



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

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West Fargo Planning & Zoning Commission Agenda
Tuesday, April 15th, 2025 - 5:30 p.m.

- A. Call to Order
- B. Approval of Order of Agenda
- C. Approval of Minutes- March 11th, 2025
- D. Commission Membership Introduction
 - 1. Welcome Chris Wehri as our new Extraterritorial Planning & Zoning Commissioner!
- E. Regular Agenda
 - 1. Public Hearing- A24-28 Zoning Ordinance Amendment to Title IV regarding short-term rentals- Nelson (***continued from the March 11, 2025 meeting***)
 - 2. Public Hearing- A25-5 Brooks Harbor 5th Addition, a request for Planned Unit Development at 2250 5th St W to build townhouse style apartments (Lot 3, Block 3 Brooks Harbor 5th Addition)- Sankey (***continued from the March 11, 2025 meeting; continued to the May 13, 2025 meeting***)
 - 3. Public Hearing- A25-6 McMahon Estates 2nd Addition, a request for a Conditional Use Permit to construct an oversized accessory structure within the R-1E: Rural Estates zoning district and a request for a variance to reduce the required minimum building control line of the CO-SR: Sheyenne River Corridor Overlay District at 126 49th Ave E (Lot 11, Block 1 McMahon Estates 2nd Addition)- Sankey
 - 4. Public Hearing- A25-7 Section 7, T139N, R49W, a request for Conditional Use Permit at 320 8th St W to allow for light industrial uses (shop condos) in the HC: Heavy Commercial Zoning District (a portion of Section 7, T139N, R49N)- Sankey
 - 5. A25-4 Oak Ridge 20th Addition, a request for PUD Detailed Development Plan within a Planned Unit Development at 825 32nd Ave E for an oil change business (Lot 1, Block 1 Oak Ridge 20th Addition)- Sankey
- F. Non-Agenda Items
- G. Adjourn from Regular Agenda
- H. Discussion Agenda
 - 1. Zoning ordinance amendment to Title IV relating to the CO-SR: Sheyenne River Corridor Overlay District.
 - 2. Bid farewell to Commission Chair Joe Kolb. Thank you for your service!



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West Fargo Planning & Zoning Commission Meeting Minutes
Tuesday, March 11th 2025 - 5:30 p.m.

Members Present: Joe Kolb, Mike Thorstad, Dave Gust, Matt Kopp, Kathi Schwan, Eric Dodds-virtual

Members Absent: None

Others Present: Aaron Nelson, Lisa Sankey, Katie Schmidt, Breanna Siegler

Minutes Submitted by: Breanna Siegler, Office Manager

The meeting was called to order by Chair Kolb at 5:30pm. Chair Kolb asked for approval of the order of the agenda. Commissioner Gust motioned to approve; Commissioner Schwan seconded. No opposition. Motion passed.

Commissioner Schwan moved and Commissioner Gust seconded the motion to approve the meeting minutes from March 11, 2025. No opposition. Motion passed.

Chair Kolb opened a public hearing for Public Hearing- A25-5 Brooks Harbor 5th Addition, a request for Planned Unit Development at 2250 5th St W to build townhouse style apartments (Lot 3, Block 3 Brooks Harbor 5th Addition) and stated that the applicant has requested this item to be continued until the April 15, 2025 meeting. Chair Kolb asked for public comment. A member of the public opposed the application and stated that they would like the commission to deny this application like they did in May 2024. Chair Kolb closed the public hearing. Commissioner Gust motioned to approve continuation until April 15th. Commissioner Kopp seconded. No opposition. Continuation approved until April 15th, 2025.

Chair Kolb opened a Public Hearing for Public Hearing- A25-3 DMF Addition, a request for replat at 450 23rd Ave E (Lot 1, Block 1 North Pond at the Preserve 14th Addition). Chair Kolb asked for public comment. No public comment was brought forth. Chair Kolb closed the public hearing. Discussion held. Commissioner Gust motioned to approve the request with the three listed conditions. Commissioner Thorstad seconded. Motion passed. No opposition.

Chair Kolb opened a Public Hearing- A25-4 Oak Ridge 20th Addition, a request for a replat at 805 32nd Ave E (Lot 8, Block 1 Oak Ridge 6th Addition). Chair Kolb opened the floor for public comment. No comment brought forth. Chair Kolb closed the public hearing. Discussion held. Commissioner Thorstad motioned to approve. Commissioner Gust seconded. Motion passed. No opposition.



Chair Kolb opened a Public Hearing for A24-28 Zoning Ordinance Amendment to Title IV regarding short-term rentals. Chair Kolb opened the floor for public comment. Public comment was brought forth by four individuals that all opposed the zoning ordinance amendment. Three of the residents were specifically opposed to the primary residence restrictions and the affects that it would have on owners and operators in the area. The fourth resident lives in a neighborhood with short-term rentals and has found those sites to be well maintained. Chair Kolb closed the public hearing. Discussion was held about the pros/cons of the ordinance as currently written as well as what revisions would be beneficial before bringing this item forward to the City Commission. Commissioner Kopp asked if he could motion for staff to utilize the discussion items that were being brought up and revise the ordinance. Director Nelson confirmed that a motion could be made for specific review, and that the amendment could be revised and then brought back before the Planning & Zoning Commission for a recommendation prior to going on to the City Commission. Commissioner Gust would like an opinion from the Assessor's office to see if these properties should be considered residential or commercial.

Commissioner Schwan motioned to reject the ordinance as currently written and added a request to review the primary residence requirements. Commissioner Kopp seconded the motion to reject the ordinance as currently written. Motion passed 5-1 with Commissioner Gust voting in opposition.

Chair Kolb opened the floor for non-agenda items. The next Planning & Zoning Commission meeting will be April 15th, the third Tuesday of the month instead of the usual second Tuesday. There will likely be a Growth Area Master Plan review session either before (4-5pm) or directly after the Planning & Zoning Commission meeting.

Chair Kolb asked for a motion to adjourn from the regular agenda. Commissioner Gust moved to adjourn. Commissioner Schwan seconded. No opposition. Motion passed. Chair Kolb adjourned from the regular agenda at 6:43pm.

Chair Kolb opened the discussion agenda. Director Nelson provided a first draft of the 2025/2026 work program for review. Chair Kolb asked if items that are actively being worked on could be listed separately from the items that are lower priority or for the future only. Chair Kolb closed the discussion agenda.

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A24-28 ZONING ORDINANCE AMENDMENTS	
Zoning Ordinance Amendment to Title IV of the City Ordinances (Zoning Regulations)	
Applicant: City of West Fargo	Staff Contact: Aaron Nelson
City Commission directs staff to explore policy options for short-term rentals:	8-5-2024
City Commission directs staff to develop ordinance and licensing structure for short-term rentals:	9-16-2024
Planning & Zoning Commission discussion on draft ordinance:	1-14-2025
City Commission discussion on draft ordinance:	2-24-2025
Planning and Zoning Commission Public Hearing:	03-11-2025 (continued)
Planning and Zoning Commission:	04-15-2025
City Commission Public Hearing & 1 st Reading:	
City Commission 2 nd Reading:	

PURPOSE:

The purpose of the proposed zoning amendment is to incorporate references within the zoning code to the proposed Chapter 10-16 of the City Ordinance relating to short-term rentals of residential property, which is currently under consideration for approval.

DISCUSSION AND OBSERVATIONS:

- At the direction of the West Fargo City Commission, staff has drafted a short-term rental ordinance to be incorporated into the City Ordinances as Chapter 10-16.
- Chapter 10-16 outlines the standards and licensing structure for the regulation and oversight of short-term rental of residential property.
- A “short-term rental” is defined as “the rental of a dwelling unit or any portion thereof for a period of twenty nine (29) or fewer consecutive days. Short-term rentals are intended for temporary lodging and do not constitute a primary or long-term residence for the guest(s).”
- Only the rental of residential property for periods of 29 or fewer days would be regulated by the standards of Chapter 10-16. Rental of residential property on a monthly or longer basis is considered standard residential occupancy, the same as an owner-occupied dwelling unit.
- In addition to the establishment of Chapter 10-16, minor amendments to Title IV zoning regulations are proposed to ensure compatibility between these two sections of the City Ordinances. In summary, short-term rentals that are licensed in accordance with Chapter 10-16 will be allowed within any legal dwelling unit.
- The draft short-term rental ordinance is attached for reference. The ordinance establishes Chapter 10-16 and makes minor modifications to Title IV.
- In summary, the short-term rental ordinance would:
 - Require short-term rentals to be licensed with the City in order to legally operate. The license would need to be renewed annually.
 - Establishes standards and requirements for short-term rentals, including tax collection, insurance coverage, occupancy limits, minimum parking, nuisance standards, operator’s contact information, etc.
 - Require a safety inspection of the premises by the West Fargo Fire Department prior to issuance of a license.

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- Establish penalties for violation, including legal remedies, fines, and/or suspension or revocation of license.
 - Amend Title IV zoning standards to specify that short-term rentals licensed in accordance with Chapter 10-16 are allowed within any legal dwelling unit.
- The attached ordinance and license processing structure has been developed with input and guidance from multiple City departments, including Planning/Inspections, Police, Fire, Finance, Economic Development, Administration, and the City Attorney's office.

NOTICES:

Sent to: Notice of public hearing published in The Forum newspaper.

Comments Received:

- Staff has received several comments from the public regarding concerns with too much restriction of short-term rentals. Copies of written comments are attached.

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

- The West Fargo 2.0 Comprehensive Plan does not speak directly to the topic of short-term rentals. However, the Plan does include two "Big Ideas" that are relevant to the proposed ordinance:
 - "Grow The Economy" – This City goal is geared towards growing the commercial tax base of the City in relation to the residential tax base.
 - "Strengthen Neighborhoods and Expand Housing Chose" – This City goal recognizes the key role neighborhoods play in society and the lives of citizens and seeks to improve the quality and neighborhoods and the opportunities for a diversity of housing options.
- The proposed ordinance seeks to balance the interests of property owners, residents, and the community by ensuring that short-term rental properties are operated safely, responsibly, and in a manner that is consistent with the residential character of the neighborhoods in which they operate.
- The proposed amendments to Title IV do not make major substantive changes to the existing ordinances and are consistent with the Comprehensive Plan.

PLANNING & ZONING COMMISSION ACTION:

At the March 11, 2025 meeting, the West Fargo Planning and Zoning Commission voted 5-1 to direct staff to revise the proposed draft to remove the requirement restricting short-term rentals to primary residences.

UPDATE 4/11/2025:

At the March 11, 2025 Planning & Zoning Commission meeting, several short-term rental operators spoke in opposition to the short-term rental ordinance. The primary concern raised was the proposed restriction of short-term rentals to primary residences (a dwelling in which a resident lives for more than half the year). Much of the Commission discussion also revolved around the primary residency requirement, with the Commission ultimately voting to reject the draft ordinance and to direct staff to remove the primary residency restriction and to bring back a revised draft for further consideration at the April 15, 2025 meeting. Since then, staff has worked with the City Attorney's office to revise the draft ordinance accordingly. Additionally, the City Assessor has confirmed that short-term rentals have

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historically been assessed the same as residential properties, as there are no specific statutes specifically addressing tax assessment of short-term rental properties.

RECOMMENDATION:

It is recommended that the City approve the proposed short-term rental ordinance on the basis that it is consistent with City plans and ordinances.

Attachments

- Proposed Short-Term Rental Ordinance
- Overview of Licensing Process & Fee Structure
- Example of Short-Term Rental License Application
- Comments Received

ORDINANCE NO. 1254

AN ORDINANCE TO CREATE AND ENACT CHAPTER 10-16 OF THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO RELATING TO SHORT-TERM RENTALS, AND TO AMEND AND REENACT SECTION 4-0402.2 RELATING TO THE DEFINITIONS OF DWELLING UNIT AND SHORT-TERM RENTAL.

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

SECTION 1. Chapter 10-16 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby created and enacted to read as follows:

CHAPTER 10-16

SHORT-TERM RENTALS

SECTIONS:

- | | |
|----------|--|
| 10-1601. | Purpose and Intent |
| 10-1602. | Definitions |
| 10-1603. | Annual Licensing Requirements for Short-Term Rentals |
| 10-1604. | Operational Standards for Short-Term Rentals |
| 10-1605. | Penalties for Violations |
| 10-1606. | Severability |

10-1601. PURPOSE AND INTENT.

1. The purpose of this ordinance is to establish regulations for the operation of short-term rental properties within the City of West Fargo. This ordinance aims to balance the interests of property owners, residents, and the community by ensuring that short-term rental properties are operated safely, responsibly, and in a manner that is consistent with the residential character of the neighborhoods in which they operate.

10-1602. DEFINITIONS.

1. *Short-Term Rental (STR)*: The rental of a dwelling unit or any portion thereof for a period of twenty nine (29) or fewer consecutive days. Short-term rentals are intended for temporary lodging and do not constitute a primary or long-term residence for the guest(s).
2. *Dwelling Unit*: A structure or portion of a structure designed for residential occupancy, including single-family homes, apartments, condominiums, and other similar residential structures; but not including hotels or motels.

3. *Party*: Any gathering, event, or social activity occurring at a short-term rental property that exceeds the intended use of the property for lodging and residential purposes, typically involving a significant number of guests who are not residential occupants of the rental, and may include amplified sound, music, food, drink, and/or other activities likely to disturb the peace, create a nuisance, or violate local ordinances.
4. *Licensed Premises*: A dwelling unit that has a valid license issued pursuant to this chapter allowing short-term rental of such dwelling unit.

10-1603. ANNUAL LICENSING REQUIREMENTS FOR SHORT-TERM RENTALS.

1. **License Requirement**: No person shall operate a short-term rental within the City of West Fargo's zoning jurisdiction without first obtaining an annual Short-Term Rental License from the City of West Fargo for the licensed premises. The City Auditor, or their designee, shall be responsible for the administration of short-term rental licensing in accordance with this chapter.
2. **Application Requirements**: Property owners looking to become licensed shall submit a Short-Term Rental License application to the City. Along with other information deemed necessary by the City Auditor, the application shall include:
 - a. Address of the short-term rental unit.
 - b. Type of dwelling unit (e.g., single-family home, apartment, condominium).
 - c. Proof of property ownership.
 - d. Proof of liability insurance.
 - e. Proof of ND Sales and Use Tax Permit.
3. Number of bedrooms and/or sleeping areas available for rent, number and location of off-street parking spaces, and the maximum permitted occupancy pursuant to Section 10-1604.1, "Occupancy Limits."
4. Contact information for the property owner and all other applicable property representatives, such as property manager. The applicant must identify one (1) or more persons who will be available to respond within two (2) hours at all times during which the dwelling unit is rented to any issues raised by the renter or the City. Any such person must have access to the dwelling unit and be authorized to make decisions regarding the dwelling unit.
5. A signed statement that the owner will, at all times, comply with all the requirements of the license and this chapter. Failure to comply with said requirements will constitute a violation of the provisions of this chapter.

6. Payment of the applicable licensing fee, as determined by the Board of City Commissioners.
7. Safety and Compliance Inspection: The licensed premises must comply with all applicable federal, state, and local laws. A Short-Term Rental License shall only be issued upon successful completion of a safety inspection, including that the licensed premises complies with applicable fire, building, and health codes.
8. Taxes: Property owners operating a short-term rental are responsible for paying all applicable taxes, including applicable sales taxes in accordance with State law and lodging taxes in accordance with Chapter 10-05 of the City Ordinances. Property owners shall maintain tax records for a minimum of seven (7) years and shall make these records available to the City upon request for compliance purposes.
9. License Term: The term of a Short-Term Rental License shall be for a period of one (1) year; provided, however, that all licenses shall be prorated on a quarterly basis and expire on December 31 of each year unless sooner suspended or revoked.
10. License Renewal: Short-Term Rental Licenses, which have not been suspended or revoked, must be renewed annually, subject to payment of the renewal fee and compliance with all provisions of this chapter. Applications for renewal shall be made at least thirty (30) calendar days prior to the expiration date of the current valid license.
11. Transferability: A Short-Term Rental License is not transferable. A new license is required upon change of ownership of the Licensed Premises.
12. Insurance: Property owners operating a short-term rental must maintain general liability insurance for the licensed premises in the amount of at least \$500,000 at all times. Property owners must provide proof of the required insurance coverage to the City upon request.
13. Private Restrictions/Covenants: A license issued to a person whose premises is subject to private restrictions and/or covenants that prohibit the use of short-term rentals is the sole responsibility of the person applying for the license. The interpretation and enforcement of the private restrictions and/or covenants is the sole responsibility of the private parties involved; the City is in no way responsible for interpreting or enforcing private restrictions and/or covenants.

10-1604. OPERATIONAL STANDARDS FOR SHORT-TERM RENTALS.

1. Occupancy Limits: Occupancy is limited to a family of persons related by blood or marriage or a group of not more than five (5) persons who need not be related by blood or marriage.

In no case shall occupancy exceed the maximum allowed by applicable building, fire, or zoning codes. Sleeping areas that are advertised for rent must meet all applicable building and fire code standards.

2. Noise, Maintenance, and Conduct: Short-term rentals shall comply with all applicable City ordinances, including, but not limited to, the City's ordinances relating to noise; snow removal; tall grass and weed control; trash, junk, and debris; nuisances; parking; and property maintenance.

There shall be no exterior signage and no change to the outside appearance of the premises that would reflect the presence of a short-term rental.

Short-term rentals may only be used for overnight accommodations and shall not be used for any gathering meeting the definition of a party.

3. Parking Requirements: Short-term rentals shall provide at least two (2) off-street parking spaces on the premises. These parking spaces must be open and available to short-term renters at all times during their stay. Any illegal parking of vehicles associated with the short-term rental is grounds for a violation of this chapter.
4. Guest Recordkeeping: Property owners shall maintain records of guest stays, including dates of occupancy, for a minimum of twelve (12) months and shall make these records available to the City upon request for compliance purposes.
5. Advertising and Public Notice:
 - a. All advertising for a short-term rental unit shall include the City-issued Short-Term Rental License number in the listing, as well as the maximum occupancy permitted by this chapter.
 - b. Every licensee of a short-term rental shall post the annual license issued by the City. The annual license shall be conspicuously posted by the licensee in the main entryway of the short-term rental for which they are issued and shall include contact information for the owner and other property representatives.
 - c. Upon approval of a short-term rental license, the City Auditor shall notify by mail all owners of property within 150 feet of the licensed premises. The notification shall include the address of the licensed premises, information about the City's short-term rental standards, and information on how to report potential violations.

10-1605. PENALTIES FOR VIOLATIONS.

1. Enforcement and Penalties: Any violation of this chapter is an infraction as provided under Section 1-0211 of the City Ordinances and may also result in administrative fines and/or suspension or revocation of the Short-Term Rental

License. Fines shall be established by resolution of the Board of City Commissioners and may increase with each repeated violation. Any repeat violations will be counted on a twelve (12) month basis, commencing on the date of the initial violation and extending for twelve (12) consecutive months thereafter. If additional violations are committed within the twelve (12) month period following the initial violation, then those additional violations will be added to the initial violation as repeat violations, and all violations committed during the twelve (12) month period will be counted toward the assessment of fines. If no additional violations are committed within the twelve (12) month period following the initial violation, then the twelve (12) month period will expire, and the initial violation will not be counted with any subsequent violations toward the assessment of fines. Another twelve (12) month period will commence if a subsequent violation is committed, and any additional violations committed within the twelve (12) month period thereafter will be added to the subsequent violation as repeat violations, and all of those violations will be counted toward the assessment of fines. Any violations committed during a prior twelve (12) month period will not be counted toward the assessment of fines in a current twelve (12) month period.

Properties identified as operating a short-term rental without a license may be given a compliance period of up to thirty (30) calendar days to apply for a license. After the compliance period, a short-term rental found to be operating in lieu of obtaining proper licensure requirements will be subject to penalties as set forth in this chapter.

2. Administrative Fines and/or Revocation or Suspension of License: The City may impose an administrative fine and/or revoke or suspend a Short-Term Rental License for any property that is found to be in violation of this chapter. Administrative fines shall be established by resolution of the Board of City Commissioners and may increase with each repeated violation. Repeat violations will be counted on a twelve (12) month basis as set forth in the prior subsection. Notice of revocation or suspension must be sent to the licensee by certified mail addressed to the licensee at the address set forth in the application. The Chief of Police shall be notified of the revocation or suspension of the license.
3. Appeals: The applicant and/or licensee may appeal a license denial, revocation, or suspension to the Board of City Commissioners and request a public hearing on such denial, revocation, or suspension. Such appeal must be made in writing to the City Auditor within fourteen (14) calendar days of notification of the denial, revocation, or suspension of license. At the close of the public hearing, the Board of City Commissioners shall act to affirm, modify, or reverse the original decision.

10-1606. SEVERABILITY.

1. If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be unconstitutional or otherwise invalid, such invalidity shall not affect the remaining portions of this chapter, which shall remain in full force and effect.

SECTION 2. Section 4-0402.2 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and enacted by amending the definition of “Dwelling Unit” and creating the definition of “Short-Term Rental” to read as follows:

Dwelling Unit - One room, or rooms connected together, constituting a separate, independent housekeeping establishment for (i) owner occupancy, ~~or (ii)~~ rental or lease on a ~~weekly~~, monthly, or longer basis, and (iii) Short-Term Rental licensed in accordance with Chapter 10-16 of the City Ordinances and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.

Short-Term Rental: The rental of a Dwelling Unit or any portion thereof for a period of twenty-nine (29) or fewer consecutive days, licensed in accordance with Chapter 10-16 of the City Ordinances.

SECTION 3. Chapter 4-200 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and enacted by amending the definition of “Dwelling Unit” to read as follows:

Dwelling Unit - One room, or rooms connected together, constituting a separate, independent housekeeping establishment for (i) owner occupancy, ~~or (ii)~~ rental or lease on a ~~weekly~~, monthly, or longer basis, and (iii) Short-Term Rental licensed in accordance with Chapter 10-16 of the City Ordinances and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.

SECTION 4. Effective Date. This ordinance shall be in full force and effect from and after _____, 2025.

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

ATTEST:

City Auditor

Date of First Reading:

Date of Second Reading:

Date of Publication:

DRAFT

ORDINANCE NO. 1254

AN ORDINANCE TO CREATE AND ENACT CHAPTER 10-16 OF THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO RELATING TO SHORT-TERM RENTALS, AND TO AMEND AND REENACT SECTION 4-0402.2 RELATING TO THE DEFINITIONS OF DWELLING UNIT AND SHORT-TERM RENTAL.

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

SECTION 1. Chapter 10-16 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby created and enacted to read as follows:

CHAPTER 10-16

SHORT-TERM RENTALS

SECTIONS:

- | | |
|---------------------|--|
| 10-1601. | Purpose and Intent |
| 10-1602. | Definitions |
| 10-1603. | Annual Licensing Requirements for Short-Term Rentals |
| 10-1604. | Operational Standards for Short-Term Rentals |
| 10-1605. | Penalties for Violations |
| 10-1606. | Severability |
| 10-1607. | Transitional Provisions for Existing Short-Term Rentals |

10-1601. PURPOSE AND INTENT.

1. The purpose of this ordinance is to establish regulations for the operation of short-term rental properties within the City of West Fargo. This ordinance aims to balance the interests of property owners, residents, and the community by ensuring that short-term rental properties are operated safely, responsibly, and in a manner that is consistent with the residential character of the neighborhoods in which they operate.

10-1602. DEFINITIONS.

1. *Short-Term Rental (STR)*: The rental of a dwelling unit or any portion thereof for a period of twenty nine (29) or fewer consecutive days. Short-term rentals are intended for temporary lodging and do not constitute a primary or long-term residence for the guest(s).

