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*Tim Solberg, AICP, Director of Planning and Zoning*

*Larry M. Weil, Community Development Director*

*Lisa Sankey, Planner*

*Malachi Petersen, Planner*

*Chanda Erickson, Office Manager*

West Fargo Planning & Zoning Commission Agenda  
Tuesday, February 11, 2020 - West Fargo City Hall – 5:30 p.m.

1. Call to Order
2. Approval of Minutes – January 14, 2020
3. **Tabled at Last Meeting** – A20-3 Conditional Use Permit for accessory building greater than 1,000 ft<sup>2</sup> in an R-1E: Rural Estate District for personal storage at 3839 Kensington Drive (Lot 4, Block 2 of Windsor Green Subdivision), City of West Fargo, North Dakota – Mitchel
4. Public Hearing – A20-6 Delta 54 Subdivision and Conditional Use Permit for single family dwelling in an A: Agricultural District at 1215 9<sup>th</sup> Street NW on Auditor's Lot 2 within the NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> of Section 31, T140N, R49W [Reed Township], Cass County, North Dakota - Irving
5. Public Hearing – A20-7 Zoning Ordinance Amendment to review proposed changes to Section 4-460 Sign Regulations
6. Public Hearing – A20-8 Zoning Ordinance Amendment to review proposed changes to 4-450 Off-Street Parking and Loading Regulations – **Withdrawn by Staff**
7. Detailed Development Plans – A20-5 located at 225 40<sup>th</sup> Avenue West – Greenworks
8. Detailed Development Plans – A19-49 The Ranch at the Wilds – Heritage Homes
9. Non-agenda
10. Adjournment



Tim Solberg, AICP, Director of Planning and Zoning  
Larry M. Weil, Community Development Director  
Lisa Sankey, Planner  
Malachi Petersen, Planner  
Chanda Erickson, Office Manager

West Fargo Planning & Zoning Commission  
Tuesday, January 14, 2020 at 5:30pm  
West Fargo City Hall

Members Present: Tom McDougall  
Joe Kolb  
David Gust  
Shane Lebahn  
Jana Reinke  
April Walker  
Eric Dodds

Members Absent:

Others Present: Dustin Scott, Tim Solberg, Lisa Sankey, Malachi Petersen, John Shockley, Chanda Erickson

Minutes Submitted by: Chanda Erickson, Office Manager

Meeting was called to order by Commissioner McDougall at 5:30pm.

Commissioner Gust moved and Commissioner Kolb seconded to approve the December 10, 2019 meeting minutes as printed and mailed. No opposition, Motion carried.

Commissioner McDougall opened a Public Hearing – A20-1 The Wilds 18<sup>th</sup> Addition, Replat of Lots 24-43 and 52, Block 1 & Rezoning from R-2: Limited Multiple Dwellings to R-1SM: Mixed One & Two Family Dwellings, a portion of Lot 52, Block 1 of The Wilds 18<sup>th</sup> Addition, City of West Fargo, North Dakota.

- Ian Bullis, representative from Eagle Ridge Development, was available for questions.

The Public Hearing was closed. After discussion, Commissioner Gust moved and Commissioner Dodds seconded to approve the application with the five conditions listed in the staff report. No opposition. Motion carried.

Commissioner McDougall opened a continued Public Hearing - A19-50 Adoption of the Official Zoning Map to reflect amendments and make necessary changes to reflect new districts and cleanup of other issues, City of West Fargo, North Dakota.

- Roben Anderson of 221 Francis Street brought forth some concerns regarding street width and potential property damage from construction.
- Howard Zinck of 201 3<sup>rd</sup> Avenue questioned possible uses for the empty lot next to him.

West Fargo Planning and Zoning Commission  
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- Tammy Deisler of 20 1<sup>st</sup> St voiced her frustration trying to sell her house with the current zoning.
- Jim Kraemer of 209 3<sup>rd</sup> Ave W questioned getting his area rezoned from R-3 to R-1.
- Paul Leier owner of 317/319 5<sup>th</sup> Ave W requested that 5<sup>th</sup> Avenue remain open and that we revisit the diagonal parking on Sheyenne Street.
- The daughter of Geraldine Walz, 144 Park Drive, had questions regarding the DMU District.

The Public Hearing was closed. After discussion, Commissioner Kolb moved and Commissioner Gust seconded to approve the application with three conditions.

1. Work with the City Attorney to provide a solution for the five red properties (West of 1<sup>st</sup> St and South of Main) to be rezoned to DMU district.
2. Change the four red properties (South of 5<sup>th</sup> and North of 7<sup>th</sup>) to DMU District.
3. Look into rezoning Sukuts 3<sup>rd</sup> (South of 2<sup>nd</sup> Ave and North of 4<sup>th</sup> Avenue) from R-3 to R-1.

No opposition. Motion carried.

Commissioner McDougall opened a Public Hearing - A 20-2 Conditional Use Permit for Off Premise Sign within the Entertainment Mixed Use District at 320 32<sup>nd</sup> Avenue West (Lot 8, Block 1 of Eagle Run Plaza 6<sup>th</sup> Addition), City of West Fargo, North Dakota.

- Lance Johnson from EPIC was available to answer questions regarding the sign.
- Delight Swingen of 115 32<sup>nd</sup> Ave E, opposed to the sign and exhibited photos from her windows.
- Dustin Scott, City Engineer, spoke regarding adequate street lighting.
- Marc Knutson of 3110 Sheyenne River Way, emailed in full support of the sign.

The Public Hearing was closed. After discussion, Commissioner Dodds moved and Commissioner Kolb seconded to approve the application with the two conditions listed in the staff report and two other conditions.

1. A status report to be done two months after the sign is functioning.
2. The sign would need to be programmed consistently with street lighting.

Commissioners McDougall, Kolb, Lebahn and Dodds approved. Commissioners Walker, Gust and Reinke opposed. Motion carried

Commissioner McDougall opened a Public Hearing - A20-3 Conditional Use Permit for an accessory building greater than 1000 ft<sup>2</sup> in an R-1E: Rural Estate District for personal storage at 3839 Kensington Drive at (Lot 4, Block 2 of Windsor Green Subdivision) City of West Fargo, North Dakota.

- Brad Mitchell, property owner at 3839 Kensington Drive, was available for any questions regarding the accessory building.
- Terry and Ann Stargardt of 3819 Sheyenne Street, emailed concern over the size of the building. They stated the accessory building is too large for the neighborhood.
- Guy Sander of 3834 Kensington Drive was opposed to the size of the accessory building and would prefer it be located

The Public Hearing was closed. After discussion, Commissioner Lebahn moved and Commissioner Gust seconded to continue the public hearing to allow for the applicant to talk to his neighbors to find out what would be acceptable for the neighborhood.

Commissioner McDougall opened a Public Hearing - A20-4 Planned Unit Development Amendment for an office building at 1360 Prairie Parkway (Lot 2, Block 1 of KASS 1<sup>st</sup> Addition) City of West Fargo, North Dakota.

- Trevor Deyo from BC Contracting was available for any questions.

The Public Hearing was closed. After discussion, Commissioner Kolb moved and Commissioner Gust seconded to approve the application with the four conditions listed in the staff report and an additional condition regarding a shared use parking agreement. No opposition. Motion carried.

Commissioner McDougall opened a Public Hearing - A20-5 Rezoning from R-R: Rural Residential District to C: Light Commercial of 225 40<sup>th</sup> Avenue East (Lot 1, Block 1 of Nelson Acres 5<sup>th</sup> Addition) City of West Fargo, North Dakota.

- Jodi Kallais from Accelerated Green Works was available for questions.
- Dan Parker of 4019 Carmell Place emailed concerns about noise and dust due to the rezoning.
- Jason Opp of 4430 Newport Lane emailed regarding the possible noise to the neighborhood, as well as concerns about increased traffic and the safety of people using the bike path.

West Fargo Planning and Zoning Commission  
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The Public Hearing was closed. After discussion, Commissioner Dodds moved and Commissioner Kolb seconded to approve the application with the two conditions listed in the staff report. No opposition. Motion carried.

There was a non-agenda item, Election of Chair and Vice-Chair.

Commissioner Gust made a motion to nominate Tom McDougall as Chair, to nominate Joe Kolb as Vice Chair. Commissioner Dodds seconded the motion. No opposition. Motion carried. Commissioner Gust made a motion to close nominations and a unanimous ballot be cast. No opposition. Motion carried

- Jim Scheier of 127 48<sup>th</sup> Ave E spoke stating the character of the neighborhood was large lots and open spaces. He was concerned that building a large accessory building would negatively affect the character of his neighborhood.

Commissioner Gust and Commissioner Dodds seconded to adjourn. No opposition. Meeting adjourned.

STAFF REPORT

A20-3		CONDITIONAL USE PERMIT	
3839 Kensington Dr			
Lot 4, Block 2 of Windsor Green Subdivision, City of West Fargo, North Dakota			
Applicant/Owner: Brad & Jacque Mitchell		Staff Contact: Lisa Sankey	
Planning & Zoning Commission Introduction:		01-14-2020	
Public Hearing:		01-14-2020 - Tabled	
City Commission:			

**PURPOSE:**

Construct a 2,376 square foot accessory building for personal storage in a rural estate zoned district.

**STATEMENTS OF FACT:**

Land Use Classification:	G-2: Sub-Urban – Growth Sector
Existing Land Use:	Single Family Dwelling
Current Zoning District(s):	R-1E: Rural Estate District
Zoning Overlay District(s):	CO: Corridor Overlay District
Total area size:	1.07 Acres
Adjacent Zoning Districts:	West: R-1A: Single Family Dwellings North, South and East: R-1E: Rural Estate District
Adjacent street(s):	Kensington Dr (Local); Sheyenne Street (Arterial)
Adjacent Bike/Pedestrian Facilities:	None
Available Parks/Trail Facilities:	None

**DISCUSSION AND OBSERVATIONS:**

- The R-1E: Rural Estate zoning district allows for accessory structures greater than 1,000 ft<sup>2</sup> 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 with a side yard setback of 92’ and rear yard setback of 85’.
- The applicant indicated the structure would be built of residential materials which match the exterior color and type of the main structure on the property.
- 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.

STAFF REPORT

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.
  - 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.
  - No concerns noted.
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. There is a 2,400 square foot structure to the east, along the river.

**NOTICES:**

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

Comments Received:

- A few calls and an email were received objecting to the structure.
- A petition was also submitted protesting the conditional use permit on the basis the size of structure is not in alignment with neighborhood homes and buildings.

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

- The application is providing an accessory to an existing use and therefore the application may be considered consistent with the Comprehensive Plan.

**RECOMMENDATIONS:**

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

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

STAFF REPORT

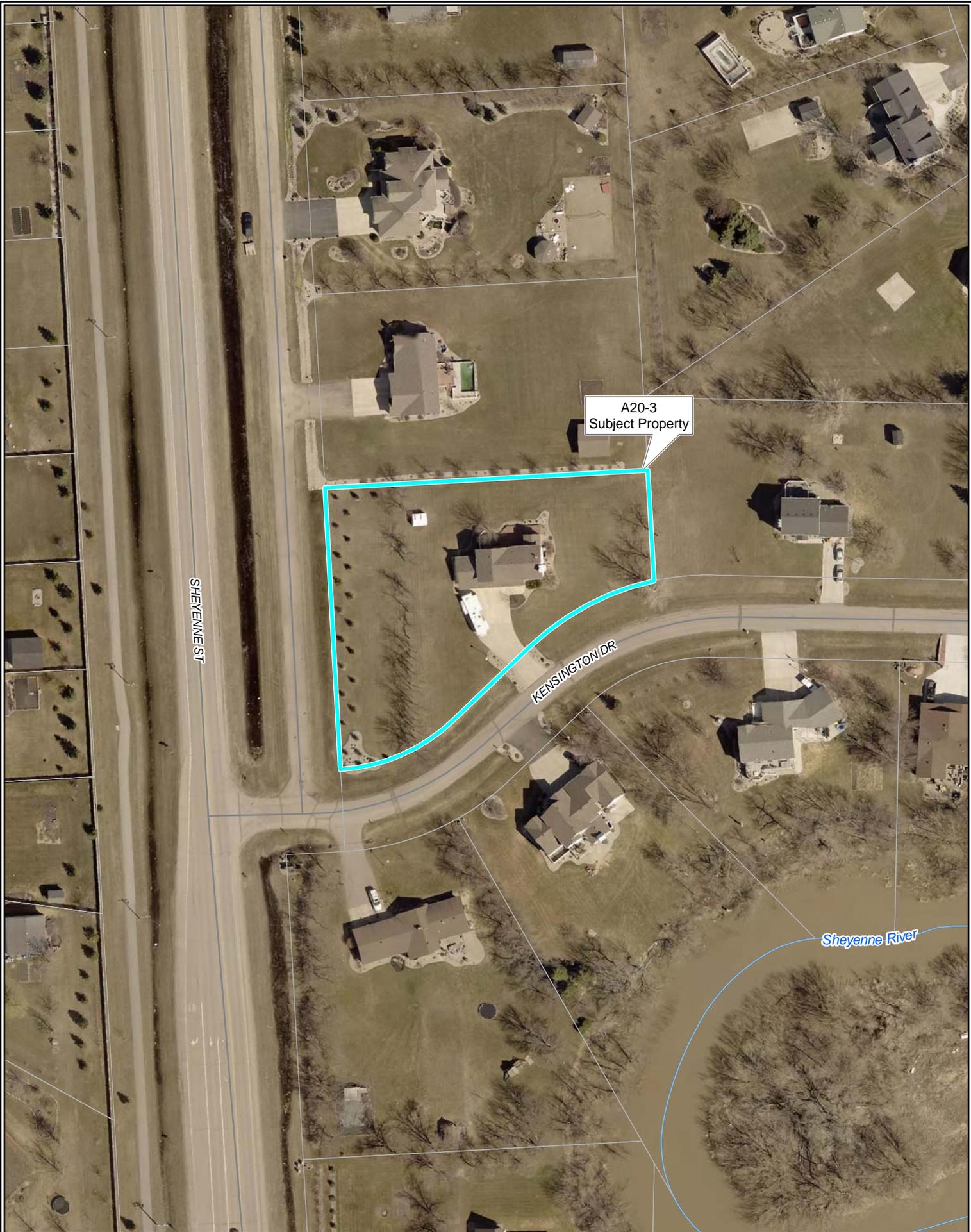
Deny the request based on public comment that the application is incompatible with adjacent properties and other property in the district.

