRIVEWAY ABUT PAVEMENTS/WALKS.
8. 2" COMPACTED AGGREGATE BASE COURSE.

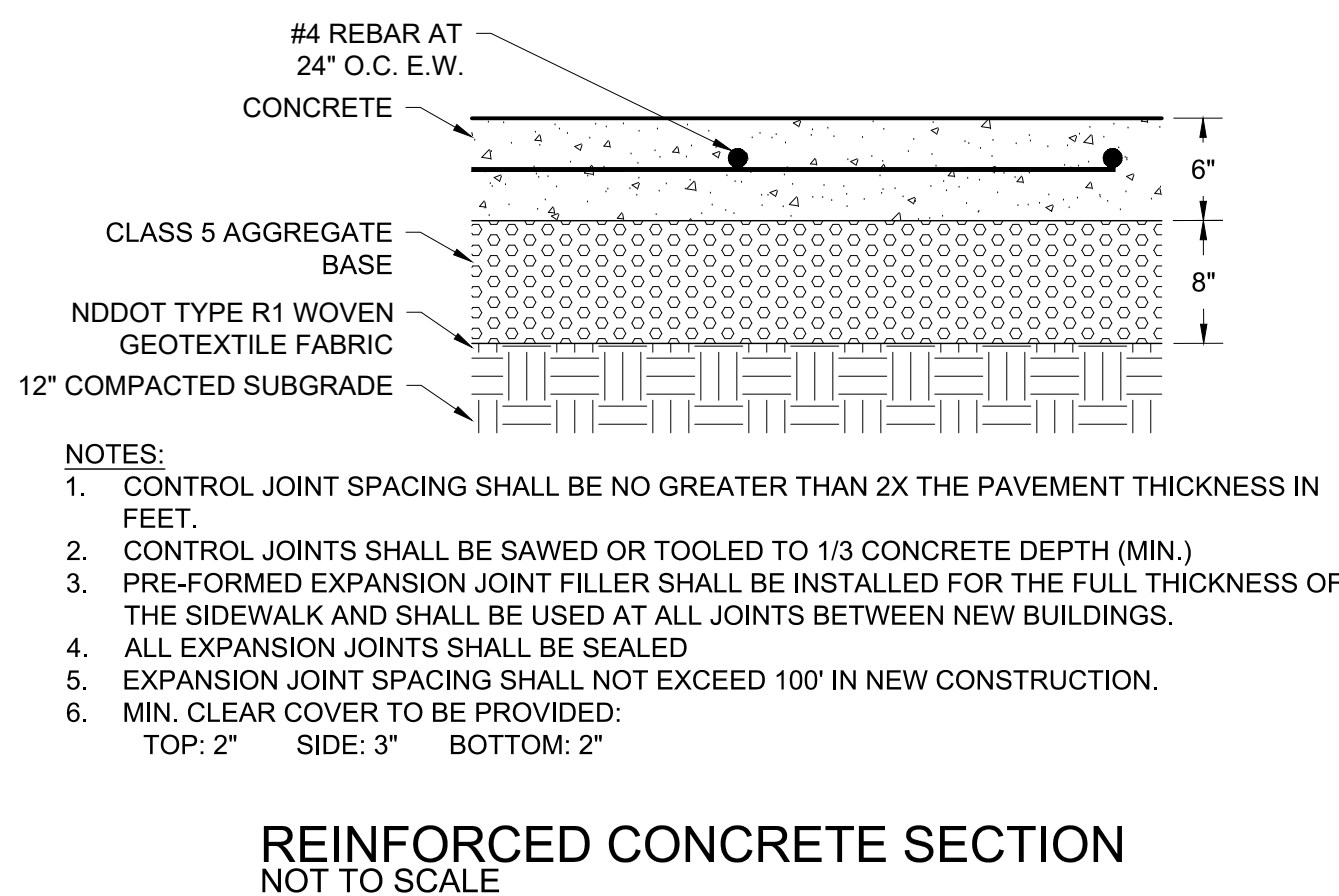
DRIVEWAY - WITH CURB & GUTTER AND CROSSING PLATE
NO SCALE WF 10.17.16



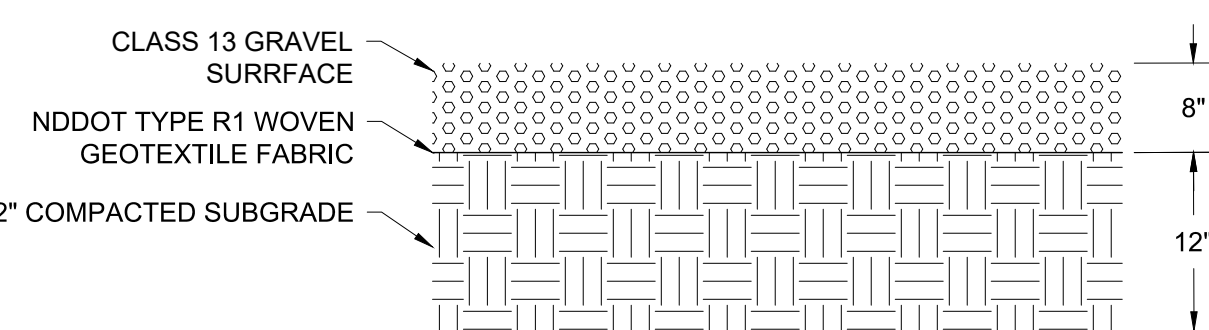
NOTES:

1. CONTROL JOINTS SHALL BE SAWED OR TOOLED TO 1/3 CONCRETE DEPTH (MIN.)
2. PRE-FORMED EXPANSION JOINT FILLER SHALL BE INSTALLED FOR THE FULL THICKNESS OF THE SIDEWALK AND SHALL BE USED AT ALL JOINTS BETWEEN NEW BUILDINGS AND ADJACENT PAVEMENT.
3. ALL EXPANSION JOINTS SHALL BE SEALED
4. EXPANSION JOINT SPACING SHALL NOT EXCEED 100' IN NEW CONSTRUCTION. CONTROL JOINT SPACING SHALL NOT EXCEED 6'.
5. MIN. CLEAR COVER TO BE PROVIDED: TOP: 2" SIDE: 3" BOTTOM: 1.5"

REINFORCED THICKENED EDGE SIDEWALK
NOT TO SCALE



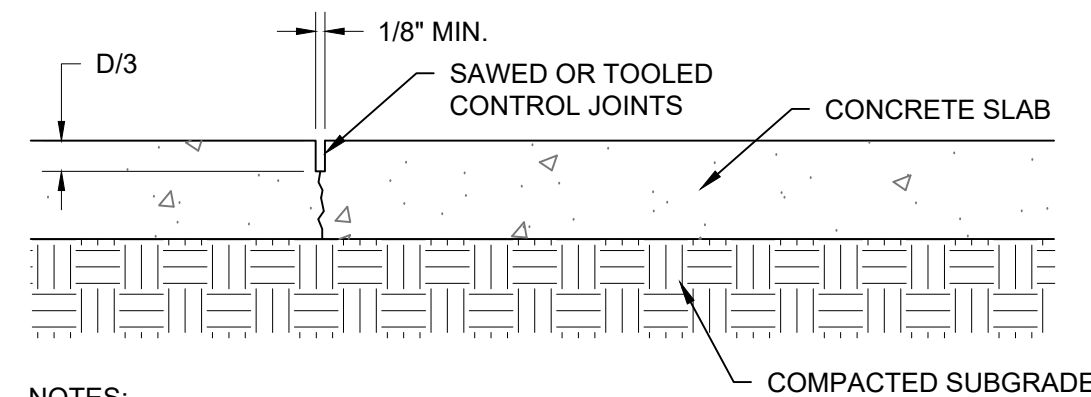
REINFORCED CONCRETE SECTION
NOT TO SCALE



NOTES:

1. CRUSHED CONCRETE IS AN APPROVED ALTERNATE TO CLASS 13 GRAVEL SURFACING.

GRAVEL SURFACE SECTION
NOT TO SCALE



NOTES:

1. D = DEPTH OF CONCRETE
2. PROVIDE 1/4" RADIUS FOR TOOLED CONTROL JOINTS.

CONTROL JOINT
NOT TO SCALE

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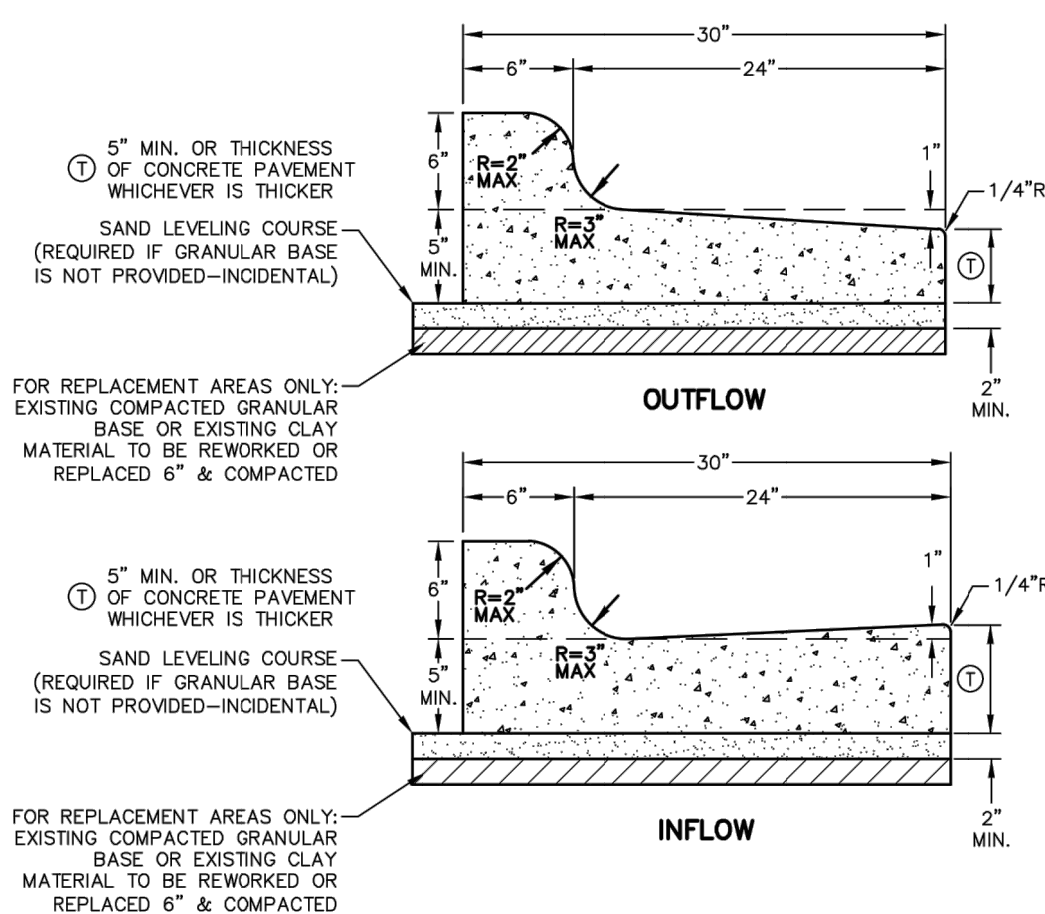
NO.	DATE	REVISION

DRAFTED JD
 REVIEWED SK
 PROJECT NUMBER 2014-00567
 ISSUE DATE 05/01/2020

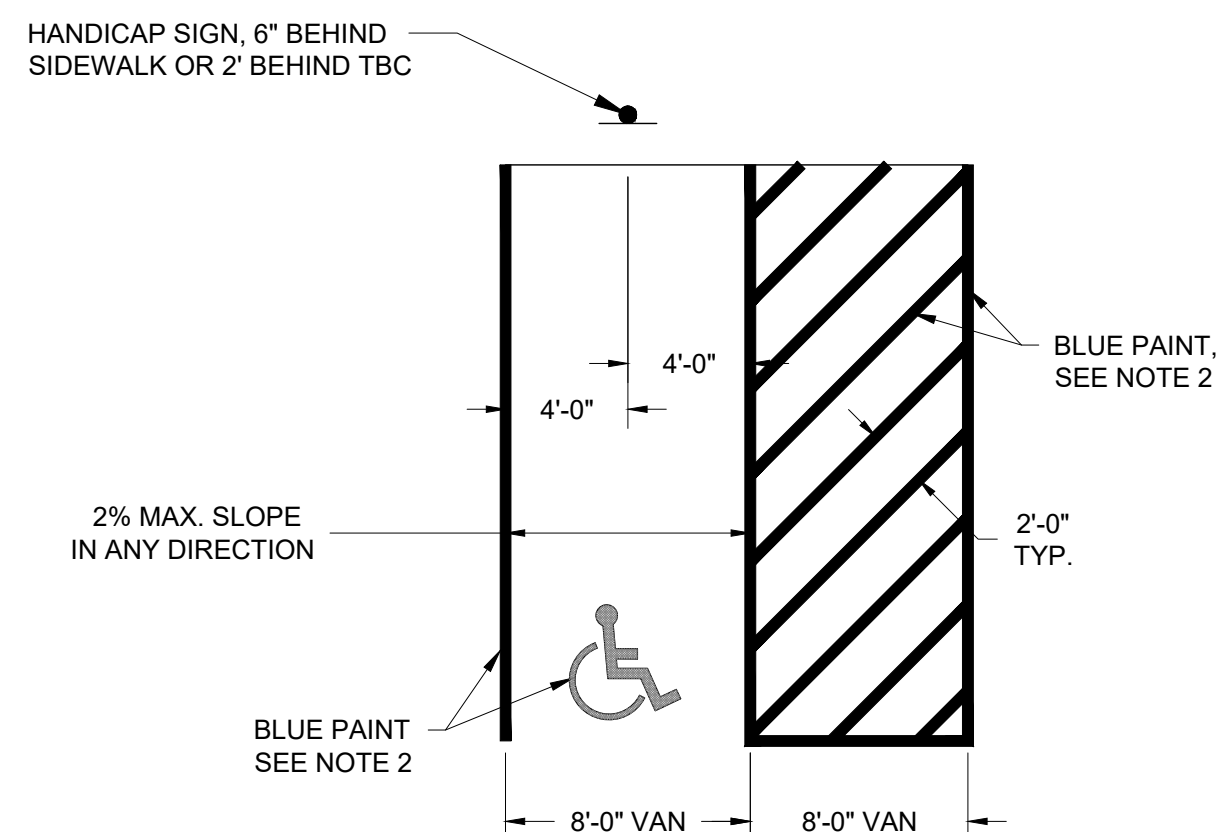
ACCELERATED GREEN WORKS SITE IMPROVEMENTS
 225 40TH AVE W
 WEST FARGO, NORTH DAKOTA

DETAILS

SHEET 5

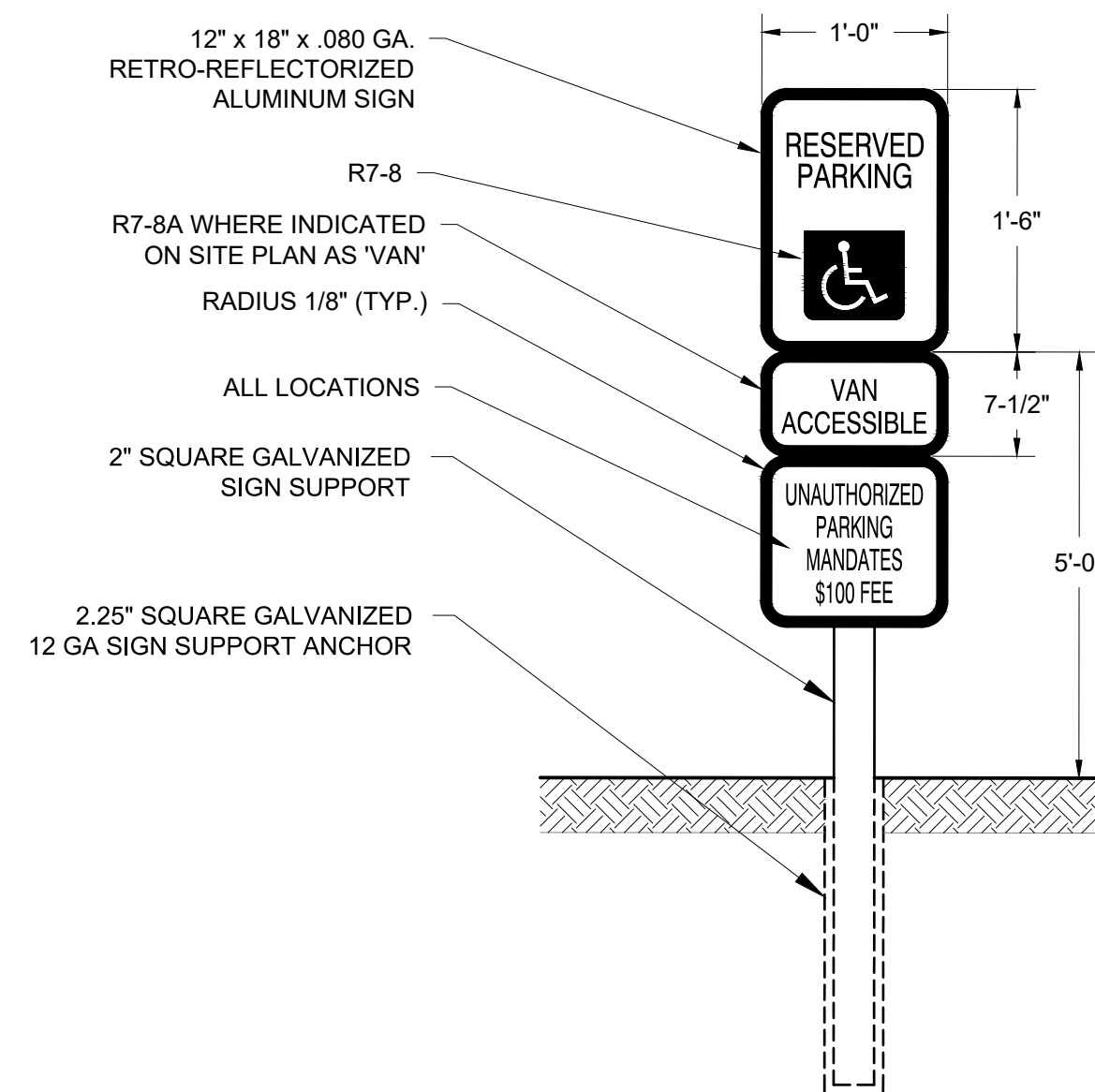


HIGH BACK CURB AND GUTTER
NO SCALE WF 02.18.15



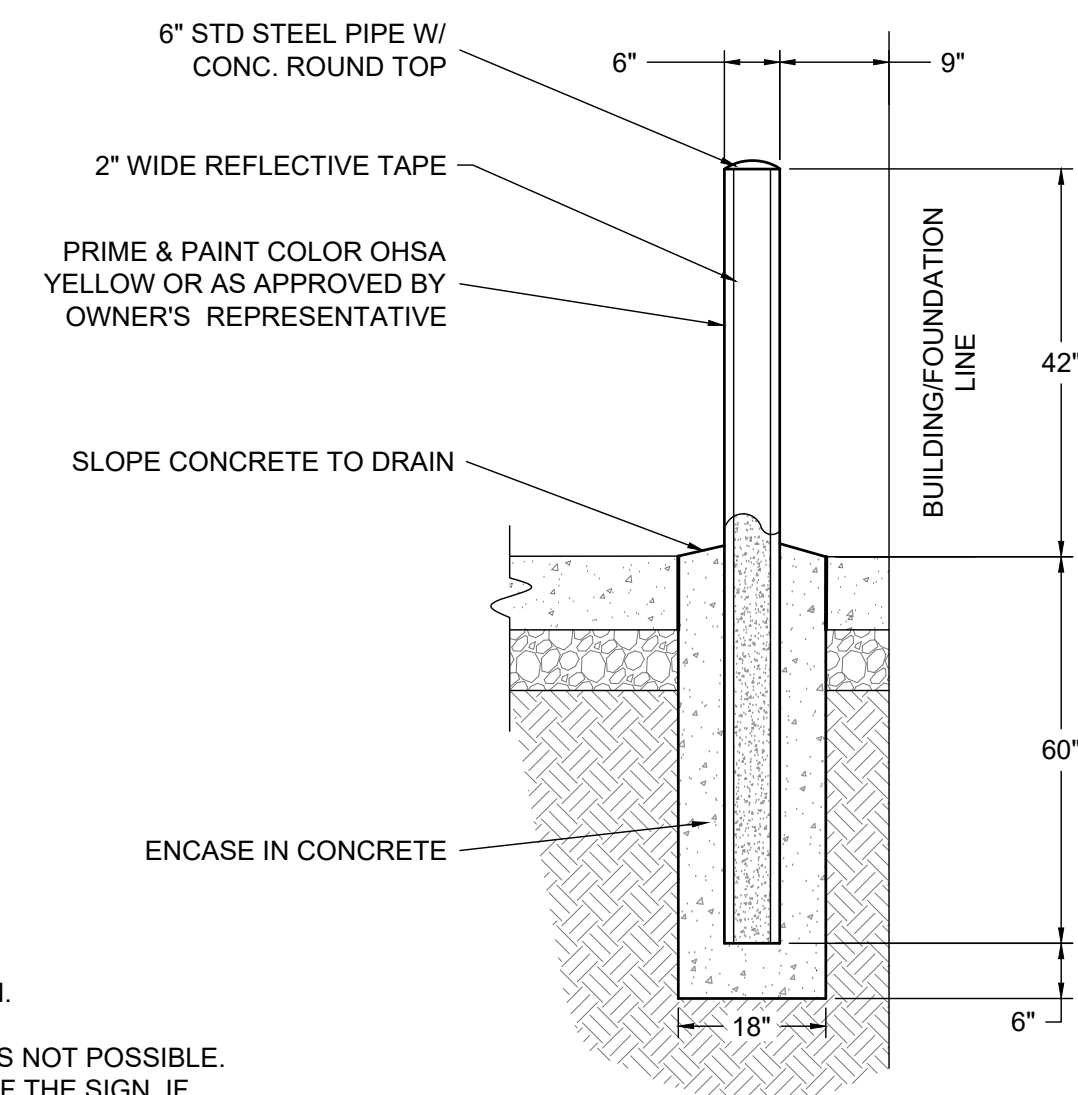
- NOTES:
1. SYMBOL TO BE CENTERED ON WIDTH OF PARKING STALL.
 2. USE BLUE (COLOR #105090 IN FEDERAL STANDARD 5952) DOUBLE COAT.
 3. ALL DIMENSIONS OF SYMBOL SHALL CONFORM WITH FEDERAL STANDARDS.
 4. ONE IN EVERY EIGHT ACCESSIBLE SPACES, BUT NOT LESS THAN ONE, SHALL BE SERVED BY AN ACCESS AISLE 96" (8') WIDE MINIMUM AND SHALL BE DESIGNATED "VAN ACCESSIBLE".