2. *Dwelling Unit*: A structure or portion of a structure designed for residential occupancy, including single-family homes, apartments, condominiums, and other similar residential structures; but not including hotels or motels.
3. *Party*: Any gathering, event, or social activity occurring at a short-term rental property that exceeds the intended use of the property for lodging and residential purposes, typically involving a significant number of guests who are not residential occupants of the rental, and may include amplified sound, music, food, drink, and/or other activities likely to disturb the peace, create a nuisance, or violate local ordinances.
4. *Licensed Premises*: A dwelling unit that has a valid license issued pursuant to this chapter allowing short-term rental of such dwelling unit.
- ~~5. *Primary Residence*: A dwelling unit in which the owner resides for more than one-half of the year or a dwelling unit in which the owner is able to demonstrate that a person affiliated with the owner, e.g., a trustee of a trust, a member of a company, etc., resides for more than one-half of the year.~~

10-1603. ANNUAL LICENSING REQUIREMENTS FOR SHORT-TERM RENTALS.

1. *License Requirement*: No person shall operate a short-term rental within the City of West Fargo's zoning jurisdiction without first obtaining an annual Short-Term Rental License from the City of West Fargo for the licensed premises. The City Auditor, or their designee, shall be responsible for the administration of short-term rental licensing in accordance with this chapter.
2. *Application Requirements*: Property owners looking to become licensed shall submit a Short-Term Rental License application to the City. Along with other information deemed necessary by the City Auditor, the application shall include:
 - a. Address of the short-term rental unit.
 - b. Type of dwelling unit (e.g., single-family home, apartment, condominium).
 - c. Proof of property ownership.
 - d. Proof of liability insurance.
 - e. Proof of ND Sales and Use Tax Permit.
3. Number of bedrooms and/or sleeping areas available for rent, number and location of off-street parking spaces, and the maximum permitted occupancy pursuant to Section 10-1604.1, "Occupancy Limits."
4. Contact information for the property owner and all other applicable property representatives, such as property manager. The applicant must identify one (1) or

more persons who will be available to respond within two (2) hours at all times during which the dwelling unit is rented to any issues raised by the renter or the City. Any such person must have access to the dwelling unit and be authorized to make decisions regarding the dwelling unit.

5. A signed statement ~~by the owner that the licensed premises is the owner's primary residence and~~ that the owner will, at all times, comply with all the requirements of the license and this chapter. Failure to comply with said requirements will constitute a violation of the provisions of this chapter.

6. Payment of the applicable licensing fee, as determined by the Board of City Commissioners.

~~7. Ownership Residency: The licensed premises must be the owner's primary residence.~~

~~9.7.~~ Safety and Compliance Inspection: The licensed premises must comply with all applicable federal, state, and local laws. A Short-Term Rental License shall only be issued upon successful completion of a safety inspection, including that the licensed premises complies with applicable fire, building, and health codes.

~~10.8.~~ Taxes: Property owners operating a short-term rental are responsible for paying all applicable taxes, including applicable sales taxes in accordance with State law and lodging taxes in accordance with Chapter 10-05 of the City Ordinances. Property owners shall maintain tax records for a minimum of seven (7) years and shall make these records available to the City upon request for compliance purposes.

~~11.9.~~ License Term: The term of a Short-Term Rental License shall be for a period of one (1) year; provided, however, that all licenses shall be prorated on a quarterly basis and expire on December 31 of each year unless sooner suspended or revoked.

~~12.10.~~ License Renewal: Short-Term Rental Licenses, which have not been suspended or revoked, must be renewed annually, subject to payment of the renewal fee and compliance with all provisions of this chapter. Applications for renewal shall be made at least thirty (30) calendar days prior to the expiration date of the current valid license.

~~13.11.~~ Transferability: A Short-Term Rental License is not transferable. A new license is required upon change of ownership of the Licensed Premises.

~~14.12.~~ Insurance: Property owners operating a short-term rental must maintain general liability insurance for the licensed premises in the amount of at least \$500,000 at all times. Property owners must provide proof of the required insurance coverage to the City upon request.

~~15.13.~~ Private Restrictions/Covenants: A license issued to a person whose premises is subject to private restrictions and/or covenants that prohibit the use of short-term

rentals is the sole responsibility of the person applying for the license. The interpretation and enforcement of the private restrictions and/or covenants is the sole responsibility of the private parties involved; the City is in no way responsible for interpreting or enforcing private restrictions and/or covenants.

10-1604. OPERATIONAL STANDARDS FOR SHORT-TERM RENTALS.

1. **Occupancy Limits:** Occupancy is limited to a family of persons related by blood or marriage or a group of not more than five (5) persons who need not be related by blood or marriage.

In no case shall occupancy exceed the maximum allowed by applicable building, fire, or zoning codes. Sleeping areas that are advertised for rent must meet all applicable building and fire code standards.

2. **Noise, Maintenance, and Conduct:** Short-term rentals shall comply with all applicable City ordinances, including, but not limited to, the City's ordinances relating to noise; snow removal; tall grass and weed control; trash, junk, and debris; nuisances; parking; and property maintenance.

There shall be no exterior signage and no change to the outside appearance of the premises that would reflect the presence of a short-term rental.

Short-term rentals may only be used for overnight accommodations and shall not be used for any gathering meeting the definition of a party.

3. **Parking Requirements:** Short-term rentals shall provide at least two (2) off-street parking spaces on the premises. These parking spaces must be open and available to short-term renters at all times during their stay. Any illegal parking of vehicles associated with the short-term rental is grounds for a violation of this chapter.
4. **Guest Recordkeeping:** Property owners shall maintain records of guest stays, including dates of occupancy, for a minimum of twelve (12) months and shall make these records available to the City upon request for compliance purposes.

5. **Advertising and Public Notice:**

- a. All advertising for a short-term rental unit shall include the City-issued Short-Term Rental License number in the listing, as well as the maximum occupancy permitted by this chapter.
- b. Every licensee of a short-term rental shall post the annual license issued by the City. The annual license shall be conspicuously posted by the licensee in the main entryway of the short-term rental for which they are issued and shall include contact information for the owner and other property representatives.

- c. Upon approval of a short-term rental license, the City Auditor shall notify by mail all owners of property within 150 feet of the licensed premises. The notification shall include the address of the licensed premises, information about the City's short-term rental standards, and information on how to report potential violations.

10-1605. PENALTIES FOR VIOLATIONS.

1. Enforcement and Penalties: Any violation of this chapter is an infraction as provided under Section 1-0211 of the City Ordinances and may also result in administrative fines and/or suspension or revocation of the Short-Term Rental License. Fines shall be established by resolution of the Board of City Commissioners and may increase with each repeated violation. Any repeat violations will be counted on a twelve (12) month basis, commencing on the date of the initial violation and extending for twelve (12) consecutive months thereafter. If additional violations are committed within the twelve (12) month period following the initial violation, then those additional violations will be added to the initial violation as repeat violations, and all violations committed during the twelve (12) month period will be counted toward the assessment of fines. If no additional violations are committed within the twelve (12) month period following the initial violation, then the twelve (12) month period will expire, and the initial violation will not be counted with any subsequent violations toward the assessment of fines. Another twelve (12) month period will commence if a subsequent violation is committed, and any additional violations committed within the twelve (12) month period thereafter will be added to the subsequent violation as repeat violations, and all of those violations will be counted toward the assessment of fines. Any violations committed during a prior twelve (12) month period will not be counted toward the assessment of fines in a current twelve (12) month period.

Properties identified as operating a short-term rental without a license may be given a compliance period of up to thirty (30) calendar days to apply for a license. After the compliance period, a short-term rental found to be operating in lieu of obtaining proper licensure requirements will be subject to penalties as set forth in this chapter.

2. Administrative Fines and/or Revocation or Suspension of License: The City may impose an administrative fine and/or revoke or suspend a Short-Term Rental License for any property that is found to be in violation of this chapter. Administrative fines shall be established by resolution of the Board of City Commissioners and may increase with each repeated violation. Repeat violations will be counted on a twelve (12) month basis as set forth in the prior subsection. Notice of revocation or suspension must be sent to the licensee by certified mail addressed to the licensee at the address set forth in the application. The Chief of Police shall be notified of the revocation or suspension of the license.
3. Appeals: The applicant and/or licensee may appeal a license denial, revocation, or suspension to the Board of City Commissioners and request a public hearing on such denial, revocation, or suspension. Such appeal must be made in writing to the

City Auditor within fourteen (14) calendar days of notification of the denial, revocation, or suspension of license. At the close of the public hearing, the Board of City Commissioners shall act to affirm, modify, or reverse the original decision.

10-1606. SEVERABILITY.

1. If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be unconstitutional or otherwise invalid, such invalidity shall not affect the remaining portions of this chapter, which shall remain in full force and effect.

~~10-1607. TRANSITIONAL PROVISIONS FOR EXISTING SHORT TERM RENTALS.~~

- ~~1. Purpose: The purpose of this section is to establish a transitional period for existing short term rental operators to comply with the City's new requirement that short term rentals may only be operated within an owner's primary residence. This transition period provides affected operators time to adjust their business operations while ensuring an orderly implementation of the new regulations.~~
- ~~2. Transitional Period: A short term rental that was operating before the adoption of this ordinance and does not meet the primary residence requirement may continue operating for a limited time, provided that the owner applies for, and is granted, a Transitional Short Term Rental Compliance License in accordance with the provisions outlined below:~~
 - ~~a. Application for Transitional Short Term Rental Compliance License: Within 180 days of the effective date of this ordinance, short term rental operators must apply for a Transitional Short Term Rental Compliance License with the City and provide proof that the short term rental was in operation prior to the ordinance's adoption.~~
 - ~~b. Expiration of Transitional Short Term Rental Compliance Licenses: Transitional Short Term Rental Compliance Licenses will expire twelve (12) months from the date of issuance. After expiration, all short term rentals must comply with the primary residence requirement.~~
 - ~~c. Operational Requirements During Transition Period: Short term rentals operating under a Transitional Short Term Rental Compliance License must adhere to all other applicable short term rental regulations, including but not limited to occupancy limits, noise restrictions, and safety requirements.~~
 - ~~d. Non-Transferability of Transitional Short Term Rental Compliance Licenses: Transitional Short Term Rental Compliance Licenses are not transferable to new owners or operators. If the property is sold or ownership is transferred, the license immediately expires.~~

SECTION 2. Section 4-0402.2 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and enacted by amending the definition of “Dwelling Unit” and creating the definition of “Short-Term Rental” to read as follows:

Dwelling Unit - One room, or rooms connected together, constituting a separate, independent housekeeping establishment for (i) owner occupancy, ~~or (ii)~~ rental or lease on a ~~weekly~~, monthly, or longer basis, and (iii) Short-Term Rental licensed in accordance with Chapter 10-16 of the City Ordinances and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.

Short-Term Rental: The rental of a Dwelling Unit or any portion thereof for a period of twenty-nine (29) or fewer consecutive days, licensed in accordance with Chapter 10-16 of the City Ordinances.

SECTION 3. Chapter 4-200 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and enacted by amending the definition of “Dwelling Unit” to read as follows:

Dwelling Unit - One room, or rooms connected together, constituting a separate, independent housekeeping establishment for (i) owner occupancy, ~~or (ii)~~ rental or lease on a ~~weekly~~, monthly, or longer basis, and (iii) Short-Term Rental licensed in accordance with Chapter 10-16 of the City Ordinances and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.

SECTION 4. Effective Date. This ordinance shall be in full force and effect from and after ~~the date of its final passage and publication~~ _____, 2025.

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

ATTEST:

City Auditor

Date of First Reading:

Date of Second Reading:

Date of Publication:

DRAFT

DRAFT

Short-Term Rental Licensing Process

Departments & Roles:

1. City Auditor
 - a. Identified by ordinance as the administrator of the licensing process. May delegate authority to other staff.
2. Planning & Building Inspections
 - a. Application Review – Building Code & zoning compliance
 - b. Building Inspectors may support Fire Department with Safety Inspection, when needed
3. Fire
 - a. Application Review – Fire Code compliance
 - b. Safety Inspection
4. Police:
 - a. Application Review – Review of past violations/complaints
 - b. Code Enforcement
5. Finance:
 - a. Application Review – Confirmation of past lodging tax submittals
 - b. Receives lodging tax and maintains lodging tax records
6. Communications
 - a. Licensing Application Software Management
 - b. Website management, including Short-Term Rental information, Fact Sheet/FAQ, and application submittal page.

Overview of License Application Process Steps

1. Application Submittal
 - a. Applicant completes and submits licensing application on City website (same platform as backyard chicken licenses).
 - b. Applicant contacts Fire Department to schedule a Safety and Compliance Inspection and pay inspection fee.
 - c. Applicant pays fee online (using software platform). Fee is prorated based on quarter of the year at time of application.
2. Application Review
 - a. Application routed to reviewing departments for review & approval (routing automated by the software platform).
 - b. Safety and Compliance Inspection completed by Fire Department
 - c. Reviewing departments approve/deny/request additional information (using software platform).
3. Issuance of License
 - a. City Auditor or their designee issued license once all departments sign-off and fee is paid.
 - b. Copy of license emailed to applicant.
 - c. Application materials, license document, and all other documents archived (using software platform and/or as determined by City Auditor or their designee).

Post-Licensing Steps:

1. Sales & Lodging Taxes Submitted
 - a. Licensees required to submit lodging taxes to Finance Department on a monthly basis by the 10th of each month.
 - b. Finance Department maintains lodging tax records.
 2. Annual Renewal Reminder
 - a. City Auditor (or their designee) emails out license renewal reminder emails to current license holders on or around November 1st and November 15th of each year.
-

Proposed Fee Structure to be Adopted via Resolution¹

Annual license application and renewal fee shall be as follows:

- \$150.00

Fines for violations of the City's Short-Term Rental ordinance shall be as follows:

- \$250.00 for first offence
- \$500.00 for second offence
- \$1,000.00 for third offence

¹ Fees to be adopted by resolution in accordance with draft § 10-1605 of Title X of the City Ordinance.



[EXAMPLE]

SHORT-TERM RENTAL LICENSE APPLICATION

PERMIT IS VALID FOR ONE (1) CALENDAR YEAR BEGINNING JANUARY 1 AND ENDING DECEMBER 31.*

*Permits issued after January 1 in any given calendar year will also expire December 31 of that year. Annual license renewal is required.

OWNER/PROPERTY INFORMATION

Property Owner Name: _____

Phone #: _____ Email: _____

Address of Short-Term Rental: _____

Have you read and familiarized yourself with the City's short-term rental ordinance and licensing information? (Y / N)

Have you read and familiarized yourself with other City ordinances regarding such items as noise; snow removal; tall grass and weed control; trash, junk, and debris; nuisances; parking; and property maintenance? (Y / N)

Type of dwelling unit (e.g., detached single-family home, duplex, condominium): _____

Will you be renting out the entire dwelling unit or specific rooms/areas within the unit? _____

If only specific rooms/areas within the unit, please describe. _____

What is the sleeping capacity of the rental area? _____

List the number and location of off-street parking spaces: _____

Do you have liability insurance for the property? (Y / N) Amount of coverage: \$ _____

POINT OF CONTACT

Provide at least one (1) point of contact who will be available to respond within two (2) hours to any issues raised by the renter or the City at all times during which the dwelling unit is rented. This may be the owner or an alternative representative. Any such person must have access to the dwelling unit and be authorized to make decisions regarding the dwelling unit.

Point of Contact #1

Name: _____

Phone #: _____ Email: _____

Address: _____

Point of Contact #2

Name: _____

Phone #: _____ Email: _____

Address: _____

Point of Contact #3

Name: _____

Phone #: _____ Email: _____

Address: _____

SAFETY AND COMPLIANCE INSPECTION

Prior to the issuance of a Short-Term Rental License, the property must undergo and pass a safety and compliance inspection conducted by the West Fargo Fire Department. Please contact the West Fargo Fire Department to schedule your inspection. You do not need to wait until after the inspection to submit your application. However, the application cannot be approved until the safety and compliance inspection has been passed.

West Fargo Fire Department: (701) 515-5600

ADDITIONAL APPLICATION MATERIALS

The following application materials must also be submitted to the City in addition to this application form.

INITIAL HERE	Review and Initial
	Proof of Ownership (e.g., copy of deed, County tax statement)
	Proof of Liability Insurance
	Proof of ND Sales and Use Tax Permit
	Annual Licensing Fee - \$150.00 (checks made payable to CITY OF WEST FARGO)

OWNERS STATEMENT OF COMPLIANCE

By signing below, you certify that you are the owner of the dwelling unit for which you seek a Short-Term Rental License, that this property is your primary residence, that the information provided in this application is true and complete to the best of your knowledge, and that you will, at all times, comply with the requirements of the City's short-term rental standards and all applicable laws.

Owner's Signature: _____ Date: _____

Contact a City Commissioner - Bernie Dardis

02/26/2025 3:32 PM (CST)

Contact a City Commissioner - Bernie Dardis

First Name	Kyle
Last Name	Reedstrom
Address	5820 Ellis Drive West
City	West Fargo
State	ND
Zip Code	58078
Phone Number	
Email Address	

Message

Hello - My name is Kyle Reedstrom. I am a WF resident and also owner of 2 companies in West Fargo: Midwest Invest Realty Group and Guardian Property Management. I just wanted to comment on the potential of a proposed shut down to Short-Term Rental homes / airbnbs. I'd also like to propose 2 win-win solutions.

While some concerns have been raised regarding their impact, I strongly believe that STRs provide significant benefits to both our local economy and community. I would like to highlight five key reasons why short-term rentals can be a positive force for our city.

Boosting Local Economies:
Short-term rentals bring visitors who spend money at local businesses, including restaurants, shops, and entertainment venues. Unlike traditional hotels, which may have on-site dining and amenities, STR guests are more likely to explore and support small, locally owned establishments. This economic boost helps sustain businesses, create jobs, and generate tax revenue that benefits the city of West Fargo as a whole.

Providing Additional Income for Homeowners:
STRs offer homeowners a way to generate supplemental income, which can help cover mortgage payments, property taxes, and maintenance costs. For many residents, particularly retirees and middle-income families, this additional revenue provides financial stability and allows them to remain in their homes despite rising costs of living.

Expanding Tourism and Accommodation Options:
Airbnb and STRs diversify the city's lodging options, making travel more accessible to a wider range of visitors. Traditional hotels often cater to business travelers or luxury tourists, while STRs accommodate families, budget travelers, and long-term visitors who prefer a home-like setting. This inclusivity encourages more people to visit and stay in our city, further strengthening our tourism industry. All those families that are coming for concerts at The Lights or a hockey tourney at the rinks, lets keep them IN west Fargo.

Revitalizing Underutilized Neighborhoods:

Many STRs are located in residential areas that might not otherwise see significant tourism activity. By bringing visitors to these neighborhoods, STRs help distribute economic benefits more evenly across the city. Increased foot traffic and patronage of local businesses can lead to neighborhood revitalization and improved infrastructure without requiring large-scale development projects. The biggest one being the rise of West Fargo Downtown. How can we continue to drive traffic towards these areas when no lodging for guests exists?

Quality Is a Standard:

We run a professional management company and if we don't run our properties with the highest quality, we'll get poor reviews and be shut down. Airbnb doesn't joke around. So I would argue that our Airbnb properties are being upkeep at a level that's even higher than most of the neighboring homes. And when compared to long-term rental residences in West Fargo, our properties show a stark difference in higher quality. Are long-term rentals equally or more responsible for property damage & degradation?

I understand that it is important to address issues such as noise complaints, parking, and housing affordability. However, instead of outright restrictions, I urge the city to consider well-balanced regulations that allow STRs to operate responsibly while ensuring they enhance, rather than disrupt, our community. I believe the "complaints" people are making could be representative of a very few mismanaged STRs likely hosted by people that are not qualified. I'd hate for the sins of a handful to affect the large majority of us that are truly providing quality lodging for guests of our city.

WIN-WINS

Let's all be successful together.

SOLUTION 1: Generate Tax Revenue for Public Services:

Many cities have implemented fair taxation policies on STRs, allowing them to contribute directly to municipal revenues. These taxes can be allocated toward public services, such as road maintenance, emergency services, and affordable housing initiatives. Rather than banning STRs outright, the city can implement reasonable regulations that ensure they contribute to community well-being while addressing potential concerns.

SOLUTION 2: Let's Cut Out the Bad Apples, Not the Whole Tree.

Let's stop generalizing Airbnb as the whole and calling "the model" the enemy. Why don't we narrow in on which houses are getting complaints and have a 3 strikes policy and then completely shut them down. Or even a 0-tolerance policy leading to probation for 1 year. We've never received a complaint on any of our properties and it's because we enforce a strong NO PARTYING policy. We screen guests. We essentially just conduct a quality business. Can we simply hold these poor-hosts to a higher standard?

Thank you for your time and consideration. I appreciate your dedication to making our city a great place to live, work, and visit. I would welcome the opportunity to discuss this matter further and explore ways to implement fair and effective STR policies.

Sincerely,
Kyle Reedstrom

Contact a City Commissioner - Bernie Dardis

03/11/2025 12:18 PM (CDT)

Contact a City Commissioner - Bernie Dardis

First Name	Noah
Last Name	Ford-Dunker
Address	711 2nd St N
City	Fargo
State	ND
Zip Code	58102
Phone Number	
Email Address	

Message

Dear Mayor Dardis,

I am writing to express my concerns regarding the proposed ordinance restricting short-term rentals (STRs) in West Fargo, specifically the requirement that STRs must be an owner's primary residence and cannot be owned by an LLC. As a local business owner who operates a short-term rental management company, I believe this regulation will have a significant negative impact on both the local economy and city government revenues.

I own an LLC that manages four STR properties in West Fargo, in addition to over 40 properties in Fargo, Moorhead, and beyond. In reviewing the current STR market in West Fargo, I found approximately 40 active properties. My company alone manages around 10% of the local market, and based on my research, nearly every active STR in the city is managed by a property management company or someone who owns multiple properties. This means that under the proposed regulation, STRs in West Fargo would essentially be eliminated.

Economic and Tax Revenue Impact

In 2024, my company alone contributed \$11,232.55 in tax revenue on the income from our four West Fargo properties. This included:

- 5% to the City of West Fargo
- 2.5% to the State of North Dakota
- 0.5% to Cass County

This amounts to an 8% tax rate on STR income, and extrapolating from my company's share of the market, eliminating STRs in West Fargo could result in a loss of \$70,000 to \$80,000 in annual tax revenue for the city—not to mention the broader economic impact on local businesses that benefit from STR guests.

Addressing Concerns Without Banning STRs

I understand that concerns about noise, parties, and community impact must be addressed. No one, myself included, wants STRs to become nuisances. However,

there are effective solutions that do not require an outright ban:

- Security and Monitoring Measures: My company already implements strict guest screening, smart locks, security cameras, and noise monitoring devices (e.g., Minut, NoiseAware). We also track occupancy using Wi-Fi-connected device monitoring.
- Annual Inspections and Regulations: Cities like Moorhead have implemented reasonable STR regulations, requiring annual inspections for fire safety, and general compliance—similar to long-term rental regulations. You could improve upon this by requiring noise monitoring and other security devices.
- Licensing and Registration Fees: STR operators should be required to register, display certificates on the property, and adhere to specific operating standards.

Fair and Inclusive Regulation

Requiring an STR to be an owner's primary residence and prohibiting ownership through an LLC places an unnecessary burden on STR operators, effectively banning them outright. Long-term rental properties do not face these restrictions, and STRs should be regulated in a way that ensures responsible operation without stifling economic activity.

I urge the commission to reconsider this approach and instead explore a balanced regulatory framework that allows responsible STR operators to continue providing economic benefits to the community while ensuring neighborhood concerns are addressed. I would be happy to collaborate with city officials to discuss effective, practical solutions.

Thank you for your time and consideration. I look forward to your response.