**UPDATE:**

At the January 14, 2020 meeting, the Planning and Zoning Commission tabled this item in order for the applicant to visit with area property owners to see what might be acceptable for the neighborhood.

The applicant has stated that they plan to reduce the size of the proposed building to 64' x 32' (2,048 ft<sup>2</sup>) and move it north to achieve a site that aligns the structure more with the home. He further stated that the building will be sided with residential materials consistent with the home.

At the time of submitting the report to the Planning Commission for the February 11, 2020 meeting an updated sketch and site plan had not yet been prepared.





A20-3  
Subject Property

SHEYENNE ST

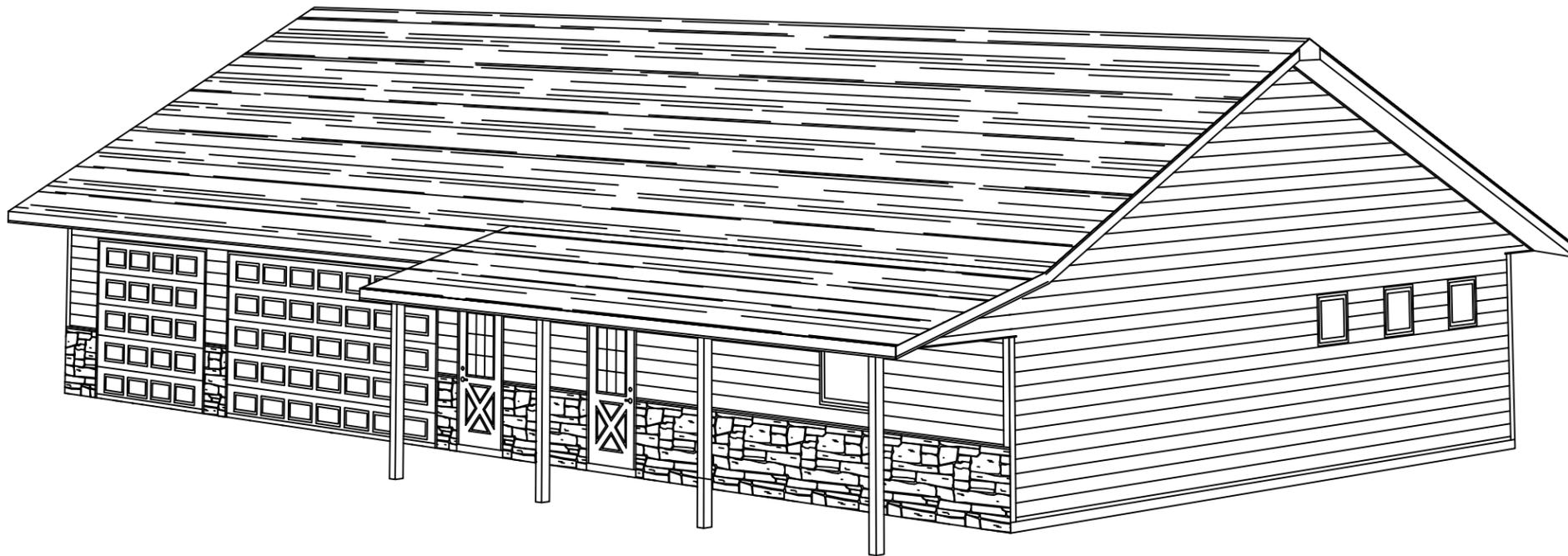
KENSINGTON DR

Sheyenne River



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





OFFICE: \_\_\_\_\_  
 JOB NO. \_\_\_\_\_



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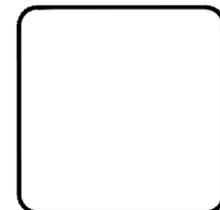
**SUPPLEMENT TO FORM 86**

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Date: \_\_\_\_\_

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 SHEET NO. \_\_\_\_\_  
 OF \_\_\_\_\_

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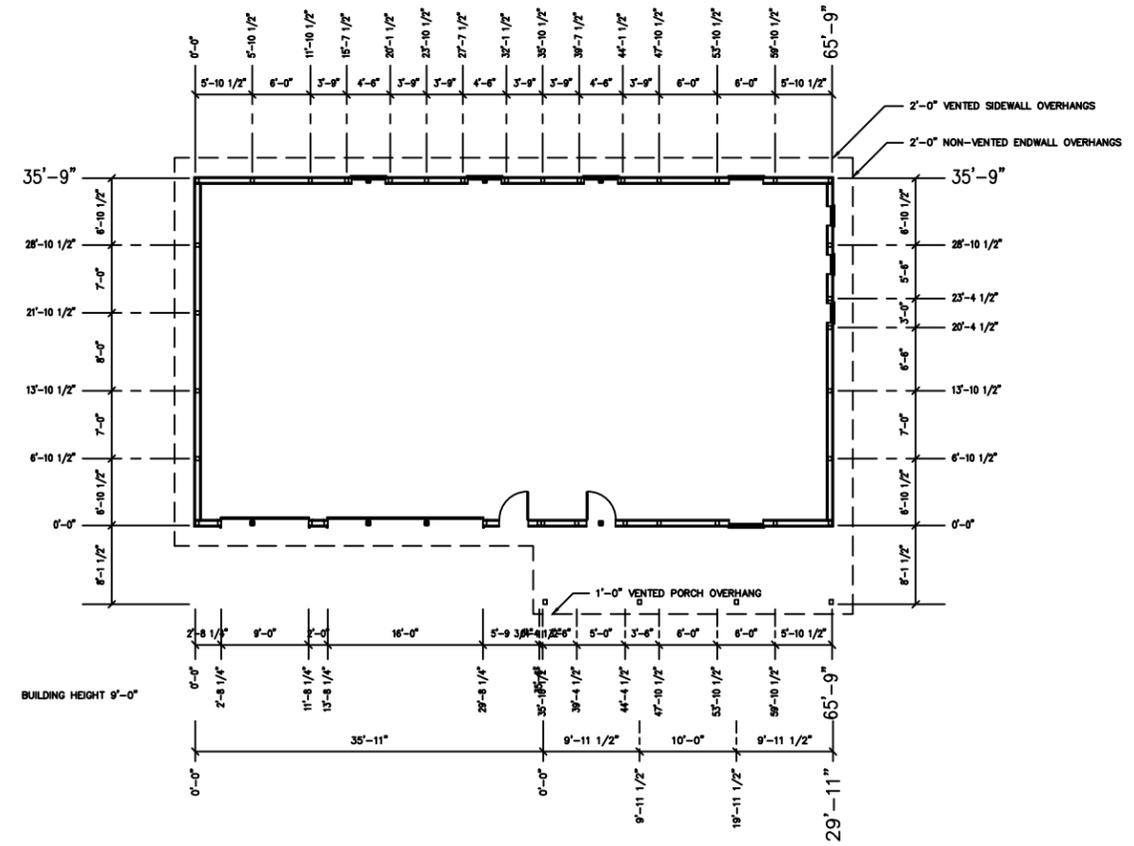
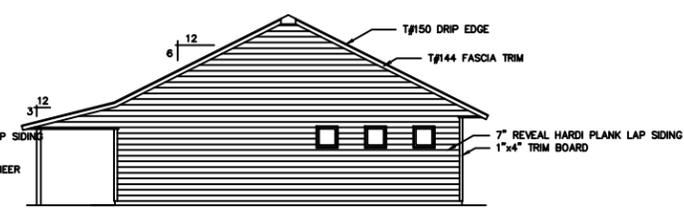
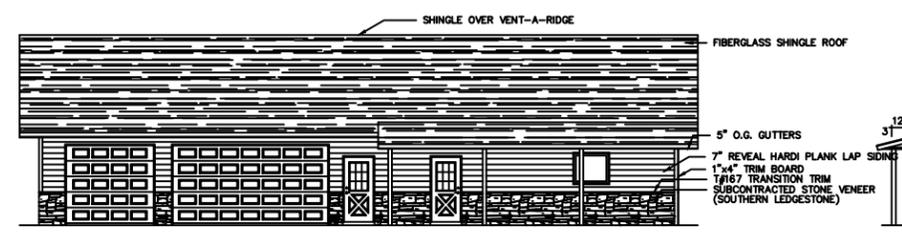
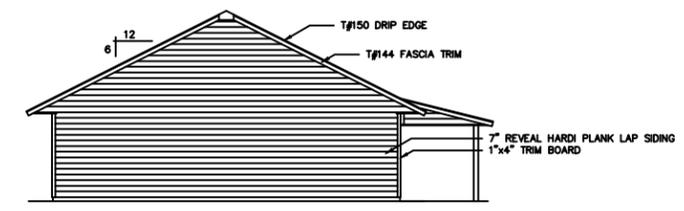
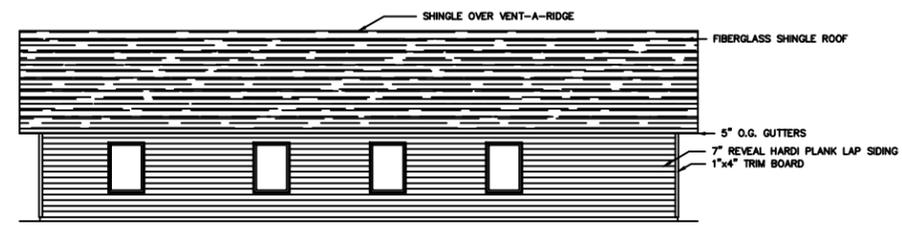
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Owner's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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OF \_\_\_\_\_

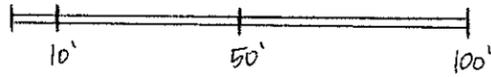


BUILDING HEIGHT 9'-0"

BRAD & JAZQUE MITCHELL

WINDSOR GREEN

1/4"