ACCESSIBLE PARKING STALL STRIPING
NOT TO SCALE

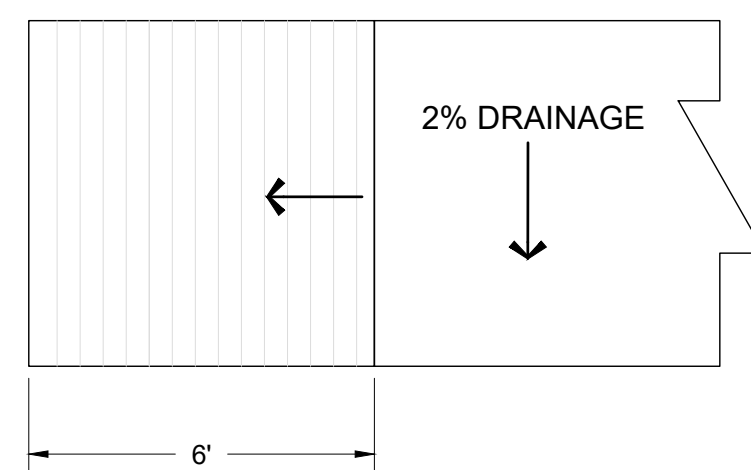


- NOTES:
1. PROVIDE (1) SIGN PER HANDICAP SPACE. SEE SITE PLAN FOR EXACT LOCATION.
 2. ISOLATION JOINT NOT REQUIRED WITH FLEXIBLE PAVEMENT OR GRASS.
 3. SIGNS MAY BE MOUNTED TO SURFACE OF BUILDING WHERE POST MOUNTING IS NOT POSSIBLE.
 4. SIGNS SHALL BE 60" MIN. ABOVE GROUND SURFACE, MEASURED TO BOTTOM OF THE SIGN. IF PLACED IN SIDEWALKS, SIGNS SHALL BE 84" ABOVE GROUND SURFACE.

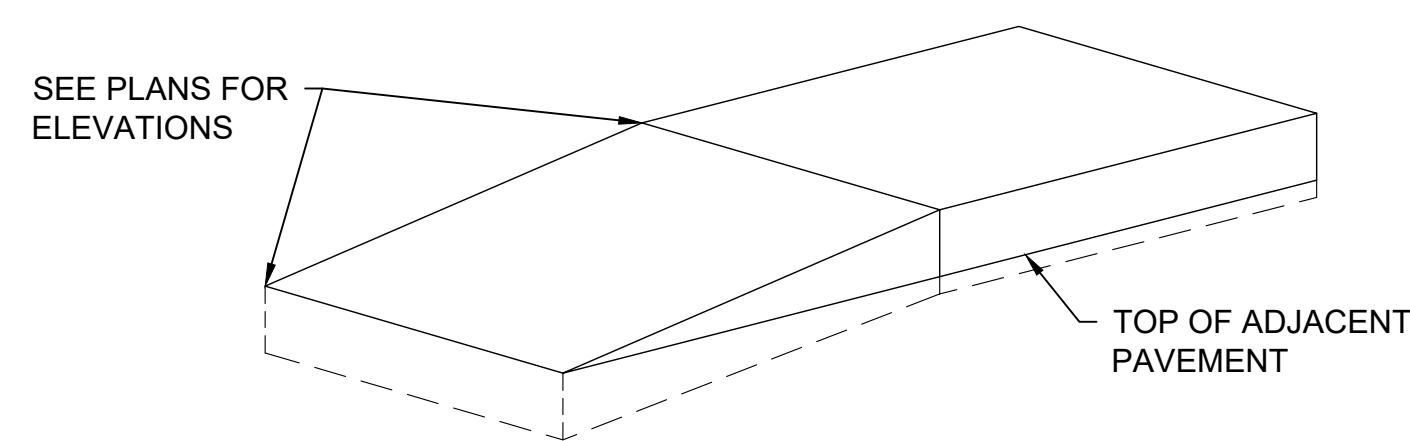
ACCESSIBLE PARKING STALL SIGN
NOT TO SCALE



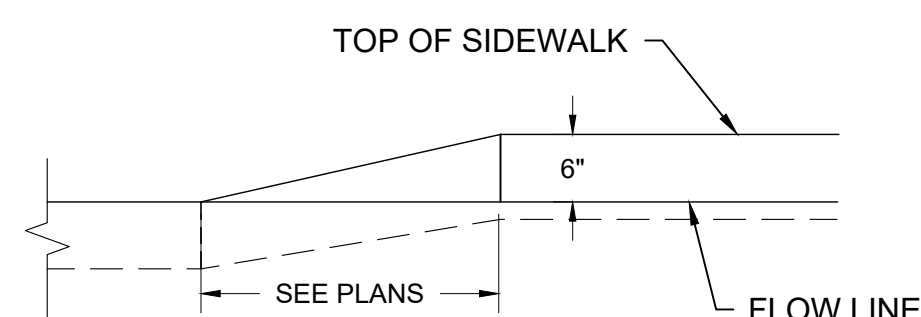
PIPE BOLLARD
NOT TO SCALE



PLAN VIEW



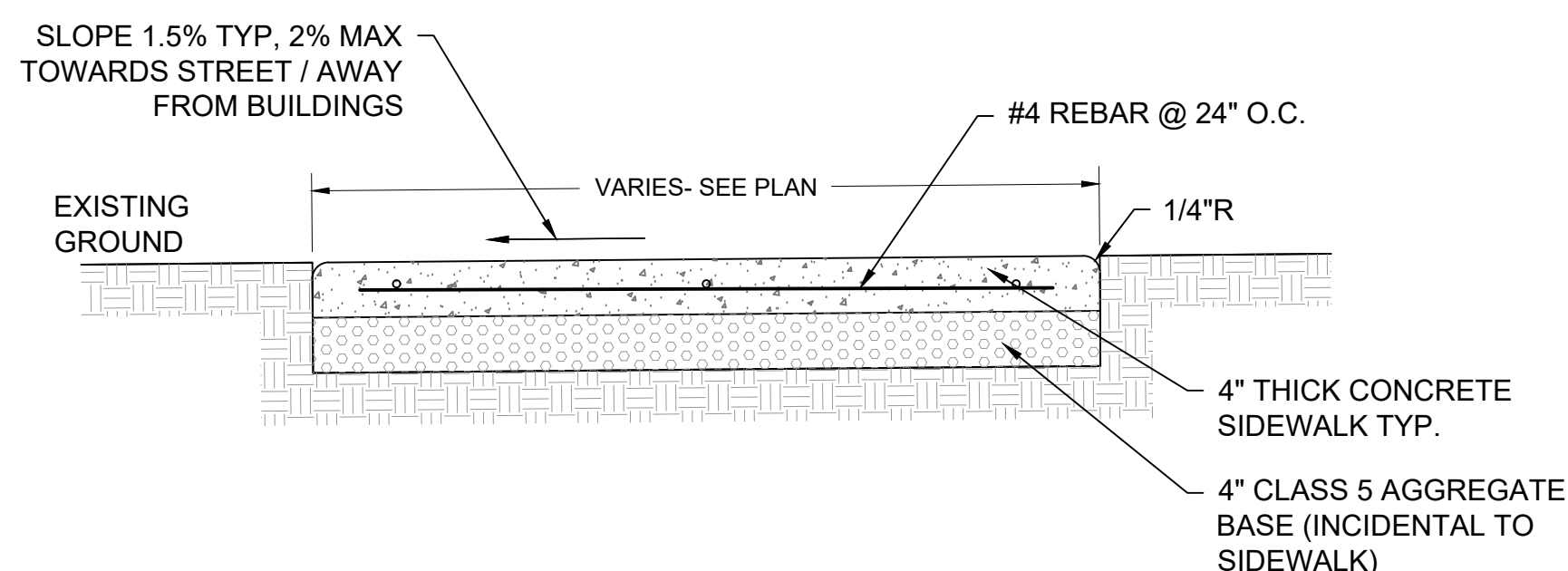
SECTION A-A



RAMP FRONT

- NOTES:
1. THE SLOPES MAY VARY DUE TO HEIGHT OF CURB, BUT SHALL NOT EXCEED 8.33% (1:12) GRADE, FOR A MAXIMUM RUN OF 6'.
 2. THE LOWER PORTION OF ALL RAMP TO HAVE A DETECTABLE WARNING PANEL THAT EXTENDS THE FULL WIDTH OF THE RAMP (COLOR- YELLOW).

ACCESSIBLE RAMP AND WALK
NOT TO SCALE



- NOTES:
1. 3/4" PRE-FORMED EXPANSION JOINT FILLER SHALL BE INSTALLED FOR THE FULL THICKNESS OF THE SIDEWALK AND SHALL BE USED AT ALL JOINTS BETWEEN NEW SIDEWALK AND EXISTING SIDEWALK. EXPANSION JOINT SPACING SHALL NOT EXCEED 100'.
 2. DOWELED EXPANSION JOINT SHALL BE CONSTRUCTED WITH 12" LONG #4 BARS AT 12" O.C. SPACING, CENTERED IN THE JOINT AND SLAB.
 3. ALL EXPANSION JOINTS SHALL BE SEALED.
 4. CONTROL JOINT SPACING SHALL NOT EXCEED THE WIDTH OF THE SIDEWALK OR 8 FEET, WHICHEVER IS LESS.

4" CONCRETE SIDEWALK
NOT TO SCALE

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ACCELERATED GREEN WORKS SITE IMPROVEMENTS

225 40TH AVE W
WEST FARGO, NORTH DAKOTA

DETAILS

SHEET

6

WELCOME TO

The Ivy Room

GENERAL INFORMATION

Suggestions and Size

The Ivy Room is a special place to celebrate all occasions! Whether you have a graduation or birthday, bridal or baby shower...we've got the perfect setting for you here at SheyWest.

Let this beautiful venue host your best gathering yet!

The Ivy Room offers:

- ❖ Year round availability
- ❖ Special rates (for recurring events and returning clients)
- ❖ Catering flexibility
- ❖ Party planning and room set-up options
- ❖ Electrical outlets for craft and booth needs
- ❖ WiFi and projection screen capabilities

The Ivy Room is perfect for 8 to 48 people to meet for:

- ❖ Business or Corporate Meetings
- ❖ Baby and Bridal Showers
- ❖ Boutique Weddings and Grooms Dinners
- ❖ Birthday Parties
- ❖ Presentations and Educational Seminars
- ❖ Card or Game Night, Specialty Clubs (Scouts, Garden, etc)
- ❖ Craft Classes*

*If you are or know a craft vendor...please let us know and we would love to talk about collaborating for special rates!

RENTAL RATES

Pricing and Time Slot Information

Booking Options:

Rental hours listed below include your set-up and tear-down. If you need additional time, it must be arranged prior to the event date to not impede events scheduled during adjacent time blocks and allow for staffing accommodations.

❖ The Mini (90 minutes) **\$200**

This option would be great for photography sessions or craft classes! SheyWest staff will open the space and be available for questions.

❖ The Standard (3 hrs) **\$300**

Standard bookings will be more strict on time selected (less flexibility to extend unless other event slots remain empty before or after). Guests must select a morning or afternoon time slot during normal store hours for the day. If an event would like to extend past normal store hours, see options and rates below.

❖ The VIP (6 hours+) **\$500**

VIP sessions are considered a 6-hour booking, but not necessarily an entire day. If an event would like to extend past normal store hours, see options and rates below.

*To book this space,
please visit with a staff member
inside the store or email
ivyroom@sheywest.com.*

Other Notes:

Booking rates include use of heat and electricity at the space. Water use is limited and should be discussed with SheyWest coordinator prior to the booking. Adjacent spaces and equipment will also be made available upon request (e.g. stage, putting green, tables, chairs, projector/screen, décor, etc). Additional fees may apply.

SheyWest will impose a surcharge if the time block limits are not abided by. Each additional hour required will add **\$80.00** to the reservation (charged in increments of half an hour). SheyWest staff reserves the right to remove any party or individual who disrespect the property or other guests. No refunds will be given for events that cancel within 72 hours of the reservation.

We work hard to keep this space beautiful for all guests and appreciate clients doing the same. Cleaning fees may vary if the space is not left as it was upon arrival. See full fee schedule in booking agreement.

Thank you for visiting!

WELCOME TO

The Ivy Room

RELEASE OF LIABILITY
Read Carefully!

The Ivy Room is solely a rented venue. I _____ (hereafter referred to as the "HOST") have contracted with SheyWest, LLC (hereafter referred to as the "VENUE"), to book this space for my event on _____ (insert month, day and year of event).

In exchange for use of the Ivy Room on or after this event, I agree for myself and any guests of event(s) I am hosting, to the following:

1. Agreement to Follow Directions

I agree to observe and obey all posted rules and warnings, and further agree to follow any oral instructions or directions given by the VENUE, or the employees, representatives, or agents of the VENUE.

2. Assumption of the Risks and Release

I recognize that there are certain inherent risks associated with renting any venue and I assume full responsibility for personal injury to myself and my guests or other store visitors, and further release and discharge the VENUE for injury, loss, or damage arising out of my (or my guests') use of or presence upon the facilities of the VENUE, whether caused by the fault of myself, my guests, the VENUE or other third parties.

3. Indemnification

I agree to indemnify and defend the VENUE against all claims, causes of action, damages, judgments, costs, or expenses, including attorney fees and other litigation costs, which may in any way arise from my or my guests' use of or presence upon the facilities of the VENUE.

I further agree to indemnify and hold the VENUE and GreenWorks Properties LLC (collectively "INDEMNITEES") harmless against, and will reimburse INDEMNITEES on demand for, any payment made by INDEMNITEES for any claim, suit, damages, liability, losses, judgments, fines, penalties, obligations, costs and expenses (including, without limitation, costs and expenses of defense, amounts paid in settlement and reasonable attorney's fees and expenses) of any nature whatsoever, incurred or suffered by INDEMNITEES arising in connection with the activities of HOST.

In no event shall INDEMNITEES be liable to the HOST or guests of the HOST for any general, special, indirect, incidental or consequential damages (including, without limitation, indirect, special, punitive or exemplary damages for loss of business, loss of profits, business interruption, breach of security or lost or damaged data) arising out of or connected in any way with this agreement or any services rendered by INDEMNITEES, the total liability of INDEMNITEES to HOST for all damages, losses, and causes of action (whether in contract, tort (including negligence) or otherwise) shall not exceed the proceeds of any insurance claim paid.

The VENUE shall not be responsible for any lost, damaged, or stolen property.

4. Security

Every effort to ensure the safety of those attending the event will be made by the VENUE. However, it is the responsibility of the HOST to take precautions to monitor all valuables and cash before, during and after the event timeframe. Suspicious activity must be reported immediately to the VENUE management. In cases of emergency, please call local authorities by dialing 911.

5. Fees

I agree to pay for all damage to the facilities of the VENUE caused by any negligent, reckless, or willful actions by me or my guests.

6. Applicable Law

Any legal or equitable claim that may arise from participation in the above shall be resolved under North Dakota law.

7. No Duress

I agree and acknowledge that I am under no pressure or duress to sign this agreement and that I have been given a reasonable opportunity to review it before signing. I further agree and acknowledge that I am free to have my own legal counsel review this agreement if I so desire. I further agree and acknowledge that the VENUE has offered to refund any fees I have paid to use its facilities if I choose not to sign this agreement.

8. Photo Release

HOST hereby grants VENUE permission to use host's and their guests' likeness in photograph(s) in any publications or publicity materials (including but not limited to books, newsletters, videos and Web use), in perpetuity and agree that they will make no monetary or other claim against VENUE for the use of the photograph(s).

9. Amendments

VENUE reserves the right to amend this Agreement at any time, in its sole discretion.

10. Miscellaneous Provisions

Any express waiver or failure to exercise promptly any right under this Agreement will not create a continuing waiver or any expectation of non-enforcement.

If any provision of this Agreement is held invalid by any law or regulation of any government, or by any court or arbitrator, the parties agree that such provision will be replaced with a new provision that accomplishes the original business purpose, and the other provisions of this Agreement will remain in full force and effect.

HOST acknowledges and agrees that the relationship between HOST and VENUE and its affiliates (if applicable) is that of independent contractors. Nothing in this Agreement shall be construed as creating a partnership, contract of employment, agency, joint venture or franchise relationship between VENUE or any of its affiliates with HOST.

This Agreement may be executed in one (1) or more counterparts, each of which shall be deemed an original, but all of which shall constitute but one (1) Agreement. Any executed counterpart of this Agreement delivered by facsimile or other electronic transmission shall constitute and be deemed an original counterpart of this Agreement.

ACCEPTANCE OF RELEASE:

By my signature below, I, _____ (HOST) hereby approve of the Release of Liability including: (1) Agreement to Follow Directions, (2) Assumption of the Risks and Release, (3) Indemnification, (4) Security, (5) Fees, (6) Applicable Law, (7) No Duress, (8) Photo Release, (9) Amendments, and (10) Miscellaneous Provisions.

I FURTHER AGREE THAT I HAVE READ THIS DOCUMENT AND UNDERSTAND IT.

_____ / _____ / _____
Print Name Sign Name Date

Please return all pages of this form to:

SheyWest
225 40th Ave W
West Fargo, ND 58078
ivyroom@sheywest.com

WELCOME TO

The Ivy Room

GENERAL INFORMATION

Suggestions and Size

The Ivy Room is a special place to celebrate all occasions! Whether you have a graduation or birthday, bridal or baby shower...we've got the perfect setting for you here at SheyWest.

Let this beautiful venue host your best gathering yet!

The Ivy Room offers:

- ❖ Year round availability
- ❖ Special rates (for recurring events)
- ❖ Catering flexibility
- ❖ Party planning and room set-up options
- ❖ Electrical outlets for craft and booth needs
- ❖ WiFi and projection screen capabilities

The Ivy Room is perfect for 8 to 48 people to meet for:

- ❖ Business or Corporate Meetings
- ❖ Baby and Bridal Showers
- ❖ Boutique Weddings and Groom's Dinners
- ❖ Birthday Parties
- ❖ Presentations and Educational Seminars
- ❖ Card or Game Night, Specialty Clubs (Scouts, Garden, etc)
- ❖ Craft Classes*

*If you are or know a craft vendor...please let us know and we would love to talk about collaborating for special rates!

WELCOME TO

The Ivy Room

BOOKING OPTIONS

Time Slots and Base Pricing

Booking Options:

Rental hours listed below include your set-up and tear-down activities. If you need additional time, it must be arranged at least two weeks prior to the event date to not impede events scheduled during adjacent time blocks. This also allows us to make the appropriate staffing accommodation for your event.

All booking options require that the entire initial time slot falls within regular store hours.

❖ **The Mini** (90 minutes) **\$200**

This option would be great for photography sessions or craft classes! SheyWest staff will open the space and be available for questions.

❖ **The Standard** (3 hours) **\$300**

Standard bookings will be more strict on time selected (less flexibility to extend unless other event slots remain empty before or after). Guests must select a morning or afternoon time slot during normal store hours for the day. If an event would like to extend past normal store hours, see options and rates below.

❖ **The VIP** (6 hours) **\$500**

VIP sessions are considered a 6-hour booking, but not necessarily an entire day. If an event would like to extend past normal store hours, see options and rates below.

Time Extensions:

SheyWest will impose a surcharge if the time block limits are not abided by. Each additional hour required will add **\$80.00** to the reservation (charged in increments of half an hour).

Regular Store Hours:

SheyWest operates with normal store hours all year long (our hours do not change seasonally).

Monday to Friday	9am to 7pm
Saturday	9am to 5pm
Sunday	12pm to 5pm

WELCOME TO

The Ivy Room

ROOM LAYOUT

Table Types and Arrangement

Banquet Tables (14 Available in Black)

Banquet tables are rectangular at approximately 6 feet long and 2 ½ feet wide. These work best for seating 4 to 6 people per table (depending on room layout). We recommend a standard rectangle table cloth to cover these.

Folding Chairs (48 Available in Black)

We have a cart available that will house the chairs and tables when you arrive at the room. This allows you to only take down what is needed and leave the rest tucked away, freeing up your space for other movement.

High Top Tables (4 Available in White)

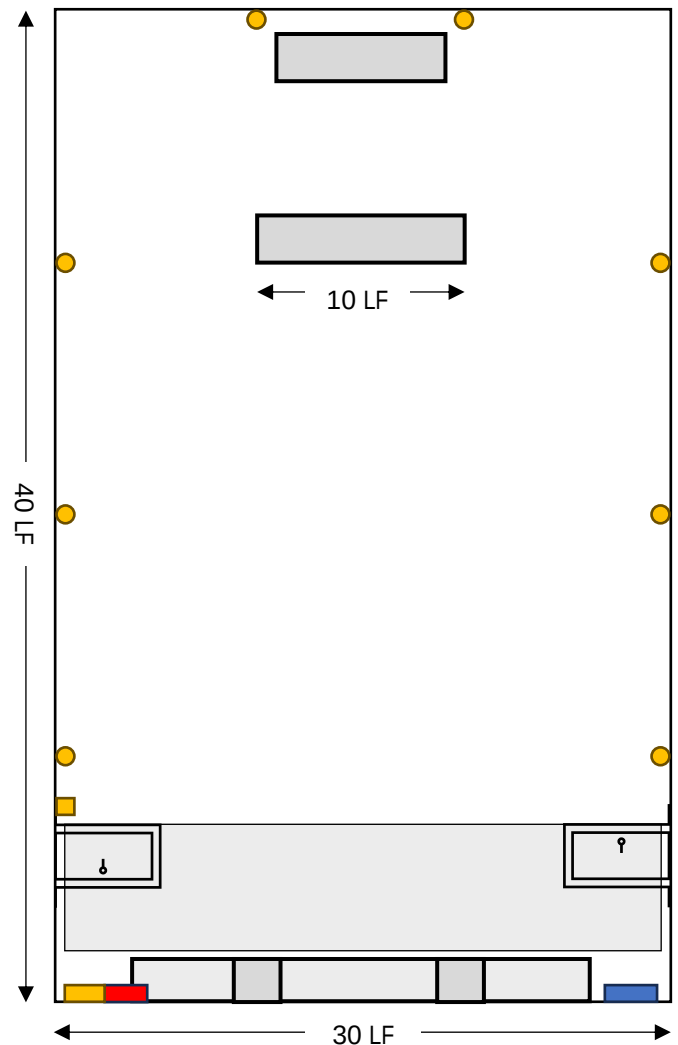
High top tables work well for standing social areas, card boxes, cake stands and more. We recommend a standard round table cloth to cover these.

Lighting

The bright classroom lights and dimmable chandelier lights are included in the price of your room rental. Ask our team if you need help using either of these features.

Base Room Layout

Booking rates include use of basic heat or air conditioning and electricity in the space. Water use and bathrooms are limited and should be discussed with your SheyWest coordinator prior to the booking.



WELCOME TO

The Ivy Room

STYLE AND DECOR
Setting Up For Your Event

Table and Chair Set Up (\$25)

Take the stress out of your set up. Let our staff get the basic table layout ready for you in advance of your event time.

Neutral Table Linens (\$3 each)

Colored table linens can help elevate the tone of your party. We have a neutral covering (usually tan) that can be added to each table. These linens are not required.

Plastic Protective Table Cloths (\$1.50 each)

Plastic table cloths should be used to protect the linens on each table. SheyWest can provide basic white rectangle or circular table cloths for a fee. Clients are welcome to bring their own if preferred. These are required. For any classes or personal items that have a heat element, additional mats should be used to avoid incurring damage fees.

Base Room Style (Price Varies)

- ❖ Seasonal Complimentary Style (Included Automatically for \$0)

Ask a team member to show you photos of past seasonal designs (spring, summer, fall and winter looks) for décor set-ups that we've done.

- ❖ Custom Décor Style (price varies)

Sometimes, a client wants to theme the party differently. Our team can help!