Sincerely,
Noah Ford-Dunker
Salvestr LLC

[REDACTED]

From: [Nick Martinez](#)
To: [Aaron M. Nelson](#)
Subject: Re: City of West Fargo short-term rental ordinance
Date: Wednesday, March 19, 2025 3:13:19 PM
Attachments: [cityofwest%20fargo%20logo%20color%20tagline\(1\)%207c69c259-ce93-4b19-a319-1d781c1505fd.png](#)
[image001.png](#)

Hi Aaron,

While I'm not able to discern what proportion of West Fargo hosts are West Fargo residents, I can provide the following -

- Roughly 65% of listings in West Fargo are non-dedicated listings, meaning they are used for other purposes throughout the year (as opposed to exclusively being rented short-term)
- The majority of listings in West Fargo are booked for less than 60 nights per year
- Roughly 80% of hosts in West Fargo have just 1 STR listing

What the numbers above illustrate is that most hosts in West Fargo use their STR properties for purposes other than short-term stays (this could be because it's their primary residence that they only share when they're away, it's a second home they use it for visiting family, or any number of reasons), and that mosts are not sharing their home year round.

Nick

On Thu, Mar 13, 2025 at 1:59 PM Nick Martinez <nick.martinez@airbnb.com> wrote:

Aaron,

Thank you, I appreciate you reviewing and passing it along. I'm not sure that I can get exact numbers on who is a West Fargo resident vs non-resident, but I'll do some digging and see if I can at least get you something related/similar.

I'll also double check on your city portal request!

Thanks again,
Nick

On Thu, Mar 13, 2025 at 1:23 PM Aaron M. Nelson <Aaron.Nelson@westfargond.gov> wrote:

Nick,

Thank you for taking the time to review our draft ordinance and provide feedback. Feedback such as this is very helpful as we try to create regulations that balance various concerns.

Based on this and similar concerns raised by others, the City will be considering removal of the primary residence requirement.

Regarding your comments on the potential impacts to individuals and families in the city, could you please provide me with information as to how many or what percentage of hosts that are listing units within the City of West Fargo on your platform are actual West Fargo residents vs non-West Fargo residents? This information would be very helpful in relation to the concerns raised.

Thank you,

Aaron M. Nelson , AICP
Director of Planning and Zoning, City of West Fargo



Phone: 701-515-5373
Aaron.Nelson@westfargond.gov

From: Nick Martinez <nick.martinez@airbnb.com>
Sent: Wednesday, March 12, 2025 2:32 PM
To: Aaron M. Nelson <Aaron.Nelson@westfargond.gov>
Subject: Re: City of West Fargo short-term rental ordinance

Hi Aaron,

We've had a chance to review the draft ordinance, and have the following feedback -

This ordinance marks a significant step forward and creates clarity and certainty for residents who rely on home sharing to supplement their income. We appreciate the thoughtful approach you took in developing registration and safety requirements. The simple licensing application process and life safety inspections provide a clear pathway to compliance without creating a barrier for residents to share their homes.

Our key concern with the proposed ordinance pertains to the primary residence requirement. Hosts are normal, everyday people who live and work in West Fargo. Many hosts share their homes to help afford rising property taxes and cover the costs of other critical expenses. They're parents with children away at school, families who want to be able to enjoy their vacation home with their loved ones throughout the year, while renting it out on a short-term basis to help cover property taxes. They're individuals who often can't put their home on the long-term secondary rental market for a variety of reasons and are trying to make ends meet to support their families while living in a challenging and expensive real estate market. During a very difficult economic moment, we are surprised that West Fargo would propose to further limit the earning potential of these individuals and families in the city.

Additionally, we've identified the following issues with the proposed primary residence requirement:

- **This requirement is potentially unconstitutional:** A similar homestead exemption/primary residence requirement was struck down as unconstitutional in [Hignell-Stark v. City of New Orleans](#), where the Court held that the "primary residence" requirement violated the U.S. Constitution's Dormant Commerce Clause, which prohibits states and local governments from restricting interstate commerce.
- **Delays/Challenges with Enforcement:** Similar primary residence requirements in other jurisdictions have resulted in delays and litigation threats from property-owners who do not have a primary residence exemption for a variety of reasons. This can result in unnecessary delays in enforcement of otherwise reasonable regulations.
- **Discriminatory against renters:** The economic benefits of homesharing should not be limited to homeowners, but should also be afforded to renters. Home sharing is one method for renters to gain critical supplementary income - creating a pathway to eventual homeownership. This income is meaningful for Hosts and should not be stripped from renters.

With this in mind, **we recommend removing the proposed primary residence requirement from the ordinance.**

If the City insists on keeping a primary residence restriction in the ordinance, we strongly recommend adding a provision that grandfather existing STR hosts, and allows them to continue operating despite the regulatory changes. While we recognize there is an attempt to include this via the "Transitional STR Compliance License", we would recommend extending the eligible period indefinitely (until ownership changes). This will ensure that any resident who relies on the income earned from their STR will be able to keep operating, while also protecting the City from any takings claims.

Thank you,

Nick Martinez

Airbnb

On Wed, Mar 5, 2025 at 10:07 AM Aaron M. Nelson <Aaron.Nelson@westfargond.gov> wrote:

Nick & Kevin,

As you've both reached out previously regarding the City of West Fargo's proposed short-term rental ordinance, I wanted to let you know that the draft ordinance is scheduled for a public hearing in front of the West Fargo Planning & Zoning Commission on Tuesday, March 11 at 5:30pm in the Commission Chambers at West Fargo City Hall (2515 6th St E). The Planning & Zoning Commission will provide comments and a recommendation prior to the draft ordinance being presented to the Board of City Commissioners for an additional public hearing and their final decision regarding adoption of the draft ordinance. The public hearing for the Board of City Commissioners has not yet been scheduled, but will likely take place at one of their two meetings in April. Meeting agendas and materials for all of these meetings will be published on the City's website prior to the meeting dates (typically on the Friday before the meeting). Once published, they can be accessed here: <https://www.westfargond.gov/1202/Agendas-Minutes>.

I've attached the most recent copy of the ordinance. If you have any additional comments, please feel free to submit them in writing to me and I will include them with the materials that are presented to these two commissions. And if you have any questions, please feel free to reach out to me.

Thank you,

Aaron M. Nelson , AICP
Director of Planning and Zoning, City of West Fargo



Phone: [701-515-5373](tel:701-515-5373)
Aaron.Nelson@westfargond.gov
2515 6th Street E, West Fargo, ND, 58078
Visit us online: [westfargond.gov](https://www.westfargond.gov)



Nick Martinez, Policy Associate

Local Governments

[Visit Airbnb's Host Resource Center](#)



Nick Martinez, Policy Associate

Local Governments

[Visit Airbnb's Host Resource Center](#)



Nick Martinez, Policy Associate

Local Governments

[Visit Airbnb's Host Resource Center](#)

Public Comment Sign Up Form

03/11/2025 8:37 AM (CDT)

City Commission Meeting Public Comment Sign Up

Public Comment will be the first agenda item of each regular City Commission Meeting. Members of the public will be allowed 2 minutes and 30 seconds to address the City Commission. Commissioners will not take any official action during this comment period.

Members of the public who wish to speak during this public comment period **must sign-up in advance, and provide their name and residential address.**

Due to time constraints, we will allow a maximum of 12 speakers at each meeting. Speakers will be heard in the order they signed up. If more than 12 speakers signed up, the West Fargo City Commission reserves the right to prioritize hearing from West Fargo residents. No late or in-person signups immediately before or during the Commission meeting will be accepted.

Please provide your contact information in the form below so City staff can be in contact to coordinate logistical information for the comment opportunity.

The time limit of 2 minutes and 30 seconds will be strictly followed, and speakers are expected to follow these rules:

- Only one person may utilize the podium at time.
- Discriminatory and inflammatory language will not be tolerated.
- When a resident is at the podium, they have the floor to speak.
- No action will be taken during the public comment period.
- When speaking, be sure to address the issue, not the person.
- Presentations and videos will not be allowed during the comment period.

Please sign up no later than 12 p.m. the day of the City Commission Meeting you wish you attend.

First and Last Name	Erik Stewart
Residential Address	1625 16th Avenue East
City	West Fargo
State	ND
Zip Code	58078
Date of City Commission Meeting you wish to attend. City Commission Meetings are held the first and third Monday of each month.	03/11/2025
Phone Number	
Email Address	
Briefly describe your topic, questions, concern, etc.	The proposed regulation on Short Term Rentals. I am against such strict regulation for WF residents and what is effectively a sweeping ban of STRs.

Public Comment Sign Up Form

03/11/2025 8:51 AM (CDT)

City Commission Meeting Public Comment Sign Up

Public Comment will be the first agenda item of each regular City Commission Meeting. Members of the public will be allowed 2 minutes and 30 seconds to address the City Commission. Commissioners will not take any official action during this comment period.

Members of the public who wish to speak during this public comment period **must sign-up in advance, and provide their name and residential address.**

Due to time constraints, we will allow a maximum of 12 speakers at each meeting. Speakers will be heard in the order they signed up. If more than 12 speakers signed up, the West Fargo City Commission reserves the right to prioritize hearing from West Fargo residents. No late or in-person signups immediately before or during the Commission meeting will be accepted.

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- When a resident is at the podium, they have the floor to speak.
- No action will be taken during the public comment period.
- When speaking, be sure to address the issue, not the person.
- Presentations and videos will not be allowed during the comment period.

Please sign up no later than 12 p.m. the day of the City Commission Meeting you wish you attend.

First and Last Name	Daniel Edwards
Residential Address	1066 42nd Ave West
City	West Fargo
State	ND
Zip Code	58078
Date of City Commission Meeting you wish to attend. City Commission Meetings are held the first and third Monday of each month.	03/11/2025
Phone Number	
Email Address	
Briefly describe your topic, questions, concern, etc.	Against regulation of short term rentals. Regulations like these do more harm than good for West Fargo residents as well as the local economy. I don't own any STRs, but am a resident of West Fargo that has STRs in my neighborhood and have never had a problem with them. I am against the city imposing rules on what owners can do with their property. As a taxpayer, the city could be using it's time and resources

fixing actual problems and not focusing on short term rentals which don't seem to be a problem for the majority of WF residents.

Public Comment Sign Up Form

03/11/2025 9:25 AM (CDT)

City Commission Meeting Public Comment Sign Up

Public Comment will be the first agenda item of each regular City Commission Meeting. Members of the public will be allowed 2 minutes and 30 seconds to address the City Commission. Commissioners will not take any official action during this comment period.

Members of the public who wish to speak during this public comment period **must sign-up in advance, and provide their name and residential address.**

Due to time constraints, we will allow a maximum of 12 speakers at each meeting. Speakers will be heard in the order they signed up. If more than 12 speakers signed up, the West Fargo City Commission reserves the right to prioritize hearing from West Fargo residents. No late or in-person signups immediately before or during the Commission meeting will be accepted.

Please provide your contact information in the form below so City staff can be in contact to coordinate logistical information for the comment opportunity.

The time limit of 2 minutes and 30 seconds will be strictly followed, and speakers are expected to follow these rules:

- Only one person may utilize the podium at time.
- Discriminatory and inflammatory language will not be tolerated.
- When a resident is at the podium, they have the floor to speak.
- No action will be taken during the public comment period.
- When speaking, be sure to address the issue, not the person.
- Presentations and videos will not be allowed during the comment period.

Please sign up no later than 12 p.m. the day of the City Commission Meeting you wish you attend.

First and Last Name	Jory White
Residential Address	625 2nd Ave E
City	West Fargo
State	North Dakota
Zip Code	58078
Date of City Commission Meeting you wish to attend. City Commission Meetings are held the first and third Monday of each month.	03/11/2025
Phone Number	
Email Address	
Briefly describe your topic, questions, concern, etc.	STR ordinance regulations and how we got to this point.

STAFF REPORT

A25-6 Request for Variance & CUP	
McMahon Estates 2nd Subdivision	
126 49 th Ave E (Lot 11, Block 1 McMahon Estates 2nd Subdivision)	
Owner/Applicant: Jeremy & Molly McLaughlin	Staff Contact: Lisa Sankey
Planning & Zoning Commission Public Hearing:	04-15-2025
Board of Adjustment & City Commission:	

PURPOSE:

Variance to reduce the building control line of the CO-SR (Sheyenne River Corridor Overlay) zoning district standards for construction of accessory structure and Conditional Use Permit to allow an accessory structure greater than 1,000 square feet in an R-1E (Rural Estate) Zoning District.

STATEMENTS OF FACT:

Land Use Classification:	G-2: Sub-Urban – Growth Sector
Existing Land Use:	Single Family Dwelling
Current Zoning District:	R-1E: Rural Estate District
Zoning Overlay District(s):	CO-SR: Sheyenne River Corridor Overlay
Proposed Lot size(s) or range:	1.57 Acres
Adjacent Zoning Districts:	North, South, and West – PUD: Planned Unit Development; East – R-1A: Single Family Dwellings
Adjacent street(s):	49 th Avenue East (Local)
Adjacent Bike/Pedestrian Facilities:	n/a
Available Parks/Trail Facilities:	The Wild Park within a mile

DISCUSSION AND OBSERVATIONS (Variance):

- The applicant is proposing to construct an 1,800 square foot (30 x 60) accessory structure on the south side of their lot.
- The attached site plan shows the proposed location of the structure.
- The applicant is requesting a variance for a reduction of the building control line of the CO-SR: Sheyenne River Corridor Overlay.
- The property is located within the CO-SR (Sheyenne River Corridor Overlay) zoning district, which establishes a building control line that restricts structures, parking lots, fill and other development that may cause increased riverbank destabilization within 100 feet of the “established riverbank as determined by the City Engineer.”
- The applicant proposes encroaching into the 100-foot building control line area along the south side of the lot. The south edge of the proposed accessory structure would be no closer than 50 feet from the established riverbank. The existing home lies entirely outside the current building control line; however, the proposed accessory structure is within the existing control line as is an existing detached garage.
- The applicant has indicated that due to the location of the septic drain field there isn’t adequate room to place the accessory structure.

STAFF REPORT

- As provided for in Section 4-431-C.3 of the zoning regulations, the City Commission may reduce the required building control line where it can be demonstrated through a soils analysis that soils are stable within the building control area. Requests for reduction of the building control area are handled via the variance approval process.
- In accordance with the provisions of §4-431-C.3, the applicant has employed a geotechnical firm to provide a soils analysis in respect to the proposed structure. The soils analysis concludes that the new structure will not be impacted by soil instability caused by the riverbank.
- The soils analysis has been reviewed by the City Engineer, who has no concerns regarding soil stability based on the findings of the soil analysis. A copy of the analysis is attached for reference.
- Southeast Cass Water Resources District has requested that the City of West Fargo consider updating its ordinances to limit variances to the Sheyenne River building control line except in cases of hardship. Staff anticipates it will be bringing forward an ordinance amendment in the very near future to address concerns raised by the Water Resource District. Until the ordinance is amended, staff remains consistent with its review of such requests in relation to the findings of individual geotechnical soils reports.

DISCUSSION AND OBSERVATIONS (Conditional Use Permit):

- The R-1E: Rural Estate zoning district allows for accessory structures greater than 1,000 ft² as a conditional use provided they are in character with the development pattern of the subdivision they are in.
- The applicant has provided a site plan which shows the new accessory structure will be built in the rear yard. The total square footage for the proposed structure would be 1,800 square feet. In 2020, a 2,172 square foot structure was approved to the east. Other structures approved in the past in the McMahon Estates development have been 1,600 to 2,100 square feet.
- The applicant has indicated the structure would be built with similar siding to match the exterior of the existing house on the property. Elevations of the proposed structure have been provided and are attached.
- A conditional use permit agreement is required to be signed prior to issuance of a building permit and may include conditions deemed appropriate by the Commission.

CRITERIA FOR GRANTING CONDITIONAL USE PERMIT:

With reference to the criteria for granting conditional uses, the following is noted:

1. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - The property has adequate access, and the improvements will not affect the current access. The site plan also shows a second driveway access. Engineering has reviewed this and indicated an additional approach would be allowed provided the total driveway approach width, including existing and proposed driveway approach do not exceed 80 feet.
2. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.
 - No concerns noted
3. Refuse and service areas, with particular reference to the items in (1) and (2) above.

STAFF REPORT

- No concerns noted.
- 4. Utilities, with reference of locations, availability, and compatibility.
 - No concerns noted
- 5. Screening and buffering with reference to type, dimensions, and character.
 - No concerns noted
- 6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.
 - No concerns noted
- 7. Required yards and other open space.
 - No concerns noted.
- 8. Soil conditions, as they relate to on-site sewage disposal, water supply, basement excavating, road construction and related land use.
 - The proposed building is within the CO-SR building control area and that soil conditions have been evaluated by Braun Intertec in association with the requested variance.
- 9. General compatibility with adjacent properties and other property in the district.
 - The land adjacent to this area is R-1E: Rural Estate District and similar style and sized accessory buildings have been previously approved within the subdivision.

NOTICES:

Sent to:	Property Owners within 350' and Applicable agencies and departments
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- A call was received asking for more information and indicated no issues with the request.

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

- The variance is not consistent with the City's standard building control line of 100 feet from the riverbank; however, City ordinance does allow a reduction of the building control area of up to 50 feet upon demonstration that soils are sufficiently stable. The proposal is otherwise consistent with the city's comprehensive plan and other applicable city plans.
- In regards to the conditional use permit application, the proposed structure is accessory to an existing residential use and does not conflict with the Comprehensive Plan.

RECOMMENDATIONS:

It is recommended that the City approve the reduction of the building control line by up to 50 feet, as described in the Braun Intertec Opinion on Riverbank Stability, dated February 18, 2025, with the condition that the owner sign a waiver & release of liability document acknowledging the variance and waiving the City's liability, on the basis of the following findings:

1. §4-431-C.3 states that where it can be demonstrated through a soils analysis that soils are stable within the building control area, the City Commission may consider reduction of the required minimum setback by variance.
2. In accordance with §4-431-C.3, the applicant has provided a soils analysis which demonstrates the soils are sufficiently stable to support the accessory that encroaches into the required 100' building control area, which has been reviewed and found to be satisfactory by the City Engineer.

STAFF REPORT

3. The reasons set forth in the application justify the approval of the reduction of the building control line, and it is the minimum variance necessary to accommodate the proposed structure.

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

1. The accessory building is constructed of the same color and materials as the primary residential structure.
2. A Signed Conditional Use Permit Agreement is received.

Attachments

1. Aerial map
2. Zoning map
3. Geotechnical Opinion
4. Site Plan
5. Building Plans/Elevations



Features

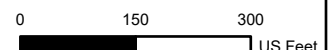
-  Agenda Zone
-  Lots





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



February 18, 2025

Project B2500148

Jeremy McLaughlin
3509 6th Street East
West Fargo, ND 58078

Re: Opinion on Riverbank Stability
McLaughlin Residence
126 49th Avenue East
West Fargo, ND

Dear Mr. McLaughlin:

The purpose of this letter is to assist you in obtaining a zoning variance for the above referenced property.

Project Background

We understand the City of West Fargo has a zoning ordinance that requires structures to be a minimum of 100 feet from the top of the riverbank. Section 4-431-C.3 of the City Ordinances outlines the process for modification of the building control line as follows:

"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."

You are hoping to construct an outbuilding on the property within 100 feet of the crest of the riverbank. We have not performed or been provided a legal survey of the property or the location of the proposed outbuilding. The established riverbank location will be determined in the spring by the City of West Fargo.

Geotechnical Information

Braun Intertec did not perform any soil borings on the subject property. However, Braun Intertec has performed several geotechnical evaluations in the City of West Fargo along the Sheyenne River.

Our experience through this section of West Fargo, adjacent to the Sheyenne River, would indicate the soils consists mainly of Red River Valley fat clays that have been modified by the meandering river. The modifications mean there are layers and seams of silt and sand within the fat clay. The depth of this alluvium typically matches the depth of the river and in this section of the river, the bottom of the river is typically 20 feet below the elevation of the "top of river". Below the alluvium is fat clay that is identified as the Brenna formation. These soils are characterized by high plasticity, high moisture content and low

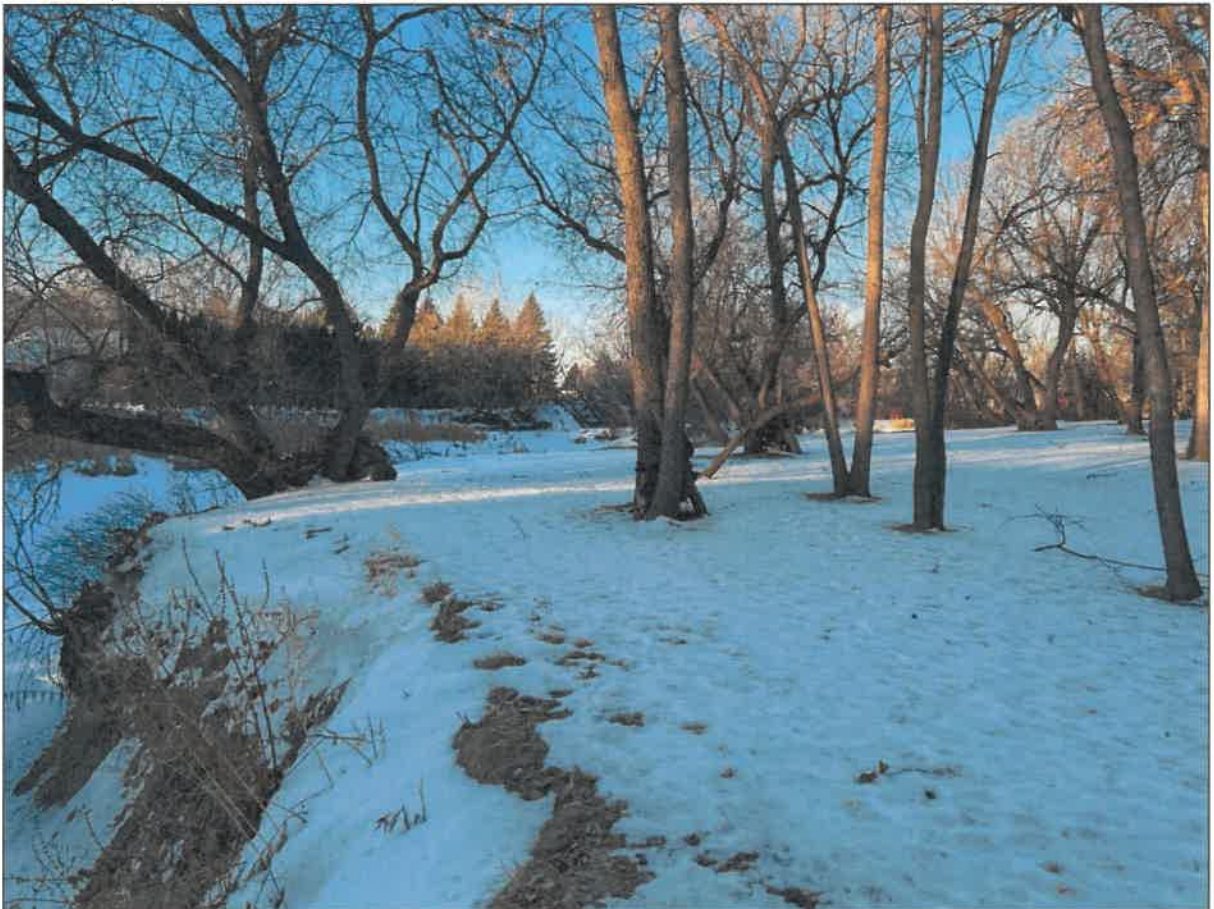
strength. Below the Brenna formation is glacial till. The depth of the glacial till varies but averages a depth of 80 feet in West Fargo. Seasonal high-water levels are generally within 5 feet of existing grade but vary with the elevation of the Sheyenne River.

Observations

Braun Intertec visited the site to review the existing conditions on January 30, 2025. The parcel is located on the inside bend of the Sheyenne River. At the time of our observation the river was iced over and well below the top of the riverbank at the edge of the property. We observed the existing tree growth and slopes for indications of instability along the bank.

The riverbank has a steep grade along the property. We anticipate the slope is approximately 1/2H:1V (horizontal:vertical) or steeper along the majority of the river. The slope up from the iced over surface generally ranged from 5 to 15 feet. There were large trees located at the top of the slope in several areas. Pictures taken during our observations are provided below.