◇ PROPOSED 36' x 66' BUILDING

▨ EXISTING LANDSCAPING

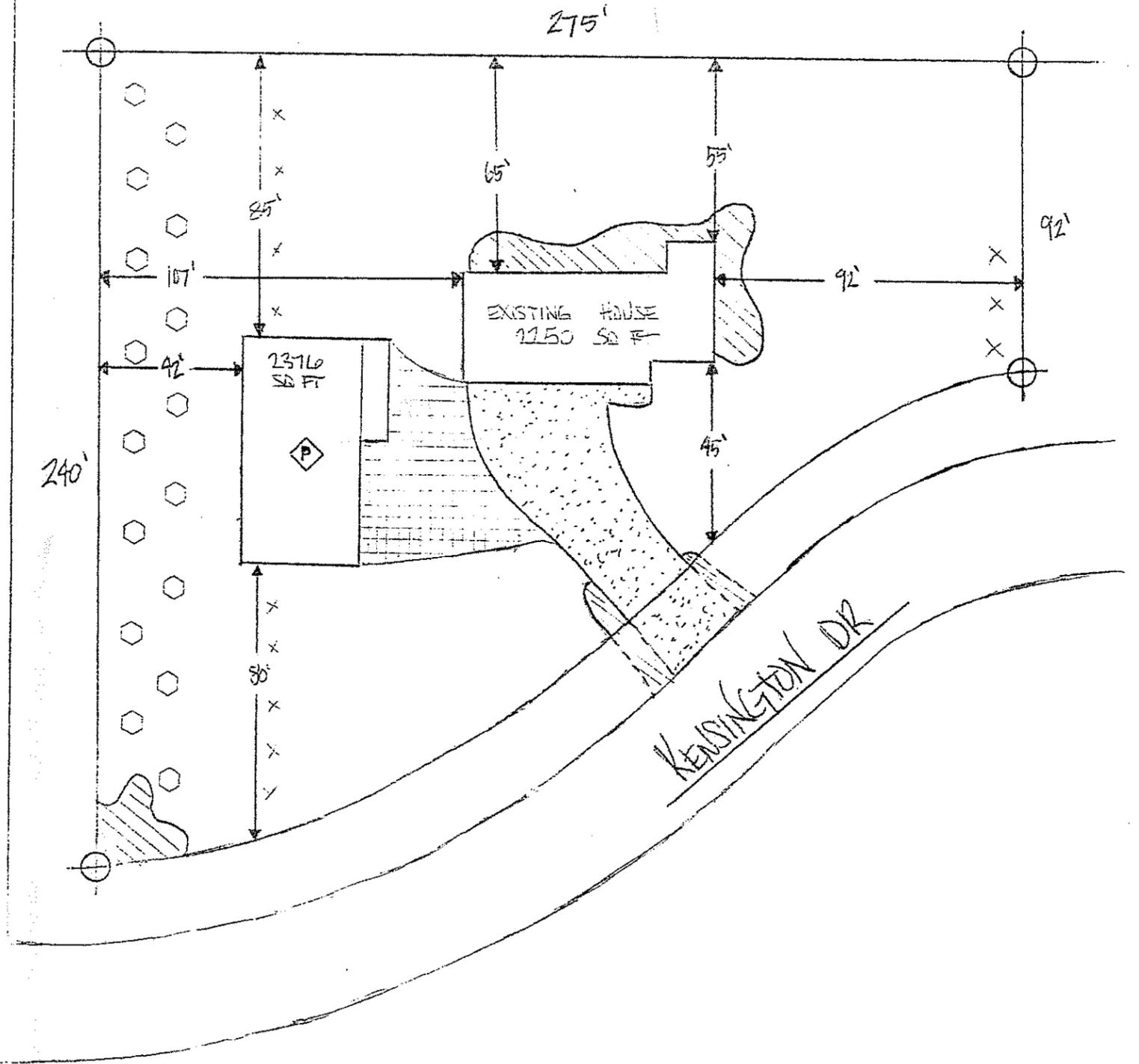
▤ EXISTING CONCRETE

▧ PROPOSED CONCRETE

○ EXISTING EVERGREEN

× EXISTING TREES

SHERBINE



To: Tim Solberg, Director of Planning and Zoning

From: Windsor Green Estates Property Owners

Re: Proposed Conditional Use Permit

Date: January 5, 2020

As "Owners" of lots in Windsor Green Estates, we protest the issuance of a conditional use permit for Lot 4, Block 2 (3839 Kensington Drive). It is our belief that an outbuilding of 2,376 square feet (36'x66') is unreasonable for private storage and not in alignment with the dwellings and buildings currently in the association. The opinion of "Owners" is that to protect and maintain the integrity of our neighborhood and property values, this structure must comply with limits set forth by the City of West Fargo.

It is not the intention of "The Association" of homeowners to block the building of a secondary structure on the property, but insist that such structure fall within the 1,000 square foot limits as allowed by Rural Estate District R-1E.

Thank you for your attention to this matter.

*John Paul 3813 Sheyenne St*

<i>Larry + Ann Storgard</i>	<i>3813 Kensington Dr.</i>
<i>John &amp; Sarah Quis</i>	<i>3801 Kensington</i>
<i>Melanie Miller</i>	<i>3809 Kensington</i>
<i>Joe Peyerl</i>	<i>3806 Kensington Dr.</i>
<i>Janine Peyerl</i>	<i>3806 Kensington Dr.</i>
<i>Glenn &amp; Tina Key</i>	<i>3825 Sheyenne St</i>
<i>Lynn Pahr</i>	<i>3810 Kensington Dr.</i>
<i>Debra Pahr</i>	<i>3810 Kensington Dr.</i>
<i>Bob Dross</i>	<i>3814 Kensington Dr.</i>
<i>Susan Gross</i>	<i>3814 Kensington Dr.</i>
<i>ELHANSON</i>	<i>3818 Kensington Dr.</i>
<i>Marcus Huss</i>	<i>3818 Kensington Dr.</i>
<i>Joel Mickerson</i>	<i>3822 Kensington Dr.</i>
<i>Brack Leedahl</i>	<i>3835 Kensington Dr.</i>
<i>Chad &amp; Shannyn Jacobsen</i>	<i>3802 Kensington Dr.</i>
<i>ROBERT &amp; JILL MASTRZAK</i>	<i>3805 KENSINGTON DR.</i>
<i>Larry &amp; Renee Sander</i>	<i>3834 Kensington Dr.</i>
<i>Linda John Lund</i>	<i>3830 Kensington Dr.</i>

STAFF REPORT

A20-6 SUBDIVISION & CONDITIONAL USE PERMIT	
Delta 54 Subdivision	
Parcel located in NW¼ SE ¼ of Section 31, T140N, R49W [Reed Township], Cass County, North Dakota	
Owner/Applicant: Barrett Irving	Staff Contact: Lisa Sankey
Planning & Zoning Commission Introduction:	02-11-2020
Public Hearing:	02-11-2020
City Commission:	

**PURPOSE:**

Subdivide for a non-farm single-family residential use in an A: Agricultural zoning district.

**STATEMENTS OF FACT:**

Existing Land Use:	Non-Farm Single-Family Residential
Land Use Classification:	G-1 Sub-Urban – Restricted Growth Sector
Current Zoning District(s):	A: Agricultural
Zoning Overlay District(s):	None
Total area size:	6.85 acres
Adjacent Zoning Districts:	A: Agricultural
Adjacent street(s):	Access via ½ section line access road referred to as 9 <sup>th</sup> St NW on County Centerline.
Adjacent Bike/Pedestrian Facilities:	None
Available Parks/Trail Facilities:	None
Land Dedication Requirements:	No news lots being created – no dedication required.

**DISCUSSION AND OBSERVATIONS:**

- The property is located in the City’s extraterritorial (ET) area east of the West Fargo Municipal Airport.
- The applicant has submitted an application for a conditional use permit, subdivision and a preliminary plat for property located in the City’s extraterritorial (ET) area north of West Fargo City Limits.
- The applicant intends to construct a 2,500 square foot slab on grade rambler with attached 2-stall garage and a 1,800 square foot shop.
- The current use of a non-farm single-family dwelling on proposed Lot 2 is considered a conditional use within the Agricultural District and was in place at the time of adoption into the City’s ET jurisdictional boundary. Under Section 4-477, uses allowed as conditional uses without further action are deemed to be considered a conforming use in such district.
- The property is within a Special Flood Hazard Area (SFHA) Zone AE, as well as adjacent to a Floodway Zone AE along the eastern edge of the property. The new building would be required to meet all applicable Federal, State, and Local regulations. Due to a preliminary flood map being in place, staff suggests strongly that the City Engineer provide comment prior to final plat approval.
- There are no available City services to the lot and it is accessed through a reported recorded access easement which will be required to be reviewed prior to final consideration.



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.
  - It is assumed that the property owner would understand the adjacency to an airport will create a noise that would be difficult to buffer from.
- 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.
  - Staff would not consider residential to be considered compatible with an airport; however, for a person who relies on services of the airport it may be considered an attractive opportunity. Staff would not support a residential zoning, but with conditions may find a non-farm residential use acceptable within the Agricultural zoning district. There may also be some limitations in height due to oversight of other agencies outside of the City jurisdiction.

**NOTICES:**

Sent to:	Property owners within 350', Applicable Agencies and Departments, including Reed Township officials, Cass County Planning and the Cass County Sanitarian.
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Comments Received:

- Fargo/Cass Public Health will require the applicant to submit a soil sample to the department for any new septic systems.

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

- The G-1 Sub-Urban - Restricted Growth Sector includes areas between the current and proposed diversion that may have new development potential should the new diversion be built. The G-1 area identifies significant tracts of land that are currently rural, but where directed and well-planned new development could occur around the identified potential Future Mixed-Use and Employment Centers. Therefore major development without City services is not consistent with the Comprehensive Plan.

Leaving the property zoned as Agricultural and meeting the provisions of City Ordinances would allow for the construction of a non-farm single family dwelling on a lot of record with certain conditions of the ordinance as well as any deemed necessary by the City Commission prior to final approval.

STAFF REPORT

**RECOMMENDATIONS:**

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

1. Any concerns from Fargo/Cass Public Health with regard to on-site septic system on the newly proposed lot is addressed and/or reviewed by the applicant prior to consideration of final plat.
2. Consideration and recommendation of the City Engineer regarding development within the floodplain under newly mapped area.
3. Review of access elevation to determine that access is available during periods of flooding.
4. Proof of recorded access easement to the property and review by City Attorney and City Engineer.
5. The applicant is to meet all Federal, State and local requirements for improvements to the site and structures.
6. Signed Conditional Use Permit Agreement is received.
7. An Attorney Title Opinion to the City of West Fargo is received.
8. A drainage plan is approved by the City Engineer.
9. Final Plat is received with any necessary easements.
10. A certificate is received showing taxes are current.

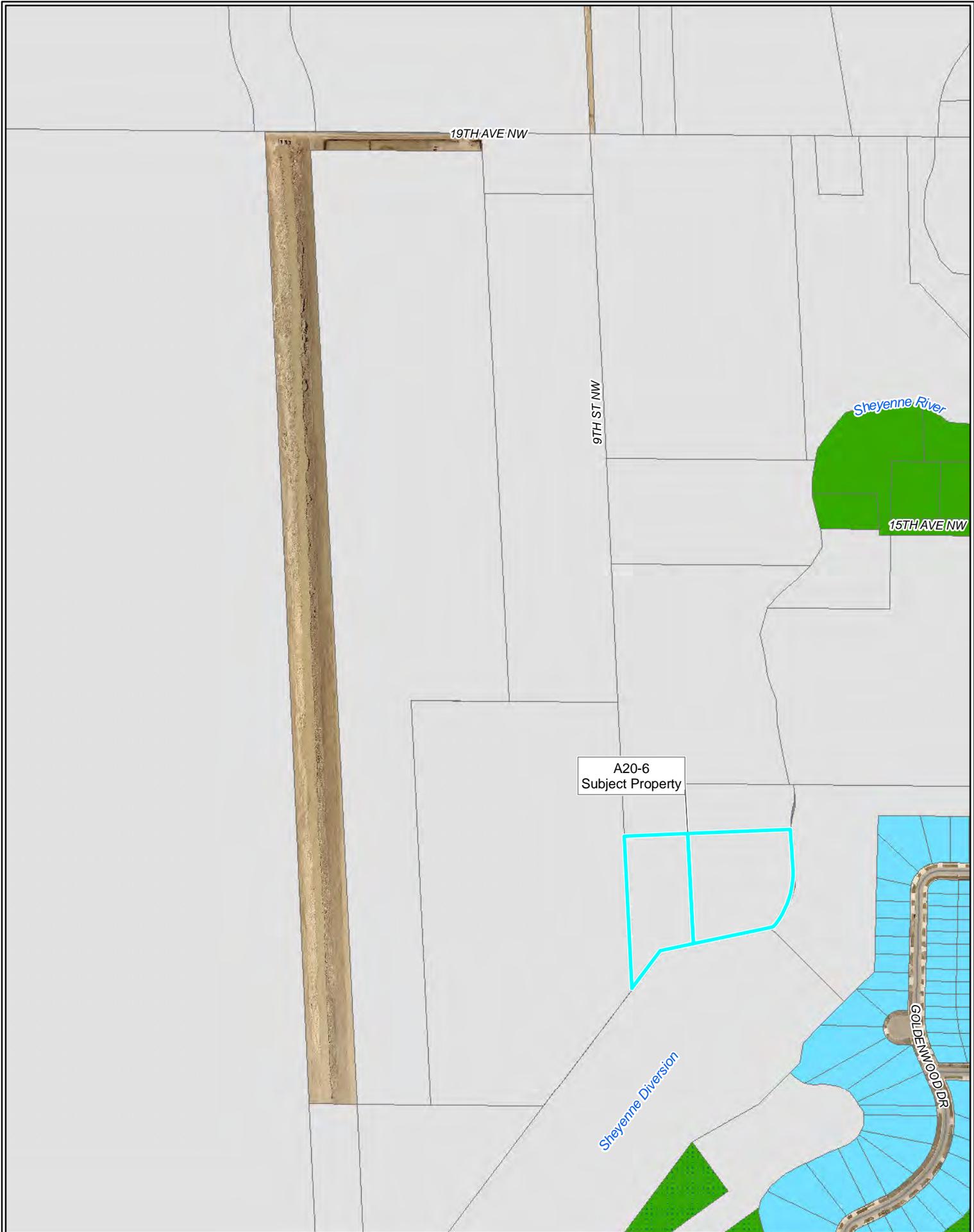


9TH ST NW

A20-6  
Subject Property

Sheyenne River

Sheyenne Diversion

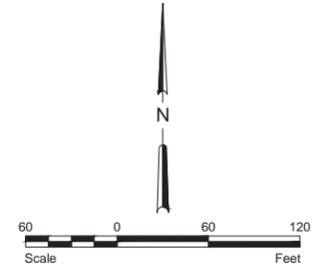


	A: Agricultural C: Light Commercial C-OP: Commercial Office Park HC: Heavy Commercial	LI: Light Industrial M: Heavy Industrial P: Public PUD: Planned Unit Development	R-1: One and Two Family R-1A: Single Family R-1E: Rural Estate R-1S: Special One and Two Family	R-1SM: Mixed One and Two Family R-2: Limited Multiple Dwelling R-3: Multiple Dwelling R-4: Mobile Home	R-5: Manufactured Home R-L1A: Large Lot Single Family R-R: Rural Residential DMU: Downtown Mixed Use	
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# DELTA 54 ADDITION

BEING A PLAT OF PART THE SOUTHEAST QUARTER,  
SECTION 31, T. 140 N., R. 49 W., 5th P.M.