Centerpieces (Price Varies)

- ❖ Seasonal Standard Centerpiece (\$25)

For a simplified elegant look, standard centerpieces have been created to accent the overall seasonal room touches. These will be provided upon request, for an added fee.

- ❖ Custom Centerpiece (price varies)

We LOVE custom centerpieces! You can select to use our complimentary ones with the seasonal style choice above, but we are happy to expand these to fit your event just right. Work with our décor specialists to design something fabulous! If you intend to take these items home with you, it must be stated during the design process. Prices provided to you, unless otherwise noted, are for USE only.

Full Service Seasonal Style (\$150.00 Flat Fee)

The standard room set-up is an easy option. This includes: table and chair set-up, neutral table linens (typically tan), plastic protective table cloths and the seasonal complimentary style with standard centerpieces for your whole space...for one flat fee.

WELCOME TO

The Ivy Room

ADDITIONAL OPTIONS

Supplemental Technology and Adjacent Spaces

Store Background Music (\$0)

We can have a music station playing lightly in the background of your event (just ask the front desk at check in). Please be aware that free music and stations will have occasional commercials that we do not control.

Private Sonos Speaker Use (Unavailable)

We have a single wall-mounted speaker in the Ivy Room. This is not available for private use. See below for private music options with our detached speaker.

Detached Speaker and Microphone Use (\$50)

If you'd like to bring a separate music option to your event, you can either bring a mobile speaker on your own, or use our detached speaker and microphone (for a fee). There is a stand for the speaker and cords already provided that attach to a standard headphone jack (on computers or certain phones). It is recommended to test this option before your event date.

Internet Access (\$0)

Our room has access to wireless internet that may be used for your event. Staff will provide the wifi password during your check in on the day of the event.

Extension Cords (\$0)

In case you forget to bring something, our staff can provide you with up to two basic extension cords for supplemental power at no additional charge.

Projector and Screen Use (\$50)

Our projector can be accessed through HDMI connection. If you choose to use this feature, it is recommended to turn off the fluorescent ceiling lights (settings will not be adjusted on the actual unit) and plugging in a compatible laptop (that you provide). The HDMI connection is mounted on the east wall, towards the middle of the space.

Private Putting Green Use (\$100)

The area will be controlled with signage to deter the public from interrupting your guests.

Private Garden Stage Use (\$150)

The area will be controlled with signage to deter the public from interrupting your guests. We can provide tables and seating for this space as well, included with your base set up charges.

WELCOME TO

The Ivy Room

EVENT EXPERIENCE
Expectations and Rules

Parking and Bathroom Arrangements

Parking is limited here. Please advise guests to park on 4th Street, which is west of the water tower, if our main lot is at capacity. Carpooling is recommended for larger events.

Our bathroom is located in the main boutique and will be available for your guest use during the event. If you are missing any supplies for this space, please inquire at the front desk for assistance. There is no water access in the Ivy Room itself. Portable toilets may be available on the grounds as well.

Space Limitations

This is a refurbished greenhouse building. We will do our best to make sure your group is comfortable during your use of the room, however, you need to communicate with onsite staff if you're running into an issue.

Heating, wall air conditioning and fans are available for use in the Ivy Room upon request. In the winter months, the heat will be set to a general 60 to 65 degrees between events. If the room is chilled, please let us know and we can help adjust to raise it higher. In the summer, because the glass heats the space naturally, the temperature can rise quickly. Our air conditioning is a small wall unit that is generally sufficient for the space but it can be hard to change the temperature fast enough to help during your event. Even with air conditioning running, it may feel like sitting in the shade on a hot summer day. July and August are the peak heat issues in a normal year so please plan accordingly if you intend to book during those months. Please ask a staff member if you feel additional fans are necessary.

Photo Release

We occasionally photograph our grounds and spaces. Your presence on the property means that you may be included in these photographs occasionally. Privacy is highly regarded but we reserve the right to take these photos and post or use them in our marketing materials. If you feel a security risk or safety concern, please address this with our team before your event takes place.

Food and Beverage Release

SheyWest does not regulate food or beverage consumption for your events. If you choose to bring in outside foods and beverages, you do this at your own risk and liability. In order to book your event with SheyWest, you will be required to sign a liability release representing you and your guests and potential behaviors on the grounds.

WELCOME TO

The Ivy Room

EVENT EXPERIENCE

How to Successfully Check In and Check Out

Prior to Check In (1 Week+ Before Event)

- ☐ Confirm your booking by returning the forms (signed) and paying your deposit.
- ☐ Make sure your guests are aware of our space limitations and parking options.
- ☐ Confirm selections and pay fees for additional style and other chosen items.
- ☐ Test speaker and technology equipment with a staff member.

Check In (Day of Event)

- ☐ Stop in the main boutique to alert the staff that you have arrived and review the event summary and checklist.
- ☐ Staff will unlock the doors for you and open the Ivy Room. If you are unclear on location of anything needed for your event, please ask a team member.

Set Up

- ☐ You must unload your own vehicles and belongings.
- ☐ If you've signed up for table and chair set up, rest easy! This is already done.
- ☐ Your set up time is included in your event booking. If you are not having our staff put out tables and chairs in advance, remember that your time slot should include at least 30 minutes for you to put up décor and arrange your tables as needed.
- ☐ Please use only Command strips if hanging décor on the white wall or elsewhere.
- ☐ Table coverings are required to protect SheyWest tables. Plastic or cloth are both acceptable. If you don't bring your own, we provide them for an added cost.
- ☐ Please do NOT put any hot or liquid items directly on the wood bar or tables as it may cause damage and incur additional fees.

During Your Event

- ☐ Please respect the grounds you are using. We are a commercial store and there could be other clients using adjacent spaces or events/sales happening around your booking. We want you to enjoy your day and expect that you will allow others to do the same.
- ☐ During normal store hours, your guests can enjoy 20% off regular priced merchandise! You or your guests must alert the staff and provide a code at the time of purchase. (This discount offer excludes bulk materials and services/deliveries. Other exclusions may apply.)

WELCOME TO

The Ivy Room

EVENT EXPERIENCE

How to Successfully Check In and Check Out

Cleaning

- ☐ There is a broom and dustpan provided in the space. Please spot sweep to remove excess debris from guest traffic before you leave.
- ☐ Remove your items from the mini fridges!
- ☐ All hosts are required to discard event trash in our dumpster on the southeast side of the store (bags are provided by SheyWest).
- ☐ If you leave items in the space, they will be discarded the same day. Additional fees may apply if this is left for our staff to deal with.
- ☐ We work hard to keep this space beautiful for all guests and appreciate clients doing the same. Cleaning fees may vary if the space is not left as it was provided upon arrival. Ask your event coordinator for a fee schedule if needed.

Check Out

- ☐ Report to the main boutique when you've removed all your items and completed your general cleaning so staff can do a final walkthrough and lock the space.
- ☐ SheyWest staff reserves the right to remove any party or individual who disrespect the property or other guests (before, during or after the event).
- ☐ No refunds will be given for events that cancel within 30 days of the reservation.
- ☐ If you fail to check out with staff on the day of your event, your cleaning deposit will not be refunded.
- ☐ If our store staff has any concerns during your check out process, they may defer your immediate deposit refund and ask that you come back later in the week to discuss some items with the event coordinator. Please respect that they are not always authorized to make special considerations and may want to help navigate some items with a higher level manager.

Thank you for trusting us with your memories!

WELCOME TO

The Ivy Room

BOOKING OUTLINE General Fee Schedule

Event Type: _____ Name: _____
 Event Date: _____ Phone: _____
 Event Time: _____ am/pm to _____ am/pm Email: _____
 (includes set up and clean up)

Base Room Cost: \$ _____

_____ The Mini	(90 minutes)	\$ 200
_____ The Standard	(3 hours)	\$ 300
_____ The VIP	(6 hours)	\$ 500
_____ Additional Time	(1/2 hour increments)	\$ 80 x _____ hr = \$ _____

Style and Decor: \$ _____

_____ Table and Chair Set Up		\$ 25
_____ Neutral Table Linens	\$3.00 x _____ =	\$ _____
_____ Plastic Table Cloths	\$2.00 x _____ =	\$ _____ (Required)
_____ Complimentary Seasonal Style		\$ 0 (Included)
_____ Upgrade to Custom Style		\$ _____
_____ Seasonal Centerpieces	\$25.00 x _____ =	\$ _____ (Use only)
_____ Custom Centerpieces	\$ _____ x _____ =	\$ _____ (Select: Use or Purchase)
_____ Full Service Seasonal Style		\$ 150

Technology Add-Ons: \$ _____

_____ Store Background Music	\$ 0	(Requested genre/station: _____)
_____ Private Sonos Speaker Use	N/A	
_____ Speaker and Microphone Use	\$ 50	
_____ Internet Access	\$ 0	
_____ Extension Cords (2 available)	\$ 0	
_____ Projector + Screen Use	\$ 50	

Site Add-Ons: \$ _____

_____ Private Putting Green Use	\$ 100
_____ Private Garden Stage Use (10'x 20')	\$ 150

Cleaning: \$ 50.00 + TBD

_____ Deposit (Required)(Must initial)	\$ 50
_____ Damages (TBD)(Must initial)	\$ _____

EVENT TOTAL: \$ _____

WELCOME TO

The Ivy Room

BOOKING OUTLINE Continued...
General Fee Schedule

Notes:

Deposits:

The base room fee and \$50 cleaning deposit is due at time of booking. No refunds will be issued for cancellations within 30 days of the scheduled event time. All other added costs will be billed as they are confirmed.

The cleaning deposit will be refundable upon inspection and completion of a successful check out at the end of your event. If you fail to check out with staff on the day of your event, your deposit will not be refunded.

ACCEPTANCE OF BOOKING OUTLINE:

By the signature below and initials above, I (CLIENT) hereby approve of the general information, booking options, room layout, style and décor, additional options, event experience (including expectations and rules, check in and check out procedures), booking outline with the general fee schedule, and additional terms and conditions provided in this contract.

Print Name

Sign Name

___ / ___ / ___
Date

Please return all pages of this form to:

SheyWest
225 40th Ave W
West Fargo, ND 58078
ivyroom@sheywest.com

The Ivy Room

STYLE AND DÉCOR GUIDE

First Edition
(2024)

WELCOME TO

The Ivy Room

ROOM LAYOUT

Table Types and Arrangement

Banquet Tables (14 Available in Black) (See Left Photo)

Banquet tables are rectangular at approximately 6 feet long and 2 ½ feet wide. These work best for seating 4 to 6 people per table (depending on room layout). We recommend a standard rectangle table cloth to cover these.

Folding Chairs (48 Available in Black) (See Left Photo)

We have a cart available that will house the chairs and tables when you arrive at the room. This allows you to only take down what is needed and leave the rest tucked away, freeing up your space for other movement.

High Top Tables (4 Available in White) (See Right Photo)

High top tables work well for standing social areas, card boxes, cake stands and more. We recommend a standard round table cloth to cover these.



Lighting

The Ivy Room is full of natural light on three sides! For evening or winter afternoon gatherings, the bright classroom lights and dimmable chandelier lights are included in the price of your room rental. Ask our team if you need help using either of these features.

WELCOME TO

The Ivy Room

STYLE AND DECOR
Setting Up For Your Event

Table and Chair Set Up (\$25)

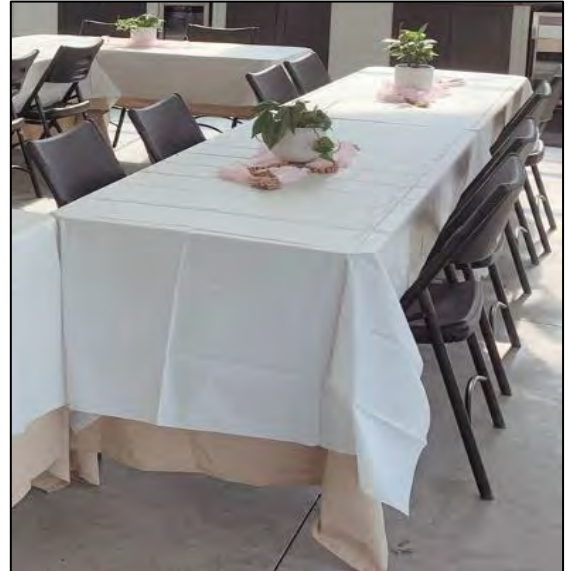
Take the stress out of your set up. Let our staff get the basic table layout ready for you in advance of your event time.

Neutral Table Linens (\$3 each)

Colored table linens can help elevate the tone of your party. We have a neutral covering (usually tan) that can be added to each table. These linens are not required.

Plastic Protective Table Cloths (\$1.50 each)

Plastic table cloths should be used to protect the linens on each table. SheyWest can provide basic white rectangle or circular table cloths for a fee. Clients are welcome to bring their own if preferred. These are required. For any classes or personal items that have a heat element, additional mats should be used to avoid incurring damage fees.



WELCOME TO

The Ivy Room

STYLE AND DECOR
Setting Up For Your Event

Base Room Style (Price Varies)

❖ **Seasonal Complimentary Style (Included Automatically for \$0)**

Ask a team member to show you photos of past seasonal designs (spring/summer, fall and winter looks) for décor set-ups that we've done.

SPRING/SUMMER SEASONAL EXAMPLES

(March through July)



Actual Décor May Vary (Custom Décor Available for a Fee)

WELCOME TO

The Ivy Room

STYLE AND DECOR
Setting Up For Your Event

Base Room Style (Price Varies)

❖ **Seasonal Complimentary Style (Included Automatically for \$0)**

Ask a team member to show you photos of past seasonal designs (spring/summer, fall and winter looks) for décor set-ups that we've done.

FALL SEASONAL EXAMPLES

(August through October)



Actual Décor May Vary (Custom Décor Available for a Fee)

WELCOME TO

The Ivy Room

STYLE AND DECOR
Setting Up For Your Event

Base Room Style (Price Varies)

❖ **Seasonal Complimentary Style (Included Automatically for \$0)**

Ask a team member to show you photos of past seasonal designs (spring/summer, fall and winter looks) for décor set-ups that we've done.

WINTER SEASONAL EXAMPLES

(November through February)



Actual Décor May Vary (Custom Décor Available for a Fee)

WELCOME TO

The Ivy Room

STYLE AND DECOR
Setting Up For Your Event

Centerpieces (Price Varies)

❖ **Seasonal Standard Centerpiece (\$25)**

For a simplified elegant look, standard centerpieces have been created to accent the overall seasonal room touches. These will be provided upon request, for an added fee.

All centerpieces have multiple options (e.g. colors of pots, etc).



Actual Décor May Vary (Custom Décor Available for a Fee)

WELCOME TO

The Ivy Room

STYLE AND DECOR
Setting Up For Your Event

Full Service Seasonal Style (\$150.00 Flat Fee)

The standard room set-up is an easy option. This includes: table and chair set-up, neutral table linens (typically tan), plastic protective table cloths and the seasonal complimentary style with standard centerpieces for your whole space...for one flat fee.

- ❖ Picture shown is full service
- ❖ Décor may vary
- ❖ Custom pricing available

FULL SERVICE EXAMPLES (Banquet)

Banquet style can include up to six chair per long table. This set-up works well for graduations, craft classes, events with stations. The layout accommodates about 48 people. You can incorporate high-top tables in the corners and have additional room for side tables with food or hand outs, etc.



WELCOME TO

The Ivy Room

STYLE AND DECOR
Setting Up For Your Event

Full Service Seasonal Style (\$150.00 Flat Fee)

The standard room set-up is an easy option. This includes: table and chair set-up, neutral table linens (typically tan), plastic protective table cloths and the seasonal complimentary style with standard centerpieces for your whole space...for one flat fee.

- ❖ Picture shown is full service
- ❖ Décor may vary
- ❖ Custom pricing available

FULL SERVICE EXAMPLES (Business or Classroom)

Business or classroom style can include up to eight chairs per row of tables facing forward. This set-up works well for demonstrations, presentations, craft classes. The layout accommodates about 32 people. You can incorporate high-top tables in the corners and have additional room for a front table and/or side tables with food or hand outs, etc.



WELCOME TO

The Ivy Room

STYLE AND DECOR
Setting Up For Your Event

Full Service Seasonal Style (\$150.00 Flat Fee)

The standard room set-up is an easy option. This includes: table and chair set-up, neutral table linens (typically tan), plastic protective table cloths and the seasonal complimentary style with standard centerpieces for your whole space...for one flat fee.

- ❖ Picture shown is full service
- ❖ Décor may vary
- ❖ Custom pricing available

FULL SERVICE EXAMPLES (Round Table Discussion or Intimate Meeting)

Round table discussion or intimate meetings style can include tables facing inward in an "O" format. There can be chairs on both inside and outside the table grouping depending on the context of the gathering to accommodate about 12 to 24 people. This set-up works well for baby and bridal showers.



WELCOME TO

The Ivy Room

STYLE AND DECOR
Setting Up For Your Event

Full Service Seasonal Style (\$150.00 Flat Fee)

The standard room set-up is an easy option. This includes: table and chair set-up, neutral table linens (typically tan), plastic protective table cloths and the seasonal complimentary style with standard centerpieces for your whole space...for one flat fee.

- ❖ Picture shown is full service
- ❖ Décor may vary
- ❖ Custom pricing available

FULL SERVICE EXAMPLES (Horseshoe or Large Meeting)

Horseshoe or Large Meeting style can include up to ten groups of tables (2 to 4 chairs each). This set-up works well for corporate business or social gatherings. The layout accommodates about 20 to 40 people. You can incorporate high-top tables in the corners and have additional room for side tables with food or hand outs, etc.



WELCOME TO

The Ivy Room

STYLE AND DECOR
Setting Up For Your Event

❖ **Custom Centerpiece (price varies)**

We LOVE custom centerpieces! You can select to use our complimentary ones (on previous pages) with the seasonal style choice above, but we are happy to expand these to fit your event just right. Work with our décor specialists to design something fabulous! If you intend to take these items home with you, it must be stated during the design process. Prices provided to you, unless otherwise noted, are for USE only.

CUSTOM CENTERPIECE IDEAS

(Party Favors and Takeaways)



For this group, a baby shower celebration, we hosted a garden succulent bar. Each guest got to learn a little bit about the plants. Then we potted them together and they were all able to take one home as a cute party favor.

If you dream it up...we can make it work!



































MEMORANDUM

TO: West Fargo Planning & Zoning Commission

FROM: Aaron Nelson, Planning Director *AN*

DATE: August 9, 2024

SUBJECT: Discussion on Proposed Revisions to Title IV Ordinances Regarding Landscaping, Screening, & Outdoor Storage

Targeted text amendments to Title IV zoning & subdivision ordinances were identified as a short-term priority project within the West Fargo Planning Needs Assessment Action Plan in 2023. Staff is continuing to work on a series of proposed Title IV ordinance amendments which will first be brought forth for introduction and discussion purposes at least one month prior to inclusion on the regular Planning & Zoning Commission agenda as an actionable item.

At the August 13 meeting, staff will provide an overview of draft proposed text amendments to the Landscaping, Screening, & Outdoor Storage standards. This will be a brief update to the information provided at the previous meeting on July 9, 2024. This is a discussion item only and no action is requested.

The proposed edits seek to organize and simplify existing landscape, screening, & outdoor storage standards. Efforts have been made to remove subjectivity and to establish clear and objective standards. A summary of the proposed updates is included below:

Landscaping Standards

The landscaping standards of §4-449-A are proposed to be reorganized and updated for clarity and comprehension, without deviating from the overall intent. In all, there are five categories of landscaping that may apply to a given development, which are summarized here:

1. **Open Space Landscaping** - Open Space Landscaping is general landscaping required within the open spaces and yards of a development. The amount of Open Space Landscaping required is based on the zoning district and the lot size of the development.
2. **Parking Lot Perimeter Landscaping** - Parking Lot Perimeter Landscaping is landscaping located between a parking lot and a public street. It is used to screen parking lots located within close proximity to public streets & sidewalks.
3. **Parking Lot Island Landscaping** - Parking Lot Islands are used to break-up large swaths of parking lot. Landscaped Parking Lot Islands are required where there are rows of 20 or more parking spaces.
4. **Boulevard Trees** - Boulevard Trees are the City street trees located within boulevard areas of the public right-of-way. The City Forester maintains a list of permissible tree species, which are generally spaced every 25-30 feet within City boulevards.
5. **Buffer Yards** - Buffer Yards are used to ease the transition between various intensities of land-use, such as between commercial and residential developments. Buffer Yards may consist of a combination of fencing and vegetation with the size of the Buffer Yard contingent on the potential for

incompatibility between land uses (i.e., less compatible land uses require bigger buffers whereas more compatible land uses require smaller buffers).

In addition, individual zoning districts that contain landscaping standards are proposed to be modified for consistency with Section 4-449-A Landscaping Standards. Also, in the interest of protecting riverbank stability along the Sheyenne River corridor, language is proposed to prohibit the removal of tree roots and stumps within 50 feet of the riverbank.

Screening and Outdoor Storage Standards

One of the issues with the current zoning regulations is that there are multiple different sections of code that regulate visual screening of certain areas or uses in slightly different ways. The proposed amendments seek to remove areas of overlapping standards and clarify when and where visual screening is required, particularly for outdoor storage areas in both commercial and residential districts. Proposed updates include:

- Duplicative screening provisions removed from Section 4-441 fencing standards
- Section 4-446 updated to clarify requirements for the parking and storage of vehicles and equipment (such as cars, trailers, boats, and RVs) within residential districts, including when and where visual screening is required.
- Section 4-447 updated to clarify required screening and fencing requirements for refuse containers and outdoor storage areas.
- Overlay zoning districts that include requirements for screening modified for consistency with Section 4-447 screening requirements.
- Section 4-449-A buffer yard screening updated within the Landscaping standards (as noted above)

Attachment: Draft proposed amendments

Proposed Updates to Landscaping, Screening, & Outdoor Storage Standards

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§4-449-A Landscaping Standards

A. Purpose

The purpose of this Landscaping section, through the preservation, protection, maintenance, and planting of trees and other plant materials, is to:

1. Help reduce the city's impact on the environment.
2. Enhance green space within the city.
3. Provide shade and wind breaks to reduce extreme weather.
4. Mitigate flood hazards, erosion, and storm water runoff. Trees can help in the stabilization of soil and replenish groundwater supplies.
5. Reduce the heat island effect that is generated by hardscape such as asphalt parking lots by requiring organic ground cover and shade.
6. Provide buffers and screens against noise, air pollution, and unsightly and incompatible land uses.
7. Absorb carbon dioxide and supply oxygen in our atmosphere, which is an essential ecological function in the preservation of human and animal life. Trees can provide a haven for birds which, in turn, assist in the control of insects.
8. Help aid in energy conservation.

B. Applicability

1. New Development

- A. All new development (including reconstruction and expansion) shall be required to provide landscaping, screening, and buffering in accordance with the standards of this section, unless otherwise exempt by this code.
- B. When an expansion or redevelopment of a building on a lot requires the removal of required landscaping, that landscaping shall be replaced elsewhere on the lot.

2. Exceptions

A. Single- and Two-Family Residential

Single-family, twin home, and two-family residential uses are not required to meet the landscaping requirements of this section. However, such development is required to provide street trees in accordance with this section, as well as ground cover for all areas of the lot that are not covered by improvements.

B. Agricultural District

Agricultural uses within the "A" zoning district shall not be required to provide landscaping.