Photograph 1. East end of property top of riverbank



Photograph 2. West end of property top of riverbank



Photograph 3. East end of property below riverbank



Photograph 4. West end of property below riverbank



Discussion

Braun Intertec has performed stability and setback analyses on over a hundred sites along the Sheyenne and Red River within the West Fargo and Fargo areas. The near surface soils properties discussed above are consistent at sites across the region. Slope failure along the river is most common on the outside bend of the rivers or along relatively straight portions of the river where speeds can increase. This is in part because the outside bends of the river are where flows are the fastest in the spring thaw and drawdown effects are felt most acutely. Areas with instability are usually characterized by progressive failures toward the river such that the banks are not near vertical but sloped back much shallower. The vegetation right at the top of the slope is also generally smaller and tilted towards the river because of the soil gradually sliding into the river.

Our observations at the McLaughlin property are not consistent with areas of failure. The property is on the inside bend of the river, the area of lowest risk for movement along the river. The riverbanks are near vertical and are supporting well established and decades old trees growing upright along the edge of the bank. Also, with the planned outbuilding set back a minimum of 50 feet it will be more than 3x the bank height back from the river.

Conclusion

Based on our visual observations at the site, review of available geotechnical information, and experience with similar properties along the rivers, the new outbuilding will not be impacted by soil instability caused by the riverbank.

Remarks

In performing its services, Braun Intertec used that degree of care and skill ordinarily exercised under similar circumstances by reputable members of its profession currently practicing in the same locality. No warranty, express or implied, is made.

If you have any questions about this letter, please contact Ezra Ballinger at 701.205.2515.

Sincerely,

BRAUN INTERTEC CORPORATION

Professional Certification:

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the State of North Dakota.


Ezra Ballinger, PE
Director, Principal Engineer
Registration Number: PE-7328
February 18, 2025



Project Name

McLaughlin

Project No.

25.001

Project Address

126 49TH AVE E
WEST FARGO, ND

Date

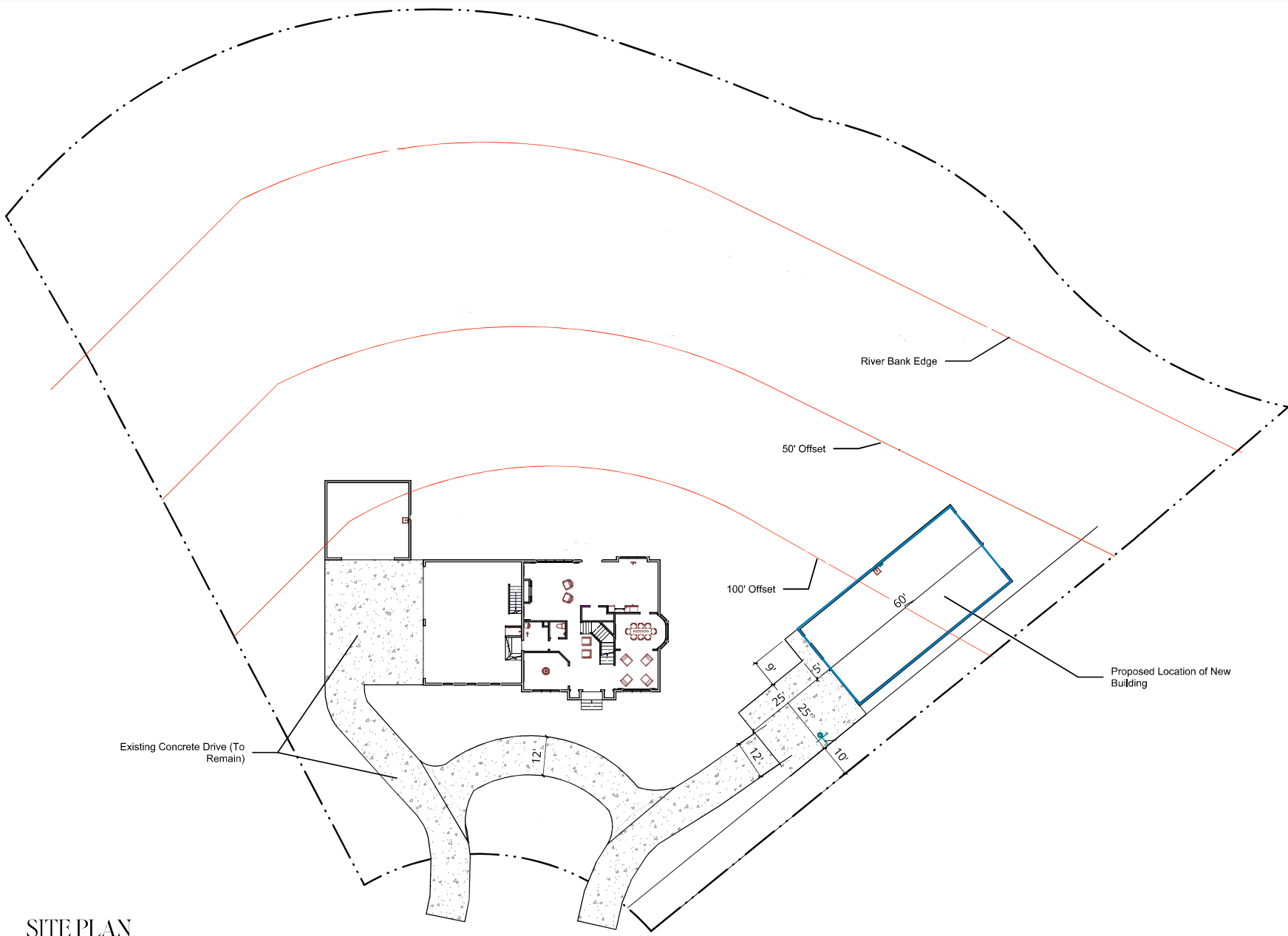
03/27/25

Description

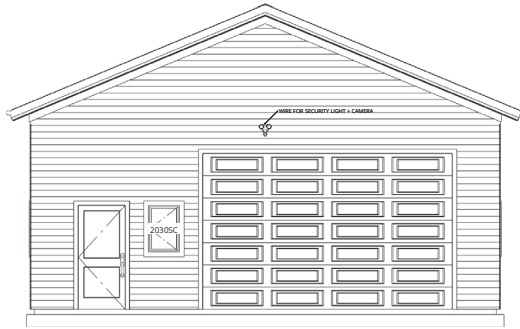
Site Plan

Scale

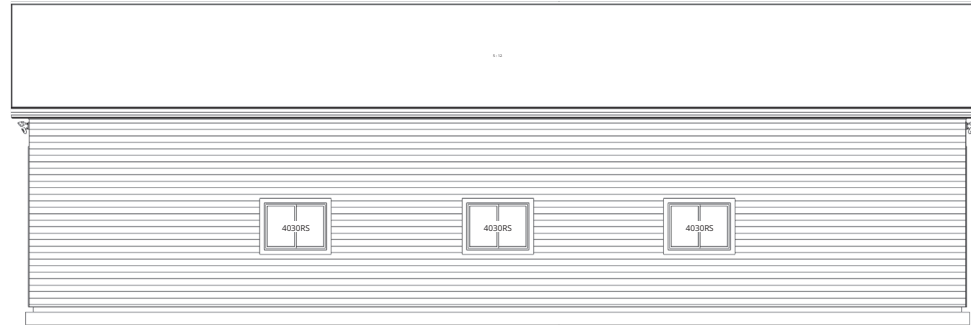
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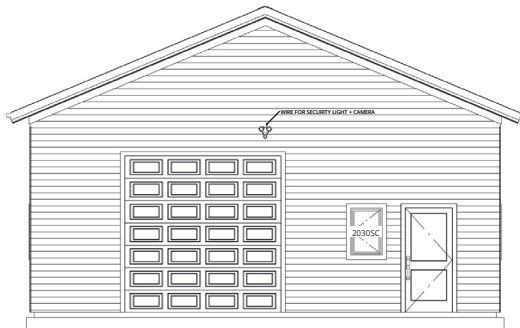
SITE PLAN



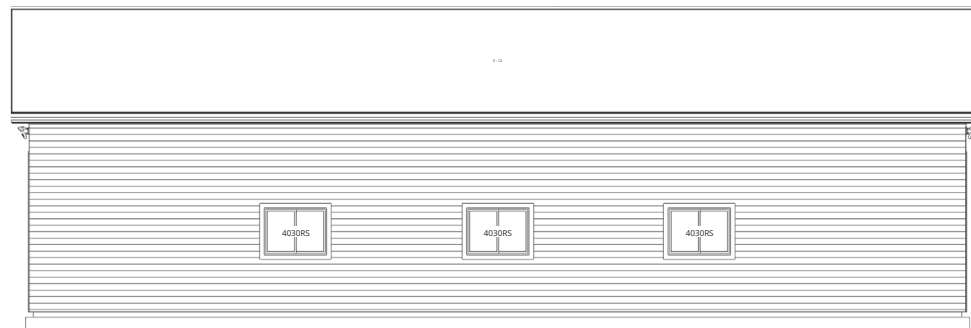
FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION



BELLVIE
DESIGN STUDIO

MCLAUGHLIN
126 49TH AVE E
WEST FARGO, ND 58078

PROJECT NO.

25 - 001

DATE 02/18/25

SCALE 1/8

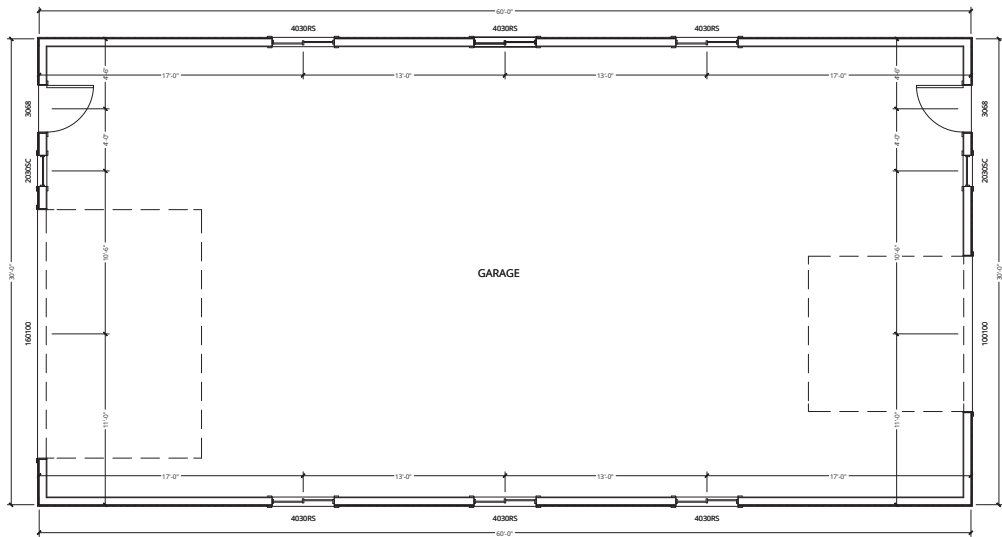
CLIENT

DATE

3.0

EXTERIOR ELEVATIONS

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SHOP



BELLVIE
DESIGN STUDIO

MCLAUGHLIN
126 49TH AVE E
WEST FARGO, ND 58078

PROJECT NO.

25 - 001

DATE 02/18/25

SCALE 1/8

CLIENT

DATE

3.1

EXTERIOR ELEVATIONS

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STAFF REPORT

A25-7		CONDITIONAL USE PERMIT	
320 8 th Street West			
Unplatted parcel located in the NE¼ of Section 7, T139N, R49W, City of West Fargo, North Dakota			
Owner: Brickview Apartments LLC		Staff Contact: Lisa Sankey	
Applicant: Sam Solberg, Lowry Engineering			
Planning & Zoning Commission Public Hearing:		04-15-2025	
City Commission:			

PURPOSE:

Allowing for shop condos for light industrial uses in an HC: Heavy Commercial zoning district

STATEMENTS OF FACT:

Land Use Classification:	G-2: Sub-Urban Growth Sector
Existing Land Use:	Daycare Center & Storage for Businesses & Individuals
Current Zoning District(s):	HC: Heavy Commercial
Zoning Overlay District(s):	CO-R: Redevelopment Corridor Overlay District
Total area size:	3.3 Acres
Adjacent Zoning Districts:	North, South & West: HC – Heavy Commercial; East – R-1A: Single Family Dwellings
Adjacent street(s):	8 th Street West - Collector
Adjacent Bike/Pedestrian Facilities:	Multi-Use path along Main Avenue; Sidewalks
Available Parks/Trail Facilities:	Not applicable

DISCUSSION AND OBSERVATIONS:

- The applicant submitted an application for a conditional use permit for shop condos within the HC: Heavy Commercial District and has provided a site plan which outlines the proposed area to be used.
- The property, which is located along the west side of 8th Street West, south of Main Avenue, was developed in the mid-1970s with shop (welding) and warehouse space. In 2005, the City approved a Conditional Use Permit to allow a daycare center to operate on the property. Prior to zoning code and map updates in 2015, the subject property was zoned CM: Heavy Commercial/Light Industrial.
- Surrounding land uses include welding, powder coating, manufacturing, trucking facilities, warehousing/wholesales, and the like to the north, west, and south. A single-family residential neighborhood exists to the east, across 8th St W. In addition, the subject property currently has several metal warehouse/shop buildings on-site which is currently being used for business and individual storage.
- Light industrial uses, such as plumbing and heating shops, warehousing and storage, contract construction, and light manufacturing, are conditional uses within the HC district. Such uses require approval of a Conditional Use Permit to operate within this district.

STAFF REPORT

- The proposed site plan shows a 9,450 square foot structure for contractor, storage or shop space with seven, 1,350 square foot shop condo units, with parking located in front of the building. Landscaping is also included showing trees and shrubs along the east side of the parcel.
- Access to the proposed shop condo building is from 8th Street West via a driveway shared by other uses and buildings on the subject property.
- The lot is within the CO-R: Redevelopment Corridor Overlay District, which has the stated intent *“to promote orderly development and redevelopment and safe, attractive and desirable spatial patterns and locations for urban land uses adjacent to major street corridors.”* The CO-R overlay district also has higher standards for such things as setbacks, building materials, paving, and landscaping.
- A conditional use permit agreement is required to be signed prior to issuance of a building permit and may include conditions deemed appropriate by the Commission.
- Although industrial and daycare uses have existed on the subject property historically, staff notes that the existing daycare facility presents potential compatibility concerns in regards to potential future businesses within the proposed shop condo building. As such, staff recommends several conditions of approval intended to address potential compatibility issues:
 - Uses permitted with this Conditional Use Permit include:
 - Plumbing and heating shops, sheet metal shops, roofing shops;
 - Wholesale distribution facilities;
 - Contract construction services;
 - General warehousing and storage, not to include auto wrecking, junk or other salvage storage; and
 - Light manufacturing, including manufacturing or assembly of small parts, apparel and other finished products from fabrics, leather, etc., wood products, computer products, and printing.
 - Permitted uses notwithstanding, the following uses and activities are prohibited:
 - Chemical spray operations, such as paint booths, industrial coating or finishing, application of solvents/VOCs;
 - Flammable or combustible liquids in quantities requiring a Fire Code permit;
 - Compressed gases (other than standard welding gases and common non-industrial gas canisters);
 - Operation of heavy machinery and construction equipment; and
 - Any other use or activity that, in the opinion of the Zoning Administrator, poses a safety risk or is materially similar in intensity, hazard, or operational impact to the prohibited uses listed above.
 - All primary operational activities associated with uses allowed by this Conditional Use Permit, including fabrication, assembly, and mechanical work, shall occur indoors. Outdoor areas may be used only for ancillary functions, such as employee parking and secure storage of equipment or materials, provided these do not produce noise, fumes, or other off-site impacts.
 - A paved pedestrian crosswalk marked with high-visibility paint is required to be maintained along the path between the existing daycare building and the existing playground facility. Pedestrian crossing signage is required to be maintained along the driveway on both sides of the crosswalk.
 - Signage is required to be maintained at the entrance to the lot to caution drivers that children may be present.

STAFF REPORT

CRITERIA FOR GRANTING CONDITIONAL USE PERMIT:

With reference to the criteria for granting conditional uses, the following is noted:

1. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - The property has adequate access and the improvements will not affect this access. As noted above, there are potential safety concerns regarding the crossing of the internal driveway by children and employees of the daycare facility. Staff recommends conditions of approval intended to improve demarcation of this crossing area.
2. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.
 - Off-street parking and loading facilities are contained within the property.
3. Refuse and service areas, with particular reference to the items in (1) and (2) above.
 - No concerns noted.
4. Utilities, with reference of locations, availability, and compatibility.
 - No concerns noted.
5. Screening and buffering with reference to type, dimensions, and character.
 - There are landscaping requirements as per the landscaping ordinance and as per the CO-R: Redevelopment Corridor Overlay District standards.
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.
 - No concerns noted
7. Required yards and other open space.
 - No concerns noted.
8. Soil conditions, as they relate to on-site sewage disposal, water supply, basement excavating, road construction and related land use.
 - No concerns noted.
9. General compatibility with adjacent properties and other property in the district.
 - Proposed uses are similar to previous and existing uses on adjacent properties to the north, west, and south.
 - While the west side of 8th Street West has developed with similar light industrial uses, the area to the east has been zoned for single family dwellings since the mid-1970s. The proposed uses are relatively free from objectionable nuisances. Additionally, staff has proposed several conditions of approval intended to further restrict potentially objectionable activities. As of the writing of this staff report, no comments or concerns have been received from notified property owners; however, there may be comments during the public hearing.

NOTICES:

Sent to: Property owners within 350' and applicable departments and agencies.

Comments Received:

- An email was received asking for more information.

STAFF REPORT

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

- Plumbing and Heating shops, warehousing and storage, contract construction, light manufacturing have been specifically allowed for as a conditional use within the district. Public comments should be weighed when considering the application.
- West Fargo 2.0 Big Ideas – Cultural and Natural Resources recommendations included increasing the number and diversity of trees throughout the City in conformance with the Urban and Community Forest and Management Plan. The submitted site plan shows increasing landscaping by providing a variety of trees and shrubs.

RECOMMENDATIONS:

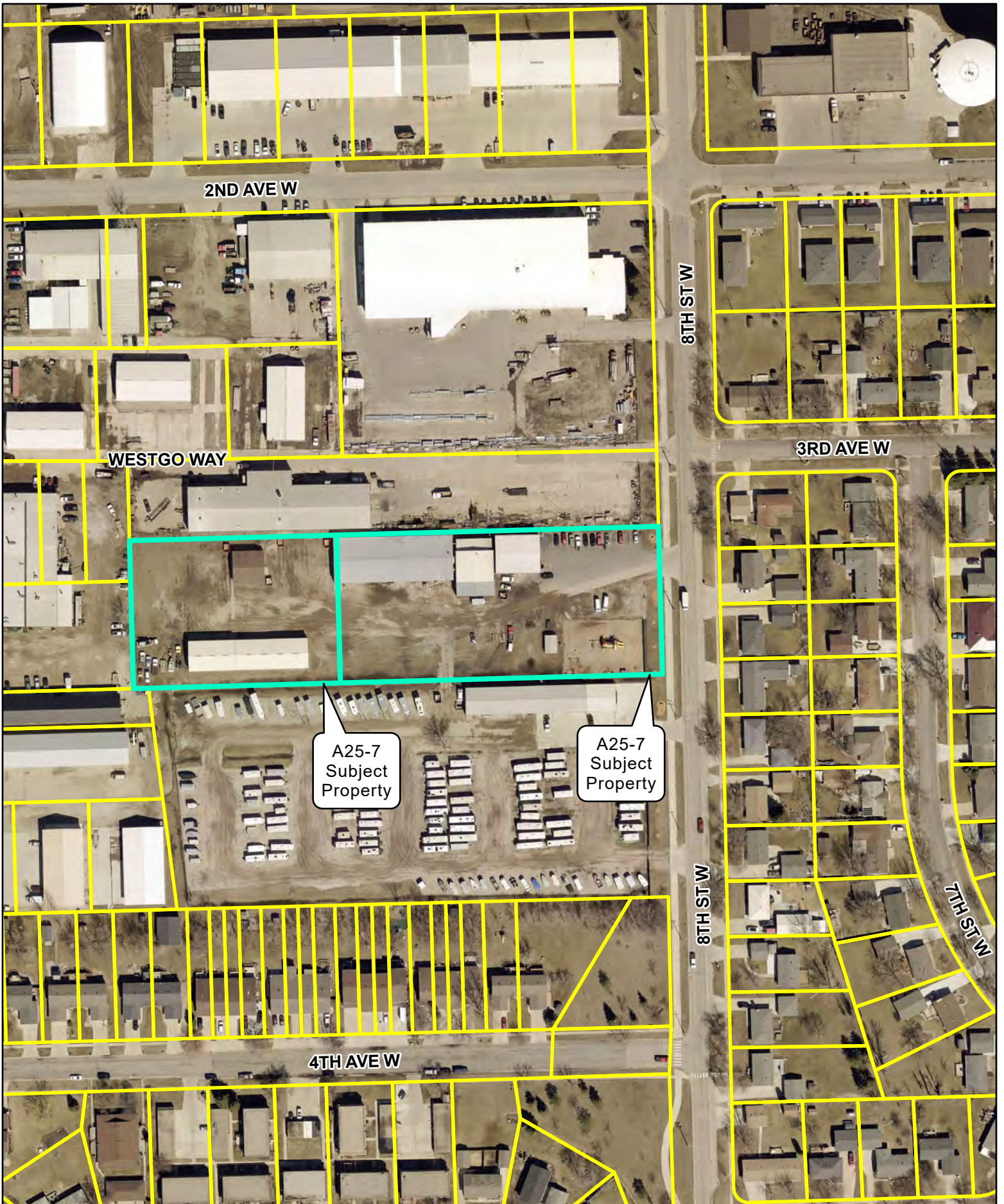
It is recommended that the City approve the proposed application on the basis that, with conditions, it is consistent with City plans and ordinances, with recommended conditions of approval as follows:

1. A Signed Conditional Use Permit Agreement is received prior to final approval by the City Commission.
2. Uses permitted with this Conditional Use Permit include:
 - a. Plumbing and heating shops, sheet metal shops, roofing shops;
 - b. Wholesale distribution facilities;
 - c. Contract construction services;
 - d. General warehousing and storage, not to include auto wrecking, junk or other salvage storage; and
 - e. Light manufacturing, including manufacturing or assembly of small parts, apparel and other finished products from fabrics, leather, etc., wood products, computer products, and printing.
3. Permitted uses notwithstanding, the following uses and activities are prohibited:
 - a. Chemical spray operations, such as paint booths, industrial coating or finishing, application of solvents/VOCs;
 - b. Flammable or combustible liquids in quantities requiring a Fire Code permit;
 - c. Compressed gases (other than standard welding gases and common non-industrial gas canisters);
 - d. Operation of heavy machinery and construction equipment; and
 - e. Any other use or activity that, in the opinion of the Zoning Administrator, poses a safety risk or is materially similar in intensity, hazard, or operational impact to the prohibited uses listed above.
4. All primary operational activities associated with uses allowed by this Conditional Use Permit, including fabrication, assembly, and mechanical work, shall occur indoors. Outdoor areas may be used only for ancillary functions, such as employee parking and secure storage of equipment or materials, provided these do not produce noise, fumes, or other off-site impacts.
5. A paved pedestrian crosswalk marked with high-visibility paint is required to be maintained along the path between the existing daycare building and the existing playground facility. Pedestrian crossing signage is required to be maintained along the driveway on both sides of the crosswalk.
6. Signage is required to be maintained at the entrance to the lot to caution drivers that children may be present.