CITY OF WEST FARGO,  
CASS COUNTY, NORTH DAKOTA

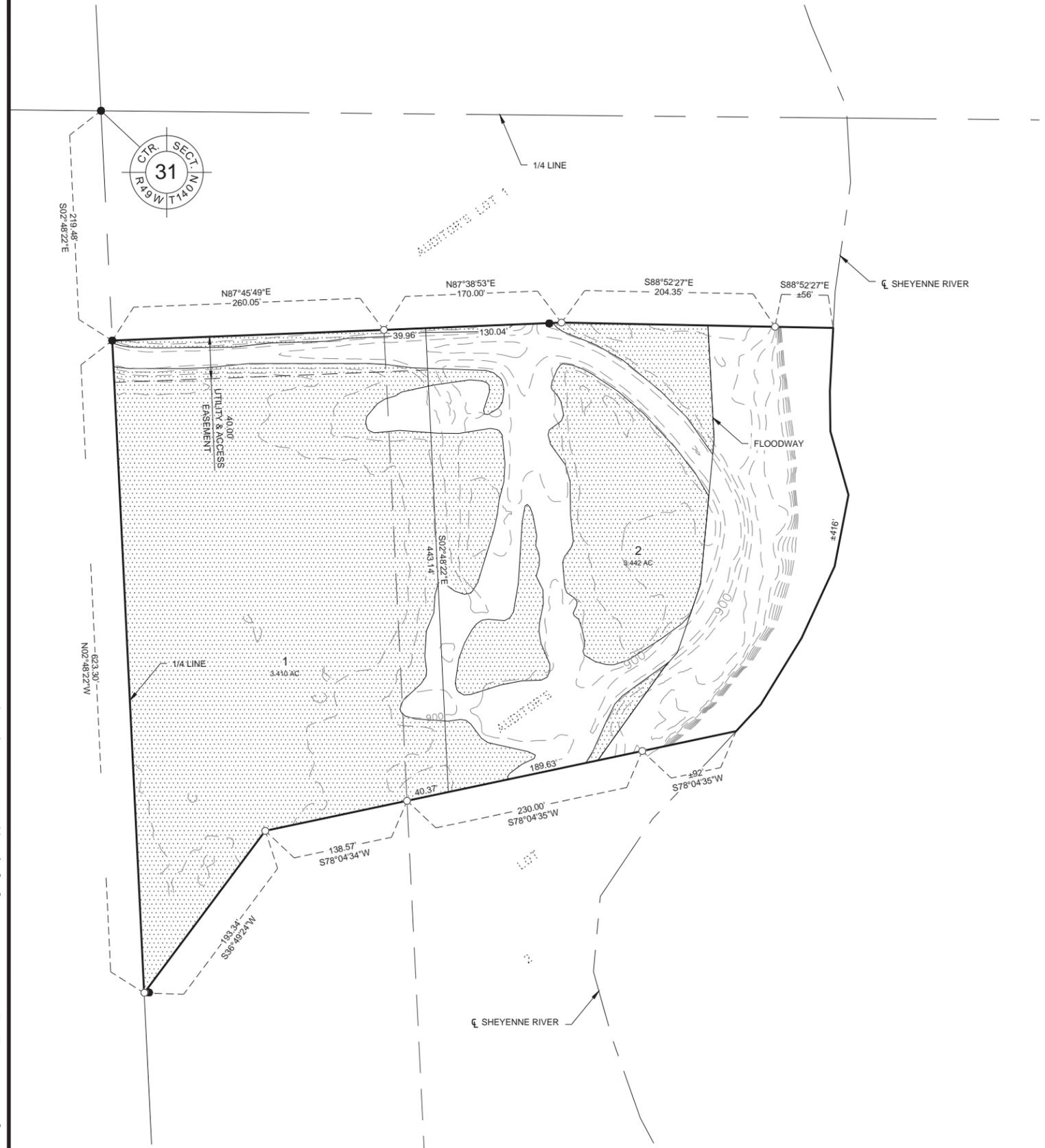


**LEGEND**

IRON MONUMENT FOUND	●
1/2" I.D. PIPE SET	○
MEASURED BEARING	N00°00'00"E
PLAT BEARING	(N00°00'00"E)
MEASURED DISTANCE	100.00'
PLAT DISTANCE	(100.00')
PLAT BOUNDARY	—————
UTILITY EASEMENT	- - - - -
EXISTING LOT LINE	- - - - -
EXISTING UTILITY EASEMENT	- - - - -
ZONE AE	▨

BEARINGS SHOWN ARE BASED ON THE CITY OF FARGO HORIZONTAL DATUM

- NOTES:**
1. PROPERTY IS SITUATED IN ZONE AE AS DEPICTED ON FEMA FIRM PANEL 38017C0568G, DATED JANUARY 16, 2015.



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# DELTA 54 ADDITION

BEING A PLAT OF PART THE SOUTHEAST QUARTER,  
SECTION 31, T. 140 N., R. 49 W., 5th P.M.

CITY OF WEST FARGO,  
CASS COUNTY, NORTH DAKOTA

**OWNER'S CERTIFICATE:**

KNOW ALL PERSONS BY THESE PRESENTS: That GNI INVESTMENTS LLC, a North Dakota Limited Liability Company, are the owners and proprietors of that part of the Southeast Quarter of Section 31, Township 140, Range 49 West of the Fifth Principal Meridian, Cass County North Dakota described as follows:

Auditor's Lot 2 of the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 31, in Township 140 North of Range 49 West of the 5th P.M., situate in the County of Cass and the State of North Dakota, less that part of Auditor's Lot 2 of the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 31, Township 140 North, Range 49 West, Cass County, North Dakota, described as follows: Commencing at the Northwest corner of said Northwest Quarter of the Southeast Quarter (NW1/4SE1/4), thence South 2°49'07" East along the West line of said Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) and along the West line of Auditor's Lot 1 for a distance of 220.00 feet, thence North 87°38'53" East along South line of Auditor's Lot 1 for a distance of 260.00 feet to the Northwest corner of Auditor's Lot 2, thence South 2°49'07" East along the West line of said Auditor's Lot 2 for a distance of 449.85 feet to the point of beginning, thence North 78°04'35" East for a distance of 313.56 feet, thence South 52°50'17" East for a distance of 35 feet more or less to the centerline of the Sheyenne River to a point lying 610.96 feet South of the North line of said Southeast Quarter (SE1/4), thence Southwesterly and Southeasterly upstream along the centerline of said Sheyenne River to the point of intersection with a line bearing South 87°38'53" West and lying 400.15 feet South of the point of beginning; thence South 87°38'53" West along the afore described line of a distance of 240 feet, more or less, to the point of intersection with a line that bears North 2°49'07" West and passes through the point of beginning, the point of intersection also being the Southwest corner of said Auditor's Lot 2, thence North 2°49'07" West along the West line of said Auditor's Lot 2 for a distance of 400.15 feet to the point of beginning.

AND

That tract of land in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 31, Township 140 North of Range 49 West of the 5th P.M., Cass County, North Dakota, lying West of the centerline of the Sheyenne River, as said river is located in the Southeast Quarter (SE1/4), further described as follows: Beginning at the Northwest corner of the Southeast Quarter (SE1/4) of Section 31, Township 140 North, Range 49 West, thence South along the West line of said Southeast Quarter (SE1/4) a distance of 1,326.20 feet to the Southwest corner of the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of said Section 31; thence East along the South line of said Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) a distance of 943 feet to the point on the centerline of the Sheyenne River, thence Northwesterly and Northerly downstream along said centerline to a point on the North line of said Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of said point, being 695 feet East of the Northwest corner of said Northwest Quarter of the Southeast Quarter (NW1/4SE1/4), thence West along the North line of said Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) a distance of 695 feet to the point of beginning, EXCEPTING THEREFROM Auditor's Lot 1 of the Southeast Quarter (SE1/4) of Section 31 and Auditor's Lot 2 of the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 31, and EXCEPTING THEREFROM that part of the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 31, Township 149 North, Range 49 West, Cass County, North Dakota described as follows: Commencing at the Northwest corner of said Northwest Quarter of the Southeast Quarter (NW1/4SE1/4); thence South 2°49'07" East along the West line of said Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) for a distance of 842.53 feet to the point of beginning; thence North 37°09'43" East for a distance of 193.02 feet; thence North 78°04'35" East for a distance of 138.57 feet to a point on the West line of Auditor's Lot 2, said point being 449.85 feet South of the Northwest corner of said Auditor's Lot 2, thence South 2°49'07" East along the West line of said Auditor's Lot 2 for a distance of 400.15 feet to the Southwest corner of said Auditor's Lot 2; thence North 87°38'53" East along the South line of said Auditor's Lot 2 for a distance of 240 feet more or less, to the centerline of the Sheyenne River; thence Southeasterly and upstream along the centerline of said Sheyenne River to a point on the South line of said Northwest Quarter of the Southeast Quarter (NW1/4SE1/4), thence North 89°19'41" West along the South line of said Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) for a distance of 943 feet, more or less, to the Southwest corner of said Northwest Quarter of the Southeast Quarter (NW1/4SE1/4), thence North 2°49'07" West along the West line of said Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) for a distance of 485.84 feet to the point of beginning.

Said tract contains 6.852 acres.

And that said parties have caused the same to be surveyed and platted as **DELTA 54 ADDITION** to the City of West Fargo, Cass County, North Dakota, and do hereby dedicate to the current and future owners of Lot 2, the utility and access easement as shown on this plat.

**OWNERS:**

GNI INVESTMENTS LLC

Barrett Irving

State of North Dakota )  
 ) ss  
County of Cass )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ before me personally appeared Barrett Irving, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public: \_\_\_\_\_

**SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:**

I, Charles L. Rebsch, Professional Land Surveyor under the laws of the State of North Dakota, do hereby certify that this plat is a true and correct representation of the survey of said subdivision; that the monuments for the guidance of future surveys have been located or placed in the ground as shown.

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

Charles L. Rebsch, Professional Land Surveyor No. 6610

**CITY ENGINEER'S APPROVAL:**

Approved by the West Fargo City Engineer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dustin T. Scott, City Engineer

**WEST FARGO PLANNING COMMISSION APPROVAL:**

Approved by the City of West Fargo Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Tom McDougall, Chairman  
West Fargo Planning Commission

**WEST FARGO CITY ATTORNEY APPROVAL:**

I hereby certify that proper evidence of title has been examined by me and I approve the Plat as to form and execution this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

John T. Shockley, City Attorney

**WEST FARGO CITY COMMISSION APPROVAL:**

Approved by the West Fargo City Commission this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Bernie L. Dardis, President of the West Fargo City Commission  
Tina Fisk, City Auditor

State of North Dakota )  
 ) ss  
County of Cass )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared Bernie L. Dardis, President of the West Fargo City Commission; and Tina Fisk, City Auditor, City of West Fargo, known to me to be the persons who are described in and who executed the within instrument and acknowledged to me that they executed the same on behalf of the City of West Fargo.

Notary Public: \_\_\_\_\_

State of North Dakota )  
 ) ss  
County of Cass )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ before me personally appeared Charles L. Rebsch, Professional Land Surveyor, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public: \_\_\_\_\_

State of North Dakota )  
 ) ss  
County of Cass )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ before me personally appeared Dustin T. Scott, West Fargo City Engineer, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public: \_\_\_\_\_

State of North Dakota )  
 ) ss  
County of Cass )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared Tom McDougall, Chairman, West Fargo Planning Commission, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of the West Fargo Planning Commission.

Notary Public: \_\_\_\_\_

State of North Dakota )  
 ) ss  
County of Cass )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared John T. Shockley, City Attorney, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as City Attorney.

Notary Public: \_\_\_\_\_

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STAFF REPORT

A20-7	ZONING ORDINANCE AMENDMENTS
Zoning Ordinance Amendment to review proposed changes to Section 4-460 Sign Regulations	
Applicant: City of West Fargo	Staff Contact: Tim Solberg, AICP
Planning & Zoning Commission Introduction:	02-11-2020
Public Hearing:	02-11-2020
City Commission Introduction:	
Public Hearing & 1 <sup>st</sup> Reading:	
2 <sup>nd</sup> Reading	

**PURPOSE:**

Amendments to Section 4-460. Sign Regulations to reflect recent creation of the DMU: Downtown and EMU: Entertainment Mixed Use Districts.

**DISCUSSION AND OBSERVATIONS:**

- The addition of the Entertainment Mixed Use District and Downtown Mixed Use District were not reflected into the City’s Sign Regulations found in 4-460 of City Ordinances. The proposed amendments will make the necessary additions.
- Staff also recognized that the use of the term “off-premise” may not have been clearly defined so a definition was added within the definitions section.

**NOTICES:**

Sent to: Notice in the newspaper and to City Departments

Comments Received:

- None to date.

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

- The proposed amendments are minor corrections related to recent amendments that were consistent with the City’s plans and ordinances.

**RECOMMENDATIONS:**

Staff is recommending approval of the ordinance amendments.