C. Parking Lots

1. The requirements of this section do not apply to parking lot re-striping and repaving where there is no expansion of the parking area.
2. When a parking lot is being expanded to an extent 50 percent or more of the lot's surface area prior to expansion, or at least 50 percent more parking spaces

are being added, whichever is less, landscaping as described in this section shall be required.

3. For parking lot expansions of less than 50 percent, only the parking lot area being added shall be required to meet the standards of this section. For example, if a parking lot is expanded in an area not adjacent to a street, no Parking Lot Perimeter landscaping is required, and only the expanded area shall be subject to the Parking Lot Island landscaping standards of this section.
4. Expansions are measured cumulatively, so that separate expansions adding up to a 50 percent or greater increase within five years shall be required to meet the landscaping requirements of this section.

D. DMU District

Development within the “DMU” zoning district shall not be required to provide landscaping in accordance with this section.

E. Improvements & Repairs

1. Improvements or repairs to existing development that do not increase the existing floor area on the lot by more than 1,000 square feet or 10 percent, whichever is greater, shall not be required to provide landscaping in accordance with this section.
2. Expansions are measured cumulatively, so that separate expansions adding up to more than 1,000 square feet or 10 percent (whichever is greater) within five years shall be required to meet the landscaping requirements of this section.

F. Change in Use

Changes in use that do not require more parking spaces or a more intensive zoning than the previous use shall not be required to provide landscaping in accordance with this section.

C. Landscape Plan Required

1. A landscape plan shall accompany all development applications and/or building permit requests that require landscaping pursuant to this section, and shall include the minimum information specified by the City.
2. No building permit shall be issued until a landscape plan is submitted and approved by the City Planner.
3. No certificate of occupancy shall be issued for any building or structure until all landscaping shown on the approved landscape plan has been installed. The City Planner may approve a deferral of up to eight months, on account of adverse weather conditions. If a property owner requests a deferral, the request shall be accompanied by a proposed schedule for completion of installation.
4. A temporary certificate of occupancy may be issued when a deferral has been approved by the City Planner.

D. General Standards

1. Plant Material & Installation

- A. All plant materials shall be living plants suitable for USDA Plant Hardiness Zone 4.
- B. Artificial plants are prohibited.
- C. All trees and shrubs shall be planted in good condition. All plant materials to be installed shall be nursery-grown and root-pruned stock, free of insects, weeds, disease, debris, and defects.
- D. Plant materials used to satisfy the requirements of this section shall meet the size requirements of the Plant Material Size Table, below:

Plant Material Size Table

Type of Plant Material	Min. Size at Time of Planting	Mature Size
Large Deciduous Tree ^[1]	1-inch caliper width	>30 feet tall
Large Evergreen Tree ^[1]	3.5 feet tall	>30 feet tall
Small Deciduous Tree ^[1]	1-inch caliper width	12 to 30 feet tall
Small Evergreen Tree ^[1]	2.5 feet tall	12 to 30 feet tall
Shrub	2 gallon container size	3 feet tall
Perennial Plants ^[2]	1 gallon container size	2.5 feet tall

[1] Smaller caliper/height trees for certain species may be acceptable upon approval of the City Planner.

[2] Perennial plant materials shall not exceed twenty percent (20%) of the open space requirement

- E. Grass shall be planted in species normally grown as permanent lawns, and may be sodded, plugged, sprigged, or seeded; except in swales or other areas subject to erosion, where solid sod, erosion reducing net, or suitable mulch shall be used.
- F. Grass sod shall be clean and free of weeds and noxious pests or diseases. Ground cover such as organic material shall be planted in such a manner as to present a finished appearance and seventy-five (75) percent of complete coverage after two (2) complete growing seasons, with a minimum of fifteen (15) inches on center. In certain cases, ground cover also may consist of rocks, pebbles, sand and similar materials if approved by the City.
- G. The maximum slope of any landscaped berm shall be 2:1.

2. Maintenance

- A. The property owner and tenant shall be jointly and severally responsible for maintenance of all required landscaping. This maintenance requirement shall carry with the land and shall be the responsibility of any subsequent owners and tenants of the property. It is the responsibility of the owner to notify any subsequent owners of the property of this responsibility.
- B. Landscape areas and site improvements shall be maintained in good condition for a healthy, neat, and orderly appearance and shall be kept free from weeds and debris. All plant materials shall be maintained in a healthy and vigorous condition through proper irrigation, fertilization, pruning, weeding, mowing, and other standard horticultural practices so as to grow to their normal shape, color, and height, and to fulfill the required functions of screening, shading, buffering, and aesthetic appeal set forth by the City.
- C. The Tree Topping of trees is prohibited.

3. Administrative approval for practical landscaping improvements

- A. The City Planner has authority to allow flexibility to the requirements of this section to enable:
 - 1. Flexibility concerning the location of landscaping to allow for landscaping to be focused in buffer areas adjacent to conflicting land uses, entrance areas, or other areas of increased visibility.
 - 2. Flexibility concerning irregular, narrow, or shallow lots.
 - 3. Flexibility to approve alternative planting plans that include aesthetic design elements and hardscapes that complement the plant material such as public art, fountains, plazas, courtyards, and front yard/entrance statements.
- B. The City Planner has authority to allow flexibility to the Buffer Yard standards of this section when any of the following circumstances are found to exist:
 - 1. Natural land characteristics such as topography or existing vegetation on the proposed building site would achieve the same intent of the required Buffer Yard.
 - 2. Innovative landscaping or architectural design is employed on the building site to achieve an equivalent screening or buffering effect.
 - 3. The required Buffer Yard would be ineffective at maturity due to the proposed topography of the site, and or the location of the improvements on the site.
- C. When the acreage of a site is significantly larger than the area proposed for physical improvements or active usage, Buffer Yards shall be reserved as required by this section. However, to achieve the intent of this section, the City Planner may require an alternative location and design for required screening and plantings.
- D. When property lines abut an adjacent jurisdiction, the City Planner shall determine the specific Buffer Yard requirements along that property line after consideration of the zoning designation and or land use of the adjacent property. Requirements shall not exceed those that would be required for similarly situated/zoned property within the City.

E. Open Space Landscaping

1. Relationship to Other Landscaping Standards

Landscaping provided to meet the Boulevard Tree or Buffer standards of this section may not be counted towards meeting a development's Open Space Landscaping requirements. Parking Lot Landscaping, however, may be counted towards meeting a development's Open Space Landscaping requirements.

2. Plant Units Required

A. **Commercial, Office, Residential, & Corridor Overlay Districts**

Within commercial, office, residential, and corridor overlay zoning districts (C, C-OP, HC, R, CO, CO-I, CO-R), at least four (4) plant units shall be provided for each one thousand (1,000) square feet of lot area or fraction thereof.

B. **Mixed-Use, and Public Districts**

Within mixed-use, and public zoning districts (EMU, P) that are not within the Corridor Overlay, Redevelopment Overlay, and/or Interstate Corridor Overlay zoning districts (CO, CO-I, CO-R), at least two (2) plant units shall be provided for each 1,000 square feet of lot area or fraction thereof.

C. **Industrial Districts**

Within industrial zoning districts (LI, M) that are not within the Corridor Overlay, Redevelopment Overlay, and/or Interstate Corridor Overlay zoning districts (CO, CO-I, CO-R), at least one (1) plant unit shall be provided for each one thousand (1,000) square feet of lot area or fraction thereof.

3. Plant Unit Equivalency

The following table provides a breakdown of plant unit equivalencies.

Type of Plant Material	Equivalent Plant Units
Large Deciduous Tree	10
Large Evergreen Tree	10
Small Deciduous Tree	5
Small Evergreen Tree	5
Shrub	2
Perennial Plants	1

Existing mature trees may be counted as double the equivalent plant units noted in the table above, so long as the mature tree has a current caliper width of more than 7 inches for a large tree or more than 4 inches for a small tree, and meets all other applicable standards of this section.

4. Location of Plant Units

A minimum of seventy percent (70%) of the plant units required pursuant to this subsection shall be within front or street-side yards. In the EMU zoning district, said seventy percent (70%) requirement shall not apply.

5. Plant Unit Calculation

On-site wetlands, stormwater ponds, natural preservation areas, and outdoor recreation facilities (sports fields, tracks, playgrounds, etc.) may be excluded from the lot area square-footage value used to calculate required plant unit.

F. Parking Lot Perimeter Landscaping

1. Applicability

Parking Lot Perimeter Landscaping is required for all off-street parking and vehicle circulation areas located within 30 feet of public street rights-of-way.

2. Location

Parking lot perimeter landscaping shall be located between adjacent street rights-of-way and off-street parking areas and all vehicular circulation^[1] areas in accordance with the following table:

Parking Area Size Number of Spaces	Buffer Width Minimum (feet)	Minimum Planting/Screening Requirements ^[2]
1 - 50	4	Row of shrubs or perennial plants spaced no greater than 2-4 feet apart to create a continuous row at maturity.
	6	Masonry wall or decorative metal fence ^[3] (height between 2.5 and 3 feet) + 1 small tree or 6 shrubs/perennial grasses per 25 linear feet
	10	Berm (minimum height of 2.5 feet) + 1 small tree or 6 shrubs/perennial grasses per 25 linear feet
51 - 250	10	Masonry wall or berm, with minimum height of 2.5 feet + 1 tree and 3 shrubs, per 25 linear feet
	10	1 tree + 6 shrubs, per 25 linear feet
251+	15	Masonry wall or berm, with minimum height of 2.5 feet + 1 tree and 3 shrubs, per 25 linear feet
	15	1 tree + 6 shrubs, per 25 linear feet

Notes:

[1] Vehicular circulation refers to any surfaces intended for motor vehicle use.

[2] These are minimum standards. Use of additional planting/screening materials are encouraged to provide flexibility in design and visual interest.

[3] Decorative metal fences must be wrought iron or similar in nature. Chain link fences are not considered a decorative metal fence.

G. Parking Lot Island Landscaping

1. Applicability

All parking lots with 20 or more parking spaces shall provide landscape islands as described in this subsection.

2. Landscape Islands

- A. One interior landscape island shall be provided for every twenty (20) parking spaces, and a terminal island shall be provided at both ends of each row of parking. See Figure 1.

- B. Interior and terminal landscapes island shall be no less than six feet wide and no shorter than the length of the adjacent parking space(s).

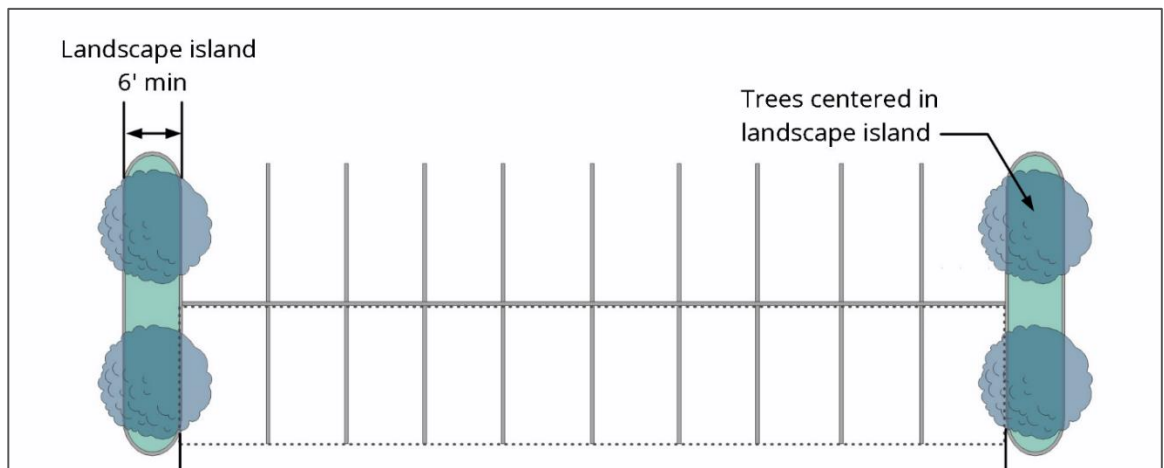


Figure 1: Double-Length Landscape Island

- C. Each landscape island adjacent to the length of one parking space shall contain at least one tree surrounded by at least 90 square feet of permeable surface area.
- D. Each double-length landscape island adjacent to the length of two parking spaces shall provide at least two trees. Trees in double length islands shall be planted no less than 15 feet apart. Each tree shall have a minimum permeable surface area of 90 square feet.
- E. Trees and any other vegetation planted within parking lot landscape islands may be counted towards Open Space plant unit minimum standards.
- F. Any remaining surface area of the island shall be covered with living plant material or other approved ground cover, such as mulch, pea gravel, river rock, or similar landscaping material.

H. Boulevard Trees

1. Coordination with Other Plans

Tree layouts (plans) shall be coordinated with existing corridor planting plans, subdivision street landscape plans, and other established landscape plans to provide the desired effect as determined by this standard and the City Forester.

2. Permit Required

The City Forester's office reviews and approves all proposed boulevard tree plantings and removals. Prior to installation or removal of a boulevard tree, an application must first be submitted and approved by the City Forester's office.

3. Minimum Requirements

The City Forester shall have final approval of proposed boulevard tree plans, species, and placement, and may approve variances from these minimum requirements where conditions necessitate.

A. Species of Trees

1. Boulevard trees shall be chosen from the City's [Approved Plant List, as maintained by the City Forester](#).
2. Boulevard trees shall be single-stem trunks with a straight vertical line.
3. Evergreen trees shall not be planted as boulevard trees.
4. Species of trees shall not be planted if the roots cause damage to public works, the branches are subject to a high incidence of breakage, and/or the fruit is considered a nuisance or high maintenance, as determined by the City Forester.

B. Number of Trees

1. In residential areas, one boulevard tree shall be planted every twenty-five (25) feet within boulevards. In all other areas, one boulevard tree shall be planted every thirty (30) feet within boulevards, unless the City Forester determines otherwise.
2. If the branches of a boulevard tree at mature height would interfere with overhead powers lines, ornamental trees may be planted at a rate of two ornamental trees for every one required canopy tree. The substitution and placement of ornamental trees shall be reviewed and approved by the City Forester.

C. Spacing of Trees

1. New trees shall be planted at least twenty-five (25) feet from existing trees.
2. On corner lots, the trees shall be planted forty (40) feet from the point of intersection of the curbs.
3. Trees shall be planted at least twelve (12) feet from driveways and alleyways, unless otherwise determined by the City Forester.

D. Size Requirements

1. At time of planting, boulevard trees must be at least 1 inch in diameter.
2. The lowest branch on the tree cannot be over 9 ½ feet above the ground.

I. Buffer Yards

1. Applicability

The requirement for Buffer Yards shall apply when:

- A. Multi-family residential development of four (4) or more units is constructed on a parcel that shares a property line with a single- and two-family residential zoning district (R-R, R-1E, R-L1A, R-1A, R-1B, R-1, R1-S, R-1SM), or existing single- or two-family residential development.

- B. Non-residential or mixed-use development is constructed on a parcel that shares a property line with any residential zoning district (R-x), or existing residential development, including multi-family development.
- C. Industrial development is constructed on a parcel that shares a property line with any non-industrial zoning district.

2. Exception

- A. These buffering requirements do not apply when residential development is constructed in non-residential zoning districts. The residential development may install screening fences and/or buffering at their discretion; however, existing or new non-residential development shall not be required to do so.

3. Screening and Buffering Along Shared Property Lines

Buffering and Screening Requirements		
Type of Development	Adjacent to:	Minimum Buffer
Multi-Family Residential (4 or more units)	Single and two-family residential district or development	Six-foot tall opaque screening fence ^[1] OR Ten-foot wide landscape buffer
Mixed-Use	Single and two-family residential district or development OR Multi-family district or development	Six-foot tall opaque screening fence ^[1] AND ten-foot wide landscape buffer OR Fifteen-foot wide landscape buffer
Non-Residential	Any residential district ^[2]	Six-foot tall opaque screening fence ^[1] AND fifteen-foot wide landscape buffer
Industrial	Any non-industrial district ^[2]	Residential or Mixed-Use district: Minimum eight-foot tall opaque screening fence ^[1] AND twenty-foot wide landscape buffer Non-Residential district: Six-foot tall opaque screening fence ^[1] AND ten-foot wide landscape buffer
NOTES ^[1] : See subsection 4-441, <i>General Fencing and Screening Requirements</i> for additional information on fence standards. ^[2] : See above: requirements do not apply to residential development in non-residential zoning districts.		

4. Buffer Planting Requirements

In side- and rear-yard landscape buffers, for every thirty (30) linear feet of required buffer, evergreen trees shall be planted as follows, unless an alternative is approved by the City Planner:

A. Ten-Foot Wide Buffer

Two (2) large evergreen trees shall be planted at least ten (10) feet apart, interspersed with four (4) shrubs, plus ground cover.

B. Fifteen-Foot Wide Buffer

Three (3) large evergreen trees at least eight (8) feet apart, interspersed with eight (8) shrubs, plus ground cover.

C. Twenty-Foot Wide Buffer

Six (6) large evergreen trees, planted in a double row, with the planting offset so as to create a continuous screen, with each tree in the same row planted least eight (8) feet apart, plus ground cover.

DRAFT

~~1. Purpose: The preservation of existing trees and vegetation, as well as the planting of new trees and vegetation, can significantly add to the quality of the physical environment of the community. The regulations outlined herein are designed to provide for the health, safety and welfare of the residents of the City of West Fargo. Landscaping Plan can provide the following benefits to the community:~~

~~a. Help reduce the cities impact on the environment.~~

~~b. Enhances green space within the city.~~

~~c. Helps provide shade and wind breaks to reduce extreme weather.~~

~~d. Reduces the hazards of flooding and aid in the control of erosion and storm water runoff. Trees can help in the stabilization of soil and replenish groundwater supplies.~~

~~e. Provides buffers and screens against noise, air pollution, and unsightly and incompatible land uses.~~

~~f. Absorb carbon dioxide and supply oxygen in our atmosphere, which is an essential ecological function in the preservation of human and animal life. Trees can provide a haven for birds which, in turn, assist in the control of insects.~~

~~g. Help aid in energy conservation.~~

~~2. Definitions: The following definitions are intended to provide a common interpretation of terms in order to avoid confusion and insure that the Standards are utilized in a uniform manner.~~

~~AESTHETICALLY PLEASING: in a pleasing manner or beautiful, indicated when someone does not necessarily have an interest or bias towards something but can still accept that it is still acceptable to look at.~~

~~APPROVED PLANT LIST: A list of plants that is approved by the City Forester and the City of West Fargo to plant within the city limits.~~

~~BACKFILL: Soil that is returned to a planting hole after a plant's roots have been positioned.~~

~~BERMS: Graded mounds of earth used to create a screen, buffer or a landscape design element.~~

~~BIOSWALE: Are landscape elements designed to remove silt and pollution from surface runoff water. They consist of a swale drainage course with gently sloped sides (less than six percent) and filled with vegetation, compost and/or riprap. Water flows throw this path, along with the wide and shallow ditch, while doing so the bioswale is designed to maximize the time water spends in the swale, which aids the trapping and filtering of pollutants and silt.~~

~~BUFFER YARD: Landscaping that is used to obstruct the view of an adjacent property.~~

~~BOULEVARD: An area located in front of a property facing a city street or public right of way.~~

~~CALIPER: A way of measurement for trees around the trunk of the tree, in other words by, measuring the outer circumference or perimeter of a tree trunk.~~

~~CITY FORESTER: Forester an employee of the city and is responsible for the promotion of the health and sustainability of the urban forest within the municipal limits of the City of West Fargo and providing public education as to the benefits and best use of the urban forest and the maintenance or such forest.~~

~~DECIDUOUS SHADE TREE: A tree that sheds all its leaves every year at a certain season.~~

~~DECORATIVE BLOCK: Generally refers to non-standard, masonry, building block. The face of the block is typically textured and contains a non-standard finish or shape.~~

~~DRIPLINE: is the area directly located under the outer circumference of the tree's branches.~~

~~DROUGHT-TOLERANT PLANT: A plant that can survive with minimum supplemental water.~~

~~EVERGREEN TREE: A tree, either broad leaf or conifer, which maintains at least a portion of its leaves or needles throughout the year.~~

~~FIFTEEN (15) GALLON TREE: Tree measuring a minimum of six (6) feet in height, four (4) feet in spread and one and one-quarter (1 1/4) inch trunk caliper measured at six (6) inches above the soil line.~~

~~FINISHED ELEVATION: The elevation/grade which re-establishes the finished grade after all site improvements are completed.~~

~~GARDEN PLANTS: The practice of growing plants. Ornamental plants are normally grown for their overall appearance such as flowers, or plants that are grown for consumption (such as but not limited to: vegetables, fruits, herbs, and leaf vegetables) or for medicinal use, which eventually die after one growing season.~~

~~GROUND COVER: Plants grown for their low spreading capabilities for the protection of soils, to prevent growth of weeds and for aesthetic purposes.~~

~~HATRACKING: is a type of pruning where most of the canopy is removed from a tree, leaving mostly branch stubs. Hatracking initiates decay in the trunk and main branches and attracts wood boring insects. Never top a tree or allow anyone to top one of your trees. Hatracking is equivalent to butchering a tree.~~

~~HARDSCAPE: Elements of the landscape constructed from non-living materials such as concrete, boulders, brick, blacktop and lumber.~~

~~IRRIGATION SYSTEM: The combination of elements such as automatic controllers, meter, pressure vacuum breakers, pipes, valves, emitters, bubblers, spray heads, tubing and other materials designed for the purpose of transporting water to landscaping.~~

~~LANDSCAPING: The combination of elements such as trees, shrubs, ground covers, vines, and other organic material that are for the express purpose of creating an attractive and pleasing environment. Plazas, patios, art, and decorative courtyards may also be considered landscape elements.~~

~~MEANDERING SIDEWALK: A sidewalk with windings or turns in a circuitous pattern.~~

~~NATIVE PLANTS: Plants that are naturally meant to be in this area.~~

~~NON-POROUS MATERIALS: A material that does not allow the movement of water and air to pass through it.~~

~~OVERHEAD SPRAY HEADS: An irrigation method that delivers water to the landscape in a spray or stream-like manner from above-ground spray heads (including pop-ups, impulse~~

~~sprinklers, rotors, micro-misters, etc., but does not include bubblers).~~

~~PERENNIAL: A non-woody plant that lasts for more than two growing seasons.~~

~~POROUS/PERMEABLE MATERIAL: A material that does allow the movement of water and air to pass through it.~~

~~PUBLIC RIGHT OF WAY (ROW): The strip of land over which facilities such as highways, railroads, or power lines are built. The customary or legal right of a person, vessel, or vehicle to pass in front of another.~~

~~RIP-RAP: Hardscape materials that provide erosion protection along a drainage way (i.e. large boulders).~~

~~ROCK MULCH: A non-soluble protective covering which includes rock, gravel, decomposed granite, or crushed rock applied to the soil surface to reduce weed growth, reduce evaporation of moisture from the soil surface, maintain even temperature around plant roots, and slow erosion.~~

~~RUNOFF: Irrigation water that is not absorbed by the soil to which it is applied and which flows onto other areas. Runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or where a severe slope exists.~~

~~SOIL: All unconsolidated mineral and organic material of whatever origin that overlies bedrock and can be readily excavated.~~

~~SOIL AMENDMENTS: Organic and inorganic material added to soils to improve texture, nutrients, moisture holding capacity, and infiltration rates.~~