STAFF REPORT

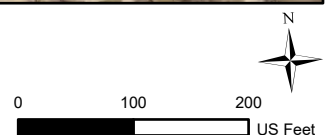
Attachments:

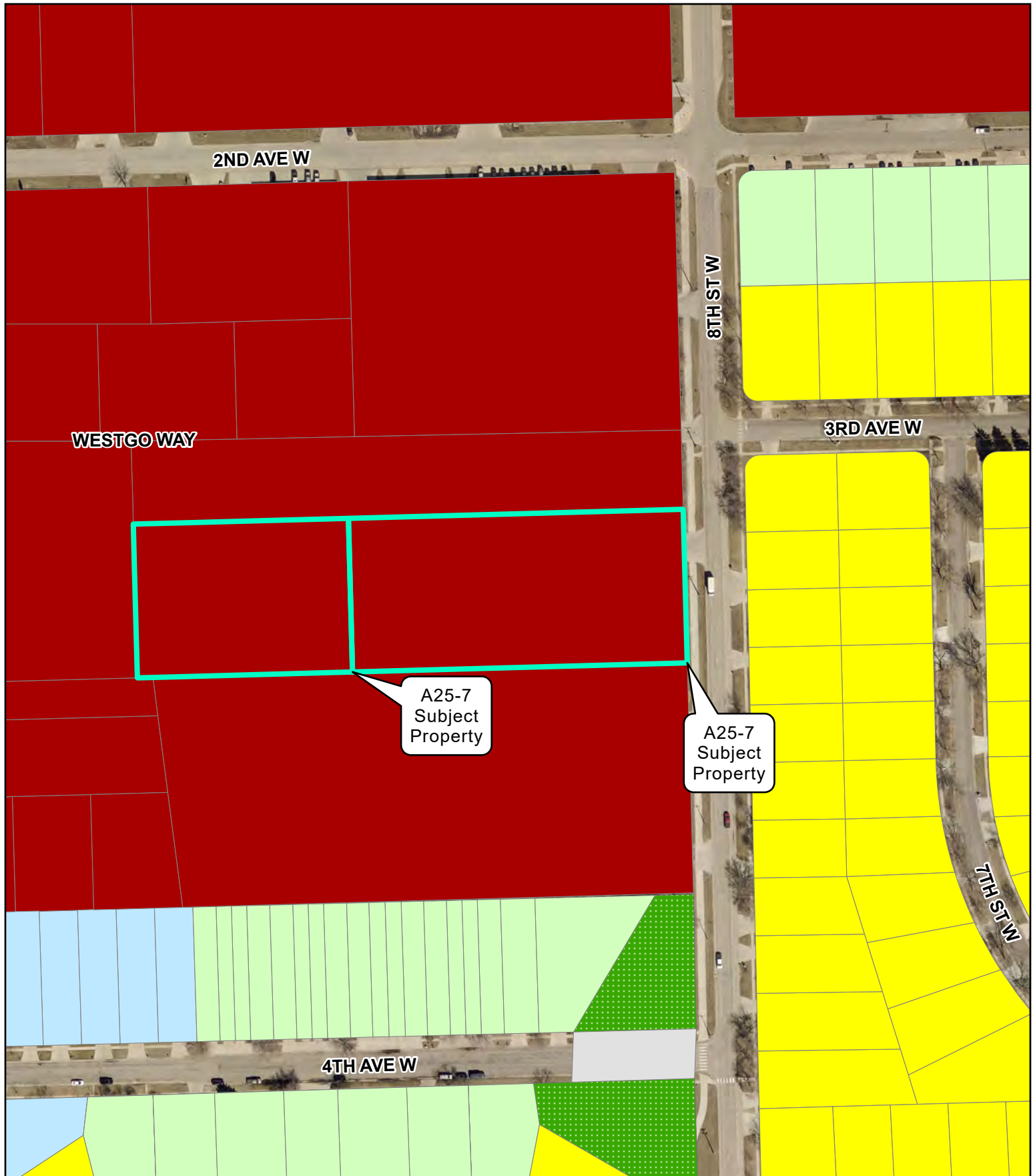
- Aerial map
- Zoning map
- Proposed Site Plan
- Draft Conditional Use Permit Agreement



Features

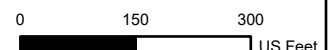
Agenda Zone Lots

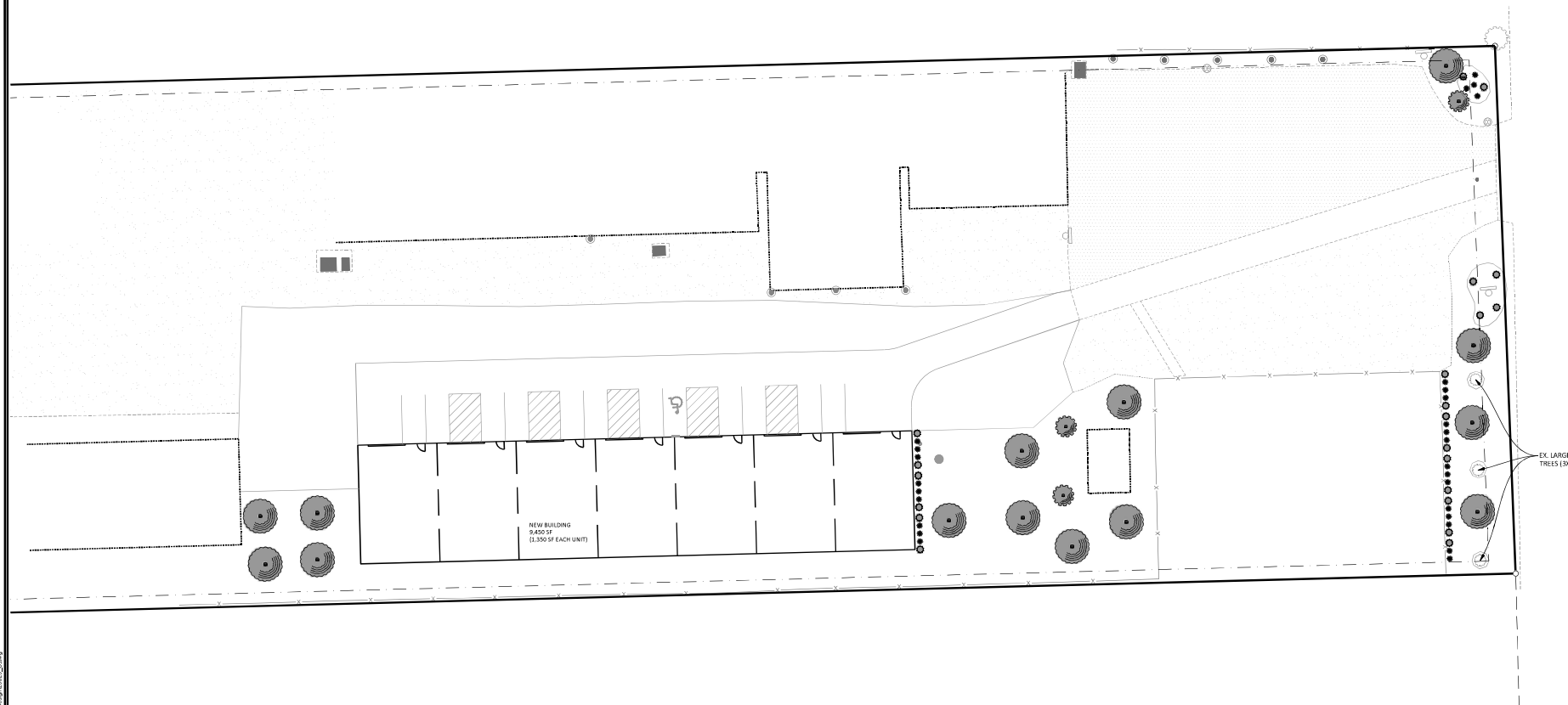




West Fargo Zoning

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



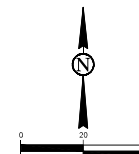


LANDSCAPING LEGEND				
SYMBOL	TYPE OF PLANT MATERIAL	PLANTING SIZE	PLANT UNITS PER EACH	#PLANTS EACH
	LARGE DECIDUOUS TREE	1-INCH CALIPER - >30 FOOT MATURE HEIGHT	10	14
	SMALL DECIDUOUS TREE	1-INCH CALIPER - 12 TO 30 FOOT MATURE HEIGHT	7	3
	MATURE SHRUB	2 GALLON	2	21
	PERENNIAL PLANTS	1 GALLON	1	27

LANDSCAPING REQUIREMENTS		
OPEN SPACE REQUIREMENTS		
CITY REQUIREMENTS	SITE REQUIREMENTS	PROVIDED
4 PLANT UNITS PER 1,000 SF OF LOT AREA	EAST PORTION ONLY 87,385 SF OF LOT / 1,000 = 87.4 87.4 X 4 = 350 PLANT UNITS	3 EX. LARGE TREES (30 UNITS) 14 NEW LARGE TREES (140 UNITS) 3 NEW SMALL TREES (21 UNITS) 21 NEW SHRUBS (42 UNITS) 27 NEW PERENNIALS (27 UNITS) TOTAL = 272 - 350 TOTAL PLANT UNITS

LANDSCAPING NOTES:

1. AT THE TIME OF PLANTING TREES SHALL HAVE A MIN. OF 2" CALIPER TRUNK.
2. ALL STRIPS/TREES SHALL HAVE A MINIMUM 3' RADII MULCHING INSTALLED AT THE TIME OF PLANTING. THIS SHALL NOT APPLY TO TREES WITHIN THE SITE.
3. CONTRACTOR SHALL PROVIDE A 1 YEAR WARRANTY ON ALL LANDSCAPE MATERIAL TO INCLUDE WORKMANSHIP FOR INSTALLATION FROM DATE OF FINAL ACCEPTANCE.
4. CONTRACTOR TO COORDINATE WITH MECHANICAL REGARDING LANDSCAPING IN AND AROUND AIR INTAKE OR EXHAUST UNITS.
5. CONTRACTOR TO ALLOW 5' CLEARANCE FROM UNDERGROUND UTILITY PIPING TO PLANTINGS.
6. ALL OTHER PLANTING / LANDSCAPE REQUIREMENTS PER FRANCHISE REQUIREMENTS.
7. ALL TREES SHALL BE APPROVED BY CITY FORESTER.



CALL BEFORE YOU DIG
NORTH DAKOTA
UTILITIES UNDERGROUND LOCATION SERVICE
1-800-795-0555

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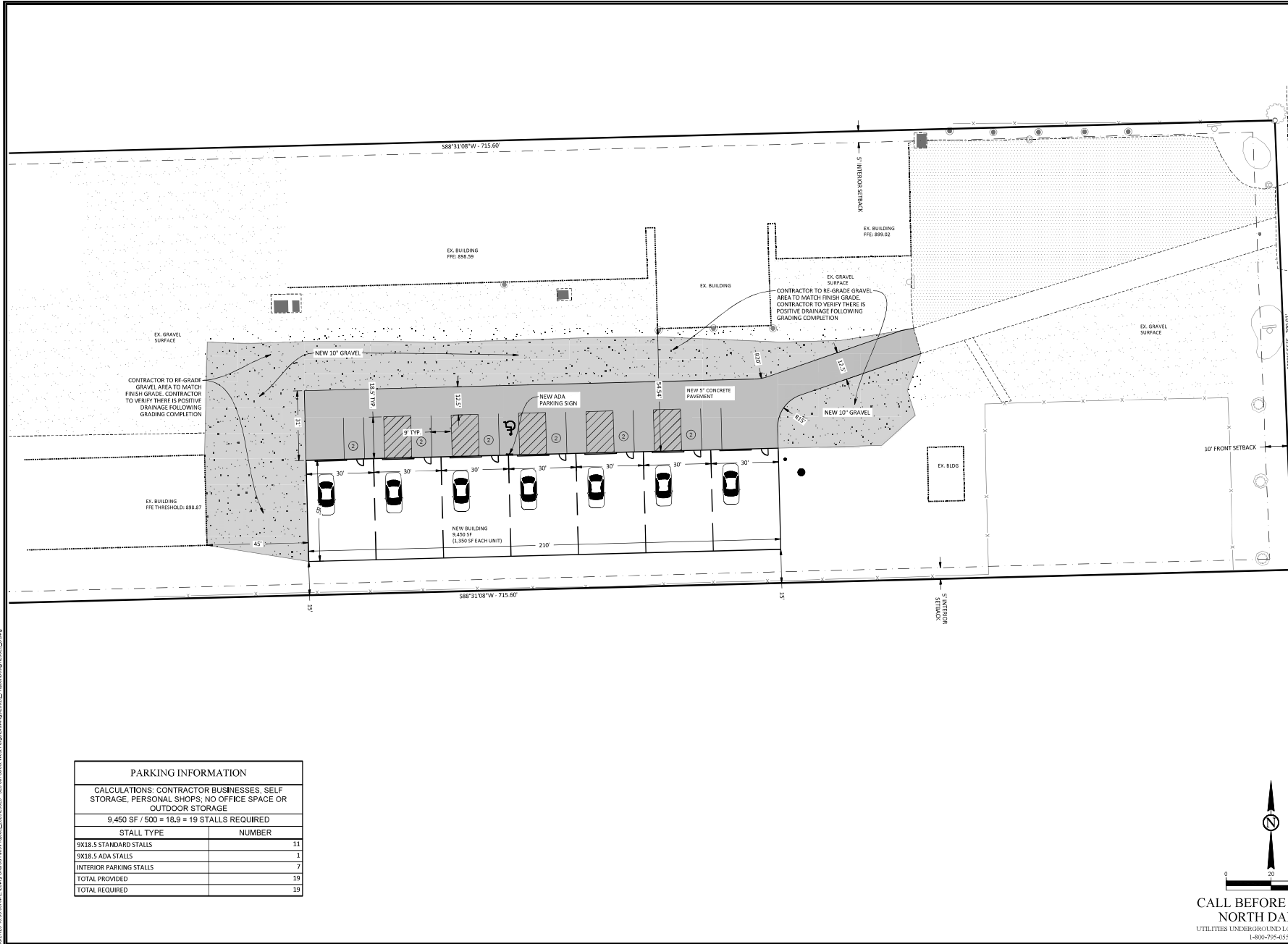
THOMPSON SHOP BUILDING
320 8TH STREET WEST
WEST FARGO, ND 58078

**NOT FOR
CONSTRUCTION**

LE JOB #	25025
PROJECT DATE:	03/05/2025
CHECKED BY:	SAS
DRAWN BY:	GLF
APPROVED BY:	SAS

OVERALL
SITE
PLAN

C-4

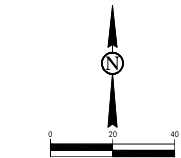


PARKING INFORMATION		
CALCULATIONS: CONTRACTOR BUSINESSES, SELF STORAGE, PERSONAL SHOPS: NO OFFICE SPACE OR OUTDOOR STORAGE		
9,450 SF / 500 = 18.9 = 19 STALLS REQUIRED		
STALL TYPE	NUMBER	
9X18.5 STANDARD STALLS		11
9X18.5 ADA STALLS		1
INTERIOR PARKING STALLS		7
TOTAL PROVIDED		19
TOTAL REQUIRED		19

CALCULATIONS: CONTRACTOR BUSINESSES, SELF STORAGE, PERSONAL SHOPS; NO OFFICE SPACE OR OUTDOOR STORAGE	
9,450 SF / 500 = 18.9 = 19 STALLS REQUIRED	
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CALL BEFORE YOU DIG
NORTH DAKOTA
UTILITIES UNDERGROUND LOCATION SERVICE
1-800-795-0555

Conditional Use Permit

State of North Dakota,
County of Cass,
City of West Fargo

WHEREAS, **Brick View Apartments LLC** (hereinafter referred to as the “**Applicant**”) has paid the sum of two hundred dollars (\$200.00) to the City of West Fargo, as required by the City of West Fargo Zoning Ordinance, and has complied with all the requirements of said ordinance necessary for obtaining this permit; and

WHEREAS, the **Applicant** is the legal owner of property located at 320 8th Street West, West Fargo, ND 58078, legally described as (hereinafter referred to as the “Property”):

See Attached Exhibit A

NOW, THEREFORE, by order of the West Fargo City Commission, the said applicant is hereby issued a Conditional Use Permit to:

Allow shop condos for light industrial uses in an HC: Heavy Commercial Zoning District

on the above-described Property with the following conditions:

1. Uses permitted with this Conditional Use Permit include:
 - a. Plumbing and heating shops, sheet metal shops, roofing shops;
 - b. Wholesale distribution facilities;
 - c. Contract construction services;
 - d. General warehousing and storage, not to include auto wrecking, junk or other salvage storage; and
 - e. Light manufacturing, including manufacturing or assembly of small parts, apparel and other finished products from fabrics, leather, etc., wood products, computer products, and printing.
2. Permitted uses notwithstanding, the following uses and activities are prohibited:
 - a. Chemical spray operations, such as paint booths, industrial coating or finishing, application of solvents/VOCs;
 - b. Flammable or combustible liquids in quantities requiring a Fire Code permit;
 - c. Compressed gases (other than standard welding gases and common non-industrial gas canisters);
 - d. Operation of heavy machinery and construction equipment; and
 - e. Any other use or activity that, in the opinion of the Zoning Administrator, poses a safety risk or is materially similar in intensity, hazard, or operational impact to the prohibited uses listed above.
3. All primary operational activities associated with uses allowed by this Conditional Use Permit, including fabrication, assembly, and mechanical work, shall occur indoors. Outdoor areas may be used only for ancillary functions, such as employee parking and secure storage

of equipment or materials, provided these do not produce noise, fumes, or other off-site impacts.

4. A paved pedestrian crosswalk marked with high-visibility paint is required to be maintained along the path between the existing daycare building and the existing playground facility. Pedestrian crossing signage is required to be maintained along the driveway on both sides of the crosswalk.
5. Signage is required to be maintained at the entrance to the lot to caution drivers that children may be present.
6. The City of West Fargo reserves the right to inspect the property for compliance with these conditions.
7. Any and all claims that arise or may arise against Applicant, its agents, servants, or employees while engaged in the use of the Property, shall in no way be the obligation of the City of West Fargo. Furthermore, Applicant, its agents servants, employees, or assigns shall indemnify, hold harmless, and defend the City, its officers and employees against any and all liability, loss, costs, damages, expenses, claims, actions, or judgments, including attorneys' fees which the City, its officers or employees may hereafter sustain, incur, or be required to pay, in any way connected with the use of the Property or City actions related to the granting of this Conditional Use Permit.
8. Any improvements made to the property in connection with this Conditional Use Permit shall be at the sole expense of the Owner and shall not be the obligation of the City.
9. If Applicant fails to observe the terms and conditions of this Conditional Use Permit, the City may revoke this Conditional Use Permit. In such an event, the City will give owner at least a ten (10) day notice of revocation of a revocation hearing for the Conditional Use Permit stating the time, place and purpose of such hearing. Upon such hearing, the City may revoke this Conditional Use Permit. If this Conditional Permit is revoked Owner shall remove the conditionally permitted use from the property by the date stated by the City Commission at the hearing. Applicant shall pay as reasonable attorney's fees and court costs associated with the City's enforcement of the terms of this Conditional Use Permit.
10. This Conditional Use permit will not be in effect until such time as:
 - a. it is executed and recorded with Cass County; and
 - b. the City of West Fargo is provided with recording information.
11. The obligations herein shall run with the Property and shall bind the Applicant and the Owner and their successors and assigns.
12. Each provision, section, sentence, clause, phrase, and word of this Agreement is intended to be severable. If any provision, section, sentence, clause, phrase, and word hereof is held by a court with jurisdiction to be illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.
13. The Applicant acknowledges receipt of this Conditional Use Permit and agrees to its terms and conditions.

Dated this ____ day of _____, 20__.

APPLICANT:

Jake Thompson
Brick View Apartments LLC

STATE OF NORTH DAKOTA)
)
COUNTY OF CASS)

On this ____ day of _____, 20__, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Jake Thompson, known to me to be the person who is described in and who executed the above and foregoing document and acknowledged to me that he executed the same.

[SEAL]

Notary Public

Dated this ____ day of _____, 20__.

CITY OF WEST FARGO

Bernie L. Dardis, President of the Board of
City Commissioners

Dustin T. Scott, City Auditor

STATE OF NORTH DAKOTA)
)

COUNTY OF CASS)

On this ____ day of _____, 2025, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Bernie L. Dardis and Dustin T. Scott, known to me to be the President of the Board of City Commissioners and City Auditor, respectively, of the City of West Fargo, that is described in and who executed the above and foregoing document and acknowledged to me that he executed the same on the behalf of the City of West Fargo.

[SEAL]

Notary Public

EXHIBIT A

Two tracts of land lying in the North Half of Section 7, in Township 139 North of Range 49 West of the Fifth Principal Meridian, in the County of Cass and the State of North Dakota, described as follows: (1) Beginning at a point 300 feet East and 1,211.33 feet South of the Northwest corner of the Northeast Quarter of said Section 7, said point of beginning lying on the West line of Riverside Addition to the City of West Fargo; thence South along said West line of Riverside Addition for a distance of 200 feet; thence West parallel to the North line of said Section 7 for a distance of 435.6 feet; thence North parallel to the West line of Riverside Addition for a distance of 200 feet; thence East parallel to the North line of said Section 7 for a distance of 435.6 feet to the point of beginning; AND (2) Commencing at the Northwest corner of the Northeast Quarter of Section 7, Township 139, Range 49, thence along the North line 300 feet to the West right-of-way of Eighth Street West; thence South along such right-of-way 1,211.33 feet; thence West parallel with the North section line 435.6 feet to the point of beginning; thence West parallel with the North section line 280 feet; thence South parallel with the West right-of-way of said Eighth Street West for a distance of 200 feet; thence East parallel with the North line for a distance of 280 feet; thence North parallel with the West line of said Eighth Street West for a distance of 200 feet to the point of beginning.

The legal description was obtained from a previously recorded instrument

02-3000-00423-000, 02-3000-00418-020

STAFF REPORT

A25-4 PUD DETAILED DEVELOPMENT PLANS	
Oak Ridge 20 th Addition	
825 32 nd Avenue East (Lot 1, Block 1 of Oak Ridge 20 th Addition), City of West Fargo, North Dakota	
Applicant: Brian Julius, Ackerman-Estvold Owner: Philip Matz, Bremer Bank	Staff Contact: Lisa Sankey
Planning & Zoning Commission Detailed Development Plans:	4/15/25

PURPOSE:

Revised Detailed Development Plans within a Planned Unit Development to consider development of an oil change business

STATEMENTS OF FACT:

Land Use Classification:	G-2 Suburban Growth Sector
Existing Land Use:	Vacant
Current Zoning District:	PUD: Planned Unit Development
Zoning Overlay District(s):	CO: Corridor
Proposed Lot size(s) or range:	26,694 ft ²
Adjacent Zoning Districts:	North, South & West– PUD: Planned Unit Development (Commercial) ; East – City of Fargo
Adjacent street(s):	32 nd Avenue East (Minor Arterial); Veteran's Blvd (Minor Arterial)
Adjacent Bike/Pedestrian Facilities:	East/West Multi-Use Path along north side of development; Multi-Use Path along Veteran's Blvd
Available Parks/Trail Facilities:	Shadow Wood and Maple Ridge at the Preserve Parks accessible within ½ mile by sidewalks and path
Park Dedication Requirements:	N/A

DISCUSSION AND OBSERVATIONS:

- Last month this property was replatted into two lots for sale and development on the southwest corner of 32nd Avenue East and Veteran's Blvd.
- When this property was platted and zoned in 2015, the PUD established the development patterns for general commercial land uses for a retail commercial development in order to share parking and allow for off-premise signage for businesses within the PUD District. Specifically, the PUD allows for:
 - Two development signs—one at the corner of 6th Street East and 32nd Avenue and the other at the corner of Veteran's and 32nd Avenue East—for off-premise advertising for those businesses within this PUD.
 - The underlying uses and development standards for the PUD would follow the C: Light Commercial zoning district standards. Permitting of new development will be required to follow those standards as well as the standards of the CO: Corridor Overlay District.