4-460. SIGN REGULATIONS. (Source: Ord. 677, Sec. 1 [2003])

Subdivisions:

- 4-460.1 Objectives.
- 4-460.2 Conflict with Zoning Chapter.
- 4-460.3 Definitions.
- 4-460.4 Existing Signs and Nonconforming Signs.
- 4-460.5 Nonconforming Sign Maintenance and Repair
- 4-460.6 Nonconforming Uses.
- 4-460.7 General Sign Provisions.
- 4-460.8 Signs Not Requiring Permit and Prohibited Signs.
- 4-460.9 General District Regulations.
- 4-460.10 Special District Regulations.
- 4-460.11 Inspection.
- 4-460.12 Permit, Application, Variance and Commission Approval.
- 4-460.13 Enforcement.
- 4-460.14 Violation a Misdemeanor.

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4-460.1. OBJECTIVES.

1. To establish standards which permit businesses a reasonable and equitable opportunity to advertise.
2. To preserve and promote civic beauty and prohibit signs which would detract from this objective because of size, shape, height, location, condition, cluttering or illumination.
3. To insure that signs to not create safety hazards.
4. To preserve and protect property values.

4-460.2. CONFLICT WITH ZONING CHAPTER. If there is a conflict between this chapter and the Zoning chapter, the Zoning chapter shall prevail.

4-460.3. DEFINITIONS. The following terms, as used in this chapter, shall have the meanings stated:

ADVERTISING SIGNS. A sign used to advertise products, goods or services not exclusively related to the premise on which the sign is located.

ADDRESS SIGN. A sign communicating only a street address.

ALTERATION. Any major alteration to a sign excluding routine maintenance, painting or change of copy.

AREA IDENTIFICATION SIGN. A freestanding sign identifying the name of a single or two-family residential subdivision

consisting of twenty (20) or more lots; a residential planned unit development; a multiple residential complex consisting of three (3) or more independent operations; a single business consisting of three (3) or more separate structures; a manufactured home court; or any integrated combination of the above. The sign shall only identify the area, complex or development and shall not, unless approved by the Commission, contain the name of individual owners or tenants. The sign may not contain advertising.

AWNING. A hood or cover projecting from the wall of a building, and which may be retracted, folded or collapsed against the face of a supporting building.

BANNER SIGN (PERMANENT). A sign constructed of canvass or other durable fabric that is enclosed within a cabinet or frame and is permanently mounted to the wall of a building.

Source: Ord. 704, Sec. 1 (2004)

BANNERS. Attention getting devices which resemble flags and are of a paper, cloth or plastic-like consistency.

BEACON. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also any light with one or more beams that rotate or move.

BENCH SIGNS. A sign affixed to a bench such as at a bus stop.

BILLBOARD. An advertising sign.

BUILDING FACADE. That portion of the exterior elevation of a building extending from grade to the top of a parapet wall or eaves and the entire width of the building elevation.

BUSINESS SIGN. Sign identifying a business or group of businesses, either retail or wholesale, or any sign identifying a profession or used in the identification or promotion of any principal commodity or service, including entertainment, offered or sold upon the premises where the sign is located.

CAMPAIGN SIGN. A temporary sign promoting the candidacy of a person running for governmental office, or promoting an issue to be voted on at a governmental election.

CANOPY SIGN. Message or identification affixed to a canopy or marquee that provides a shelter or cover over the approach to any building entrance.

CONSTRUCTION SIGN. A sign at a construction site identifying the project or the name of the architect, engineer, contractor, financier or other involved parties.

DIRECTIONAL SIGNS. A sign erected with the address and/or name of a business, institution, church or other use or activity plus directional arrows or information on location.

DIRECTORY SIGN. An exterior informational wall sign identifying the names of businesses served by a common public entrance in a shopping center or office buildings.

FLASHING SIGN. An illuminated sign upon which the artificial light is not kept constant in terms of intensity or color when the sign is illuminated.

FREESTANDING SIGN. Self-supported sign not affixed to another structure.

HIGH IMPACT SIGN. Any high profile sign such as mobile electronic message centers or reader boards, automatically changing sign faces, vehicles and equipment with sound equipment and/or significant signage, and other high impact business and/or events promotion schemes.

Source: Ord. 702, Sec. 1 (2004)

IDENTIFICATION SIGN. A sign which identifies the business, owner, manager, resident or address of the premises where the sign is located and which contains no other material.

ILLUMINATED SIGN. Sign illuminated by an artificial light source either directed upon it or illuminated from an interior source.

INFORMATIONAL SIGN. Any sign, including gas price and menu board signs, giving information to employees, visitors or delivery vehicles, but containing no advertising or identification.

INSTITUTIONAL SIGN. A sign identifying the name and other characteristics of a public or quasi-public institution on the premises where the sign is located.

INTEGRAL SIGN. A sign carrying the name of a building, its date of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type of construction and made an integral part of the structure.

LOGO. One or more letters, symbols or signs used to represent a name or trademark of a business or other entity. A logo sign is also considered an identification sign.

MARQUEE. A canopy.

MENU BOARD. Any sign containing a food price list for restaurant customers, but containing no advertising or identification.

MONUMENT SIGN. A sign where the extent of the sign structure is attached to the ground or a foundation in the ground; and where there are no poles, braces, or other visible means of support other than attachment to the ground.

MOTION SIGN. A sign which revolves, rotates, has moving parts or gives the illusion of motion.

MULTIPLE TENANT SITE. Any property or business site that contains more than one (1) business, and each business has a separate lease.

Source: Ord. 702, Sec. 1 (2004)

NONPROFIT ORGANIZATION. A corporation formed under North Dakota Statutes, a church or community or civic group.

OFF-PREMISE SIGN. An advertising sign not related to the premises on which it is located.

PARAPET. A low wall which is located on a roof of a building.

PENNANT. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series, designed to move in the wind.

PORTABLE SIGN. Portable signs shall include, but not be limited to: Signs constructed so as to be movable, either by skids, wheels, truck, or other conveyance; any sign which does not have a permanent foundation or is otherwise permanently fastened to the ground, excluding those signs defined under "High Impact Signs". When on a trailer, the removal of the wheels or undercarriage does not place the sign in another category, nor does the anchoring of the sign by means of concrete blocks, sandbags, or other types of temporary anchors.

Source: Ord. 702, Sec. 1 (2004)

PROJECTING SIGN. A sign, other than a wall sign, which is affixed to a building and perpendicular from the building wall.

PUBLIC ENTRANCE. Passage or opening which affords entry and access to the general public.

PUBLIC ENTRANCE, COMMON. A public entrance providing access for the use and benefit of two (2) or more tenants or building occupants.

READER BOARD. A sign with an electronic changing message and/or animation to create a special effect or scene. Electronically controlled time and temperature signs are included.

REAL ESTATE SIGN. A business sign placed upon property advertising that particular property for sale or rent.

ROOF LINE. The top of the coping or when the building has a pitched roof, the intersection of the outside wall with the roof.

ROOF SIGN. Sign erected, constructed or attached wholly or in part upon or over the roof of a building.

SIGN. Use of words, numerals, figures, devices or trademarks by which anything is made known such as individuals, firms, professionals, businesses, services or products and which is visible to the general public.

SIGN AREA. The area within the marginal lines of the surface of a sign, which bear the advertisement, or in the case of message, figures or symbols attached directly to a building or sign structure, that area which is included in the smallest rectangle or series of geometric figures used to circumscribe the message, figure or symbol displayed thereon.

SIGN, MAXIMUM HEIGHT OF. The vertical distance from the grade to the top of the sign.

SIGN STRUCTURE. The supports, uprights, bracing and framework for a sign, including the sign area.

STREET FRONTAGE. The proximity of a parcel of land to the streets. A corner lot has two (2) or more frontages, but may use only one side for the purpose of calculating allowable sign area. It may be the longest side.

TEMPORARY SIGN. Unless otherwise defined as a "Portable Sign" or "High Impact Sign", any sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, and wood or metal signs less than twelve (12) square feet in area, which does not have a permanent foundation or is otherwise permanently fastened to the ground, and which is erected or displayed for a limited period of time shall be considered a temporary sign.

Source: Ord. 702, Sec. 1 (2004)

WALL SIGN. A sign affixed to the exterior wall of a building, and which is parallel to the building wall. A wall sign does not project more than twelve (12) inches from the surface to which it is attached, nor extend beyond the top of a parapet wall.

WALL GRAPHICS. A sign painted directly on an exterior wall.

WINDOW SIGN. A sign affixed to or inside of a window in view of the general public. This does not include merchandise on display.

4-460.4 EXISTING SIGNS AND NONCONFORMING SIGNS.

1. Except for signs determined to create a public safety hazard due to content or due to disrepair and condition, or illegally established signs, all legally established signs existing upon the effective date of this Chapter shall not be enlarged or reconstructed, but may be continued at the size and in the manner or operation existing upon such date.
2. A nonconforming sign:
  - a. May not be structurally altered except to bring it into compliance with the provisions of this chapter.
  - b. May not be enlarged.
  - c. May not be reestablished after its removal or discontinuance.
  - d. May not be repaired or otherwise restored, unless the damage is to less than fifty (50) percent of sign structure.
  - e. May not be replaced, unless the sign is within an existing sign cabinet.
  - f. Shall be removed if there is a change in use or business license for the property.
  - g. May not be continued for more than six (6) months following the adoption of this ordinance if the sign is temporary in nature and/or not permanently mounted.

4-460.5. NONCONFORMING SIGN MAINTENANCE AND REPAIR. Nothing in this chapter shall be construed as relieving the owner or user of a legal nonconforming sign or owner of the property on which the legal nonconforming sign is located from the provisions of this chapter regarding safety, maintenance, and repair of signs; provided, however, that any repainting, cleaning and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure or copy in any way, which makes it more nonconforming or the sign shall lose its legal nonconforming status.

4-460.6. NONCONFORMING USES. When the principal use of land is legally nonconforming under the Zoning Chapter, all existing or proposed signs in conjunction with that land, shall be considered conforming if they are in compliance with the sign provisions for the most restrictive zoning district in which the principal use is allowed.

4-460.7. GENERAL SIGN PROVISIONS.

1. The design and construction standards as set forth in the City's adopted building code, as may be amended, are hereby adopted.
2. The installation of electrical signs shall be subject to the State's Electrical Code. Electrical service to such sign shall be underground.
3. Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.
4. Signs shall not create a hazard to the safe, efficient movement of vehicular or pedestrian traffic. No private sign shall contain words which might be construed as traffic controls, such as "stop," "caution," "warning," unless the sign is intended to direct traffic on the premises. No sign may cause a nuisance because of lighting glare, focus, animation or flashing. No sign may be placed in a manner as to materially impede vision between a height of two and one-half (2½) feet and ten (10) feet above the center grades of the intersecting streets within thirty (30) feet to the point of curvature of the intersecting street curbs.
5. Signs and sign structures shall be properly maintained and kept in a safe condition. Sign or sign structures which are rotted, unsafe, deteriorated or defaced shall be repainted, repaired or replaced by the licensee, owner or agent of the building upon which the sign stands.
6. No sign shall be attached or be allowed to hang from any building until all necessary wall and roof attachments have been approved by the Building Official.
7. No signs, guys, stays or attachments shall be erected, placed or maintained on rocks, fences or trees nor interfere with any electric light, power, telephone or telegraph wires or the supports thereof.
8. The use of temporary signs such as banners, inflatable signs, tethered balloons and similar devices may be erected on the premises of an establishment for special events, provided that such signs may not be displayed for

more than thirty (30) calendar days within any four (4) month period. Violations for temporary signs must be corrected within seven (7) days of written notification. Banners may be considered permanent signs provided they are constructed of canvass or other durable fabric enclosed within a cabinet or frame which is permanently and entirely mounted on the wall of a building and comply with the sign regulations set forth herein.

Source: Ord. 704, Sec. 2 (2004)

9. Illuminated signs shall be shielded to prevent lights from being directed at oncoming traffic in such brilliance that it impairs the vision of the driver. Nor shall such signs interfere with or obscure an official traffic sign or signal. This includes indoor signs which are visible from public streets.
10. Portable and High Impact signs shall be governed by the following provisions:
  - A. Portable Signs - Prior to the placement of a portable sign, a portable sign permit must be obtained from the City of West Fargo Planning Office. A portable sign permit may be granted for a period not to exceed fourteen (14) days at a time, except for municipal construction zones which impact customer access to a business or use, whereupon the Planning Director may authorize extended display periods. Upon removal of the portable sign, it must be at least fourteen (14) days before another permit may be issued at that location for the same business or use, provided that portable signage on the site does not exceed 56 days within one calendar year for the same business or use. Portable sign permits shall be issued provided the following:
    - 1) The portable sign is located in a Commercial (C, CM, EMU, DMU or PUD), Industrial (CMHC, LI, M, or PUD), or Public Facilities (P) Zoning District.
    - 2) The portable sign is located upon the same parcel which the advertisement/notice is intended, unless advertising a community-wide event, as determined the Planning Director.
    - 3) No portable sign may exceed sixty (60) square feet in area, with the sign face not to exceed six (6) feet in height or ten feet in width, and may not exceed eight feet (8) feet in overall height.