~~STEM WALL: A wall usually less than two (2) feet in height, used to divert or direct storm water flows within an area specified by the Department of Public Works.~~

~~SWALES: A depression in grade to control and direct the flow of surface water.~~

~~TOPSOIL: The top layer of native soil that is usually better for plant growth than what is beneath it. The term is also used to describe good soil imported for landscaping.~~

~~TURF: Any grassy area maintained by frequent mowing, fertilization and watering used for lawn and playing fields.~~

~~TWENTY-FOUR (24) INCH BOX TREES: Trees measuring a minimum of eight (8) feet in height, and six (6) feet in spread with a two (2) inch trunk caliper measured at six (6) inches above the soil line.~~

~~XERISCAPING: Xeriscaping is a creative method of landscaping that emphasizes water conservation. This is accomplished by following sound horticultural and landscaping practices, such as planning and design, soil improvements, limited turf areas, use of mulches, use of low water demand plants, efficient irrigation, and appropriate maintenance. When combined, these practices will produce an attractive, efficient, sustainable landscaping arrangement for residential, commercial and industrial situations.~~

~~3. General Goals and Objectives for Landscape Standards:~~

~~a. Clearly define spaces, articulate use areas, and unify site elements through use of landscape materials:~~

~~(1) Create a distinction of natural planting areas and implemented landscaping.~~

~~(2) Use consistent site features such as signs and benches.~~

~~b. Provide clear wayfinding as appropriate for facilities and properties:~~

~~(1) Create a strong entry.~~

~~(2) Provide clear direction to primary building entries.~~

~~(3) Enhance circulation corridors with trees and plant materials.~~

~~c. Support a safe and clear circulation system(s):~~

~~(1) Provide appropriate sidewalk and roadway width as described in the Site Design Standards.~~

~~(2) Improve visibility, safety, and aesthetics as appropriate for facilities.~~

~~d. — Use sustainable landscaping practices:~~

- ~~(1) — Limit and control erosion throughout site.~~
- ~~(2) — Minimize use of non-sustainable fertilizers, herbicides, and pesticides~~
- ~~(3) — Use plant material to reduce adverse climatic conditions such as heat, wind, and precipitation.~~
- ~~(4) — Guide future development toward sustainable and environmentally sound design through use of native and locally available plant material, reclaimed water irrigation, and other practices.~~
- ~~(5) — Feature native plant material.~~
- ~~(6) — Reinforce a natural context of the site by simulation a natural type of planting.~~
- ~~(7) — Consider xeriscaping approaches where natural, low maintenance plant material would be desired (i.e. exterior fringes of plant site).~~

~~4. — Applicability: The requirements of this division apply to all development within the City. All street boulevards are required to have boulevard trees unless the City Forester deems otherwise. Single family, twin home and two family residential and industrial properties are not required to meet proposed plant units for each lot, though they are encouraged to do so; however, all multiple family properties, commercial properties and properties within any overlay district are required to adhere to the plant unit chart standards. All properties which require green areas (grassed) or landscaped open space, shall have the appropriate landscaping completed prior to the issuance of a certificate of occupancy. A temporary certificate of occupancy may be issued when weather and/or seasonal conditions do not allow the installation of landscaping with a schedule for completion as may be approved by the City Planner.~~

~~5. — Plant Standards:~~

~~A. — General Standards:~~

- ~~(1) — Acceptable trees include, but are not limited to; those identified as suitable for the~~

~~intended use in the "Approved Plant List."~~
~~Acceptable vegetative ground cover consists of shrubs and ground cover including grass and native prairie grass.~~

~~(2) Species of trees shall not be planted if the roots cause damage to public works, the branches are subject to a high incidence of breakage, and the fruit is considered a nuisance or high maintenance, as determined by the City Forester.~~

~~(3) All trees shall be planted in good condition. All plant materials to be installed shall be nursery grown and root pruned stock free of insects, disease, and defects.~~

~~(4) The developer shall plant, or install, as appropriate grass, tree grates, porous pavers, or similar pervious surfaces, which shall extend to twice the initial drip line of the newly planted tree. Minimum tree grate size shall be five square feet.~~

~~B. Approved Plant List: The City shall maintain a Plant List identifying plants compatible with local soils and climatic conditions including salt tolerance, sun and heat exposure, and mean low temperature. All required landscape plants must be selected from the Plant List. Plant material shall be selected that is best suited to withstand the soil and physical growing conditions on the project site. Plant species that are freeze and drought tolerant are preferred. Protection and preservation of native species and natural areas is encouraged.~~

~~6. Landscaping Material:~~

~~A. Where landscaping and associated landscape plans are required, the landscaping materials shall consist of the following:~~

~~(1) Walls and Fences: Walls shall be constructed of natural stone, brick or other appropriate aesthetically pleasing decorative materials. Chain link fencing will be permitted only if covered with plant material or otherwise screened.~~

~~a. Retaining: Retaining walls exceeding four (4) feet in height, including stage walls~~

~~which cumulatively exceed four (4) feet in height, must be constructed in accordance with plans prepared by a registered engineer or landscape architect of brick, concrete or natural stone. Artificial material may be approved if appropriate. A building permit is required.~~

~~(2) Earth Berms: Earth berms shall be physical barriers, which block or screen the view similar to a hedge, fence, or wall. Mounds shall be constructed with proper and adequate plant material to prevent erosion. A difference in elevation between areas requiring screening does not constitute an existing earth mound, and shall not be considered as fulfilling any screening requirement.~~

~~(3) Plants: All plant materials shall be living plants; artificial plants are prohibited. Plants to be selected from the approved plants list, following this division or as approved by City Forester. Plant materials shall meet the following requirements:~~

~~(a) Deciduous Trees: Shall be species having an average crown spread of greater than fifteen (15) feet and having trunk(s) which can be maintained with over five (5) feet of clear wood in areas which have visibility requirements, except at vehicular use area intersections where an eight-foot clear wood requirement will control. Trees having an average mature spread of crown less than fifteen (15) feet may be substituted by grouping of the same so as to create the equivalent of a fifteen-foot crown spread. A minimum of ten (10) feet overall height or minimum caliper (trunk diameter, measured six (6) inches above ground for trees up to four (4) inches caliper) of at least two and one-half (2 ½) inches immediately after planting shall be required. Trees of species whose roots are known to cause damage to public roadways or other public works shall not be placed closer than fifteen (15) feet to such public works,~~

~~unless the tree root system is completely contained within a barrier for which the minimum interior containing dimensions shall be five (5) feet square and five (5) feet deep and for which the construction requirements shall be four (4) inches thick, reinforced concrete.~~

- ~~(b) Evergreen Trees: Evergreen trees shall be a minimum of six (6) feet high with a minimum caliper of one and one-half (1 ½) inches when planted.~~
- ~~(c) Shrubs and Hedges: Deciduous shrubs shall be at least two (2) feet in average height when planted, and shall conform to the opacity and other requirements within four (4) years after planting. Evergreen shrubs shall be at least two (2) feet in average height and two (2) feet in diameter.~~
- ~~(d) Vines: Vines shall be at least twelve (12) inches high at planting, and are generally used in conjunction with walls or fences.~~
- ~~(e) Grass or Ground Cover: Grass shall be planted in species normally grown as permanent lawns, and may be sodded, plugged, sprigged, or seeded; except in swales or other areas subject to erosion, where solid sod, erosion reducing net, or suitable mulch shall be used, nurse-grass seed shall be sown for immediate protection until complete coverage otherwise is achieved. Grass sod shall be clean and free of weeds and noxious pests or diseases. Ground cover such as organic material shall be planted in such a manner as to present a finished appearance and seventy-five (75) percent of complete coverage after two (2) complete growing seasons, with a minimum of fifteen (15) inches on center. In certain cases, ground cover also may consist of rocks, pebbles, sand and similar materials if approved by the city.~~

7. Material Specifications:

- A. Minimum Number of Trees Required: A property owner should have a variety of trees on their property. This will allow the trees to be less prone to disease and have a healthy life. It is suggested that as many different tree species be placed on the site as possible but a minimum number of a variety of tree species shall be provided in accordance with the following table:

<u>Number of Trees</u>	<u>Number of Species</u>
1 - 3	1
4 - 6	2
7 - 9	3
10 - 12	4
13 - 15	5
16 - 18	6
19 - 21	7
22 - 24	8
25 +	9

- B. Plant Units: Residential and industrial districts are encouraged to follow the number of plant units for each lot as described below. All multiple family residential, commercial and overlay Zoning districts must have a minimum number of plant units on each lot. These standard plant units are (4) units for every thousand (1,000) square feet of a lot. Only the plants on the owner's property will be counted towards required total plant units. Garden plants will not count toward the plant units. Below, is the equation of the plant units per square footage and the plant units chart:

(See Chart on Following Page)

$$\frac{(\text{Square Footage of Lot})}{1000} \times 4 = \text{Plant Units}$$

1000

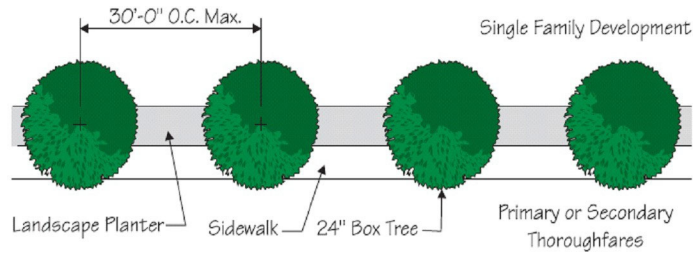
PLANT UNITS CHART		
Large, Mature Deciduous Tree	1.5 to 3-inch - > 30 foot mature height	10
Large, Mature Evergreen Tree	5 to 6 foot height - > 30 foot mature height	10
Small, Mature Deciduous Tree (Max. of 20% of plant units)	1.5 to 3-inch caliper - 12 to 30 foot mature height	7
Small, Mature Evergreen Tree (Max. of 20% of plant units)	3 to 4 foot height - 12 to 30 foot mature height	7
Mature Shrub	2 gallon	5
Perennial Plants	2 gallon	3

C. ~~Onsite Retention: If an area where a wetland, bioswale, rain garden, or native prairie grass is designated for onsite retention, the square footage of that area will be excluded from the total lot area prior to calculation of plant units.~~

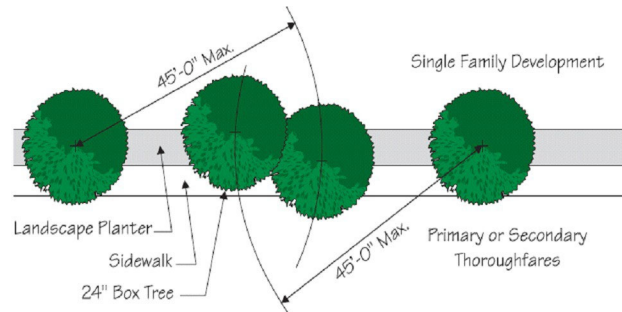
8. Boulevard and Street Vegetation:

A. ~~Tree Layouts: Tree layouts (plans) shall be coordinated with existing corridor planting plans, subdivision street landscape plans, and other established landscape plans to provide the desired effect as determined by this standard and the City Forester. It is required by the City to have at least one (1) tree on all street boulevards every thirty (30) feet, unless the City Forester determines otherwise. Trees shall be planted twelve (12) feet from driveways and alleyways. The spacing shall be at least twenty-five (25) feet from existing trees. On corner lots, the trees shall be planted forty (40) feet from the point of intersection of the curbs. The City Forester or City Planner shall have final approval of the location of the tree and have the right to approve variances from the above requirements where conditions necessitate. Recommended tree layouts are as follows:~~

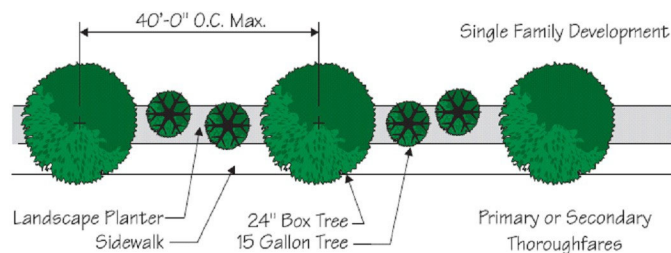
- ~~(1) Alternative 1: Spacing of trees shall not exceed thirty (30) feet on center.~~



- ~~(2) Alternative 2: Clustering of trees is allowed if: the total number of trees exceeds the minimum number of trees required by at least one (1) tree; the spacing between any two (2) trees does not exceed forty-five (45) feet; and at least three (3) trees are located within a forty five (45) feet radius.~~



- ~~(3) Alternative 3: The minimum number of trees required is one (1) 24 inch box deciduous or evergreen tree for every forty (40) linear feet of planter plus one (1) extra 24 inch box tree. In addition, two (2) 15 gallon deciduous or evergreen trees shall be required for every forty (40) linear feet of planter, and will be located between the 24 inch box trees. The spacing of the 24 inch box trees shall not exceed forty (40) feet on center. The 15 gallon trees can be either regularly spaced or grouped in between the 24 inch trees.~~



~~B. Size Requirements: No tree measuring less than 1 1/4" in diameter of trunk one foot above ground may be planted on the City Boulevard. The lowest branch shall not be over 9 1/2 feet from the ground. The Tree must be a single stem trunk and have a straight vertical line.~~

~~9. Buffer Yards:~~

~~A. Purpose: The purpose of buffer yards is to limit the view and reduce the noise between abutting incompatible uses, and to ease the transition from one zoning district to another. Buffer yards are intended to provide a physical integration of uses, which promote the public health, welfare and safety by:~~

- ~~(1) Preventing visual pollution;~~
- ~~(2) Preventing the overcrowding of land;~~
- ~~(3) Preventing the undue congregation of people and vehicles; and~~
- ~~(4) Promoting the peaceful enjoyment of property within the City of West Fargo.~~

~~B. When Required:~~

- ~~(1) A buffer yard shall be required of any lot in any zoning district when the lot in that district abuts a zoning district of lower intensity.~~
- ~~(2) When a public right-of-way separates zones of different intensities, the following criteria shall apply, regardless of whether the zoning line is on one side or the other or the center of the public right-of-way:~~
 - ~~(a) If the public right-of-way is an alley, a buffer yard with screening shall be provided.~~
 - ~~(b) If the public right-of-way is a local or collector street, a buffer yard with screening shall be provided on any side or rear of the higher intensity use which abuts the right-of-way as per the table below, or according to approved subdivision landscaping plans or corridor~~

~~overlay district plans; however the buffer yard shall not be required on the front of the higher intensity use where the front abuts the public right-of-way.~~

~~(c) If the public right-of-way is an arterial street or highway, no buffer yard or screening shall be required for the portion of the higher intensity use abutting the public right-of-way.~~

~~(3) When single and two-family uses are located on Arterial streets and Interstate 94.~~

~~(4) When a site plan is submitted to modify or expand an existing building or site improvements, or accommodate a change in land use, buffer yard and screening requirements shall only be applied to those portions of the site that are directly affected by the proposed improvements, or change in land use, as determined by the City Planner.~~

~~C. General Standards:~~

~~(1) Buffer yards shall contain vegetative and/or architectural screening that achieves the purpose of the buffer yard, and which meets the requirements for screening, Buffer Yards Screening and Zoning Standards Table, below.~~

~~(2) The maximum slope of any buffer yard shall be $2H:1V$ where H is the horizontal distance and V is the vertical distance. Additional width shall be added to any portion of any buffer yard which exceeds this slope such that the minimum buffer yard width is met by land less steep than $2H:1V$.~~

~~(3) The buffer yard shall be located entirely within the higher intensity zoning district and abutting the zoning district line or adjacent right-of-way if such right-of-way separates the lot from the zoning district line. However, the buffer yard may be placed in the lower intensity zoning district or partially within both zoning districts if both sides of the zoning district line and entire buffer yard width are within common ownership and a permanent easement is provided over any~~

~~portion of the buffer yard not within the higher intensity zoning district.~~

- ~~(4) A driveway required to serve the principal structure on the site may exist in the buffer yard. This driveway shall run substantially perpendicular to the buffer yard.~~
- ~~(5) Buffer yards shall be maintained in a natural condition free of structures, loading or storage areas, parking, roads, or driveways except as provided for in (4) above.~~
- ~~(6) Buffer yards required by this standard shall be applied equally to all similarly situated properties. Modifications to these standards may be granted in writing by the City Planner, if the City Planner finds any of the following circumstances exist on the proposed building site, or surrounding properties:~~
 - ~~(a) Natural land characteristics such as topography or existing vegetation on the proposed building site would achieve the same intent of this section.~~
 - ~~(b) Innovative landscaping or architectural design is employed on the building site to achieve an equivalent screening or buffering effect.~~
 - ~~(c) The required screening and landscaping would be ineffective at maturity due to the proposed topography of the site, and or the location of the improvements on the site.~~
 - ~~(d) The topography of adjacent and surrounding sites is such as to render required screening ineffective at maturity.~~
- ~~(7) When the acreage of a site is significantly larger than the area proposed for physical improvements or active usage, buffer yards shall be reserved as required by this section. However, to achieve the intent of this section, the City Planner may require an alternative location and design for required screening and plantings.~~

- ~~(8) When property lines abut an adjacent jurisdiction, the City Planner shall determine the specific screening and buffering requirements along that property line after consideration of the zoning designation and or land use of the adjacent property. Requirements shall not exceed those that would be required for similarly situated/zoned property within the City.~~
- ~~(9) Dimensions: Buffer yard dimensions and screening requirements shall be provided as detailed in the table below:~~

Buffer Yards, Screening, and Zoning Standards Table

BUFFER YARDS	ARCHITECTURAL	VEGETATIVE
A	4' Screen 10' Buffer Yard Small Evergreen Trees Alternated with Deciduous Trees	20' Buffer Yard Small Evergreen Trees, Alternated with Deciduous Trees, and One Row Evergreen or Other Shrubs
B	6' Screen 15' Buffer Yard Small Evergreen Trees Alternated with Deciduous Trees	30' Buffer Yard Small Evergreen Trees, Alternated with Deciduous Trees, and One Row of Evergreen or Other Shrubs
C	6' Screen 25' Buffer Yard Large and Small Evergreens Alternated with Deciduous Trees	50' Buffer Yard Large Evergreen Trees, Alternated with Deciduous Trees, Small Evergreen Trees, and One Row of Evergreen or Other Shrubs
D	8' Screen 30' Buffer Yard Large Deciduous Trees Alternated with Large Evergreen Trees	60' Buffer Yard Large Evergreen Trees, Alternated with Deciduous Trees, Small Evergreen Trees, and One Row of Evergreen or other Shrubs

Abutted Existing District					
Developers or Selected District	R1, R-1A, R-1B, R-1E, R-L1A, R-R	R-2, R-3, R-4, R-5	A	C, C-OP, HC, LI, P	M
R1, R-1A, R-1B, R-1E, R-L1A, R-R	N/A	A	B	C	D
R-2, R-3, R-4, R-5	A	N/A	A	B	C
A	B	A	N/A	A	B
C, C-OP, HC, LI, P	C	B	A	N/A	A
M	D	C	B	A	N/A

~~10. Screening:~~

~~A. When Required:~~

- ~~(1) Screening shall be provided within a buffer yard to ease the transition of one land use or activity to another, to achieve the purposes of the buffer yard. Screening may be accomplished through architectural or vegetative materials.~~
- ~~(2) Screening shall be provided, in addition to the requirements listed below, for:~~
 - ~~(a) All articles or materials being stored, maintained, repaired, processed, erected, fabricated, dismantled, or salvaged, such that the activity is not visible from surrounding properties or roads.~~
 - ~~(b) Refuse storage and loading areas such that these activities are not visible from surrounding properties or roads.~~
 - ~~(c) Rooftop and ground level mechanical equipment such that it is not visible from surrounding properties or roads.~~

~~(d) All trash dumpsters or containers used for recycling shall be screened on three sides with architectural screening supplemented by plantings. Screening shall be based upon the standards below and subject to the approval of the City Planner.~~

~~1) Four-foot tall architectural screening is acceptable when household style trash containers are used in place of dumpsters;~~

~~2) The requirement for supplemental plantings may be waived by the City Planner in cases where dumpsters or containers are added to an existing development. In determining whether to grant a waiver, the City Planner shall be guided by these standards: proximity of the facility to residential structures; efficacy of screening to mitigate any adverse effect of the use; and benefit of the screening relative to its cost.~~

~~3) When a site plan is submitted to modify or expand an existing building or site improvements, or accommodate a change in land use, screening requirements shall only be applied to those portions of the site that are directly affected by the proposed improvements, or change in land use, as determined by the City Planner.~~

~~4) Screening for single family and two-family uses along Arterial streets shall follow type "B" buffer yards. Screening for single family and two-family uses along Interstate 94 shall follow type "D" buffer yards. Screening for multiple family uses along Interstate 94 shall follow type "B" buffer yards.~~

~~B. General Standards:~~

- ~~(1) Screening shall be continuous and in place at the time of occupancy. If vehicular or pedestrian access through the screen is necessary, the screening function shall be preserved, and approved by the City Planner.~~
- ~~(2) Requirements: Screening may be architectural or vegetative, per the requirements below:~~
 - ~~(a) Visual Impact: Required screening for any visual impact may be achieved with fences, walls, earth berms, hedges or other landscape materials. All walls and fences shall be architecturally harmonious with the principal building. The use of chain link fences equipped with slats is prohibited. Earth berms shall not exceed a slope of 3:1 unless provided with landscaping designed to minimize maintenance. The screen shall be designed to provide effective visual barrier during all seasons.~~
 - ~~(b) Height: Architectural screening shall be at least four feet in height, and shall be supplemented with plantings.~~
 - ~~(c) Health: Vegetative material shall be alive and in good health.~~
 - ~~(d) Small Coniferous Trees: shall be at least 4 feet in height at planting and allowed to grow to at least 6 feet in height. Large evergreen trees shall be at least 6 feet in height at planting and allowed to grow at least 10 feet in height. All required evergreen vegetation shall be maintained in good condition.~~
 - ~~(e) Deciduous Trees: shall be at least 1" caliper 10' to 12' in height. They shall be supplemental and not deemed to be adequate screening in themselves.~~
 - ~~(f) Plants: Acceptable vegetative plantings include any tree listing in the "Approved Plant List" for screening purposes.~~

- ~~C. Screening design and development shall be compatible with the existing and proposed land use and the development character of the surrounding land and structures.~~
- ~~D. Screening shall be of sufficient density and diversity to achieve the intent of this section. However, at the time of planting, the spacing of trees shall not exceed twelve (12) feet on center, and the planting pattern shall be staggered. Shrubbery shall be more closely spaced. Specific exceptions to this requirement may be granted by the City Planner to encourage quality and creativity of design where the intent of this section is met.~~
- ~~E. Existing vegetation within buffer yards shall be considered as a substitute for otherwise required landscaping or screening, if in the opinion of the City Planner, the type, size, and density of the existing vegetation complies with the standards and intent of this section.~~
- ~~F. When a proposed buffer yard has a variation in elevation of greater than 10 vertical feet at any point, the required screening or landscaping within the yard shall be placed to maximize the effectiveness of the screening or landscaping, as determined by the City Planner.~~
- ~~G. Trees planted to meet any of the screening requirements may also be used to meet any other landscaping requirement within this standard.~~
- ~~H. Screening required by this Section shall be applied equally to all similarly situated properties. Modifications to these standards may be granted in writing by the City Planner if the City Planner finds any of the following circumstances exist on the proposed building site, or surrounding properties:~~
- ~~(1) Natural land characteristics such as topography or existing vegetation on the proposed building site would achieve the same intent of this section.~~
 - ~~(2) Innovative landscaping or architectural design is employed on the building site to achieve an equivalent screening or buffering effect.~~