STAFF REPORT

- o Shared parking within the PUD. Development is required to follow the requirements of the City Parking Regulations with the exception that shared off-site parking is allowed for Lots 4, 5, 6, 7, and 8, Block 1, Oak Ridge 6th Addition. On these lots, a reduction of required parking by up to 15% is allowed. Shared “overflow” parking is available on Lots 1 & 3, Block 1, Oak Ridge 6th Addition, which are grocery store and retail strip mall lots with large parking lots within the PUD.
- The revised detailed development plans show a site plan for a 1,700 square foot commercial structure and 7 parking spaces, which meets the minimum parking spaces for a vehicle quick lube business.
- The submitted Building Elevations show building materials. Under CO: Corridor Overlay District regulations, 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. Submitted elevations show LP Smartside Lap siding with a thin brick modular system along the lower part of the building.
- Wall signage is shown on the building elevations. The sign allocation plan for the PUD includes a reduction of 8% of sign-face area for each lot due to the allowance for two primary development signs advertising for businesses within the PUD.
- Trash enclosure elevations, size and a location were provided.
- According to the landscaping standards, four plant units will need to be provided for each 1,000 square feet of lot area, with the location of 70% of the plant units located within the front or streetside yard. A landscaping plan was submitted they meet this requirement.

PUD DETAILED DEVELOPMENT PLAN REVIEW:

A PUD Detailed Development Plan may be approved by the Planning & Zoning Commission if it is determined by the Commission to be in substantial compliance with the approved PUD Concept Plan as per Section 4-432.3.B.2 PUD Detailed Development Plan Review Criteria listed below.

As highlighted in the discussions and observation section at the beginning of the staff report, it should be noted that the original PUD from 2015, did not include a site plan and the intent was to allow any development meeting the development patterns for general commercial land uses for a retail commercial development, follows the CO: Corridor Overlay District regulations, and allows for shared parking and off-premise signage for businesses within the PUD District.

- A PUD Detailed Development Plan may be deemed to be in substantial compliance with the PUD Concept Plan so long as, when compared with the PUD Concept Plan, it does not result in:
 - a. An increase in project density or intensity, including the number of housing units per acre or the amount of nonresidential floor area per acre;
 - No concerns noted.
 - b. A change in the mix of housing types or the amount of land area devoted to nonresidential uses;
 - No concerns noted

STAFF REPORT

- c. A reduction in the amount of open space;
 - No concerns noted.
- d. Any change to the vehicular system that results in a significant change in the amount or location of streets, common parking areas, and access to the PUD;
 - No concerns noted.
- e. Any change determined by the Planning & Zoning Commission to represent an increase in development intensity; or
 - No concerns noted.
- f. A substantial change in the layout of buildings.
 - No concerns noted. As noted above the PUD was based on use, and therefore a site plan was not provided as part of the original PUD. Any new development will need to follow the PUD standards as highlighted in the staff report.

NOTICES:

Sent to: Applicable agencies and departments

Comments Received:

- None to date

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

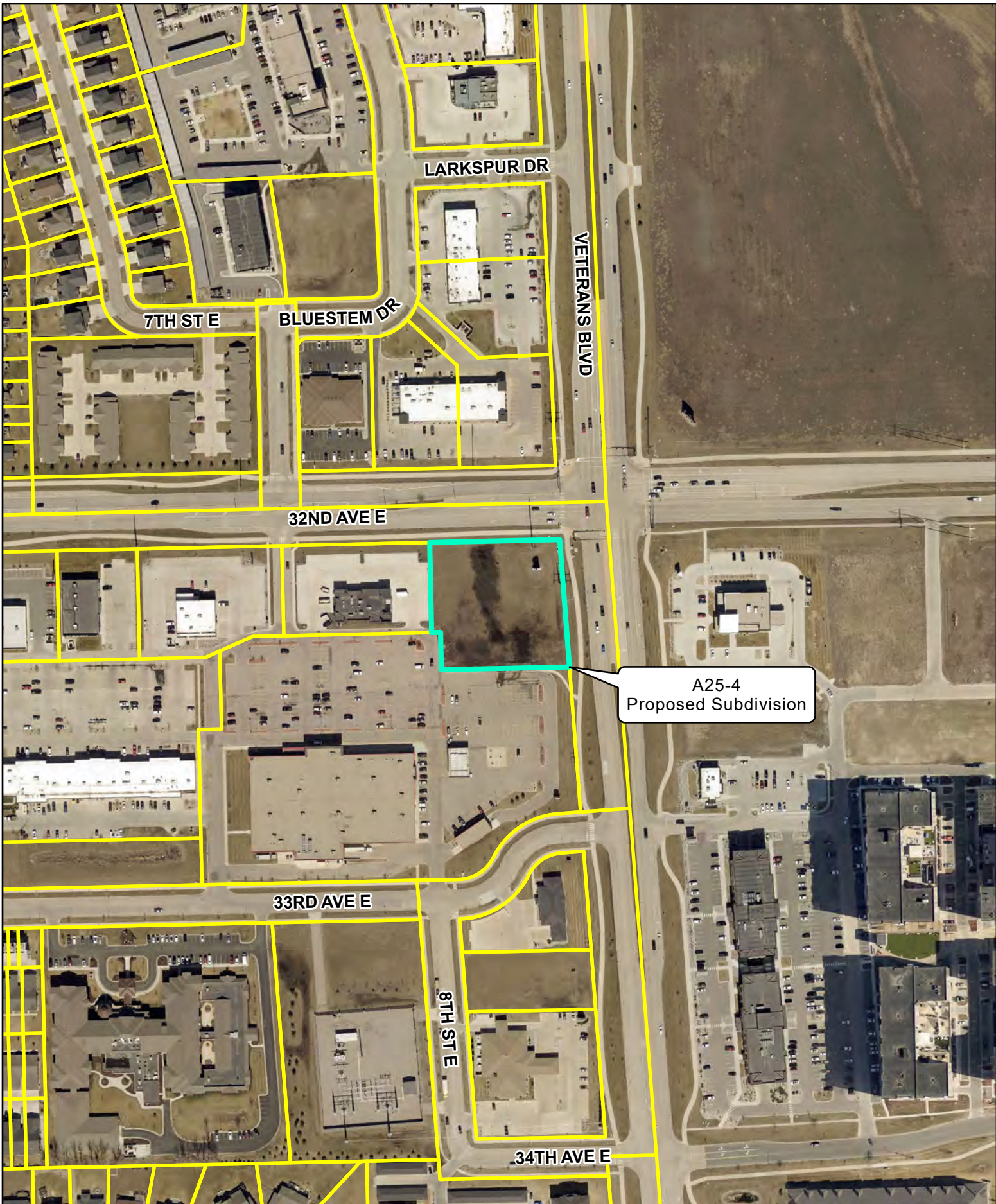
- The proposed Detailed Development Plans are consistent with the City's Comprehensive Plan, which depicts the area developing as a suburban growth area.
- The PUD Detailed Development Plans are compliant with the approved PUD Concept Plan and Review Criteria.

RECOMMENDATIONS:

It is recommended that the City approve the PUD Detailed Development Plans on the basis of consistency with City Plans and Ordinances

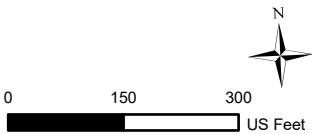
Attachments:

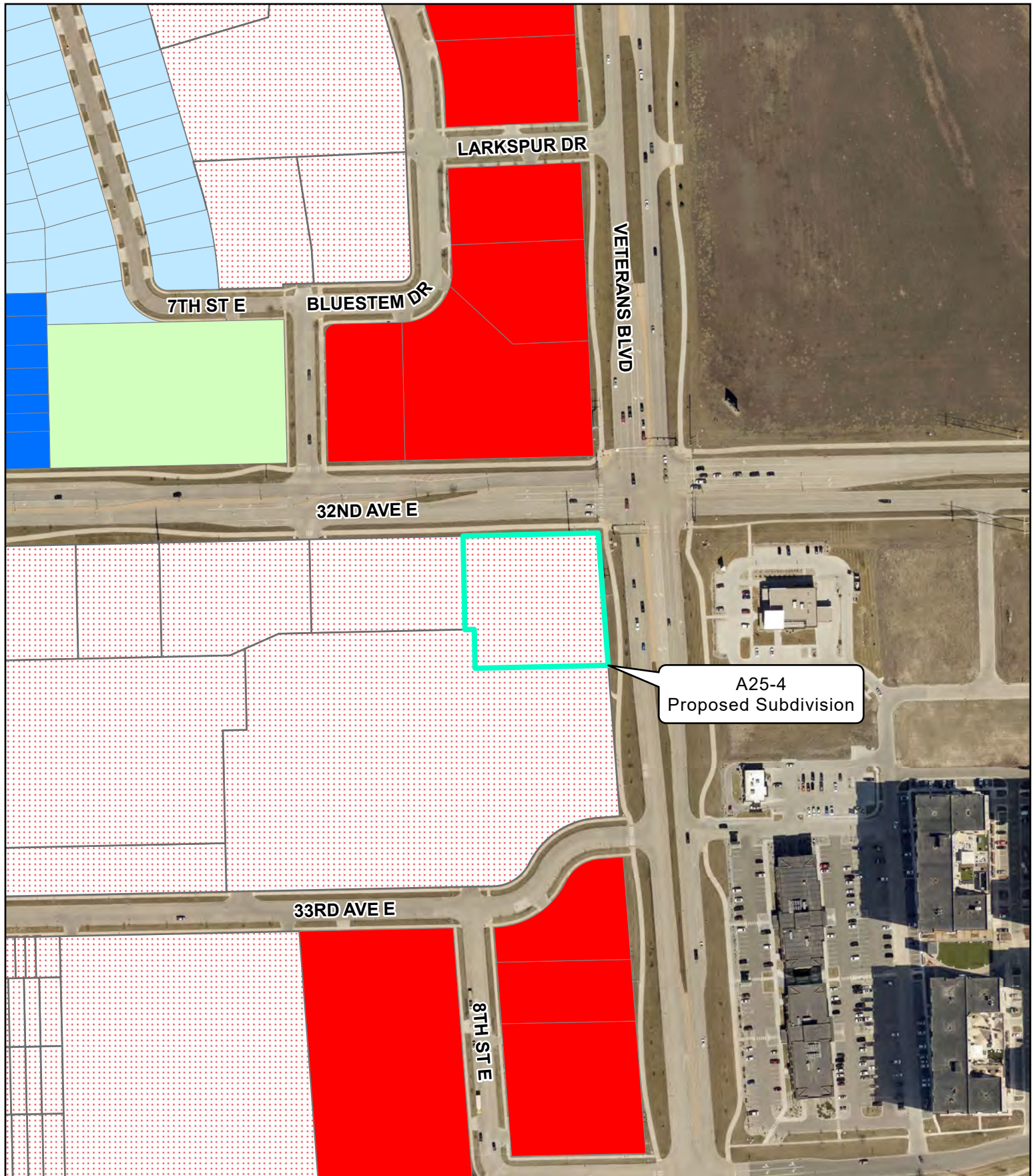
- Aerial map
- Zoning map
- Detailed Development Plans – Architectural and Civil Site Plans
- Original PUD Development Standards
- Recorded Plat



Features

 Agenda Zone  Lots





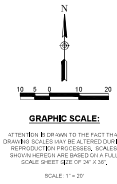
A25-4
Proposed Subdivision

West Fargo Zoning

A: Agricultural	LI: Light Industrial	R-1SM: Mixed One and Two Family Dwelling
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HC: Heavy Commercial	R-1A: Single Family Dwelling	R-1E: Rural Estate
	R-1: One and Two Family Dwelling	R-R: Rural Residential



0 150 300
US Feet



NOTES:

1. HORIZ. DATUM: US STATE PLAN 1982, ND NORTH. HAD 83 AT GRID VERTICAL DATUM: NAVD83 UNITS: US SURVEY FT.
2. THE UNDERGROUND UTILITIES ARE FURNISHED BY THE UTILITY COMPANIES AND FIELD OBSERVATIONS. LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY AND RELIABLY OBTAINED. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED THE CLIENT IS ADVISED THAT EXCAVATION MAY BE NECESSARY.
3. ALL UNDERGROUND UTILITIES, PIPE SIZES AND TYPES ARE TO BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION.

NOT FOR CONSTRUCTION



WEST FARGO VALVOLINE

VALVOLINE
VETERANS BLVD
FARGO, ND 58078

3/24/2025

Project Status

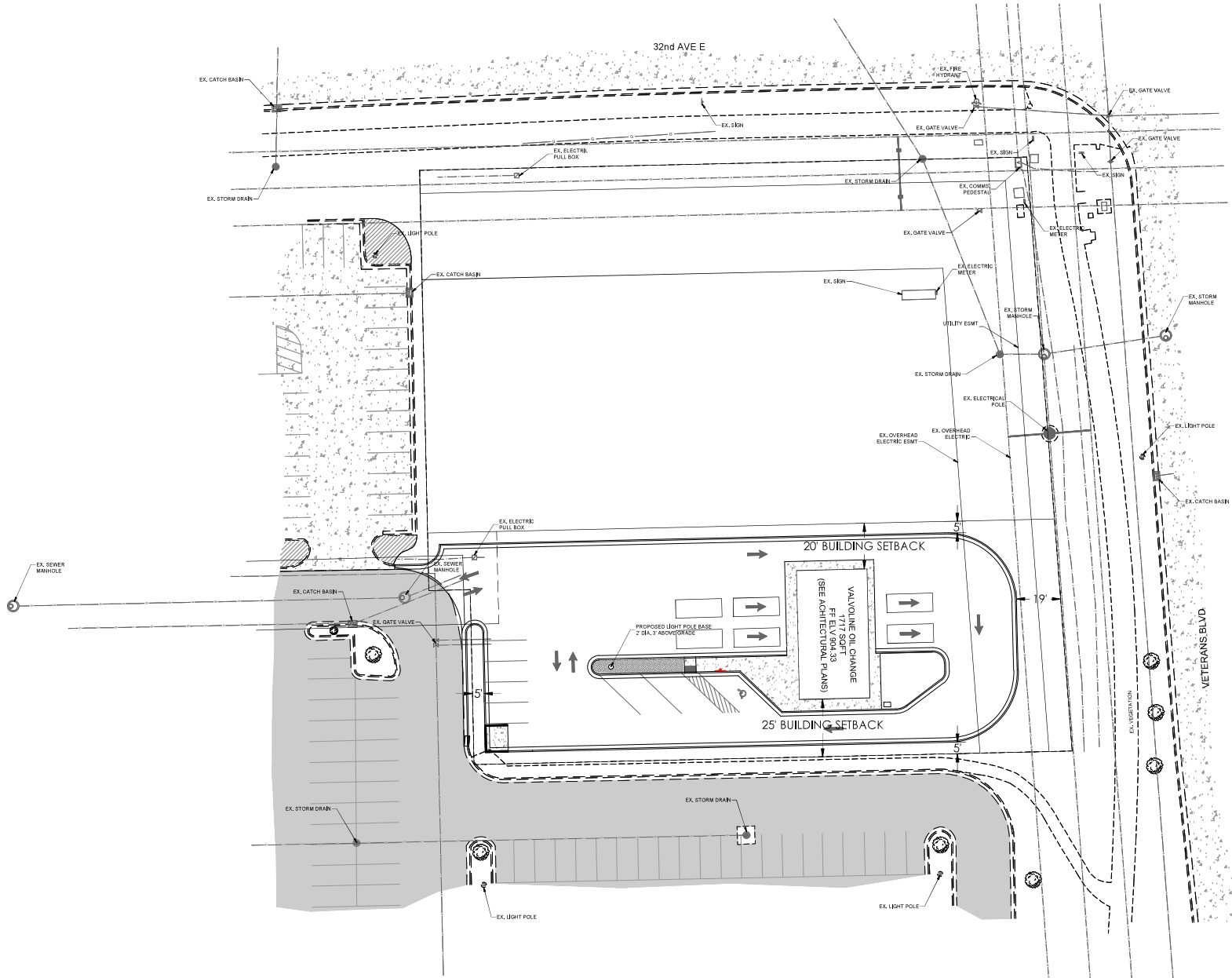
REVISION SCHEDULE

#	DATE	REVISION

DESIGNED BY	SPS
DRAWN BY	ACK
CHECKED BY	ACK

140021

C400
SITE PLAN



LANDSCAPE NOTES:

- CONTRACTOR SHALL REPORT TO DESIGN PROFESSIONAL ALL CONDITIONS WHICH IMPAIR AND/OR PREVENT THE PROPER EXECUTION OF THIS WORK, PRIOR TO BEGINNING WORK.
- NO MATERIAL SUBSTITUTIONS SHALL BE MADE WITHOUT THE DESIGN PROFESSIONAL'S PRIOR WRITTEN APPROVAL. ALTERNATE MATERIALS OF SIMILAR SIZE AND CHARACTER MAY BE CONSIDERED IF SPECIFIED PLANT MATERIALS CAN NOT BE OBTAINED.
- COORDINATE ALL WORK WITH ALL OTHER SITE RELATED DEVELOPMENT DRAWINGS.
- COORDINATE WORK SCHEDULE AND OBSERVATIONS WITH DESIGN PROFESSIONAL PRIOR TO CONSTRUCTION START-UP.
- ALL PLANT MATERIAL SHALL BE INSTALLED AS PER DETAILS.
- ALL PLANT MATERIAL SHALL CONFORM TO THE AMERICAN NURSERYMAN STANDARDS FOR TYPE AND SIZE SHOWN. PLANTS WILL BE REPLACED IF NOT IN A SOUND AND HEALTHY CONDITION.
- IN THE EVENT OF A PLANT COUNT DISCREPANCY, PLANT SYMBOLS SHALL OVERIDE SCHEDULE QUANTITIES AND CALL OUT SYMBOL NUMBERS.
- ALL PLANTING BEDS SHALL BE COVERED WITH A MINIMUM OF 3" DEPTH OF LARGE (2" MINUS) CRUSHED BASALT ROCK MULCH. (SMALL SAMPLE FOR APPROVAL)
- ALL PLANT MATERIALS SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR BEGINNING AT THE DATE OF ACCEPTANCE BY THE OWNER. REPLACE ALL PLANT MATERIAL FOUND DEAD OR NOT IN A HEALTHY CONDITION IMMEDIATELY WITH THE SAME SIZE AND SPECIES AT NO COST TO THE OWNER.
- FINISH GRASS SHALL PROVIDE A SMOOTH TRANSITION WITH ADJACENT SURFACES AND ENSURE POSITIVE DRAINAGE IN ACCORDANCE WITH THE SITE GRADING PLAN.
- AMEND EXISTING APPROVED TOPSOIL AT A RATIO OF THREE (3) PARTS OF APPROVED COMPOST PER 1000 SQUARE FEET. ROTO-TILL ORGANIC MATTER A MINIMUM OF 6 INCHES INTO TOPSOIL.
- FERTILIZE ALL TREES AND SHRUBS WITH "AGFORM" PLANTING TABLETS. QUANTITY PER MANUFACTURER'S RECOMMENDATIONS.
- ALL PLANTING BEDS SHALL HAVE A MINIMUM 18" DEPTH OF TOPSOIL. LAWN AREAS SHALL HAVE A MINIMUM 12" DEPTH OF TOPSOIL. SPREAD, COMPACT, AND FINE GRADE TOPSOIL TO A SMOOTH AND UNIFORM GRADE 1" BELOW ADJACENT SURFACES OF PLANTER BED AREAS, 1-1/2" BELOW ADJACENT SURFACES OF TURF SOO AREAS, AND 1" BELOW ADJACENT SURFACES OF TURF SEED AREAS.
- REUSE EXISTING TOPSOIL STOCKPILED ON THE SITE. SUPPLEMENT WITH IMPORTED TOPSOIL WHEN QUANTITIES ARE INSUFFICIENT. VERIFY SUSTAINABILITY AND CONDITION OF TOPSOIL AS A GROWING MEDIUM. PERFORM SOIL TEST/ ANALYSIS AND PROVIDE ADDITIONAL AMENDMENT AS DETERMINED BY SOIL TESTS. TOPSOIL SHALL BE LOOSE, FERTILE, SANDY LOAM, CLEAN AND FREE OF TOXIC MATERIALS, NOCIOUS WEEDS, WEED SEEDS, ROCKS, CRASS OR OTHER FOREIGN MATERIAL AND HAVE A PH OF 5.5 TO 7.0. ON-SITE TOPSOIL THAT DOES NOT MEET THESE MINIMUM STANDARDS, CONTRACTOR IS RESPONSIBLE TO EITHER:
 - PROVIDE APPROVED IMPORTED TOPSOIL, OR
 - IMPROVE ON-SITE TOPSOIL WITH METHODS APPROVED BY THE DESIGN PROFESSIONAL.
- IF IMPORTED TOPSOIL FROM OFF-SITE SOURCES IS REQUIRED, ENSURE IT IS FERTILE, FERTILE, NATURAL LOAM, SURFACE SOIL, REASONABLY FREE OF SUBSOIL, CLAY LUMPS, BRUSH, WEEDS AND OTHER LITTER, AND FREE OF ROOTS, STUMPS, STONES LARGER THAN 2 INCHES IN ANY DIMENSION, AND OTHER EXTRANEOUS OR TOXIC MATTER HARMFUL TO PLANT GROWTH.
- OBTAIN TOPSOIL FROM LOCAL SOURCES OR FROM AREAS HAVING SIMILAR SOIL CHARACTERISTICS TO THOSE FOUND ON THE PROJECT SITE. OBTAIN TOPSOIL ONLY FROM NATURALLY, WELL-DRAINED SITES WHERE TOPSOIL OCCURS AT A DEPTH OF NOT LESS THAN 4 INCHES.
- REPRESENTATIVE SAMPLES SHALL BE TESTED FOR ACIDITY, FERTILITY, TOXICITY, AND GENERAL TEXTURE BY A RECOGNIZED COMMERCIAL OR GOVERNMENT AGENCY AND COPIES OF THE TESTING AGENCY'S FINDINGS AND RECOMMENDATIONS SHALL BE FURNISHED TO THE ARCHITECT'S REPRESENTATIVE BY THE CONTRACTOR. ALL TOPSOIL SHALL BE AMENDED TO ACHIEVE SPECIFIED PH AND ORGANIC REQUIREMENTS. RE-TEST TOPSOIL PRIOR TO FINAL COMPLETION TO ENSURE REQUIREMENTS HAVE BEEN MET. NO TOPSOIL SHALL BE PLACED WHILE IN A FROZEN OR MUDDY CONDITION.
- PLACE TOPSOIL IN AREAS WHERE REQUIRED TO OBTAIN THICKNESS AS SCHEDULED. PLACE TOPSOIL DURING DRY WEATHER. PROVIDE ADDITIONAL IMPORTED TOPSOIL REQUIRED TO BRING SURFACE TO PROPOSED FINISH GRADE, AS REQUIRED.
- COMPACTED TOPSOIL THICKNESS AT THE FOLLOWING AREAS:
 - LAWN AREAS: 12 INCHES MINIMUM OR AS NECESSARY TO ACHIEVE EVEN GRADES WITH SURROUNDING LAWN AREAS.
 - PLANTER BEDS: 18 INCHES MINIMUM
 - FINE GRADE TOPSOIL TO SMOOTH, EVEN SURFACE WITH LOOSE, UNIFORM FINE TEXTURE. REMOVE RIDGES AND FILL DEPRESSIONS, AS REQUIRED TO MEET FINISH GRADES. FINISH GRADE OF TOPSOIL SHALL BE 2" BELOW FINISH GRADE OF PAVEMENTS AREAS FOR SOO AND 1" FOR SEED.
 - CONTROL PLANK.
 - ALL GRAVEL, SUBBASE, AND OTHER IMPORTED FILL MATERIALS OTHER THAN TOPSOIL SHALL ONLY BE STOCKPILED OR TEMPORARILY PLACED IN PROPOSED LANDSCAPE AREAS TO PREVENT LANDSCAPE AREAS FROM BEING CONTAMINATED WITH ROCK MATERIALS. CONTRACTOR SHALL SUBMIT DETAILED STOCKPILE PLAN TO DESIGN PROFESSIONAL AND OWNER FOR APPROVAL PRIOR TO ANY FILLWORK OPERATIONS.