- 4) No portable sign may be placed upon the public right-of-way without approval of the City Commission. Portable signs shall meet the setback requirements for freestanding signs for Corridor Overlay Districts and underlying zoning districts.
- 5) No portable sign placed within one hundred (100) feet of an area zoned for residential use may have blinking, flashing or fluttering lights or other illuminating devices that have a changing intensity, brightness or color.
- 6) No part of a portable sign may be located within the thirty (30) foot sight triangle measured from the point of curvature of the intersecting street curbs.
- 7) Notwithstanding any other provision of this Ordinance, no sign may be placed in a manner as to impede vision within a twenty-four (24) foot sight triangle of the intersecting curb line of a driveway, entrance, or exit. This triangle may be increased by the Planning Director when deemed necessary for traffic safety.
- 8) Only one portable sign may be placed upon a property or development complex site at any given time, except in the case of multiple tenant sites consisting of six (6) or more businesses/uses, where two (2) portable signs will be allowed on the parcel at any given time.
- 9) All portable signs must be kept in good repair and in proper state of maintenance, including, but not limited to replacing lamps, replacing or repairing the sign face, replacing trim, etc. If the Planning Director finds that a sign is not in a proper state of repair, the City may after thirty (30) days of written notification, not issue a permit for the specific sign for any location.
- 10) In installing or removing the portable signs, access can not be across a boulevard, sidewalk or bikepath, unless an established driveway is present and used.

B. High Impact Signs - Prior to the placement of a high impact sign, a high impact sign permit must be obtained from the City of West Fargo Planning Office. A high impact sign permit may be granted for a period not to exceed five (5) consecutive days at a given site for a business use and no more

than twenty-one (21) total days within one calendar year. High impact sign permits shall be issued providing the following:

- 1) The high impact sign is located in a Commercial (C, CM, EMU, DMU or PUD), Industrial (EMHC, LI, M, or PUD), or Public Facilities (P) Zoning District.
- 2) The high impact sign is located upon the same parcel which the advertisement/notice is intended, unless advertising a community-wide event, as determined the Planning Director.
- 3) No high impact sign may be placed upon the public right-of-way without approval of the City Commission. Portable signs shall meet the setback requirements for freestanding signs for Corridor Overlay Districts and underlying zoning districts.
- 4) No high impact sign placed within one hundred (100) feet of an area zoned for residential use may have blinking, flashing or fluttering lights or other illuminating devices that have a changing intensity, brightness or color.
- 5) No part of a high impact sign may be located within the thirty (30) foot sight triangle measured from the point of curvature of the intersecting street curbs.
- 6) Notwithstanding any other provision of this Ordinance, no sign may be placed in a manner as to impede vision within a twenty-four (24) foot sight triangle of the intersecting curb line of a driveway, entrance, or exit. This triangle may be increased by the Planning Director when deemed necessary for traffic safety.
- 7) Only one high impact or portable sign may be on a property or business site during any given period, except that multiple tenant sites may have up to two (2) portable signs or high impact signs, or a combination thereof, during any given period, provided the content of the sign changes for each business per the regulations outlined in this section.
- 8) In installing or removing the high impact signs, access can not be across a boulevard, sidewalk or bikepath, unless an established driveway is present and used.

11. No sign or sign structure shall be closer to any side lot line than a distance equal to one-half (1/2) the minimum required yard setback. Nor shall any sign project onto any public street or alley or approved private street. No sign shall be placed within any drainage or utility easement.
12. No sign or sign structure shall be erected or maintained that prevents free ingress or egress from any door, window or fire escape. No sign or sign structure shall be attached to a standpipe or fire escape.
13. A freestanding sign or sign structure constructed so that the faces are not back to back, shall not have an angle separating the faces exceeding twenty (20) degrees unless the total area of both sides added together does not exceed the maximum allowable sign area for that district.
14. Signs in residential districts and signs facing residential districts shall not be illuminated unless approved as a conditional use.
15. Except for farm buildings, at least one (1) address sign identifying the correct property number as assigned by the City shall be required on each principal building in all districts. The number shall be at least three (3) inches in height.
16. Illegal signs which are located anywhere within any portion of any public right-of-way may be confiscated without notice by any City Official or agent. These signs may be recovered by the owner upon payment of a fine as imposed by the City Commission.
17. Reader boards, off-premise, and other signs, whether electronic, digital or other, shall be reviewed by various City departments to determine if such sign may create a nuisance or traffic hazard because of lighting glare, focus, animation or flashing. Visual nuisance or traffic hazard effects may be minimized through the use of static images or message (no flashing or scrolling messages), time sequencing of images or messages, i.e., 8 second standard changes and reduced intensity in lighting. In the event that such sign is determined to potentially constitute a nuisance or traffic hazard, the sign shall be reviewed as a conditional use.

Source: Ord. 916, Sec. 50 (2012); Ord. 1049, Sec. 40 (2015)

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

1. Permitted Signs. The following signs are allowed without a permit; however are included within the allowable sign area, unless otherwise indicated.

- a. Public Signs. Signs of a public, noncommercial nature, including safety signs, directional signs to public facilities, trespassing signs, traffic signs, signs indicating scenic or historical points of interest, memorial plaques and the like, when erected by or on behalf of a public official or employee in the performance of official duty.
- b. Identification Signs. Identification signs not exceeding one (1) square foot for single and two-family structures and sixteen (16) square feet for multiple family structures.
- c. Informational Signs. Informational Signs not exceeding twenty-four (24) square feet. One informational sign shall be allowed for each business and is not included within the allowable sign area, provided it does not exceed twenty-four (24) square feet and is fastened to an existing sign structure or building, or is a menu board for a restaurant.
- d. Directional Signs.
  - (1) On-Premise Signs. Shall not be larger than four (4) square feet. The number of signs shall not exceed four (4) unless approved by the Planning and Zoning Commission, and shall not be included within the allowable signage.

Source: Ord. 704, Sec. 3 (2004)

- (2) Off-Premise Signs. Shall be limited to situations where access is confusing and traffic safety could be jeopardized or traffic could be inappropriately routed through residential streets. The size of the sign shall be approved by the City Commission and shall contain no advertising.
- e. Integral Signs. Integral signs shall not be included within the allowable sign area.
- f. Campaign Signs. Campaign signs not exceeding thirty-two (32) square feet for any one sign, or for all signs on any lot. The sign must contain the name and address of the person responsible for such sign, and that person is responsible for its removal.
- g. Flags and Insignia. Flags and insignia of any government except when displayed in connection with commercial promotion.

- h. Holiday Signs. Signs or displays which contain or depict a message pertaining to a religious, national, state or local holiday and no other matter, and which are displayed for a period not to exceed forty-five (45) days in any calendar year.
- i. Construction/Development Signs. A non-illuminated construction or development sign confined to the site of the construction, alteration, repair or development. Such sign must be removed within two (2) years of the date of issuance of the first building permit on the site or when the particular project is completed, whichever is sooner, unless said sign is intended to be a permanent identification sign for the development and is approved as a conditional use. One sign shall be permitted for each street the project abuts. No sign may exceed thirty-two (32) square feet in the R-1E, R-1A, R-1, R-4 and R-5 Districts, or sixty-four (64) square feet in the A, R-2, R-3, C, ~~EM~~EMU, DMU, HC, LI and M districts unless otherwise approved as a conditional use.
- j. Roadside Market Signs. Signs advertising produce grown and sold on the premises on which they are located, provided such signs shall not exceed thirty-two (32) square feet in area or be displayed for a period exceeding six (6) months of any calendar year.
- k. "For Sale" and "To Rent" Signs. "For Sale" and "To Rent" signs shall be permitted subject to the following regulations:
  - (1) Six (6) or Less Residential Dwelling Units. The following applies to the for sale or for rent of a single family residence or where six (6) or less dwelling units (or lots for residential development) are for sale or rent: No more than one such sign per lot, except on a corner lot (2) signs, one facing each street, shall be permitted. No such signs shall exceed sixteen (16) square feet in area, or be illuminated. Each such sign must be devoted solely to the sale or rental of the property being offered and must be removed immediately upon the sale or rental of the property. Each sign must be placed only upon the property offered for sale or rent.
  - (2) Seven (7) or More Residential Dwelling Units. Where more than six (6) dwelling units (or lots for residential development purposes) are offered for sale or rental by the same party,

signs advertising such sale or rental may be constructed therefore in any district. There shall be permitted one sign facing each public street providing access to the property being offered. Each such sign shall not exceed twenty-four (24) square feet in area; shall be located at least one hundred (100) feet from any preexisting home; and shall be removed within one year from the date of building permit issuance, or when less than six (6) units remain for sale or rent, whichever is less. Said sign shall fully comply with the setback requirement for the zoning district in which the property is located.

(3) Industrial or Commercial Property. In the event of an industrial or commercial sale or rental of real property, there shall be permitted one sign facing each public street providing access to the property being offered. Each sign shall not exceed thirty-two (32) square feet in area for signs located within fifty (50) feet of the front property line, or sixty-four (64) square feet in area if located fifty (50) or more feet from the front property line and must be devoted solely to the sale and rental of the property being offered and must be removed immediately upon the sale or rental of the last property offered at that location. Said sign may not be located closer to the property line than fifty (50) percent of the setback required within the particular zoning district in which the property is located.

1. Rummage (Garage) Sale Signs. Rummage sale signs shall not be posted until one day before the date of the sale and shall be removed within one (1) day after the end of the sale and shall not exceed six (6) square feet. Rummage sale signs shall not be located in any public right-of-way, or on utility poles or equipment.
- m. Signs relating to official local, state or federal government agencies and City entrance signs.
- n. Window Signs. Window signs shall not exceed fifty (50) percent of the total glass area of the face of the building on which the window in which they are displayed and shall not be included within the allowable sign area.

- o. Small Signs. Small signs which do not exceed one (1) square foot in area shall not be counted as part of the allowable sign area, provided the signs are not part of a larger sign scheme for the building or property.
- p. Pennants. Pennants may be erected on the premises of an establishment in commercial and industrial zoning districts which are not in the "Corridor Overlay District. Pennant displays must be properly maintained as to not create a safety hazard, nor shall they detract from the character of adjacent properties and other property in the district. The rope, wire or string used to display the pennants must be fastened securely and remain taut.

Source: Ord. 704, Sec. 5 (2004)

2. Prohibited Signs. The following signs are prohibited:

- a. Off-Premise Advertising Signs with the following exceptions:
  - (1) Approved signs within a commercial or industrial planned unit development, advertising businesses within the PUD.
  - (2) Signs as provided for in the district provisions.
- b. Advertising or business signs on or attached to equipment such as semi-truck trailers or motor vehicles where signing is a principal use of the equipment on either a temporary or permanent basis. Such signs may be used for special events on site and may not be displayed for more than fourteen (14) calendar days within any four (4) month period.

Source: Ord. 702, Sec. 3 (2004)

- c. Beacon, motion and flashing signs, except reader boards, time and temperature signs and barber poles.
- d. Roof Signs. Except that a business sign may be placed on the fascia or marquee of a building, provided it does not extend above the highest elevation of the building, excluding chimneys.
- e. Business signs which advertise an activity, business, product or service no longer produced or conducted on the premises upon which the sign is located. Where the owner or lessor of the premises

is seeking a new tenant, such signs may remain in place for not more than thirty (30) days from the date of vacancy.

- f. Wall Graphics.
- g. Portable signs, banners, inflatable signs, tethered balloons and similar devices except as provided in this chapter.
- h. Signs which are tacked on bridges, fire hydrants, official public signs, trees, fences, utility poles or in any portion of a public right-of-way; temporary signs fastened to sign structures, parking lot light poles or other structures; and temporary signs secured by wires, stakes or weights.
- i. Bench signs except by special permit of the City Commission.
- j. Home occupation signs except as part of an identification sign for the residence, which does not exceed one (1) square foot in area and is mounted flush against the buildings.
- k. Pennants within the "Corridor Overlay District."

Source: Ord. 704, Sec. 4 (2004)

#### 4-460.9 GENERAL DISTRICT REGULATIONS.

##### 1. Agricultural and Residential Districts.

- a. Institutional Identification. Except as provided for as a conditional use, only one (1) sign per street frontage for the principal use, and the sign area may not exceed thirty-two (32) square feet with a maximum height of eight (8) feet for freestanding signs. There shall be fifteen (15) feet for the front yard setback and ten (10) feet for the side yard setback on a corner lot.
- b. Residential Area Identification. One (1) sign for each exclusive entrance to the development not exceeding thirty-two (32) square feet, or two signs not exceeding sixteen (16) square feet each. Signs are limited to a maximum height of eight (8) feet for freestanding signs.
- c. Conditional Use Identification. Only one (1) sign for a conditionally permitted use, which is the primary use of the property, unless otherwise approved as part of a public review for a

conditional use. The sign area may not exceed thirty-two (32) square feet with a maximum height of eight (8) feet for freestanding signs. Uses with more than one street frontage may be allowed an additional sign of same size and height, provided it is approved as part of the conditional use application.

- d. Increase in signage. Additional signage may be considered by the City as a conditional use, subject to following the conditional use procedures established by the City.

2. "C," "EMU", "DMU", "HC," "LI" and "M" Districts.