~~(3) The required screening and landscaping would be ineffective at maturity due to the proposed topography of the site, and or the location of the improvements on the site.~~

~~(4) The topography of adjacent and surrounding sites is such as to render required screening ineffective at maturity.~~

~~11. River Buffer: A healthy and properly watershed buffer zone shall stabilize the shoreline or stream bank, provide erosion control benefits, provide a source of organic matter for aquatic organisms, capture nutrients, reduce flood peak flows, and provide water temperature controls.~~

~~A. River District is hereby created to celebrate, conserve, promote, and manage those areas on such as the Sheyenne River within the corporate limits of the City of West Fargo. These watershed buffer standards will ensure that new development is compatible with and enhances the unique river resources. It is the intent of these standards to promote economic revitalization throughout the river valleys while providing for an opportunity for enjoyment of the river by a maximum number of citizens, neighbors, and guests. The goals of the River District are to:~~

~~(1) Promote the protection and improvement of the Sheyenne River as water resources;~~

~~(2) Promote responsible development that will result minimal stormwater runoff, soil erosion, river bank destabilization, grading, and flood damage;~~

~~(3) Promote the preservation of a vegetative river resource corridor between the top of the river bank and new development to protect property from flooding and to enhance water quality;~~

~~(4) Encourage the planting of specific riparian landscaping that will aid in controlling erosion, improving water quality, reducing stormwater runoff, enhancing fish and wildlife habitats, and protecting visual quality;~~

- ~~(5) Promote the protection of existing natural areas, wetlands, and habitats, especially bluffs along the rivers;~~
- ~~(6) Encourage the establishment of vegetative buffer yards between incompatible land uses to lessen negative impacts;~~
- ~~(7) Encourage the conservation, protection, and promotion of the district's natural, cultural, and historic resources to enhance its value as a significant amenity to West Fargo's citizens, neighbors, and tourists;~~
- ~~(8) Promote improvements to existing infrastructure and the coordination of all new utility improvements;~~

~~B. Conditional Uses: Any use that's not natural to the Sheyenne River and is manmade, is subject to a conditional use permit and the use in the River District must be approved by the City Planner.~~

~~C. General Standards: The following standards shall be required for uses in the River District.~~

- ~~(1) River District: The River District is any area that is a one hundred (100) feet from the Sheyenne River bank.~~
- ~~(2) Landscaping/Buffering Standards: Landscaping and/or buffering shall be provided as required. Tree species suitable for a river environment shall be specified in the "Approved Tree List" for required landscaping and buffering in the River District. In areas experiencing natural stream bank erosion, planting of riparian vegetation shall be the required stabilization measure.~~
- ~~(3) Parking Standards: Parking lots shall be allowed if approved by a conditional use permit if the parking lot doesn't harm the river but not recommended in the River District. No parking shall be permitted in any setback more than fifty (50) feet or less from the river. Uses in the River District shall be permitted a 20 percent reduction in required parking. Shared parking arrangements and common parking areas are encouraged.~~

- ~~(4) Design Standards: The Design of the River District is to be a natural look. It shall include native plantings and native trees to this area. The speculative grading of land within the River District is prohibited. Natural slopes in excess of 45 degrees shall not be graded, and the existing vegetation shall not be removed. Buffers or shorelines shall have bands or strips with permanent vegetation that run adjacent to the river. The purpose of a buffer is to provide a protective barrier or cushion between activities occurring on the upland side of the buffer and the river.~~
- ~~(5) Construction: All new or expanded operations/ construction located within or near the River District must take all precautions not to harm the river by polluting, increasing erosion, or littering.~~
- ~~(6) Storage: Outdoor storage of materials is prohibited in the river district.~~
- ~~(7) Walking Trail: The development of a pedestrian trail/greenway along the rivers is encouraged within the River District. Land owners are encouraged to dedicate/grant a dry land right-of-way or easement within the river resource yard.~~

~~12. Open Space Landscaping:~~

- ~~A. Undeveloped Areas: All undeveloped areas of the site, excluding protected wetlands, river districts, and tree preservation areas, shall be seeded or sodded. Seeding includes native prairie grass. In addition, an appropriate mix of trees and other plant material shall be provided to create an aesthetically pleasing site. Native plantings and xeriscaping is recommended but not limited to.~~
- ~~B. Undeveloped Areas Next to Public ROW: Where undeveloped or open areas of a site are located adjacent to public right-of-way, the plan shall provide for over-story boulevard trees. A minimum of one (1) tree for every thirty (30) feet of frontage is required. The City Planner may approve alternatives if it meets the intent of the ordinance.~~

~~13. Parking Lot Landscaping Standards:~~

- ~~A. Perimeter areas: When parking lot perimeters, including driveways and drive aisles, are not entirely screened visually by an intervening building or structure or land mass from any abutting right-of-way, there shall be provided landscaping designed to buffer direct views of cars and hard surface areas. The landscaping must break up expanses of hard surface areas, help to visually define boulevards and soften direct views of parking areas and provide for reforestation with overstory tree from the approved tree species list identified for parking or other species as approved by City Forester or City Planner.~~
- ~~1. Perimeter Dimensions: The perimeter of the parking lot will consist of an area ten (10) feet to the outside of the parking lot area in all directions where otherwise green space would be. Within this ten (10) foot dimension the following shall apply:~~
- ~~(a) A six (6) foot minimum dimension to all trees from edge of pavement so that this would provide space to where vehicles overhang;~~
 - ~~(b) A four (4) foot minimum dimension to all trees where vehicles to not overhang; and~~
 - ~~(c) A four (4) foot minimum dimension for perennials and shrubs.~~
- ~~B. Interior Landscaping Any open vehicular use areas containing more than six thousand (6,000) square feet of area, or twenty (20) or more vehicular parking spaces, shall provide interior landscaping in accordance with this division in addition to "perimeter" landscaping. Interior landscaping may be peninsular or island types. Landscaped area shall include all parking lot and drive islands and perimeter vegetative landscaping or green space. Required setback areas shall be excluded. There may not be more than twenty (20) continuous parking spaces (40 back to back) in a continual row without providing an island or peninsular landscaping.~~
- ~~C. Curbing: Concrete curbing is encouraged to protect landscaped areas unless the area is implemented to be a rain garden or bioswale.~~

~~D. Soil: All landscaping areas shall have the proper soil preparation to ensure the viability of the vegetation to survive. The landscaping plan shall provide specifications for proper soil preparation.~~

~~14. Landscape Aesthetics and Design Criteria: Landscaping plans shall provide for an appropriate mix of plantings around the exterior footprint of all buildings. The intent of this section is to improve the appearance of the structures and, where necessary, break up large unadorned building elevations. These plantings are not intended to obscure views of the building or accessory signage.~~

~~A. Aesthetics: Landscape areas shall be designed with an emphasis on aesthetic appeal, function, safety, appropriateness to site conditions, and water conservation. The grouping of plants with similar water requirements is encouraged.~~

~~B. Xeriscaping: Xeriscaping is recommended throughout all landscapes.~~

~~C. Utility Lines: Where overhead utility lines are located above landscape, small ornamental trees that do not exceed the growth of fifteen (15) feet shall be substituted instead of large shade tree that will have to be trimmed after tree has matured.~~

~~D. Lawn Grass: Grass may be sodded, plugged, sprigged, or seeded, except that solid sod shall be used in swales or other areas subject to erosion. Slopes steeper than 10:1 shall be sodded. However, if natural prairie grass, cattails, or reeds are being implemented proper erosion control practices shall be engaged.~~

~~E. Mulch: All trees, shrubbery, ground cover, and vine planting beds shall be mulched with standard mulch materials such as shredded cypress bark, pine bark chips, pine straw, or decorative stone to prevent invasion of other plant species and weeds, to absorb and retain moisture for the benefit of the plants, to prevent erosion, to enrich the soil, to provide protection from maintenance equipment, and to present a neat and orderly appearance of the landscaped area.~~

~~15. Existing Trees and Landscapes:~~

~~A. Existing Tree Requirements: Where the site contains existing trees, a special effort shall be made to preserve them in accordance with the following requirements:~~

~~(1) Protect: Trees in a healthy condition shall be protected and preserved.~~

~~(2) Removing Trees: Removal of unhealthy or diseased trees is mandatory, however removal of healthy trees of a height of six feet or more shall be done only with approval of the City Forester. Tree replacement may be required.~~

~~(3) Construction: Trees to be preserved shall be protected during construction operations by the use of barricades or fencing large enough to include everything inside the outer edge or drip line of the tree and conspicuous enough to be seen easily by operators of trucks and heavy equipment.~~

~~(4) Grading: No grade changes shall be made around existing trees without approval of the City Forester. Retaining walls shall be used when changing existing grades around specimen trees.~~

~~(5) Roots: Tree roots shall be protected and preserved where possible. Tunneling shall be used to avoid damaging roots where construction in the immediate area is necessary. No trenching of tree roots within twenty feet of the trunk shall be performed without approval of the City Forester.~~

~~(6) Chemicals: Chemical poisoning and run-off from petroleum products, lime and mortar, fertilizers, pesticides, soil sterilants, or the washing of equipment designed to apply these materials shall be prohibited, within the dripline of trees to be preserved.~~

~~(7) Tree Rows: Agricultural tree rows (wind breaks) shall not be removed unless authorized by the City Forester or the City Council. These trees are not only an important part of the City's quality, but are needed to help~~

~~control extreme winds and weather. Adequate measures shall be taken to mitigate any danger to the preservation or health of the tree rows. If agricultural tree rows (wind breaks) cannot be preserved, based upon the discretion from the City Forester stating that the trees are no longer in a healthy condition, the trees may be removed. Tree rows authorized for removal shall be replaced and/or additional landscape enhancement shall be provided as approved by the City Planner.~~

~~B. Wooded Areas:~~

- ~~(1) Wooded areas with mature trees are to be preserved, at the applicants option may be included to meet all or part of the canopy requirements, provided the site plan identifies such trees and the trees meet the standards of size, health, placement, etc. set out in this section. The City Forester shall evaluate use of existing trees to ensure they have adequate health and strength to allow such use.~~
- ~~(2) Existing trees in wooded areas designated to be included as part of these requirements should be protected during construction by fencing placed at a distance in feet equal to or greater than one and a half (1 ½) times the diameter of the tree in inches at the height of four (4) feet.~~

~~16. Installation:~~

- ~~A. Materials: All materials installed shall conform to the approved landscape plans. If any changes of materials are desired, amended plans must be submitted and approved before installation.~~
- ~~B. Curb Cuts and Driveway: Curb cuts and driveway aprons which are abandoned shall be removed and replaced with standard curbing and sod.~~
- ~~C. Construction: During installation of landscaping, grassed areas off-site or within the public rights-of-way which have been disturbed by construction activity shall be cleaned of all debris, regraded to the proper elevations, and resodded or reseeded. Any preserved vegetation areas that have been damaged or removed shall be~~

~~replanted and refurbished to restore the area as much as possible to its original condition.~~

~~17. Maintenance:~~

- ~~A. Duty to Trim Trees: It shall be the duty of all persons, whether owners or tenants, to keep the shade trees along the public streets and avenues adjoining such property trimmed in such a manner that such trees shall not interfere with travel on said streets, avenues, and sidewalks.~~
- ~~B. Responsible: The property owner and tenant shall be jointly and severally responsible for maintenance of all required landscape, irrigation, and hardscape improvements as originally approved. This maintenance requirement shall carry with the land and shall be the responsibility of any subsequent owners and tenants of the property. It is the responsibility of the owner to notify any subsequent owners of the property of this responsibility.~~
- ~~C. Improvements: Landscape areas and site improvements shall be maintained in good condition for a healthy, neat, and orderly appearance and shall be kept free from weeds and debris. All plant materials shall be maintained in a healthy and vigorous condition through proper irrigation, fertilization, pruning, weeding, mowing, and other standard horticultural practices so as to grow to their normal shape, color, and height, and to fulfill the required functions of screening, shading, buffering, and aesthetic appeal set forth by the City. The hatracking of trees is prohibited. All dead plants shall be replaced. All damaged plants including lawn grass shall be replaced or restored. Mulch shall be at the proper coverage and depth.~~
- ~~D. Hardscapes: Pavement, curbing, wheel stops, and other hardscape improvements shall be sound and in place. If it is determined by maintenance inspections that such curbs are insufficient to prevent vehicular encroachment, then installation of bollards or similar devices substantial enough to prohibit encroachment may be required. Any such fixtures shall be architecturally consistent with other site fixtures and structures for materials and colors.~~

~~E. Violations: The City shall notify the property owner and tenant in writing of any maintenance violations. Upon notification of a maintenance violation, the property owner, tenant, or authorized agent shall correct the violation within 30 days. Where immediate attention and care may restore damaged plants, the owner or tenant shall submit a treatment narrative and schedule prepared by a registered landscape architect or a local nursery professional. If the treatment plan and procedures fail to restore the plants to vigorous growth to meet their normal growth habit and the original design intent within 90 days, then the plants must be replaced.~~

~~18. Replacement:~~

~~A. Tree Replacement Requirements:~~

- ~~(1) City Policy: It is the policy of the City to preserve natural woodland areas throughout the city and with respect to specific site development to retain as far as practical, substantial tree stands which can be incorporated into the overall landscape plan.~~
- ~~(2) Tree Health: The owner, tenant, and their respective agents shall be held jointly and severally responsible to maintain their property and landscaping in a condition presenting a healthy, neat and orderly appearance and free from refuse and debris. Plants and ground cover which are required by an approved site or landscape plan and which have died shall be replaced within three (3) months of notifications by the city. However, the Zoning Administrator may extend the time for compliance up to nine (9) months in order to allow for seasonal or weather conditions.~~
- ~~(3) Clear Cutting: No clear cutting of woodland areas shall be permitted except if approved by the City Planning Department or City Forester.~~
- ~~(4) Removed Trees: Any trees on the site which are a caliper of five (5) inches or more at a height of five (5) feet above the ground, or ornamental trees over twelve (12) feet in height which are to be removed during site development should be moved elsewhere on site or replaced with a new tree.~~

~~19. Plan Submission and Approval: The property owner or developer may be required to prepare a landscape plan drawn by a registered landscape architect or other professional acceptable to the city if deemed necessary by the City Planner. The city shall apply the following standards (but not limited too) in reviewing the landscape plans and shall contain these contents following:~~

- ~~A. Plot plan: drawn to an easily readable scale, showing and labeling by name and dimensions, all existing and proposed property lines, easements, buildings, and other structures, vehicular use areas (including parking stalls, driveways, service areas, square footage), water outlets and landscape material (including botanical name and common name, installation size, on-center planting dimensions where applicable, and quantities for all plants used).~~
- ~~B. Elevations: Typical elevations and/or cross sections may be required in any landscape plan.~~
- ~~C. Context of Plans: Title block with the pertinent names and addresses (property owner, person drawing plan, and person installing landscape material), scale date, north arrow (generally orient plan so that north is to top of plan), and zoning district.~~
- ~~D. Existing Landscape Material: shall be shown on the required plan and any material in satisfactory condition may be used to satisfy this article in whole or in part.~~

~~20. Approved Plant List:~~

- ~~A. The list of approved boulevard trees and other species as approved by the City Forester.~~

[NOTE: These definitions are proposed to be relocated from the existing §4-449-A Landscaping Standards section to the §4-200 zoning code definitions. Underlined text indicates new additions to the list of defined words.]

§4-200 Definitions

Approved Tree List

A list of trees that is approved by the City Forester and the City of West Fargo to plant within the city limits.

Buffer Yard

Landscaping that is used to obstruct the view of an adjacent property.

City Forester

The Forester is a city employee who is responsible for the promotion of the health and sustainability of the urban forest within the municipal limits of the City of West Fargo and providing public education as to the benefits, best use, and maintenance of the city's urban forest.

Deciduous Shade-Tree

A tree that sheds all its leaves every year at a certain season.

Dripline

The area directly located under the outer circumference of the tree's branches.

Evergreen Tree

A tree, either broad leaf or conifer, which maintains at least a portion of its leaves or needles throughout the year.

Fence

A structure constructed of any material or combination of materials that is erected to enclose or screen areas of land.

Ground Cover

Grasses and other low-growing plants, vines, or grasses that form dense, extensive growth, and have a positive effect against soil erosion and soil moisture loss. Permeable natural landscape materials, such as mulch and rock, are also considered ground cover to the extent they are used in combination with live plant materials.

Landscaping

The combination of elements such as trees, shrubs, ground covers, vines, and other organic material planted for shade, buffering, and the creation of a pleasing environment surrounding construction and development.

Native Plants

Plants that grow naturally in a particular region, ecosystem, or habitat without human introduction.

Ornamental Tree

A tree planted primarily for its decorative value or for screening and that, at its mature height, typically does not exceed 25 feet.

Perennial

A non-woody plant that lasts for more than two growing seasons.

Permeable Material

Any material that allows water and air to pass through it. In the context of landscaping, permeable material is required at the base of tree plantings, where ground cover must allow infiltration of water and air.

Right-of-Way (ROW)

An area of land under public ownership where facilities such as streets, sidewalks, street boulevards, railroads, or power lines are built.

Runoff

Water that is not absorbed by the ground surface or soil, and which flows onto other areas. With irrigation, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or where a severe slope exists. Runoff is also generated when water from precipitation events cannot be absorbed by the surface on which it falls.

Swale

A depression in grade to control and direct the flow of surface water.

Tree Topping

A type of pruning where most of the canopy is removed from a tree, leaving mostly branch stubs.

Turf

Any grassy area maintained by frequent mowing, fertilization and watering used for lawn and playing fields.

§4-427-A "C-OP" District Or Commercial Office Park District

4-427-A.1 Statement Of Intent

This district is intended to provide for the development of office, office showroom, and office warehouse buildings in an area of high quality site development standards, amenities, and building materials. This district would be particularly well situated in areas of high visibility and include support uses which meet the level of development quality, benefit from the visibility and access to traffic, and create an aesthetically attractive impression on surrounding areas and roadways. It is the intent of this district that building architecture and site development provide the primary means of exposure and communication, and that reliance on signs is minimized. Businesses which require more signage or building construction which is out of character with the district are not appropriate.

4-427-A.2 Permitted Uses

1. Commercial and professional office buildings, single or multi tenant.
2. Business services, such as banks, and other financial institutions, and professional offices.
3. Cultural and educational facilities.
4. Churches and Schools.
5. Public/Semi-public facilities.
6. Medical and dental facilities such as clinics, hospitals, nursing, basic care or convalescent homes, not including Behavioral Health Care Facility.
7. Child Care Centers.

4-427-A.3 Conditionally Permitted Uses

The following uses may be permitted in the "C-OP" District subject to the conditions hereinafter imposed and subject further to review and approval by the City as required by Section 4-550 of this ordinance:

1. Office combined with showrooms, in which products are provided for viewing and display to retail or wholesale buyers, provided that in such building, office space comprises of no less than forty percent (40%) of the gross floor space of the building, but not outdoor display.
2. Office combined with warehouse, in which products are stored for use, repackaging, display, and shipping, but not assembly, manufacturing, or fabrication, provided that in such building, office space comprises no less than forty percent (40%) of the gross floor space of the building, but not outdoor storage.

3. Full service restaurants, provided that where such restaurant is integral to another principal building, such as an office or hotel, parking supply is calculated to accommodate the mix of uses.
4. Hotels and motels.
5. Assisted living facilities when the following conditions are met:
 1. The majority of residents are age fifty-five (55) and older and there is a minimum of one full time equivalent employee per every six residents.
 2. The services of a licensed registered nurse are available to all residents.
 3. The applicant provides the city planner with a detailed plan showing the activities and personnel that will be available to residents of the facility.

4-427-A.4 Site Development Standards

The following standards shall apply to all uses in the C-OP District, in addition to other provisions found elsewhere in this ordinance. Where these regulations conflict with other general provisions, these regulations shall be deemed to apply.

1. YARD REQUIREMENTS.
 1. Front Yard: 60 feet from front property line.
 2. Side Yard: 10 feet from the side property line.
 3. Rear Yard: 35 feet from rear property line.
 4. Parking: 15 feet from front property line, 5 feet from all other property lines.
2. BUILDING CONSTRUCTION.
 1. A higher construction standard is required in the Commercial Office Park District. Any exposed metal or fiberglass on all buildings shall be limited to no more than thirty (30) percent of any wall which fronts on a public street, provided that it is coordinated into the architectural design. Truck parking or loading shall be screened with materials of the principal building and other screenings, so that such uses are not directly visible from the Interstate or any public street.
 1. ADDITIONS, ALTERATIONS, AND ACCESSORY BUILDINGS. All subsequent additions, exterior alterations and accessory buildings, constructed after the erection of an original building or buildings shall be of the same materials as those used in the original building and shall be designed in a manner conforming to the original architectural concept and general appearance. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion program.
 2. APPEARANCE. Garages, accessory structures, screened walls and exposed areas of retaining walls shall be of a similar type, quality and appearance as the principal structure. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion program.
3. LANDSCAPING REQUIREMENTS.

1. On all property within the C-OP District, no less than 25% of the property shall be landscaped with trees, shrubs, grass, and other cultured plantings. The number of trees to be planted shall be in accordance with the Landscaping standards of §4-449-A. no less than the total number of feet of the length of the lot perimeter divided by 50 feet.
2. Within parking lots, one landscaped island of at least 150 square feet shall be provided for every twenty parking spaces.
3. Ponds for the management of storm water shall not count toward the minimum landscaped standard.

4. SIGNAGE REQUIREMENTS.

1. One monument-style sign is permitted for each building. Pylon or pole signs are not permitted, except by conditional use. Such sign, if found not to detract from the intent and character of the C-OP District, may be allowed, provided that it shall be limited to a maximum of one hundred fifty (150) square feet in area and thirty-five (35) feet in height.
2. In addition to the monument sign, one wall-mounted sign is permitted for each public street frontage of the parcel. No individual sign may exceed eighty (80) square feet in area.
3. SIGN CONSTRUCTION AND ILLUMINATION. Signs may be illuminated by external flood lights, or internally. No flashing, blinking, or motion lighting of any kind is permissible.

4-427-A.5 Other Applicable Regulations

Section 4-440 Supplementary District Regulations

Section 4-450 Off-Street Parking and Loading Requirements

Section 4-460 Sign Regulations

§4-431 “CO” District or Corridor Overlay District

4-431.1 Statement Of Intent

The provisions of the CO District are intended to promote orderly development and safe, attractive and desirable spatial patterns and locations for urban and suburban land uses adjacent to the Cass County 17/Sheyenne Street, 32nd Avenue, 40th Avenue, 52nd Avenue, 9th Street East, Veteran’s Boulevard and 13th Avenue corridors. Full regard is given for the importance of these corridors as major growth areas for West Fargo and as landscaped gateways to the City. In some areas of the district as identified in the Yard Requirements and Lot Design Standards, full regard is given to the context of the street and adjacent land uses for their urban appeal, which would include such things as streetscape, lighting, and other amenities that encourage interaction beyond vehicular traffic. The CO District shall extend along Cass County 17 (Sheyenne Street) from 13th Avenue East to 52nd Avenue and from 12th Avenue North to 40th Avenue North, 52nd Avenue from Cass County 17 to the west, 40th Avenue, 32nd Avenue, Veteran’s Boulevard, 9th Street East from Interstate 94 to 13th Avenue, and 13th Avenue from Sheyenne Street to the east City limits hereinafter referenced to as “the designated streets,” and be a depth of six hundred (600) feet on each side of the centerline of Cass County 17 (Sheyenne Street), 32nd Avenue, 40th Avenue, 52nd Avenue, 9th Street East, Veteran’s Boulevard, and 13th Avenue.