LANDSCAPE AREA PREPARATION NOTES:

- LIMIT TURF SUBGRADE PREPARATION TO AREAS TO BE PLANTED.
- NEWLY GRADED SUBGRADES: LOOSEN SUBGRADE TO A MINIMUM DEPTH OF 4 INCHES. REMOVE STONES LARGER THAN 1 INCH IN ANY DIMENSION AND STICKS, ROOTS, RUBBER, AND OTHER EXTRANEOUS MATTER AND LEGALLY DISPOSE OF THEM OFF OWNER'S PROPERTY.
- SPREAD PLANTING TABLETS TO A DEPTH OF 12 INCHES AT TURF AREAS AND 18 INCHES AT SHRUB BED AREAS BUT NOT LESS THAN REQUIRED TO MEET FINISH GRADES AFTER LIGHT FROST, MUDDY, OR EXCESSIVELY WET.
- SPREAD PLANTING TABLETS TO A DEPTH OF 12 INCHES AT TURF AREAS AND 18 INCHES AT SHRUB BED AREAS BUT NOT LESS THAN REQUIRED TO MEET FINISH GRADES AFTER LIGHT FROST, MUDDY, OR EXCESSIVELY WET.
- REDUCE ELEVATION OF PLANTING SOIL TO ALLOW FOR SOIL THICKNESS OF SOO OR SEED.
- UNCHANGED SUBGRADES: IF TURF IS TO BE PLANTED IN AREAS UNALTERED OR UNDISTURBED BY STONES LARGER THAN 1 INCH IN ANY DIMENSION AND STICKS, ROOTS, RUBBER, AND OTHER EXTRANEOUS MATTER, AS REQUIRED TO MEET FINISH GRADES. FINISH GRADE OF TOPSOIL SHALL BE 2" BELOW FINISH GRADE OF PAVEMENTS AREAS FOR SOO AND 1" FOR SEED.
- REMOVE EXISTING GRASS, VEGETATION, AND TURF. DO NOT MIX INTO SURFACE SOIL.
- LOOSEN SURFACE SOIL TO A DEPTH OF AT LEAST 6 INCHES. PROVIDE WEED ABATEMENT PROCEDURE. APPLY SOIL AMENDMENTS AND FERTILIZERS ACCORDING TO PLANTING SOIL MIX PROPORTIONS AND MIX THOROUGHLY INTO TOP 6 INCHES OF SOIL. TILL SOIL TO A HOMOGENEOUS MIXTURE OF FINE TEXTURE.
- APPLY SOIL AMENDMENTS DIRECTLY TO SURFACE SOIL, BEFORE LOOSENING.
- REMOVE STONES LARGER THAN 1 INCH IN ANY DIMENSION AND STICKS, ROOTS, TRASH, AND OTHER EXTRANEOUS MATTER.
- LEGALLY DISPOSE OF WASTE MATERIAL, INCLUDING GRASS, VEGETATION, AND TURF, OFF OWNER'S PROPERTY.
- FINISH GRADING: GRADE PLANTING AREAS TO A SMOOTH, UNIFORM SURFACE PLANE WITH LOOSE, UNIFORM FINE TEXTURE. GRADE TO WITHIN PLUS OR MINUS 1/2 INCH OF FINISH ELEVATION. ROLL AND RAKE REMOVE RIDGES, AND FILL DEPRESSIONS TO MEET FINISH GRADES. LIMIT FINISH GRADING TO AREAS THAT CAN BE PLANTED IN THE IMMEDIATE FUTURE.
- MOISTEN PREPARED AREA BEFORE PLANTING IF SOIL IS DRY. WATER THOROUGHLY AND ALLOW SURFACE TO DRY BEFORE PLANTING. DO NOT CREATE MUDDY SOIL.
- BEFORE PLANTING, OBTAIN DESIGN PROFESSIONAL'S ACCEPTANCE OF FINISH GRADING; RESTORE PLANTING AREAS IF ERODED OR OTHERWISE DISTURBED AFTER FINISH GRADING.
- DO NOT SOW IMMEDIATELY FOLLOWING RAIN, OR WHEN GROUND IS TOO DRY. TEMPERATURE SHALL BE BETWEEN 50 F AND 95 F FOR A 24 HOUR PERIOD. WIND SHALL BE LESS THAN 5 MPH.

WEED ABATEMENT NOTES:

- ALL AREAS TO BE PLANTED OR HYDROSEEDED SHALL HAVE WEED ABATEMENT OPERATIONS PERFORMED ON THEM PRIOR TO PLANTING OR HYDROSEEDING.
- CONTRACTOR SHALL SPRAY ALL EXPOSED WEEDS WITH ROUND-UP (CONTACT HERBICIDE) OR APPROVED EQUAL.
- DO NOT WATER FOR AT LEAST SEVEN (7) DAYS. REMOVE EXPOSED WEEDS FROM THE SITE.
- CONTRACTOR SHALL OPERATE THE AUTOMATIC IRRIGATION SYSTEM FOR A PERIOD OF FOURTEEN (14) DAYS. AT CONCLUSION OF THIS WATERING PERIOD, DISCONTINUE WATERING FOR THREE TO FIVE (3-5) DAYS.
- APPLY SECOND APPLICATION OF ROUND-UP TO ALL EXPOSED WEEDS. APPLY IN STRICT CONFORMANCE WITH MANUFACTURER'S SPECIFICATIONS AND INSTRUCTIONS. DO NOT WATER FOR AT LEAST SEVEN (7) DAYS. REMOVE WEEDS FROM THE SITE.
- IF ANY EVIDENCE OF WEED SEMINATIONS EXISTS AFTER TWO (2) APPLICATIONS, CONTRACTOR SHALL BE DIRECTED TO PERFORM A THIRD APPLICATION.
- AT THE TIME OF PLANTING AND HYDROSEEDING, ALL PLANTING AREAS SHALL BE WEED FREE.

IRRIGATION NOTES:

- ALL LANDSCAPED AREAS SHALL HAVE AN AUTOMATIC UNDERGROUND SPRINKLER SYSTEM WHICH INSURES COMPLETE COVERAGE AND PROPERLY ZONED FOR REQUIRED WATER USES. EACH HYDROZONE IS TO BE IRRIGATED WITH SEPARATE INDIVIDUAL STATIONS.
- PLANTER BEDS AND LAWN AREAS ARE TO HAVE SEPARATE HYDRO-ZONES.
- POP-UP SPRINKLER HEADS SHALL HAVE A MINIMUM ROSE HEIGHT OF 4 INCHES AT LAWN AREAS AND 18" AT PLANTER BEDS.
- PLANTER BEDS ARE TO HAVE DWP IRRIGATION SYSTEM OR POP-UP SPRAY SYSTEM. ANNUALS, PERENNIALS GROUND COVER OR SHRUB MASSINGS SHALL HAVE A POP-UP SPRAY SYSTEM.
- ELECTRONIC WATER DISTRIBUTION/TIMING CONTROLLERS ARE TO BE PROVIDED. MINIMUM CONTROLLER REQUIREMENTS ARE AS FOLLOWS:
 - PREPARE INDIVIDUAL ZONE TIMING
 - RUN THE CAPABILITIES FOR EXTREMES IN PRECIPITATION RATES
 - AT LEAST ONE PROGRAM FOR EACH HYDROZONE
 - SUFFICIENT MULTIPLE CYCLES TO AVOID WATER RUN-OFF
 - POWER FAILURE GROUP FOR ALL PROGRAMMED INDIVIDUAL VALVED WATER STATIONS WILL BE DESIGNED AND INSTALLED TO PROVIDE WATER TO RESPECTIVE HYDRO-ZONES.
- INDIVIDUAL VALVED WATER STATIONS WILL BE DESIGNED AND INSTALLED TO PROVIDE WATER TO RESPECTIVE HYDRO-ZONES.
- THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE 100% HEAD TO HEAD COVERAGE WITH TRIANGULAR SPACING.
- SPRINKLER HEADS SHALL BE ADJUSTED TO REDUCE OVERSPRAY ONTO IMPERVIOUS SURFACES (BUILDINGS, SIDEWALKS, DRIVEWAYS, AND ASPHALT AREAS).
- PROVIDE MINIMUM (1) QUICK CLOSURE VALVE PER EACH (6) AUTOMATIC VALVE ZONES. APPROVE CLOSURE LOCATIONS WITH DESIGN PROFESSIONAL.

TOPSOIL NOTES

- TOPSOIL REQUIREMENTS: ASTM D 5088, PH RANGE OF 5.5 TO 7.0, FOUR PERCENT ORGANIC MATERIAL, MINIMUM FREE OF STONES 1/2 INCH OR LARGER IN ANY DIMENSION, AND OTHER EXTRANEOUS MATERIALS HARMFUL TO PLANT GROWTH.
- TOPSOIL SOURCES: STRIP EXISTING TOPSOIL FROM ALL AREAS OF THE SITE TO BE DISTURBED. TOPSOIL SHALL BE FERTILE, FERTILE, NATURAL LOAM, SURFACE SOIL, REASONABLY FREE OF SUBSOIL, CLAY LUMPS, BRUSH, WEEDS AND OTHER LITTER, AND FREE OF ROOTS, STUMPS, ORGANIC MATTER LARGER THAN 2 INCHES IN ANY DIMENSION, AND OTHER EXTRANEOUS OR TOXIC MATTER HARMFUL TO PLANT GROWTH. TOPSOIL SHALL BE SOREXED TO ACHIEVE THIS REQUIREMENT.
- REPRESENTATIVE SAMPLES SHALL BE TESTED FOR ACIDITY, FERTILITY AND GENERAL TEXTURE BY A RECOGNIZED COMMERCIAL OR GOVERNMENT AGENCY AND COPIES OF THE TESTING AGENCY'S FINDINGS AND RECOMMENDATIONS SHALL BE FURNISHED TO THE ARCHITECT'S REPRESENTATIVE BY THE CONTRACTOR. ALL TOPSOIL SHALL BE AMENDED TO ACHIEVE SPECIFIED PH AND ORGANIC REQUIREMENTS. RE-TEST TOPSOIL PRIOR TO FINAL COMPLETION TO ENSURE REQUIREMENTS HAVE BEEN MET. NO TOPSOIL SHALL BE PLACED WHILE IN A FROZEN OR MUDDY CONDITION.
- PLACE TOPSOIL IN AREAS WHERE REQUIRED TO OBTAIN THICKNESS AS SCHEDULED. PLACE TOPSOIL DURING DRY WEATHER. PROVIDE ADDITIONAL IMPORTED TOPSOIL REQUIRED TO BRING SURFACE TO PROPOSED FINISH GRADE, AS REQUIRED.
- COMPACTED TOPSOIL THICKNESS AT THE FOLLOWING AREAS:
 - LAWN AREAS: 12 INCHES MINIMUM OR AS NECESSARY TO ACHIEVE EVEN GRADES WITH SURROUNDING LAWN AREAS.
 - PLANTER BEDS: 18 INCHES MINIMUM
 - FINE GRADE TOPSOIL TO SMOOTH, EVEN SURFACE WITH LOOSE, UNIFORM FINE TEXTURE. REMOVE RIDGES AND FILL DEPRESSIONS, AS REQUIRED TO MEET FINISH GRADES. FINISH GRADE OF TOPSOIL SHALL BE 2" BELOW FINISH GRADE OF PAVEMENTS AREAS FOR SOO AND 1" FOR SEED.
 - CONTROL PLANK.
 - ALL GRAVEL, SUBBASE, AND OTHER IMPORTED FILL MATERIALS OTHER THAN TOPSOIL SHALL ONLY BE STOCKPILED OR TEMPORARILY PLACED IN PROPOSED LANDSCAPE AREAS TO PREVENT LANDSCAPE AREAS FROM BEING CONTAMINATED WITH ROCK MATERIALS. CONTRACTOR SHALL SUBMIT DETAILED STOCKPILE PLAN TO DESIGN PROFESSIONAL AND OWNER FOR APPROVAL PRIOR TO ANY FILLWORK OPERATIONS.

TURF AREA PREPARATION NOTES:

- LIMIT TURF SUBGRADE PREPARATION TO AREAS TO BE PLANTED.
- NEWLY GRADED SUBGRADES: LOOSEN SUBGRADE TO A MINIMUM DEPTH OF 4 INCHES. REMOVE STONES LARGER THAN 1 INCH IN ANY DIMENSION AND STICKS, ROOTS, RUBBER, AND OTHER EXTRANEOUS MATTER AND LEGALLY DISPOSE OF THEM OFF OWNER'S PROPERTY.
- SPREAD PLANTING TABLETS TO A DEPTH OF 12 INCHES AT TURF AREAS AND 18 INCHES AT SHRUB BED AREAS BUT NOT LESS THAN REQUIRED TO MEET FINISH GRADES AFTER LIGHT FROST, MUDDY, OR EXCESSIVELY WET.
- UNCHANGED SUBGRADES: IF TURF IS TO BE PLANTED IN AREAS UNALTERED OR UNDISTURBED BY STONES LARGER THAN 1 INCH IN ANY DIMENSION AND STICKS, ROOTS, RUBBER, AND OTHER EXTRANEOUS MATTER, AS REQUIRED TO MEET FINISH GRADES. FINISH GRADE OF TOPSOIL SHALL BE 2" BELOW FINISH GRADE OF PAVEMENTS AREAS FOR SOO AND 1" FOR SEED.
- REMOVE EXISTING GRASS, VEGETATION, AND TURF. DO NOT MIX INTO SURFACE SOIL.
- LOOSEN SURFACE SOIL TO A DEPTH OF AT LEAST 6 INCHES. APPLY SOIL AMENDMENTS AND FERTILIZERS ACCORDING TO PLANTING SOIL MIX PROPORTIONS AND MIX THOROUGHLY INTO TOP 6 INCHES OF SOIL. TILL SOIL TO A HOMOGENEOUS MIXTURE OF FINE TEXTURE.
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- BEFORE PLANTING, OBTAIN DESIGN PROFESSIONAL'S ACCEPTANCE OF FINISH GRADING; RESTORE PLANTING AREAS IF ERODED OR OTHERWISE DISTURBED AFTER FINISH GRADING.

LANDSCAPE REQUIREMENTS

	LANDSCAPE	TOTAL S.F. OF TOTAL UNITS REQUIRED	TOTAL UNITS PROVIDED
PERENNIALS SHALL NOT MAKE US MORE THAN 20% OF OPEN SPACE	107	26,419 S.F.	107
4 PLANT UNITS PER EVERY 1000 S.F. OF LOT AREA	107	26,419 S.F.	107
70% OF REQUIRED PLANT UNITS SHALL BE PLANTED ON 31	107	26,419 S.F.	107
PLANTING EQUIVALENT UNITS	107	26,419 S.F.	107
1 LARGE DECIDUOUS TREE PROVIDED	107	26,419 S.F.	107
10 SMALL DECIDUOUS TREES PROVIDED	107	26,419 S.F.	107
10 LARGE EVERGREEN TREES PROVIDED	107	26,419 S.F.	107
10 SMALL EVERGREEN TREES PROVIDED	107	26,419 S.F.	107
2 SHRUBS PROVIDED	107	26,419 S.F.	107
1 PERENNIALS PROVIDED	107	26,419 S.F.	107

NOTE: EXISTING LARGE, MATURE TREES OVER 7 CALIPER INCHES AND SMALL MATURE TREES OVER 4 CALIPER INCHES CAN COUNT FOR DOUBLE.

BOULEVARD CORRIDOR

	1 TREE PER 30' LINEAR FEET	TOTAL LINEAR FEET OF ROAD FRONTAGE	TOTAL TREES REQUIRED	TOTAL TREES PROVIDED
	100 L.F.	100 L.F.	3	3

PARKING LOT

	1 SPACE PER 400 S.F.	TOTAL MULTIPLE PARKING SPACES	TOTAL STALLS TOTAL TREES PROVIDED
2 SPACES PER BAY	107	107	107
LESS THAN 20 STALLS	107	107	107
10% MUST REQUIRE LANDSCAPE ISLANDS	107	107	107
15% REDUCTION IN PARKING ALLOWED WITH	107	107	107
EXIST	107	107	107

LANDSCAPE LEGEND

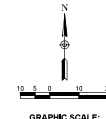
PROPERTY LINE	PROPERTY LINE
SEWER LINE	SEWER LINE
EASEMENT LINE	EASEMENT LINE
STREET EDGING PER DETAIL 5/C701	STREET EDGING PER DETAIL 5/C701
EXISTING CURB AND GUTTER	EXISTING CURB AND GUTTER
PROPOSED CURB AND GUTTER - SEE CIVIL PLANS FOR ADDITIONAL INFORMATION	PROPOSED CURB AND GUTTER - SEE CIVIL PLANS FOR ADDITIONAL INFORMATION
PLANT LABEL	PLANT LABEL
DETAIL CALLOUT	DETAIL CALLOUT
PROPOSED BUILDING, SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION	PROPOSED BUILDING, SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION
SAVE AND PROTECT EXISTING LANDSCAPE	SAVE AND PROTECT EXISTING LANDSCAPE
DROUGHT TOLERANT SOO OVER APPROVED TOP SOIL AS SPECIFIED	DROUGHT TOLERANT SOO OVER APPROVED TOP SOIL AS SPECIFIED
PLANTER BED - 3" DEPTH OF 2" MINUS CRUSHED BASALT ROCK MULCH OVER DENTIT PRO 5 NEED BARRIER	PLANTER BED - 3" DEPTH OF 2" MINUS CRUSHED BASALT ROCK MULCH OVER DENTIT PRO 5 NEED BARRIER
CONCRETE PLATWORK - SEE CIVIL PLANS FOR ADDITIONAL INFORMATION	CONCRETE PLATWORK - SEE CIVIL PLANS FOR ADDITIONAL INFORMATION
DECORATIVE HARDSCAPE - SEE CIVIL PLANS FOR ADDITIONAL INFORMATION	DECORATIVE HARDSCAPE - SEE CIVIL PLANS FOR ADDITIONAL INFORMATION

PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	REMARKS
TREES					
JM	3	JUNIPERUS SCOPULORUM 'MEDORA'	3.5' HT.	SMALL TREE - 5 UNITS	
PN	1	PRUNUS NIGRA 'PRINCESS KAY'	1" CAL.	SMALL TREE - 5 UNITS	
PN-1	3	PRUNUS NIGRA 'PRINCESS KAY'	1" CAL.	SMALL TREE - BOULEVARD TREE	
QL	2	QUERCUS ROBUR X BICOLOR 'LONG'	1" CAL.	LARGE TREE - 10 UNITS	
TA	3	TILIA AMERICANA	1" CAL.	LARGE TREE - 10 UNITS	
SHRUBS					
OK	13	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	1 GAL.	PERENNIAL - 1 POINT	
CF	5	CORNUS STOLONIFERA 'YARROW'	2 GAL.	SHRUB - 2 UNITS	
PP	3	PINUS MUGO 'PUMILO'	2 GAL.	SHRUB - 2 UNITS	
RG	4	RHUS ARNICA 'GRO-LOW'	2 GAL.	SHRUB - 2 UNITS	

* BOULEVARD TREES DO NOT COUNT TOWARDS TOTAL REQUIRED PLANT UNITS. TOTAL POINTS REQUIRED = 107. TOTAL POINTS PROVIDED = 107.

CALL (320) 250-2541 PRIOR TO PLANTING IN THE RIGHT OF WAY



1907 17th St SE - Minot, ND 58701
701.837.8737 - www.ackerman-estvold.com
Minot, ND 58701

SCALE: 1/8" = 1'-0"
SCALE: 1/4" = 1'-0"
DRAWN BY: OFM
DESIGNED BY: BUI
CHECKED BY: BUI

FARGO VALVOLINE
FARGO, ND
LANDSCAPE

DATE: 2/26/2025

REVISIONS

DATE

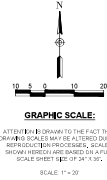
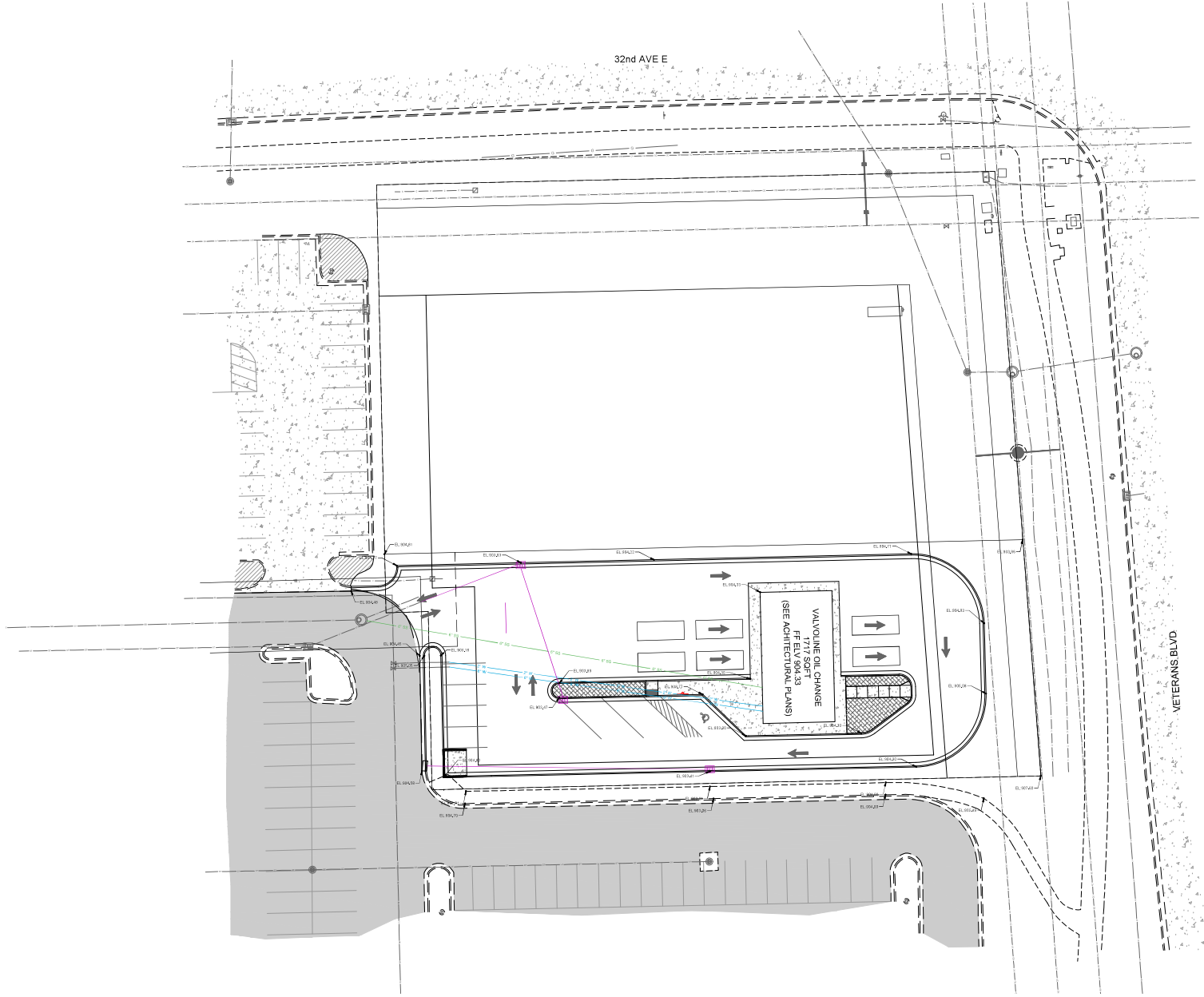
PROJECT

NO. R24182.00

LANDSCAPE

C700

10/26/2023 10:00 AM C:\Users\jdoyle\OneDrive\Documents\Projects\2023\24182\24182.dwg