Source: Ord. 1045, Sec. 5 (2015); Ord. 1049, Sec. 41 (2015); Ord. 1097, Sec. 1 (2017)

- a. Sign Allocation Plan. A sign allocation plan shall be established by the developer or property owner for multi-tenant buildings to provide for the desired allocation of signage. When buildings are expanded and/or tenants added, a revised plan shall be established. Sign allocation plans shall take into consideration the total buildable area of the property and provide for an equitable distribution of signage to tenants based on the percentage of leasable floor area for each tenant. Anchor tenants may be assigned up to ten (10) percent more signage than the distribution formula would provide for with smaller tenants receiving proportionally less. Plans shall be submitted to the City for administrative review and approval.
- b. Single or Multiple Occupancy Business Signs. The total sign area for the subject property may not exceed two (2) square feet for every one (1) foot of lot frontage on a public or approved private street. On corner lots the longest frontage may be used. Signs chosen to comprise the total sign area shall be consistent with the following provisions:
  - (1) Freestanding. Not more than one (1) sign per 50,000 square feet of floor area; however, on corner lots two (2) freestanding signs are allowable, one (1) per frontage. Total individual business sign area may not exceed one hundred (100) square feet nor exceed a maximum height of thirty-five (35) feet. The sign area may be increased to one hundred fifty (150) square feet provided the sign is set back a minimum of twenty (20) feet from the street right-of-way in front. Multiple tenant signs on a freestanding sign structure may not exceed one hundred fifty (150) square feet, except that if a setback of twenty (20)

feet from the street right-of-way in front is provided, the total signage may be increased to two hundred (200) square feet.

- a. Freestanding Signs on Main Avenue. Main Avenue is recognized as a unique, established business highway corridor with properties distanced from the main roadway travel lanes in some areas by either frontage roads or by increased boulevards with landscaping. To provide for more equitable visibility of signage, total individual business sign area may be increased subject to review as a conditional use, but not to exceed one hundred fifty (150) square feet, nor exceed a maximum height of thirty-five (35) feet without the previously stated setback requirement of twenty (20) feet from the street right-of-way if it can be determined that the existing site has adequate separation provided by either frontage road or an increased boulevard of Main Avenue. Multiple tenant signs on a freestanding sign structure may be increased subject to review as a conditional use, but not to exceed 200 square feet nor exceed a maximum height of thirty-five (35) feet without the previously stated setback requirement of twenty (20) feet from the street right-of-way if it can be determined that the existing site has adequate separation provided by either frontage road or an increased boulevard of Main Avenue.
- (2) Wall, Canopy or Marquee. Not more than one sign for each ten (10) feet of lot frontage. Sign area may not exceed fifteen percent (15%) of the building facade up to a maximum of one hundred (100) square feet per sign for buildings with a setback of less than one hundred (100) feet and up to a maximum of two hundred (200) square feet per sign for buildings with a setback of one hundred (100) feet or more.
- c. Modified Sign Development Plan. Parcels which are unusual in dimensions (large parcels with limited frontage) may have a modified sign development plan considered as a conditional use, particularly if the property is intended to be developed with multi-tenant building(s) and the allowable signage is very limited.

- d. Off-premise signs are allowed in "EMU": Entertainment Mixed Use, "DMU": Downtown Mixed Use, "HC": Heavy Commercial, "LI": Light Industrial, and "M": Heavy Industrial Districts. No off-premise sign shall exceed seven hundred fifty (750) square feet in area, unless otherwise approved through the conditional use permit process. No two off-premise signs may be placed less than two hundred fifty (250) feet apart, unless said signs are separated by buildings or other obstructions in such a manner that only one sign is visible from the roadway at any time.
3. "P" Public Facilities District. Source: Ord. 1116, Sec. 1 (2018)
    - a. For such facilities occupying an area of five (5) acres or more, an identification sign not larger than ninety-six (96) square feet, or two (2) signs not to exceed forty-eight (48) square feet may be permitted. Signs shall be of a wall, canopy, marquee or freestanding variety. Freestanding signs are limited to a maximum height of eight (8) feet, except that the height of a sign may be increased one (1) foot up to (10) additional feet for each two (2) feet of front yard setback provided beyond the minimum and for each four (4) feet of side yard setback provided beyond the minimum.
    - b. As a conditionally permitted use, off-premise signs may be allowed. The City may impose height and other size requirements, as well as other requirements deemed necessary by the City to have such signs fit into the area in which they are proposed to be established.
    - c. Increase in signage. Additional signage may be considered by the City as a conditional use, subject to following the conditional use procedures established by the City.
  4. "PUD" Districts. In "Planned Unit Development" Districts, sign restrictions shall be based upon the individual uses and structures contained in the development. Signs shall be in compliance with the restrictions applied in the most restrictive zoning district in which the use is allowed. Signs considered to be off-premise signs must meet the requirements set forth above for on-premise signs for the most restrictive zoning district in which the use is allowed, must be limited to advertising businesses located within the same PUD District, and the off-premise signs must be a permissive use in the PUD District.
  5. "CO" District. In addition to the sign restrictions stated above, the following restrictions shall apply:
    - a. In underlying Agricultural and Residential Districts, no sign shall be permitted except as may

be allowed as a conditional use, in which case

signage shall conform to whatever restrictions may be imposed by the City Commission in authorizing the conditional use permit; however, in no case shall the requirements be less restrictive than those set forth in the subsection below.

b. In underlying Commercial Districts: On-Premise Signs shall be permitted according to the following provisions:

(1) Number: In structures with multiple occupancy and individual outside entrances (retail centers), each tenant can have its own wall signs; however, a common monument or freestanding sign is intended to serve the needs of all the tenants in the structures.

(2) Height: Freestanding signs shall conform to the following formula:

$$\text{Max. Height (ft)} = \text{Frontage on designated street}/10 + \text{Sign Setback}/2$$

with no freestanding sign exceeding twenty-five (25) feet in height, except that the height of a sign may be increased one (1) foot, up to ten (10) additional feet, for each two (2) feet of setback provided beyond the minimum.

(3) Minimum Setback: There shall be fifteen (15) feet front yard sign setback for all those properties abutting the designated streets. For those properties abutting other roadways, yard sign setbacks along the roadways shall be five (5) feet.

(4) For premises without frontage on the designated streets, the height and area of signs shall be determined by the amount of frontage on other public or approved private streets.

c. In underlying PUD District, on-premise signs shall be permitted according to the provisions of the underlying district and the provisions of this section, the most restrictive provisions prevailing. Off-premise signs in the underlying PUD District must meet the requirements set forth above for on-premise signs, must be limited to

advertising businesses located within the same PUD District, and the off-premise signs must be a permissive use in the PUD District.

6. "CO-I" District. In addition to the sign restrictions stated above for underlying districts, identification or institutional wall signs may be increased in area as a conditional use to a maximum of 300 square feet in area, provided the following criteria are met:
  - a. The structure on which the wall sign is mounted shall be set back a minimum of 400 feet from public street or Interstate 94 right-of-way lines.
  - b. The structure is at least 100,000 square feet in area.
  - c. No freestanding signs are utilized on the property.
  - d. Only two wall signs are allowed, one for each of two sides.

Source: Ord. 910, Sec. 1 (2011)

#### 4-460.10 SPECIAL DISTRICT REGULATIONS

1. Motor Fuel Stations. Signs for motor fuel stations shall be regulated by the business structure sign provisions for the zoning district in which the station is located. In addition, motor fuel stations may also display signs which identify current fuel prices and car wash facilities. Such signs shall be limited to a maximum size of twenty-four (24) square feet and a maximum height of ten (10) feet each. One fuel price sign and one car wash sign for any motor fuel station shall not be included within the allowable signage provided the size and height restrictions are met. Customer information and advertising provided on fuel dispensing units shall not be regarded as signage.
2. Additional Signage in Lieu of Freestanding Pylon Signs in the Commercial and Industrial Zoning Districts. When a commercial or industrial building elects to construct a monument style sign in lieu of a pylon sign, or where no freestanding sign is used, the maximum property sign percentage limitation for sign area may be increased five (5) percent. Monument style signs shall be a maximum of one hundred (100) square feet in area for other commercial and industrial districts, and shall be located in such a manner as to avoid conflicts with traffic visibility.

4-460.11. INSPECTION. All signs for which a permit is required shall be subject to inspection by the Zoning Administrator and Building Administrator. The Zoning Administrator or Building Administrator may order the removal of any sign that is not maintained in accordance with the maintenance provisions of this Chapter.

4-460.12. PERMIT, APPLICATION, VARIANCE AND COMMISSION APPROVAL.

1. Except as provided in Section 4-460.8 of this chapter, it is unlawful for any person to erect, construct, alter, rebuild or relocate any sign or structure until a permit has first been issued by the City.
2. Sign Application. The following information for a sign permit shall be supplied by the applicant if requested by the City.
  - a. Name, address and telephone number of person making application.
  - b. Name, address and telephone number of person owning sign.
  - c. A site plan to scale showing the location of lot lines, building structures, parking area, existing and proposed signs and any other physical features. All signs on the property shall be shown.
  - d. Plans, location and specifications and method of construction and attachment to the buildings or placement method in the ground.
  - e. Copy of stress sheets and calculations showing that the structure is designed for dead load and wind pressure in any direction in the amount required by this and all other laws and City Code provisions.
  - f. Written consent of the owner or lessee of any site on which the sign is to be erected.
  - g. Any electrical permit required and issued for the sign.
  - h. Such other information as the City shall require to show full compliance with this and all other laws and City Code provisions.
3. Permit Issued if Application is in Order. The Zoning Administrator and Building Administrator, upon filing of an application for a permit, shall examine such plans, specifications and other data and the premises upon which it is proposed to erect the sign. If it appears that the proposed structure is in compliance with all requirements of this chapter and all other laws and the City Code provisions, the permit shall be issued. If the work authorized under a permit has not been completed within sixty (60) days after the date of issuance, the permit shall be null and void.
4. City Commission Approval. When this Chapter requires City Commission approval for a sign, the application

shall be processed in accordance with the procedural and substantive requirements of the Zoning Chapter for a conditional use permit.

5. Variances. The City Commission may, upon application, grant a variance from the terms of this chapter. The request for a variance shall be processed in accordance with the procedural and substantive requirements of the Zoning Chapter.
6. Fees. Fees for review and process of sign permit applications and variance requests shall be imposed in accordance with the fee schedule established by Commission resolution.
7. Licenses for Portable or High Impact Signs. It shall be unlawful for any person, firm or entity to display a Portable Sign or High Impact Sign within the zoning jurisdiction of the City of West Fargo without first having obtained a license for such purpose. A license for the owner of the sign shall be approved by the City Commission annually. Said license shall terminate on December 31st of the permitting year. License fees shall be imposed in accordance with the fee schedule established by Commission resolution.
  - a. Suspension or Non-renewal of License. The license granted under this section may be suspended or revoked for violation of any of the provisions of the West Fargo Sign Regulations as follows:
    - 1) Initial Violation - Warning. Upon a finding by the Planning Director of an initial violation of the West Fargo Sign Ordinance, a warning by written notice shall be given by the Planning Director that the licensee's license is subject to a fine and license suspension if a subsequent violations occur within a period of twelve (12) months from the date of violation of the first offense.
    - 2) Second Violation. Fine. Upon a finding by the Planning Director of a second violation of the West Fargo Sign Ordinance within 12 months from the first violation, a written notice shall be given to the licensee by the Planning Director and an administrative fine of \$200.00 imposed. The licensee shall have a period of thirty days to make payment from the date of the notice.
    - 3) Third Violation. License Suspension. Upon a finding by the Planning Director of a third violation of the West Fargo Sign Ordinance within 12 months from the first violation, a written notice shall be given to the licensee by the Planning Director establishing a date,

time and place for a hearing before the City Commission. The purpose of the hearing is for the licensee to show cause why licensee's license shall not be suspended for a period of sixty days from the date of the Commission's order finding a third violation within 12 months of the first violation.

- 4) Fourth Violation - Suspension. Upon a finding by the Planning Director of a fourth violation of the West Fargo Sign Ordinance within 12 months from the first violation, a written notice shall be given to the licensee by the Planning Director establishing a date, time and place for a hearing before the City Commission. The purpose of the hearing is for the licensee to show cause why licensee's license shall not be suspended for a period of one year from the date of the Commission's order finding a fourth violation within 12 months of the first violation.
- 5) Once revoked, a licensee may not renew his/her license for a period of twelve months from the date of revocation.
- 6) Nothing in this section shall limit the authority of the City Commission to impose a fine or penalty or to revoke or to cause a forfeiture of a license.

Source: Ord. 702, Sec. 4 (2004)

4-460.13. ENFORCEMENT. This chapter shall be administered and enforced by the Zoning Administrator and Building Administrator. The Zoning Administrator and Building Administrator may institute in the name of the City appropriate actions or proceedings against a violator.

4-460.14. VIOLATION MISDEMEANOR. Every person violates a section, subdivision, paragraph or provision of this chapter when that person performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as for a misdemeanor except as otherwise stated in specific provision hereof.