Source: Ord. 1049, Sec. 24 (2015); Ord. 1111, Sec. 1 (2018)

4-431.2 Permitted Uses

All uses permitted in any underlying district as designated on the City Zoning Map.

4-431.3 Conditionally Permitted Uses

Any use conditionally permitted in any underlying district as designated on the City Zoning Map and subject to the specific provisions relating to each use.

4-431.4 Yard Requirements For The CO District

1. **SIDE YARD MINIMUM.** For commercially zoned lots, the minimum side yard shall be 10 feet. Residentially zoned property in the Corridor Overlay District shall maintain the side yard required in the underlying Residential District.
2. **REAR YARD MINIMUM.** For commercially zoned lots abutting the designated streets, the minimum rear yard shall be 20 feet. For commercially zoned lots not abutting the designated streets, the minimum rear yard shall be 10 feet. Residentially zoned property in the CO District shall maintain the same rear yard as required in the underlying residential district.
3. **FRONT YARD MINIMUM.** For the purpose of this ordinance, all front yards for properties abutting the designated streets shall be facing those streets. All front yards abutting a designated arterial or collector roadway, as approved by the City Commission, shall be considered facing that roadway. A minimum front yard depth

of 45 feet shall be required for all properties abutting the designated street rights-of-way, with the exception of Sheyenne Street between Interstate 94 and 40th Avenue, 32nd Avenue west of Sheyenne Street and 13th Avenue East. Minimum front yard depths for commercially zoned property not abutting the designated streets shall be 15 feet, except where frontage is on a designated arterial or collector roadway, as approved by the City Commission, where the minimum front yard depth shall be 30 feet. Depths for residentially zoned property not abutting the designated streets shall be the same as required for the underlying Residential Zoning District. For corner properties abutting the designated streets and an arterial or collector roadway, the secondary front yard which does not face the designated streets shall have a minimum front yard depth of 30 feet.

4. LOT COVERAGE. For commercial uses, lot coverage by buildings shall not exceed 40%; for residential uses, lot coverage shall be the same as in the underlying district.

4-431.5 Lot Design Standards

1. OPEN SPACE LANDSCAPING.

1. All yard areas not covered by buildings, sidewalks or paved parking areas shall be landscaped in accordance with the Landscaping standards of §4-449-A. A minimum of 10% of the lot area shall be landscaped.
2. For properties abutting the designated streets, with the exception of Sheyenne Street between Interstate 94 and 40th Avenue, 32nd Avenue West of Sheyenne Street and 13th Avenue East, a minimum of 20 feet of landscaped open space shall be required to separate parking areas or access drives and front lot lines. For properties not abutting the designated streets or an arterial or collector roadway, a minimum of 5 feet of landscaped open space shall be required to separate parking areas or access drives and front lot lines. For properties abutting a designated collector or arterial roadway, as approved by the City Commission, a minimum of 10 feet of landscaped open space shall be required to separate parking areas or access drives and front lot lines.
3. A minimum of 5 feet of landscaped open space shall be required to separate parking areas from side and rear lot lines and a minimum of 5 feet of open space shall be required to separate parking areas and building setback lines.
4. A minimum of 3 feet of landscaped open space shall be required to separate access driveways and side or rear lot lines unless said driveway is used as a common access to two adjacent properties.
5. ~~Ponds for management of storm water shall not count toward the minimum landscaped standard.~~

2. BUILDING CONSTRUCTION.

1. A higher construction standard is required in the Corridor Overlay District. In areas of the Corridor Overlay District, which is zoned Light Commercial, any exposed metal or fiberglass on all buildings shall be limited to no more than thirty (30) percent of any wall which fronts on a public street, provided that it is coordinated into the architectural design. Seventy percent (70%) of any

wall (façade area) which fronts on a public street shall be constructed of glass, brick, wood, stone, architectural concrete cast in place or precast concrete panels, or, as approved by the Commission(s), other integrated materials per the architectural design. In areas of the Corridor Overlay District which are also zoned Heavy Commercial District, Light Industrial District, and Heavy Industrial District, all buildings constructed of curtain wall panels of finished steel, aluminum or fiberglass shall be required to be faced with brick, wood, stone, architectural concrete cast in place or pre-cast concrete panels on all wall surfaces with frontage on a public street. The required wall surface treatment may allow a maximum of seventy (70) percent of the metal or fiberglass wall to remain exposed if it is coordinated into the architectural design.

1. ADDITIONS, ALTERATIONS, AND ACCESSORY BUILDINGS. All subsequent additions, exterior alterations and accessory buildings, constructed after the erection of an original building or buildings shall be of the same materials as those used in the original building and shall be designed in a manner conforming to the original architectural concept and general appearance. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion program.
2. APPEARANCE. Garages, accessory structures, screened walls and exposed areas of retaining walls shall be of a similar type, quality and appearance as the principal structure. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion program.
3. ~~BOULEVARD/FRONT YARD PLANTINGS. The planting must be in conformance to any applicable major street corridor landscape plan developed as part of a subdivision, Planned Unit Development, or other site development plan adopted by the City. Each tree shall be at least 1 ½ inches in caliper and all tree species shall be as recommended by the City Forester.~~
4. CURBS REQUIRED. All buildings and walkways bordering any parking areas shall be curbed.
5. REFUSE COLLECTION AREAS AND OUTDOOR STORAGE AREAS. In addition to the requirements of Section 4-447, aAll refuse collection and outdoor storage areas shall only be permitted in rear yards and shall be visually screened from adjoining properties or streets.
6. PARKING AREAS.
 1. All parking areas shall be paved to provide a durable and dust-free surface.
 2. Light poles located within parking area perimeters shall be surrounded by curbed islands with a minimum distance of 4 feet from the center line of the light pole to the curb, or protected by an elevated concrete pedestal at least 3 feet in height and 2 feet in diameter.
 3. Light poles located outside of paved parking areas shall be located a minimum of 4 feet from the curbed edge of the parking area, or protected by

an elevated concrete pedestal of not less than 3 feet in height and 2 feet in diameter.

7. FENCES. Fences along the Corridor Overlay District are not allowed within the required front yard along the designated streets of the development, except when a fence is an essential component of the development and is either approved as part of a Planned Unit Development for the development or as a conditional use. Special regard is given in residential areas for double frontage lots where the house faces a local street and the intended rear yard faces the designated street. Fences should be decorative and/or provide for added landscape treatments to meet the intent of the CO District and may be required to be set back to accomplish the intended effect. Once a fencing scheme has been approved, accessory buildings may be permitted, subject to the Supplementary District Regulations for accessory buildings and uses.

4-431.6 Other Applicable Regulations

Section 4-440 Supplementary District Regulations

Section 4-450 Off-Street Parking and Loading Requirements

Section 4-460 Sign Regulations

§4-431-A “CO-I” District Or Interstate Corridor Overlay District

4-431-A.1 Statement Of Intent

Statement of Intent. The provisions of the "CO-I" District are intended to promote orderly development and safe, attractive and desirable spatial patterns and locations for urban land uses adjacent to the Interstate 94 Corridor. Full regard is given for the importance of this corridor as a major growth area for West Fargo and as a highly visible gateway through the City. The "CO-I" District shall extend along the entire I-94 section within the City Limits and Extraterritorial Area and shall be an approximate depth of 600 feet on each side of the interstate right-of-way.

4-431-A.2 Permitted Uses

All uses permitted in any underlying district as designated on the City Zoning Map.

4-431-A.3 Conditionally Permitted Uses

Any use conditionally permitted in any underlying district as designated on the City Zoning Map and subject to the specific provisions relating to each use.

4-431-A.4 Site Development Standards

1. YARD SETBACKS. Structures adjacent to I-94 shall be set back a minimum of 100 feet from the interstate right-of-way for single and two-family uses. Principal structures for multiple family uses shall be set back a minimum of 100 feet from the interstate right-of-way with accessory structures set back a minimum of 50 feet. All other structures shall maintain a minimum setback of 50 feet from the interstate right-of-way, except for structures adjacent to interstate on and off-ramps, which shall maintain a minimum setback of 30 feet. All other yard setbacks shall be according to requirements of the underlying district.
2. LOT COVERAGE. For commercial and other non-residential uses, lot coverage by buildings shall not exceed 40%; for residential uses, lot coverage shall be the same as in the underlying district.
3. **OPEN SPACE** LANDSCAPING AND BUFFERS.
 1. All yards adjacent to I-94 shall be landscaped open space. At least one tree shall be installed along the Interstate frontage for every 50 feet of interstate frontage. Trees may be grouped to create the desired effect. All yard areas not covered by buildings, sidewalks or paved parking areas shall be landscaped in accordance with the Landscaping standards of §4-449-A. A minimum of 10% of the lot area shall be landscaped. In addition to landscaped open space requirements along I-94, properties shall comply with the Open Landscaping requirements found in Section 4-431.5, pertaining to front, side and rear yards.

2. Residential properties shall be buffered to minimize noise impacts from interstate traffic. Berming and vegetative buffers shall be created prior to development. For single family and two family uses berms shall be developed within an easement no less than 100 feet deep along I-94 and 30 feet deep along the on/ off ramps and have a slope no greater than 3:1. Berms shall be required to be elevated six feet above the elevation of the driving lanes on I-94 with a lower elevation and more flexibility in design along the on/off ramps. The berms shall also have several rows of coniferous trees (evergreens) planted to provide year-round vegetative buffering. Berm easements should be placed so that there is minimal affect on utility easements. For multiple family residential uses, more flexibility is allowed in the design of berms and vegetative buffers.
4. BUILDING CONSTRUCTION.
1. A higher construction standard is required in the Interstate Corridor Overlay District. In areas of the Interstate Corridor Overlay District, which are zoned Light Commercial, Commercial Office Park, or Planned Unit Development and intended for light commercial uses, any exposed metal or fiberglass on all buildings shall be limited to no more than thirty (30) percent of any wall which fronts on a public street, provided that it is coordinated into the architectural design. Seventy percent (70%) of any wall (façade area) which fronts on a public street shall be constructed of glass, brick, wood, stone, architectural concrete cast in place or precast concrete panels, or, as approved by the Commission(s), other integrated materials per the architectural design. In areas of the Interstate Corridor Overlay District which are also zoned Heavy Commercial, Light Industrial, Heavy Industrial, or Planned Unit Development and intended for heavy commercial and industrial uses all buildings constructed of curtain wall panels of finished steel, aluminum or fiberglass shall be required to be faced with brick, wood, stone, architectural concrete cast in place or pre-cast concrete panels on all wall surfaces with frontage on a public street. The required wall surface treatment may allow a maximum of seventy (70) percent of the metal or fiberglass wall to remain exposed if it is coordinated into the architectural design
 1. ADDITIONS, ALTERATIONS, AND ACCESSORY BUILDINGS. All subsequent additions, exterior alterations and accessory buildings, constructed after the erection of an original building or buildings shall be of the same materials as those used in the original building and shall be designed in a manner conforming to the original architectural concept and general appearance. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion program.
 2. APPEARANCE. Garages, accessory structures, screened walls and exposed areas of retaining walls shall be of a similar type, quality and appearance as the principal structure. These provisions shall not

prevent the upgrading of the quality of materials used in a remodeling or expansion program.

5. OUTDOOR DISPLAYS, STORAGE, TRUCK PARKING OR LOADING. In addition to the requirements of Section 4-447, aAll outdoor displays, storage, truck parking or loading shall be located to the side or rear of the building and screened with materials of the principal building and other screening, so that such uses are not directly visible from the Interstate and other public streets. Outdoor display areas shall be identified on the site plan and be subject to site and building plan review and approval. Display areas shall be established in such a manner as not to detract from the desired affects of the Interstate Corridor Overlay District.

§4-431-B “CO-R” District Or Redevelopment Corridor Overlay District

4-431-B.1 Statement Of Intent

The provisions of the “CO-R” District are intended to promote orderly development and redevelopment and safe, attractive and desirable spatial patterns and locations for urban land uses adjacent to major street corridors, with full regard for the importance of these corridors as major growth areas for West Fargo and as gateways to the City. The “CO-R” District shall extend along the entire length of Main Avenue, 12th Avenue North, 8th Street West, Sheyenne Street north of 13th Avenue, Center Street, 9th Street East north of 13th Avenue and 45th Street. The depth of the “CO-R” District shall be generally the depth of the lots fronting on each side of the above described roadways.

4-431-B.2 Permitted Uses

All uses permitted in any underlying district as designated on the City Zoning Map.

4-431-B.3 Conditionally Permitted Uses

Any use conditionally permitted in any underlying district as designated on the City Zoning Map and subject to the specific criteria relating to each use.

4-431-B.4 Yard Requirements For The CO-R District

1. **SIDE YARD MINIMUM.** For commercial and industrial zoned lots, the minimum side yard shall be 5 feet except on a corner lot a side yard facing a public way shall be 10 feet. Side yards may be reduced as a conditional use, particularly where it is intended to join buildings on narrow lots established in the downtown area. Residentially zoned property in the Corridor Overlay District shall maintain the side yard required in the underlying residential district.
2. **REAR YARD MINIMUM.** For commercially and industrially zoned lots in the “CO-R” District, the minimum rear yard shall be 10 feet. Residentially zoned property in the “CO-R” District shall maintain the same rear yard as required in the underlying residential district.
3. **FRONT YARD MINIMUM.** For commercially zoned property in the “CO-R” District, properties shall maintain a minimum front yard setback from any public street of 10 feet. Industrial properties shall maintain a front yard setback of 20 feet and side yard setback of 10 feet from a public street. Residentially zoned lots shall maintain a minimum front yard of 40 feet along the designated street. Double frontage lots shall provide a setback for the opposite front yard on the local street as required by the underlying district.
4. **LOT COVERAGE.** For commercial uses, lot coverage by buildings shall not exceed 65%; for industrial uses, lot coverage by buildings shall not exceed 85%; for residential uses, lot coverage shall be the same as in the underlying district.

4-431-B.5 Lot Design Standards

1. **OPEN SPACE LANDSCAPING.**
 1. All yard areas not covered by buildings, sidewalks or paved parking areas (or fenced storage yards in industrial districts) shall be landscaped with grass, trees and other landscaping in accordance with the Landscaping standards of §4-449-A, as approved by the City.
 2. All required front yards and secondary front yards (side yards on corner lots fronting on a public street) shall be landscaped as open space.
 3. A minimum of 5 feet of landscaped open space shall be required to separate parking areas from side and rear lot lines and a minimum of 5 feet of open space shall be required to separate parking areas and building setback.
 4. A minimum of 3 feet of landscaped open space shall be required to separate access driveways and side or rear lot lines, unless side driveway is used as a common access to two adjacent properties.
 5. Ponds for management of storm water shall not count toward the minimum landscaped standard.
2. **BUILDING CONSTRUCTION.** A higher construction standard is required in the Redevelopment Corridor Overlay District. In areas of the Redevelopment Corridor Overlay District, which is zoned Light Commercial, any exposed metal or fiberglass on all fronting buildings shall be limited to no more than thirty (30) percent of any wall which fronts on a public street, provided that it is coordinated into the architectural design. Seventy percent (70%) of any wall (facade area) which fronts on a public street shall be constructed of glass, brick, wood, stone, architectural concrete cast in place or precast concrete panels, or, as approved by the Commission(s), other integrated materials per the architectural design. In areas of the Redevelopment Corridor Overlay District which are also zoned Heavy Commercial, Light Industrial District and Heavy Industrial District, all fronting buildings constructed of curtain wall panels of finished steel, aluminum or fiberglass shall be required to be faced with brick, wood, stone, architectural concrete cast in place or pre-cast concrete panels on all wall surfaces with frontage on a public street. The required wall surface treatment may allow a maximum of seventy (70) percent of the metal or fiberglass wall to remain exposed if it is coordinated into the architectural design. Truck loading dock areas shall be to the side or rear of the building so that they do not face a public street. Where this is not possible, special approval shall be required by the Planning and Zoning Commission and City Commission, and screening of the truck loading dock shall be considered.
 1. **ADDITIONS, ALTERATIONS, AND ACCESSORY BUILDINGS.** Buildings which are expanded or remodeled on the public street sides, or buildings which are expanded or remodeled by 25% of the building value shall conform to the building standards established above.
 2. **APPEARANCES.** Garages, accessory structures, screened walls and exposed areas of retaining walls shall be of a similar type, quality and appearance as

the principal structure. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion program.

~~3. REFUSE COLLECTION AREAS AND OUTDOOR STORAGE AREAS. All refuse collection and outdoor storage areas shall only be permitted in side or rear yards and shall be visually screen from adjoining properties or streets.~~

4. PARKING AREAS.

1. All Parking areas shall be paved with asphalt or concrete to provide a durable and dust-free surface. Existing buildings which are remodeled or expanded by 25% of the building value shall upgrade unpaved parking areas to a paved condition with asphalt or concrete.
 2. Light poles located within parking area perimeters within front yards shall be surrounded by curbed islands with a minimum distance of 4 feet from the center line of the light pole to the curb, or protected by an elevated concrete pedestal at least 3 feet in height and 2 feet in diameter.
 3. Light poles located outside of paved parking areas shall be located a minimum of 4 feet from the curbed edge of the parking area, or protected by an elevated concrete pedestal of not less than 3 feet in height and 2 feet in diameter.
5. FENCES. Fences along the Redevelopment Corridor Overlay District are not allowed within the required front yard, except when a fence is an essential component of the development and is either approved as part of a Planned Unit Development for the development or as a conditional use.

4-431-B.6 Other Applicable Regulations

Section 4-440 Supplementary District Regulations

Section 4-450 Off-Street Parking and Loading Requirements

Section 4-460 Sign Regulations

§4-431-C "CO-SR" District Or Sheyenne River Corridor Overlay District

4-431-C.1 Statement Of Intent

The provisions of the "CO SR" District are intended to promote orderly, safe and desirable development patterns along the Sheyenne River where unstable soil conditions exist. The "CO-SR" Districts shall extend along the entire Sheyenne River Corridor and shall be approximately 100 feet from the established river bank.

4-431-C.2 Building Control Line And Use Restrictions

The City hereby establishes a building control line along the Sheyenne River within the Corporate limits of the City of West Fargo and within the Extraterritorial Jurisdiction limits of the City. The building control line shall be 100 feet from the established riverbank as determined by the City Engineer. The building control line shall be the minimum setback line for any primary and accessory structures requiring permits, parking lots, fill and other development activities which may cause increased riverbank destabilization.

4-431-C.3 Relaxation Of Use Restrictions

Where it can be demonstrated through a soils analysis that soils are stable within the building control area, the City Commission may consider reducing the required minimum setback by variance. The soils analysis shall be conducted by a qualified professional engineer and demonstrate that the soils can accommodate the type of structure, parking lot or other use without sustaining future damage. No use may be closer than fifty (50) feet from the established riverbank.

4-431-C.4 Existing Nonconforming Uses And Structures

Existing nonconforming uses and structures shall not be expanded unless in conformity with the provisions of the "CO-SR" District. Where required setbacks cannot be achieved, relaxation of setbacks may be pursued according to Section 4-431-C.3. Nonconformities are subject to Section 4-470.

4-431-C.5 Landscape Standards

Properties within the "CO-SR" District shall follow the landscape standards established in Section 4-449-A.

4-431-C.5 Tree Preservation

1. Property owners are encouraged to protect and preserve trees and native riparian vegetation in a healthy condition to maintain riverbank and soil stability of the river corridor.

2. If trees are removed, their stump and root system shall be left intact. Stump grinding and/or excavation of roots is prohibited within 50 feet of the riverbank, unless otherwise approved by the City Forester, the City Engineer, or Southeast Cass Water Resource District.

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§4-440 SUPPLEMENTARY DISTRICT REGULATIONS.

4-441. GENERAL FENCING AND SCREENING REQUIREMENTS.

1. DEFINITION OF FENCE. An artificially constructed structure of any material or combination of material erected to enclose or screen areas of land.
2. GENERAL FENCING AND SCREENING REQUIREMENTS FOR RESIDENTIAL AREAS. In any residential district, fences, hedges, and plantings may be permitted in the buildable area and in any required yard, or along the edge of any yard, provided that no fence or hedge along the sides or front edge of any required front yard shall be over two and one-half (2½) feet in height, except on through lots or double frontage lots where one of the front yards is intended to serve as the rear yard and is consistent with the other lots on the block, a fence or hedge may be up to six (6) feet in height. All fencing and screening shall meet visibility requirements for intersections by not impeding vision between a height of two and one-half (2½) feet and ten (10) feet within thirty (30) feet from the intersecting curb lines, or within twenty (20) feet from the intersecting property lines if there is no curb. Coordinated fencing schemes for the block are strongly encouraged, and if possible developed during the subdivision process. No fence or hedge within any buildable area or along any side or rear lot line shall be over six (6) feet in height.

Open fences such as a split rail or chain link without slats, which permit direct vision through at least 50% of the fence surface area shall be allowed a height of four (4) feet along the sides or front edge of any front yard.

3. ~~REQUIRED FENCING AND SCREENING. Where any business, industrial users, or multiple family buildings of four (4) or more units (i.e., structure, parking or storage) abuts property zoned for residential use, that business, industry, or multiple family building shall provide screening~~

along the boundary of the residential property. Screening shall also be provided where a business, industry, or multiple family building of four (4) or more units is across the street from a residential zone, but not on that side of a business, industry, or multiple family building considered to be the front yard. Provided, however, that the provisions of this section will not apply where a multiple family building abuts a property also zoned for multiple family use. All fencing and screenings specifically required by this section shall meet visibility requirements for intersections and other requirements as stated herein, and shall consist of either a fence or green belt planting strip. A required screening fence shall be constructed of masonry, brick, wood or metal. Such fence shall provide a solid screening effect six (6) feet in height for multiple family uses and at least six (6) feet in height for business and industrial uses. A green belt planting strip shall consist of evergreen trees and/or deciduous trees and plants and shall be of sufficient width and density to provide an effective visual screen. This planting strip shall be designed to provide substantial visual screening to a minimum height of six (6) feet. Earth mounding and berms may be used but shall not be used to achieve more than three (3) feet of the required screen, unless otherwise provided for by the City (i.e., PUD requirements).

4. CONSTRUCTION STANDARDS. No fence, hedge, or plantings shall be constructed or maintained with electrified barbed wire, or other spiked materials which may pose injurious to public health and safety. Posts and other supporting structures used in the construction of fences shall be faced inward toward the property being fenced.
5. PRIVATE RECREATIONAL FENCES. Private recreational fences shall conform to the provisions attached to residential fences. Permanent swimming pool fences shall be governed by Title V of the Revised Ordinances of 1990 of the City of West Fargo, Chapter 5-05 International Property Maintenance Code, and specifically Section 303 Swimming Pools, Spas and Hot Tubs, as locally amended.
6. PUBLIC FENCES. Fences used in connection with public facilities and public recreational uses shall have a maximum height of ten (10) feet in any yard and be of the open fence variety. Residential construction standards shall apply to all public fences.
7. NON-RESIDENTIAL FENCES. Fences in light commercial areas shall conform to the provisions of residential fences. Fences in industrial or agricultural districts shall conform to the provisions attached to residential fences except where the Building Administrator determines it would be in the public welfare to add to fence height or to add security materials onto the fence. In such cases, fences shall not exceed ten (10)

feet in height.