WEST FARGO VALVOLINE
OAK RIDGE SITH ADD LOT 8
GRADING

DATE: 2/26/2025

REVISIONS	
DATE	
#	1/1/25
#	2/1/25
#	3/1/25

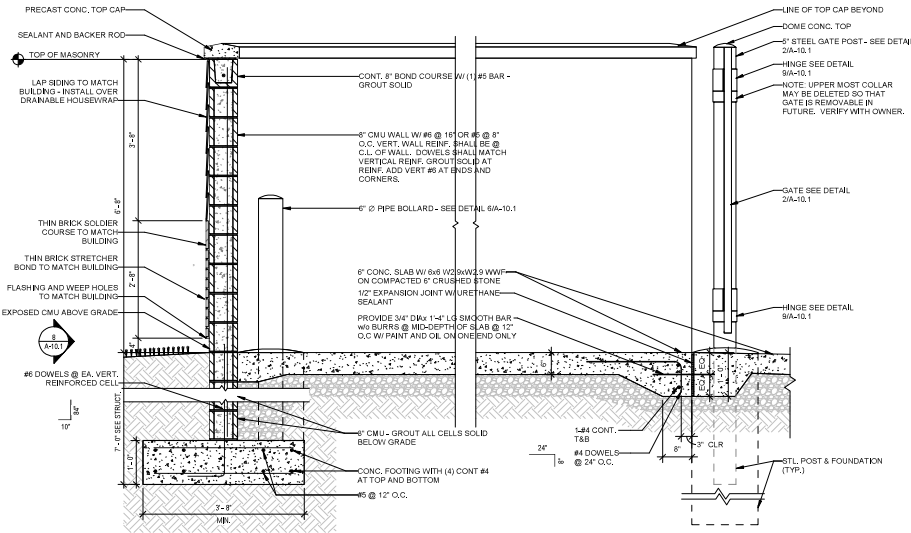
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NO.
R24182.00

GRADING

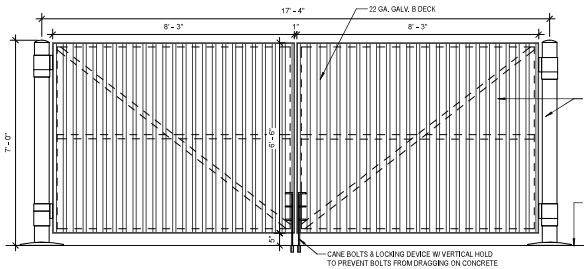
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**ACKERMAN
ESTVOLD**

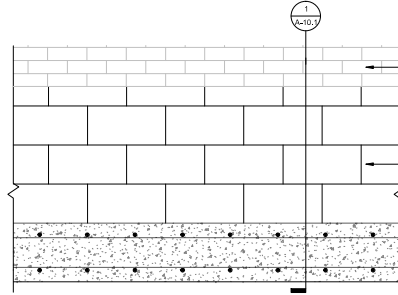
1907 17th St SE - Minot, ND 58701
701.837.8737 - www.ackerman-estvold.com
Minot, ND | Williston, ND | Boise, ID



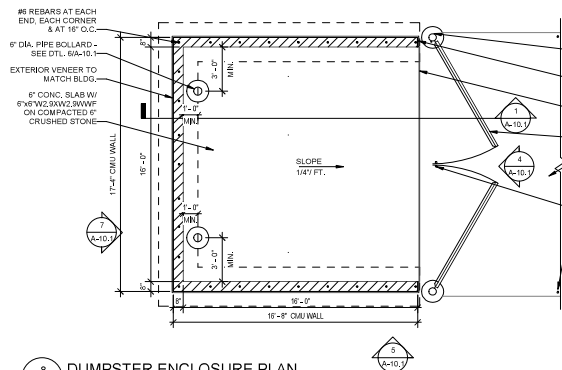
1 SECTION @ TRASH ENCLOSURE
A-10.1 Scale: 3/4" = 1'-0"



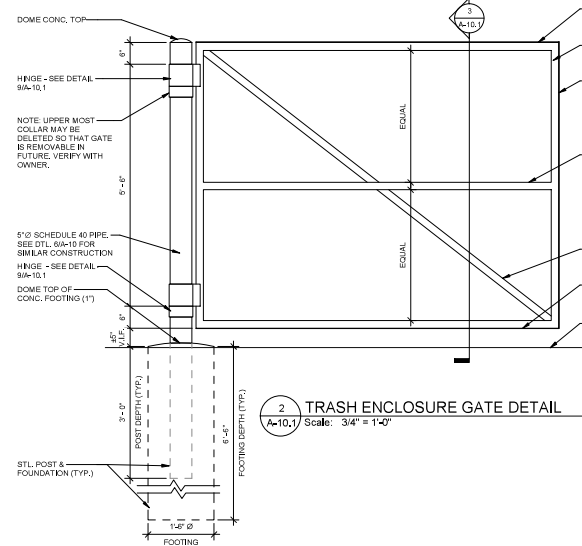
4 A-10.1/4 - DUMPSTER ENCLOSURE FRONT ELEVATION BRICK/EIFS
A-10.1 Scale: 1/2" = 1'-0"



7 FOOTING DETAIL
A-10.1 Scale: 1" = 1'-0"

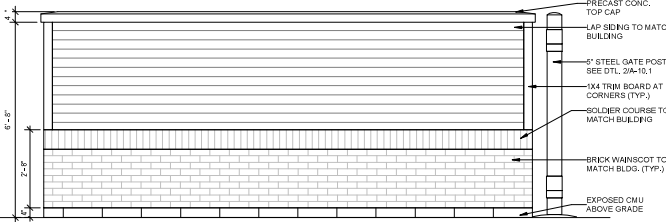


8 DUMPSTER ENCLOSURE PLAN
A-10.1 Scale: 1/4" = 1'-0"

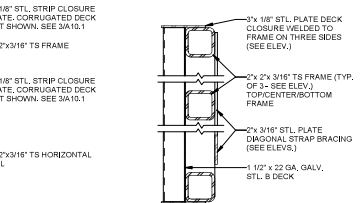


2 TRASH ENCLOSURE GATE DETAIL
A-10.1 Scale: 3/4" = 1'-0"

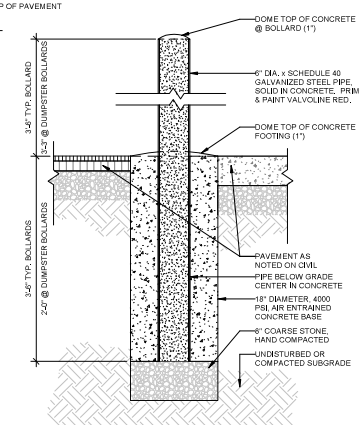
NOTE: ALL EXTERIOR TRASH ENCLOSURE STEEL SHALL BE GALVANIZED



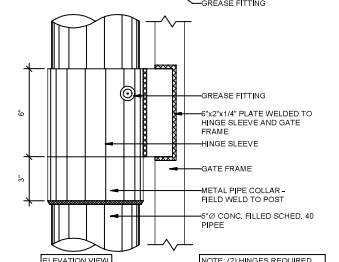
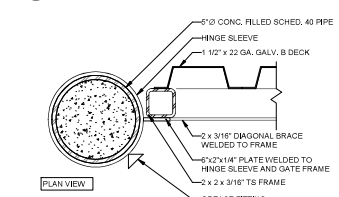
5 TYP. DUMPSTER ENCLOSURE SIDE ELEVATION
A-10.1 Scale: 1/2" = 1'-0"



3 GATE SECTION
A-10.1 Scale: 3" = 1'-0"



6 BOLLARD DETAIL
A-10.1 Scale: 1" = 1'-0"



9 HINGE DETAIL
A-10.1 Scale: 3" = 1'-0"

DUMPSTER EXTERIOR FINISH NOTES

REFER ALSO TO "EXTERIOR FINISHES", SHEET A-3.1

SIDING & TRIM: MATCH BUILDING SIDING & TRIM

BRICK: MATCH BUILDING BRICK

MORTAR: MATCH BUILDING MORTAR

TOP CAP: CUSTOM CAST STONE - "LIGHT BUFF" (OR APPROVED EQUAL)

SEALER: ALL BRICK SURFACES SHALL BE TREATED W/ SEALER. REFER TO SPECIFICATIONS.

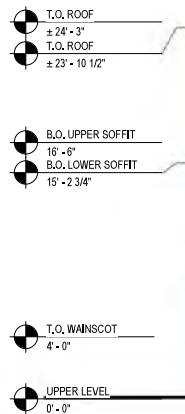
BOLLARDS / GUARD POSTS:
FIELD PAINT: PR-2 FOLLOWED BY TWO COATS OF PT-4

GATES & GATE POSTS:
FIELD PAINT: PR-2 FOLLOWED BY TWO COATS OF PT-2

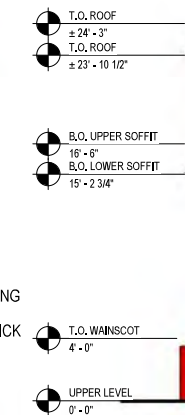
4/9/2025 10:08:39 AM AutoDesk Docs/R24182 West Fargo Valvoline_R25/25-Pitched Roof Arch.vrt



2 EXTERIOR ELEVATION (SOUTH)
Scale: 1/8" = 1'-0"

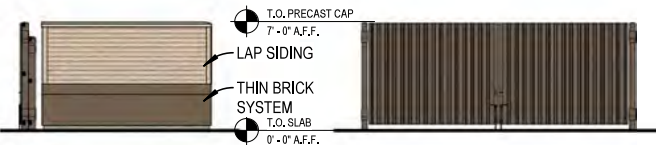


1 EXTERIOR ELEVATION (WEST)
Scale: 1/8" = 1'-0"



4 EXTERIOR ELEVATION (NORTH)
Scale: 1/8" = 1'-0"

3 EXTERIOR ELEVATION (EAST)
Scale: 1/8" = 1'-0"



5 TRASH ENCLOSURE ELEVATIONS
Scale: 1/8" = 1'-0"

EXTERIOR FINISHES

EXPOSED CONCRETE:	RUBBED FINISH	TRIM BOARD:	LP SMARTSIDE BRUSHED SMOOTH TRIM, FACTORY PRIMED, ONE COAT A-100 LATEX PRIMER ON BACK AND CUT EDGES, TWO COATS A-100 LATEX SATIN, COLOR: SHERWIN WILLIAMS SW-1822 DOWNING SAND	GUTTERS, DOWNSPOUTS, FASCIA, EXTERIOR SOFFIT:	ALUMINUM BREAK METAL, PREFINISHED TO MATCH DIMENSIONAL METALS, INC. - "BEIGE"
THIN BRICK SYSTEM:	MODULAR PANEL SYSTEM WITH INTEGRAL DRAINAGE "THIN BRICK #1: GLEN-GERY "MODULAR BAXTER BROWN WIRECUT"	ROOF SHINGLES:	OWENS CORNING DURATION SERIES "DRIFTWOOD"	STOREFRONT SYSTEM:	2x4 1/2" KAWNEER TRIFAB VG 451T SERIES CLEAR ANODIZED ALUMINUM STOREFRONT SYSTEM W/ 1" INSULATED GLAZING.
MORTAR:	LEHIGH STANDARD KIT - "BEIGE"	MISC. ROOF VENTS, FANS, ETC.	FIELD PAINT SHERWIN WILLIAMS SW-7046 "ANONYMOUS"	O.H. DOOR FINISH:	CLEAR ANODIZED ALUMINUM
MASONRY SEALER:	ALL MASONRY SURFACES SHALL BE TREATED W/ SEALER.	GABLE END VENTS:	AMERICAN LOUVER AND VENT COMPANY - TRIANGLE GABLE VENT WITH 48" BASE COLOR: PREFINISHED TO MATCH SHERWIN WILLIAMS SW-1822 DOWNING SAND	ACCESS PANEL:	STAINLESS STEEL
LAP SIDING:	LP SMARTSIDE 38 SERIES CEDAR TEXTURE LAP SIDING WITH 6" EXPOSURE, FACTORY PRIMED, ONE COAT A-100 LATEX PRIMER ON BACK AND CUT EDGES, TWO COATS A-100 LATEX SATIN, COLOR: SHERWIN WILLIAMS SW-1822 DOWNING SAND			GALV. EXT. HM DOOR & FRAME:	PAINT TO MATCH ALUM.

ISSUE RECORD

DATE

2BAY PITCHED ROOF



Project No: R24182

Tim P. Solberg

From: Nate Vollmuth <nvollmuth@paces-lodging.com>
Sent: Wednesday, April 08, 2015 10:05 AM
To: Tim P. Solberg
Subject: RE: Oakridge PUD - Draft
Attachments: Sign - PUD Language.pdf

PUD Standards

Uses:

C-Light Commercial

Signage:

Per C & CO Districts and per City of West Fargo Sign Regulations for Free Standing Signs
(Further detail below to address specific lot allocations with having (2) Primary development signs with Multi-Tenant signage)

Total signage square footage per Front Lot Line Calculation from attached plat: $1638 + 920 + 400 + 400 + 436 + 600 + 526 = 4920$ sf

2 primary development signs total (200sf per sign): 400 sf

2 primary development signs may have the Anchor Tenant on the top of the sign with a reader board below showing the remaining tenants for the development (see example on attached image)

Each lots signage allocation to be reduce by $400/4920 = .08$ or 8% (or 92% revised allocation)

Lot 1:

Frontage on 33rd = 819'

Signage Allocated per City Calculation = 1638sf

Revised allocation per PUD/Development Sign need ($1638 \times 92\% =$) 1507sf

Lot 2 & 3 Combined:

Frontage on 6th = 460'

Signage Allocated per City Calculation = 920sf

Revised allocation per PUD/Development Sign need ($920 \times 92\% =$) 847sf

Lot 4:

Frontage on 32nd = 200'

Signage Allocated per City Calculation = 400sf

Revised allocation per PUD/Development Sign need ($400 \times 92\% =$) 368sf

Lot 5:

Frontage on 32nd = 200'

Signage Allocated per City Calculation = 400sf

Revised allocation per PUD/Development Sign need ($400 \times 92\% =$) 368sf

Lot 6:

Frontage on 32nd = 218'

Signage Allocated per City Calculation = 436sf

Revised allocation per PUD/Development Sign need (436 x 92%=) **401sf**

Lot 7:

Frontage on 32nd = 300'

Signage Allocated per City Calculation = 600sf

Revised allocation per PUD/Development Sign need (600 x 92%=) **552sf**

Lot 8:

Frontage on 32nd = 263'

Signage Allocated per City Calculation = 526sf

Revised allocation per PUD/Development Sign need (526 x 92%=) **484sf**

Lots 4, 5, 6, 7 and 8 shall be restricted to the size and area of their free standing signs only (all other signage for these lots shall follow the West Fargo Sign Regulations)

Max height: 20'

Max area: 100sf

Parking:

Shared Parking shall be allowed on Lots 4, 5, 6, 7 and 8 only.

Shared Parking for said lots may reduce the required parking by 15% on each lot

The remaining 15% parking requirement can only be fulfilled (shared) from use of required parking on lots 1 & 3

Nate Vollmuth

Director of Development Services

PACES Lodging Corporation

701-499-3895 O

701-388-3635 C

nv@paces.co

AT THE PRESERVE ADDITIONS

32ND AVE. E.

33RD AVE. E.

6TH STREET EAST

7TH STREET EAST

8TH STREET EAST

VETERAN'S BOULEVARD

OAK RIDGE

UNPLATTED RIDGE

BLOCK 1

BLOCK 2

4TH ADDITION

3RD ADDITION

LOT 1: 333,322 SQ. FT. (819' x 411')

LOT 2: 41,892 SQ. FT. (10' UTILITY EASE.)

LOT 3: 188,081 SQ. FT. (460' x 920sf)

LOT 4: 44,800 SQ. FT. (200' x 400sf)

LOT 5: 44,800 SQ. FT. (200' x 400sf)

LOT 6: 44,128 SQ. FT. (218' x 436sf)

LOT 7: 54,810 SQ. FT. (300' x 600sf)

LOT 8: 52,651 SQ. FT. (283' x 526sf)

Key:

- Lot Frontage
- Signage per Lot

Reader Board Sign or less impactful sign
Max 200sf on each side at max height of 35' &
Parking: Crossing Parking allowed on Lots 1 and 3 to achieve required parking for PAD sites (Max 15% off lot)

Primary Development Sign:
20' x 20' sign easement for a directional reader board, multi tenant
- max 200 sf and 35' tall

Primary Development:
20' x 20' sign easement for a directional reader board, multi tenant
- max 200 sf and 35' tall

Single Tree - max 15'

SHEET 1 OF 1
PROJ. NO.
18136



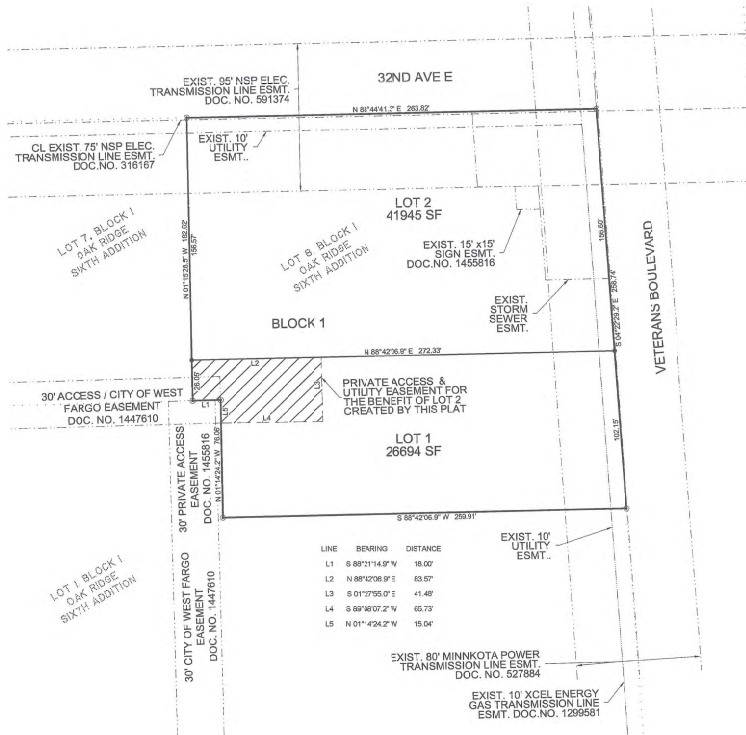
● IRON MONUMENT FOUND
○ SET 5/8"x18" REBAR WITH
YELLOW PLASTIC CAP #2086
"L" DENOTES ARC LENGTH
"R" DENOTES RADIUS LENGTH
"Δ" DENOTES CENTRAL ANGLE
ACCESS CONTROL
10' UTILITY EASEMENTS SHOWN THUS:

(IN FEET)
1 inch = 100 ft.

BASIS OF BEARINGS: OAK RIDGE 2ND
& 4TH ADDITIONS TO THE CITY OF
WEST FARGO AS RECORDED

MY COMMISSION EXPIRES: _____

AND STATE, PERSONALLY APPEARED RICH MATTERN, PRESIDENT OF THE WEST FARGO CITY COMMISSION, AND JAMES BROWNLEE, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.



DEDICATION
WE THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "OAK RIDGE TWENTIETH ADDITION TO THE CITY OF WEST FARGO, BEING A REPLAT OF LOT 8, BLOCK 1, OAK RIDGE SIXTH ADDITION, CASS COUNTY, NORTH DAKOTA; THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF ROBBY L. BEARD, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT; WE HEREBY DEDICATE A PRIVATE ACCESS UTILITY EASEMENT SHOWN ON SAID PLAT FOR THE BENEFIT OF LOT 2.

OWNER LOTS 1 & 2, BLOCK 1: BREMER BANK NATIONAL ASSOCIATION
BY: Philip M. Mays
ITS Facilities and Real Estate Manager

MINNAPOTA
STATE OF NORTH DAKOTA
COUNTY OF WARD
ON THIS 12th DAY OF March, 2025, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED Philip Mays, KNOWN TO ME TO BE Facilities Manager OF BREMER BANK NATIONAL ASSOCIATION, THAT HE DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME ON BEHALF OF BREMER BANK NATIONAL ASSOCIATION.

Belle Savin
NOTARY PUBLIC, WARD COUNTY, STATE OF MN



CERTIFICATE
ROBBY L. BEARD, BEING DULY SWORN, DEPOSES AND SAYS, THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "OAK RIDGE TWENTIETH ADDITION TO THE CITY OF WEST FARGO, BEING A REPLAT OF LOT 8, BLOCK 1, OAK RIDGE SIXTH ADDITION, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY THEREOF; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT SAID ADDITION IS DESCRIBED AS FOLLOWS, TO WIT:
SAID TRACT CONTAINS 66,899 SQUARE FEET, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

Robby L. Beard
REGISTERED LAND SURVEYOR
REG. NO. 124407

STATE OF NORTH DAKOTA
COUNTY OF WARD
ON THIS 7th DAY OF March, 2025, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED ROBBY L. BEARD, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS OWN FREE ACT AND DEED.

CHAD ATTERTON
Notary Public
State of North Dakota
My Commission Expires Nov 11, 2028

NOTARY PUBLIC, WARD COUNTY, STATE OF NORTH DAKOTA

PLAT OF OAK RIDGE TWENTIETH ADDITION TO THE CITY OF WEST FARGO, NORTH DAKOTA (BEING A REPLAT OF LOT 8, BLOCK 1, OAK RIDGE SIXTH ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA)



- LEGEND:**
- SET NO. SREBAR W/ CAP
 - EXISTING MONUMENT FOUND
 - PRIVATE EASEMENT DEDICATED THIS PLAT
 - SUBDIVISION BOUNDARY
 - INTERIOR LOT LINE
 - ADJOINING LOT LINE
 - EXISTING EASEMENTS

WEST FARGO PLANNING COMMISSION APPROVAL
THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS 11th DAY OF March, 2025
Joseph F. Kola
JOSEPH F. KOLA, CHAIRMAN

STATE OF NORTH DAKOTA
COUNTY OF CASS
ON THIS 23rd DAY OF March, 2025, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOSEPH F. KOLA, CHAIRMAN OF THE WEST FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME ON BEHALF OF THE WEST FARGO PLANNING COMMISSION.

BREANNA SIEGLER
Notary Public
State of North Dakota
My Commission Expires Aug. 7, 2027

WEST FARGO CITY COMMISSION APPROVAL
THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS 17th DAY OF March, 2025
Bernie L. Davis
BERNIE L. DAVIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION

STATE OF NORTH DAKOTA
COUNTY OF CASS
ON THIS 24th DAY OF March, 2025, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BERNIE L. DAVIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION, AND DUSTIN T. SCOTT, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME ON BEHALF OF THE CITY OF WEST FARGO.

BREANNA SIEGLER
Notary Public
State of North Dakota
My Commission Expires Aug. 7, 2027

CITY ENGINEER'S APPROVAL
THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS 12th DAY OF March, 2025

Dan Hanson
DANIEL R. HANSON, CITY ENGINEER
REGISTERED PROFESSIONAL ENGINEER
NO. PE-4968



STATE OF NORTH DAKOTA
COUNTY OF CASS
ON THIS 12th DAY OF March, 2025, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DANIEL R. HANSON, CITY ENGINEER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS CITY ENGINEER.

BREANNA SIEGLER
Notary Public
State of North Dakota
My Commission Expires Aug. 7, 2027

WEST FARGO CITY ATTORNEY APPROVAL
THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS 12th DAY OF March, 2025
Kate J. Schmidt
KATE J. SCHMIDT, CITY ATTORNEY

STATE OF NORTH DAKOTA
COUNTY OF CASS
ON THIS 12th DAY OF March, 2025, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED KATE J. SCHMIDT, CITY ATTORNEY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME AS THE CITY ATTORNEY.

BREANNA SIEGLER
Notary Public
State of North Dakota
My Commission Expires Aug. 7, 2027