8. TEMPORARY FENCES. The provisions of this section do not apply to Temporary fences needed to enclose sites, such as construction sites, do not require fencing permits.

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4-446. PARKING OF MOTORIZED VEHICLES AND EQUIPMENT IN RESIDENTIAL DISTRICTS

1. Applicability

- A. The provisions of this section apply to the parking and storage of currently licensed motorized vehicles and equipment within the following residential zoning districts: R-1E, R-L1A, R-1A, R-1B, R-1, R-1S, R-1SM, R-2, R-3, and R-5.
- B. “Currently licensed motorized vehicles or equipment” includes any motorized vehicle or equipment, including passenger vehicles, recreational equipment, boats, RVs, trailers, and the like.

2. Standards

- A. Vehicles or equipment 25 feet in length or less may only be parked in the following described areas:
 - 1. Garage or Carport. Parking or storage may occur entirely within a garage or carport.
 - 2. Rear or side yard. Parking or storage may occur within a rear or side yard provided that a three-foot (3') setback be maintained between the vehicle/equipment and any rear or interior-side lot line, and a twelve-foot (12') setback be maintained from any street-side lot line. These setbacks are not applicable where:
 - a. A driveway to a garage or carport takes access from the street-side of the lot; or
 - b. a six-foot (6') privacy fence or equivalent landscaped screened area exist between the vehicle/equipment and the lot line
 - 3. Front yard. Parking or storage may occur within a front yard, provided that for one- or two-family dwellings, the parking or storage may only be located upon a driveway.
- B. Vehicles or equipment over 25 feet in length may only be parked in the following described areas:
 - 1. Garage or Carport. Parking or storage may occur entirely within a garage or carport.
 - 2. Rear or Side Yard. Parking or storage may occur within a rear or side yard provided that a three-foot (3') setback be maintained between the vehicle/equipment and any rear or interior-side lot line, and a twelve-foot (12') setback be maintained from any street-side lot line. These setbacks are not applicable where:
 - a. A driveway to a garage or carport takes access from the street-side of the lot, in which case only temporary parking or storage is allowed in accordance with the Front Yard parking/storage provisions outlined below; or

- b. a six-foot (6') privacy fence or equivalent landscaped screened area exist between the vehicle/equipment and the lot line
- 3. Front Yard or Street-Side Driveway. Temporary parking or storage may occur within a front yard or street-side driveway as follows:
 - a. During the period between April 15th to October 15th, temporary parking or storage shall not exceed a total of eleven (11) days in any fourteen (14) day period.
 - b. During the period between October 16th to April 14th, temporary parking or storage shall not exceed a total of 72 hours in any seven (7) day period.
 - c. All vehicles and equipment shall maintain a three-foot (3') setback from the sidewalk or, where no sidewalk exists, a one-foot (1') setback from the front and street-side property lines. Under no circumstances shall vehicle or equipment parking block the public right-of-way.
- C. Vehicle and equipment parking or storage may only be located on an improved parking surface consisting of concrete or bituminous paving, or gravel only where an existing gravel driveway has not been improved to concrete or asphalt. Grass, dirt, or individual pavers that are not integrated into a continuous driveway shall not constitute an improved parking surface.
- D. No such vehicle or equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use.

~~4-446. CURRENTLY LICENSED MOTORIZED VEHICLE AND EQUIPMENT
PARKING IN RESIDENTIAL DISTRICTS.~~

~~A. Purpose: To prohibit the parking or storage of certain vehicles and equipment and prevent the extended storage of those vehicles and equipment which (due to general factors of nuisance) affects the well functioning and character of a residential neighborhood and the community.~~

~~B. For the purposes of this ordinance, the following definitions apply:~~

~~1. Currently Licensed Motorized vehicle or Equipment. Any motorized vehicle or equipment which is licensed and operable for the current year in which it is inspected by the City. This includes passenger vehicles with a cargo capacity rating of one ton or less and recreational equipment.~~

~~2. Improved Parking Surface. Shall consist of a durable surface to include concrete or bituminous, or gravel only where the existing driveway has not been improved to concrete or asphalt. Grass or dirt shall not constitute a durable surface.~~

~~3. Residential Districts. Shall include the zoning districts specified as R-1E, R-L1A, R-1A; R-1B; R-1; R-1S; R-1SM; R-2; R-3; and R-5.~~

~~4. Summer Parking/Storage. Shall include the period between April 15th to October 15th.~~

~~5. Winter Parking/Storage. Shall include the period between October 15th to April 15th.~~

~~C. Currently licensed vehicle or equipment parking on residential lots may be parked in the following described areas:~~

~~1. Garage/Carport. Parking or storage may occur entirely within a garage or carport.~~

2. ~~Required Rear Yard.~~ Parking or storage may occur on an improved parking surface within the required rear yard provided that a 3' setback be maintained for rear or side lot lines. This requirement may be waived where written agreement authorizing this waiver is made between the subject property and those neighbors whose property physically touch the subject property. This agreement shall thereupon be presented to the City Planner for recording. The 3' setback requirement may also be waived should a 6' privacy fence or equivalent landscaped screened area exist between vehicle/equipment parking and the lot line.

3. ~~Required Side Yard.~~ Parking or storage may occur on an improved parking surface within the required side yard provided that a 12-foot setback is maintained on the street side of a corner lot and a 3 foot setback is maintained from the side lot line on interior lot lines. This requirement may be waived along interior lot lines where written agreement authorizing this waiver is made between abutting neighbors to either side of the subject property and thereupon presented to the City Planner for recording. This requirement may also be waived should a 6' privacy fence or equivalent landscaped screened area exist between vehicle/equipment parking and the required side yard lot line.

Vehicles or equipment over 25' in length shall be parked behind the nearest portion of a building to the street unless written authorization is given by the neighbors in accordance with the process as described above. Should this authorization be given and recorded, these vehicles and equipment may extend no more than 25' past the nearest portion of a building to a street and be parked on an improved parking surface. However, under no circumstance shall vehicle or equipment parking occur within 3' of the sidewalk or, where no sidewalk exists, 1' from the front lot line. For vehicles and equipment over 25' in length, summer parking/storage shall occur for a time not to exceed a total of 11 days in any 14 day period. Winter parking for these vehicles and equipment shall occur for a time not to exceed 72 hours in any seven (7) day period.

- ~~4. Required Front Yard. Currently licensed vehicles and equipment 25' or under in length may be parked during any period on an improved parking surface. For vehicles and equipment over 25' in length, summer parking/storage shall occur on an improved parking surface for a time not to exceed a total of 11 days in any fourteen (14) day period. For vehicle and equipment over 25' in length, winter parking/storage shall occur on an improved parking surface and for a time not to exceed 72 hours in any seven (7) day period. All vehicles and equipment shall maintain a 3' setback from the sidewalk or, where no sidewalk exists, a 1' setback from the front property line. Under no circumstances shall vehicle or equipment parking block the public right of way.~~
- ~~5. No such vehicle or equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use.~~

4-447. SCREENING OF DUMPSTERS AND OUTDOOR STORAGE AREAS

3. Applicability

- A. The provisions of this section apply to dumpsters/refuse containers and outdoor storage areas used for the storage, placement, and/or parking of equipment, materials, and inventory.

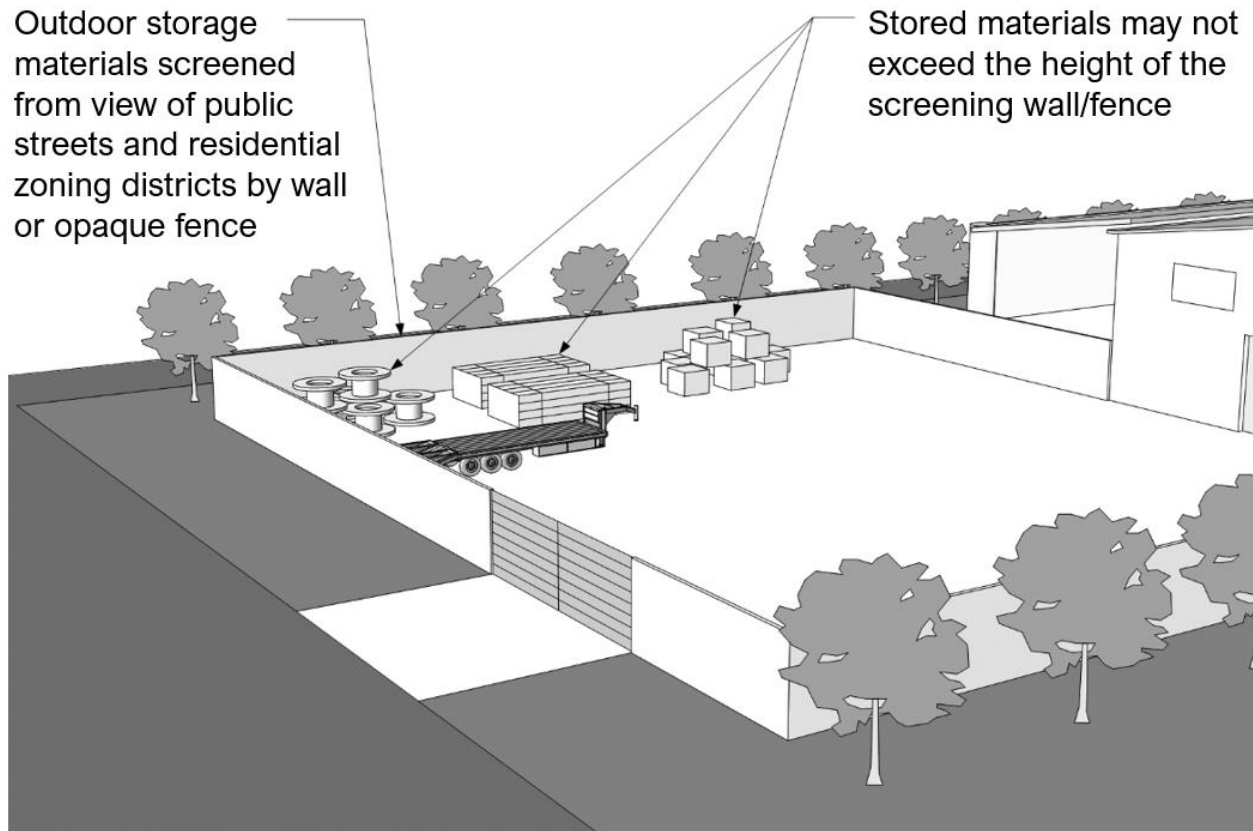
4. Exemptions

- A. These standards do not apply to areas within industrial zoning districts (LI, M) that are not within the Corridor Overlay, Redevelopment Overlay, and/or Interstate Corridor Overlay zoning districts (CO, CO-I, CO-R).
- B. Single-family, twin home, and two-family residential uses are not required to meet the requirements of this section.
- C. Outdoor display of vehicles and equipment for sale or lease, as part of a dealership selling/renting new or used motor vehicles, farm implements, recreational vehicles, construction equipment, or similar use are exempt from these standards, so long as the outdoor display area is set back at least 4 (four) feet from any front or street-side lot line.

5. Standards

- A. All dumpsters and refuse containers shall conform to the following provisions:
 - 1. Dumpsters and refuse containers shall be located at the side or rear of buildings and be visually screened from adjacent public streets or residential zoning districts.
 - 2. Dumpsters and refuse containers shall contain permanent walls or opaque fencing on at least three sides. Service openings within the walls/fencing shall be a minimum of 14 feet wide, unless otherwise approved by the Public Works Director.
 - 3. If the service opening faces and is directly visible from any public street or residentially zoned property. The service opening shall incorporate an opaque gate to visually screen the dumpsters or refuse containers.
- B. All outdoor storage areas shall conform to the following provisions, unless otherwise approved as a conditional use:
 - 1. The outdoor storage area shall not be located within a required front or required street-side yard setback area.
 - 2. The outdoor storage area shall be completely screen from view of public streets or residential zoning districts using an opaque screening fence or wall at least six feet tall.

3. Storage boxes, crates, shipping containers, or other units used for storing materials and protecting them from the weather are considered outdoor storage and must be completely screened from view of public streets or residential zoning districts.



~~4-447. PARKING AND/OR STORAGE OF CERTAIN VEHICLES, EQUIPMENT AND MATERIALS.~~

- ~~1. Commercial and Industrial Districts. Outside storage of equipment, materials and inventory as part of a principal commercial or industrial use shall be subject to the district use provisions. All outside storage shall conform to the following provisions:~~
 - ~~a. The area occupied is not within a required front or required street side yard, except for vehicle and equipment sales display areas.~~
 - ~~b. Unless otherwise approved as a conditional use, the storage area with all equipment, materials, and inventory is completely screened from the motoring public by fence or landscaping as provided for in Section 4-449.A.~~
 - ~~c. Display and storage areas generally shall be improved to allow for good drainage, dust control and provide for neat appearance. Grassed areas may be utilized if there is good drainage, dust can be controlled and the grassed surface can be maintained for neat appearance.~~
 - ~~d. The storage area does not encroach upon required parking space, required loading space, or snow storage area for the use.~~
 - ~~e. Storage boxes, crates or other units utilized for the purpose of storage and protecting materials from the weather are considered outdoor storage. Such units are allowed in Commercial areas, except within the "CO" District or Corridor Overlay District, provided they do not exceed six (6) feet in height, are located in a side or rear yard, and are fully screened from view from any public street according to the screening provisions found in Section 4-441.3. In industrial areas, these storage units are not limited by height; however, must be located in a side or rear yard and be fully screened from any public street.~~
 - ~~f. All new commercial and industrial uses shall comply with the above procedures and standards. For the purposes of public health, safety and aesthetic appeal to the community, any outside storage existing upon the effective date of this Section, shall be brought into compliance within twelve (12) months of written notification by certified mail to the property owner.~~

MEMORANDUM

TO: West Fargo Planning & Zoning Commission
FROM: Aaron Nelson, Planning Director *AN*
DATE: August 9, 2024
SUBJECT: Planning Department Project Updates & Proposed Growth Area Master Plan

The *West Fargo Planning Needs Assessment Action Plan* was developed in 2022/2023 for the purpose of clarifying the City's planning needs and building consensus within the City organization around a prioritized approach to addressing those needs. The resulting action plan was presented to the Planning & Zoning and City Commissions in early 2023. It prioritizes projects into short-, mid-, and long-term priorities, and is used to help inform the work plan of the Planning Department.

As most of the short-term projects have been substantially completed or are otherwise underway, staff is looking to initiate work on mid-term projects—namely, the development of a growth area master plan.

At the August 13 meeting, staff will provide an update as to the status of recent planning projects and will present a draft outline for a proposed growth area master plan for discussion and input by the Planning & Zoning Commission. This is a discussion item only and no action is requested.

Proposed Growth Area Master Plan

Staff is proposing the City initiate the creation of a growth area master plan in order to proactively prepare for anticipated population growth and development upon completion of the FM Diversion project and the associated removal of vast swaths of the City's future growth area from the floodplain. To this end, the primary purpose of this project is to establish a strategic framework to guide the City's future growth and development decisions.

The attached Project Overview document provides a high-level summary of the nature and scope of the proposed project. Due to the scope and scale required for such an effort, staff proposes that the City contract with a multi-disciplinary consulting team to undertake this work in 2025, as identified within the City's Capital Improvement Plan. At this time, staff is seeking feedback and comments relative to the project goals and scope of work. Once project details have been refined, staff plans to bring forward a request for project approval and to begin the solicitation process for the contracting of a project team.

Attachment: Draft Growth Area Master Plan Project Overview

DRAFT Growth Area Master Plan – Project Overview

Updated: July 25, 2024

Project Abstract:	This project will produce a Growth Area Master Plan to strategically guide the City's future development in an orderly and coordinated manner that is both fiscally sustainable and consistent with the community's vision for the future of West Fargo.
Purpose & Objectives:	The primary purpose of this project is to establish a strategic framework to guide the City's future growth and development decisions. To accomplish this, the following objectives are proposed: • To better understand future growth demand and the long-term fiscal implications of today's growth decisions. (Expand the knowledge base) — To ensure new development is orderly, sustainable, and can adequately fund itself long-term. — To explore alternative options for the financing of growth. — To ensure development is sustainable long-term. — To understand likely future demand and growth scenarios. — To ensure the City is adequately prepared to fund and provide for future demands on expansion of City services and infrastructure. • To establish and map out a phased plan for the City's physical growth based on the City's Comprehensive Plan. (Flesh-out the vision) — To guide the location and phasing of new development, annexation, extension of public services — To consolidate and distill existing plans and policies into one cohesive plan for growth (including such plans as West Fargo 2.0, Northwest Metro Transportation Plan, West 94 Transportation Plan, Metro Housing Study, CIP, utility master plans, School/Park facilities master plans, etc.) — To coordinate the location, phasing, and timing of interrelated capital improvements and expansion of City services. • To collaboratively manage growth decisions amongst dispersed stakeholder entities. (Improve the collaboration) — To collect public input and ensure growth plans remain consistent with the will of the public. — To ensure the growth decisions of local governments (e.g., city, county, school district, park district, etc.) are coordinated with each other. — To ensure the City's growth decisions are coordinated with the area landowners, the development community, and other stakeholders. — To cultivate a collaborative approach to growth management across City departments and partner agencies/jurisdictions. • To develop the tools and action steps necessary for managing future growth. (Establish the tools) — To develop the decision-making frameworks needed to guide development decisions. — To lay the groundwork for the modernization of development regulations that are consistent with the City's vision for growth & development.

	— To aid in the implementation of the vision of the West Fargo 2.0 Comprehensive Plan through the identification of actionable steps and detailed recommendations. — To help align the use of City programs, incentives, and funding to desirable outcomes in relation to the City's vision for growth and development.
Scope of Work Elements & Plan Focus Areas	• Project Management A. Consultant responsible for project management, outcomes, budget, and timeline. • Public & Stakeholder Participation A. Public input throughout the process B. Targeted engagement and participation of key stakeholders C. Use of Steering & Technical Committees D. Communication check-ins to the public and City leadership at project milestones throughout the project. • Plan Focus Areas: A. Existing Conditions & Issue Assessment ▪ Review of Existing Plans & Study ▪ Data Collection ▪ Capacity to accommodate future growth ▪ Stakeholder input on issues/needs/goals ▪ Summary of Community Vision and Core Concepts/Goals B. Growth Scenarios & Fiscal Impact Assessment ▪ Evaluation of various growth scenarios (including such variables as: growth locations, densities, land-uses, public infrastructure/service expansion, etc.) ▪ Special focus on options for the City-owned lagoon land ▪ Special focus on fiscal impacts (pros & cons) of various growth scenarios C. Decision-Making Framework ▪ Future Land-Use Maps and/or combination of similar policy maps (transects, contexts, nodes, etc.) ▪ Phased development/annexation/service extension plan, including public infrastructure and future public facilities maps and phasing plan ▪ Framework & maps for the strategic use of incentives and city-financing (e.g., tax incentive programs and special assessments) ▪ Framework for fiscal impact assessment of individual development proposals D. Action Plan & Next Steps ▪ Recommendations for Growth & Development Regulations ▪ Development Financing & Incentives • Fiscal impact assessment for development proposals • Calibration of incentive programs to meet specified goals ▪ Cross-Jurisdictional Coordination Steps ▪ Lagoon Property Strategy • Plan Development A. Drafting and refinement of plan documents & digital content

	▪ Executive summary, growth management master plan, recommendations, action plan/12-month implementation guide ▪ Digital/web materials for project website • Approval & Adoption Process A. Presentations to City boards & commissions B. Resolution of Adoption as addendum to WF 2.0 Comp Plan, as per NDCC §40-48-10 • Plan Implementation A. 12-month implementation action plan ▪ Focused on the immediate action steps upon plan adoption ▪ Consensus/approval of next steps built into the plan ▪ Detailed outline of Prioritization, Roles/Responsibilities, & Resource needs B. Implementation kick-off and hand-off meetings ▪ Consultant-lead hand-off meeting(s) with City leadership to catalyze implementation of recommendations.
Study Area	Primary Focus: Periphery of the City's corporate limits and the exclusive extraterritorial jurisdiction of the City of West Fargo, within the FM Diversion alignment. With special focus on City's lagoon property. Secondary Focus: Area of exclusive extraterritorial jurisdiction of the City of West Fargo, outside of the FM Diversion alignment, and extraterritorial area of joint-jurisdiction of the City of West Fargo, within the FM Diversion alignment.
Anticipated Timeline:	• Q3 2024 – Project scoping and initiation approval • Q4 2024 – Publication of request for proposals (RFP) • Q1 2025 – Consultant selection & contracting • Q2 2025 – Project kick-off & consultant-lead planning process • Q2 2026 – Project completion
Issues:	• The FM Area Diversion channel creates both opportunities and limitations on future growth areas. Given the massive \$3-billion public investment to flood protect this area, there is a need to responsibly protect this public investment through well-reasoned land-use and development policy. • Lack of direction or consensus on the future use of the lagoons property. • Lack of tools to sufficiently evaluate and assess proposed development projects in terms of fiscal impacts to the City budget and long-term sustainability. • Coordination gaps between City and partner agencies on future development-related decisions (e.g., location & timing of new schools in relation to future land-use and utility services; coordination of services between Cass Rural Water & the City). • Lack of sufficient growth management guidance within the Comprehensive Plan (no future land-use component to WF 2.0 Plan and the Plan's growth map is insufficiently detailed).

	- Sanitary Sewer Capacity: - The sanitary sewer system is at capacity south of the interstate. - City-wide sanitary sewer capacity is restricted due to costs to send sewage to Fargo. - Need for redundant lift station to reduce risk of city-wide sewage backup & for future capacity of the system. - Little to no preservation strategy for future public right-of-way and facility needs. (E.g., trail corridors, schools, street connectivity, utility lines, parks & open space.) - Current and future demand for rural development within the City's future growth area. Existing rural residential developments present challenges and impediments to orderly urban growth as the City expands into these areas. - Landowners/developers unable to anticipate how the City is likely to respond to future development proposals. Such uncertainty increases development risk, resulting in increased costs to develop, which contributes to such things as overall housing costs. - The likely timing of future growth demand is not well understood. - Existing infrastructure needs & costs exceed available funding sources. There is a need to ensure future growth maximizes efficiencies of public infrastructure. - Increasing pressure on City to allow rural residential development within the City's future growth area. There is a need to establish policy direction regarding if/when/where rural type development is appropriate. - Need to review development fees—determine if/how development should/can pay for itself. - Need to identify how walkable mixed use urban nodes identified in the Comp Plan are planned for and developed differently than other "typical" areas. - Misaligned housing goals at the city vs regional level in terms of need for more housing vs desire to increase ratio of jobs/businesses to housing.
Feedback & Questions:	<u>Please contact the West Fargo Planning Department with any feedback or input you would like to share as staff works to further develop and refine the project details and proposed focus areas.</u> West Fargo Planning Department Attn: Aaron Nelson 2515 6th St E West Fargo, ND 58078 Phone: (701) 515-5373 Email: Aaron.Nelson@WestFargoND.gov