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A20-5		REZONING
225 40 <sup>th</sup> Avenue West		
Lot 1, Block 1 of Nelson Acres 5 <sup>th</sup> Addition		
Applicant; Jodi Kallias, Greenworks Properties Owner: Duwane Engness	Staff Contact: Lisa Sankey	
Planning & Zoning Commission Introduction:	01-14-2020	
Public Hearing:	01-14-2020 – Approved	
City Commission Introduction:	01-20-2020	
1 <sup>st</sup> Reading and Public Hearing:	02-03-2020 - Denied	
Review of PUD Detailed Development Plans by Planning Commission:	02-11-2020	
1 <sup>st</sup> Reading to Planned Unit Development:	02-18-2020	
2 <sup>nd</sup> Reading and Public Hearing:	03-02-2020	

**PURPOSE:**

Rezone in order to develop the property for a landscaping business.

**STATEMENTS OF FACT:**

Land Use Classification:	G-2: Sub-Urban – Growth Sector
Existing Land Use:	Single Family Dwelling
Current Zoning District(s):	R-R: Rural Residential District
Proposed Zoning District:	C: Light Commercial
Zoning Overlay District(s):	CO: Corridor Overlay District
Total area size:	2.5 Acres
Adjacent Zoning Districts:	North: R-1A: Single Family Dwelling; West & South: R-R: Rural Residential; East: R-1E: Rural Estate District
Adjacent street(s):	40 <sup>th</sup> Avenue West (Arterial); Sheyenne Street (Arterial)
Adjacent Bike/Pedestrian Facilities:	Multi-use path along 40 <sup>th</sup> Avenue West
Available Parks/Trail Facilities:	Eagle Run Park on the north side of 40 <sup>th</sup> Avenue West

**DISCUSSION AND OBSERVATIONS:**

- The applicant has provided a site plan, which proposes converting the home into offices and boutique/gift shop for a landscaping business, as well as an area for garden stock, mulch and decorative rock.
- The property is surrounded by a City Shop and water tower to the west with retention ponds to the south and is located at the intersection of two arterial streets. The applicant believes the site would be an ideal location for this type of business (see attached letter).
- The existing access will require further review and consideration by the City Engineer. Although this would be an item handled at time of permitting, it would be prudent to review at this time to avoid any future issues with development of the property.
- Rezoning the property to C: Light Commercial would open the property up to any of the uses allowed within the district; however, the City’s landscaping regulations would require buffering

STAFF REPORT

between uses of lower intensity and the City's CO: Corridor Overlay will require increased yard and building requirements lending to the compatibility of any of those uses within the area.

**NOTICES:**

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

Comments Received:

- None to date.

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

- The application is a mix of commercial for the neighborhood and section that is otherwise completely developed with residential and therefore the application would be strongly supported by the Comprehensive Plan by providing a mix of uses.

**RECOMMENDATIONS:**

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

1. Consideration of any public comment regarding the proposed change.
2. Review and recommendation of the existing access or any proposed changes by the City Engineer.

**PLANNING AND ZONING RECOMMENDATION:**

At their January 14, 2020 meeting, the Planning and Zoning Commission recommended approval of the rezoning, subject to the two conditions listed above.

**UPDATE:**

At their February 3, 2020 meeting, the City Commission denied the 1<sup>st</sup> Reading on Rezoning to C: Light Commercial and encouraged the applicant to pursue a PUD: Planned Unit Development.

The applicant has submitted Detailed Development Plans to provide for the desired use as described by the applicant to develop "a nursery and garden center that includes a retail boutique, landscaping sales showroom and design offices. Other incorporated spaces may include such things as: an annual greenhouse, a shade structure (for trees, shrubs, perennials and grasses) within a secure fenced area, mini bins for retail landscaping materials with loading area, garden plot, bakery cart and farmers market, workshop and storage areas, Little Free Library with designated children play space, landscape recreation area, and employee and customer parking." A public hearing at City Commission on the rezoning to PUD has been scheduled for March 2, 2020.

Staff believes that because the property is surrounded by the right of way of arterial roadways to the north and east and large areas of City owned property for water retention and uses which are of higher intensity than that of the C: Light Commercial District to the west that the rezoning to C: Light Commercial is appropriate. Due however to concern from the neighborhood expressed at the Public

STAFF REPORT

Hearing before the City Commission with regard to the potential uses within the C: Light Commercial district not being compatible with the surrounding area the applicant is forced to pursue the development as a PUD. There does not appear to be a major reason to include the detail provided by the applicant and would rather simply recommend that the City approve of the PUD with the specific permitted use called out in the C: Light Commercial district of "Greenhouses and plant nurseries." This approach is acceptable to the applicant and would allow for future development consistent with the proposal.

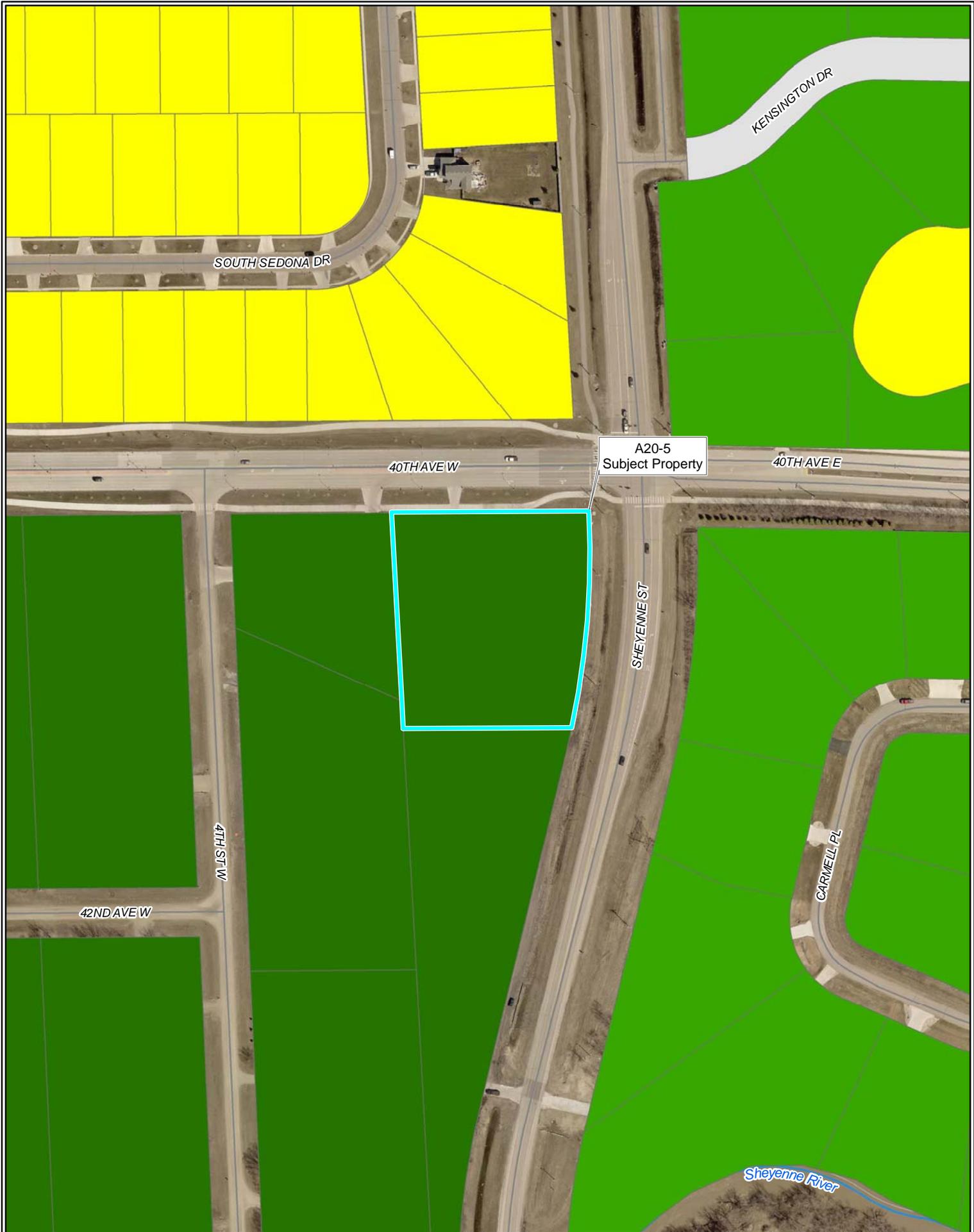
**RECOMMENDATIONS**

Staff recommends approval of the Detailed Development Plans subject to the two conditions listed above, as well as the following:

1. Allow for the property to develop only as the permitted use of greenhouses and plant nurseries currently found in 4-427.2.14 of City Ordinances.
2. Regard the PUD within the same category as C: Light Commercial district for required buffering within Section 4-449-A landscaping standards.
3. Detailed Development Plans will be subject, but not limited to 4-440 Supplementary District Regulations, Section 4-449-A Landscaping Standards, 4-450 Off-Street Parking and Loading Requirements, and 4-460 Sign Regulations.
4. A signed PUD Agreement is received.



A20-5  
Subject Property



A20-5  
Subject Property



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|--|---|--|---|--|
| <ul style="list-style-type: none"> <li><span style="color: grey;">■</span> A: Agricultural</li> <li><span style="color: red;">■</span> C: Light Commercial</li> <li><span style="color: orange;">■</span> C-OP: Commercial Office Park</li> <li><span style="color: darkred;">■</span> HC: Heavy Commercial</li> </ul> | <ul style="list-style-type: none"> <li><span style="color: purple;">■</span> LI: Light Industrial</li> <li><span style="color: magenta;">■</span> M: Heavy Industrial</li> <li><span style="color: green;">■</span> P: Public</li> <li><span style="color: grey;">■</span> PUD: Planned Unit Development</li> </ul> | <ul style="list-style-type: none"> <li><span style="color: blue;">■</span> R-1: One and Two Family</li> <li><span style="color: yellow;">■</span> R-1A: Single Family</li> <li><span style="color: lightgreen;">■</span> R-1B: Special Single Family</li> <li><span style="color: green;">■</span> R-1E: Rural Estate</li> </ul> | <ul style="list-style-type: none"> <li><span style="color: blue;">■</span> R-1S: Special One and Two Family</li> <li><span style="color: darkblue;">■</span> R-1SM: Mixed One and Two Family</li> <li><span style="color: grey;">■</span> R-2: Limited Multiple Dwelling</li> <li><span style="color: orange;">■</span> R-3: Multiple Dwelling</li> </ul> | <ul style="list-style-type: none"> <li><span style="color: orange;">■</span> R-4: Mobile Home</li> <li><span style="color: brown;">■</span> R-5: Manufactured Home</li> <li><span style="color: lightgreen;">■</span> R-L1A: Large Lot Single Family</li> <li><span style="color: green;">■</span> R-R: Rural Residential</li> </ul> |
|--|---|--|---|--|



CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A19-49		SUBDIVISION/REZONING	
The Ranch at The Wilds 1 <sup>st</sup> Addition			
S½ of Section 31, T139N, R49W, City of West Fargo, North Dakota			
Applicant: Houston Eng. – Brian Pattengale Owner: Westport Investments, LLC		Staff Contact: Tim Solberg, AICP	
Planning & Zoning Commission Public Hearing:		12-10-2019 - Approved	
Detailed Development Plans:		02-11-2020	
City Commission Introduction:		01-06-2020	
Public Hearing & 1 <sup>st</sup> Reading:			
2 <sup>nd</sup> Reading & Final Plat Approval			

**PURPOSE:**

Plat and zone land for residential development

**STATEMENTS OF FACT:**

Land Use Classification:	G-2: Sub-Urban – Growth Sector
Existing Land Use:	Vacant
Current Zoning District(s):	A: Agricultural
Zoning Overlay District(s):	N/A
Proposed Zoning District(s):	PUD: Planned Unit Development
Proposed Lot size(s) or range:	6,965 to 21,482 square feet for residential lots; 127,291 square feet for the Community Clubhouse/Retention Pond
Total area size:	23.54 Acres
Adjacent Zoning Districts:	North & East – A: Agricultural West – P: Public Facilities & R-1A: Single Family Dwellings South - City of Horace & R-1: One & Two Family Dwellings
Adjacent/Proposed street(s):	9 <sup>th</sup> Street W (collector); 52 <sup>nd</sup> Ave W (Minor Arterial); “Rania Way”(Local); “Mira Court”(Local)
Adjacent Bike/Pedestrian Facilities:	Sidewalks and multi-use path along 9 <sup>th</sup> St W
Available Parks/Trail Facilities:	Park within the Wilds development within ½ mile accessible by multi-use path and sidewalks
Land Dedication Requirements:	Dedication required – previous agreements in the Wilds have addressed a present shortfall in dedication requirements that will need to be addressed

**DISCUSSION AND OBSERVATIONS:**

- The applicant has submitted an application, preliminary plat, and concept development plans for single family dwellings.
- Concept plans show 77 single family homes, a clubhouse and a storm water pond.
- Right-of-way widths for local streets on the preliminary plat provided are not adequate. A minimum of 62’ is required to meet requirements of Section 4-0406.3 of City Ordinances regulating

STAFF REPORT

subdivision design. The PUD process may allow deviation, however staff is reluctant of the deviation without full approval of the City Engineer, Public Works Director, Police Chief and Fire Chief.

- The developer has provided a site plan which demonstrates that sidewalks will not be present on the interior lots of the proposed Block 3. This can be allowed through Section 2-0102.5 if the City Commission waives the requirement for sidewalks along both sides of the street “for good cause”.
- The developer is proposing that some lots within the development would have a zero lot line on one side to provide for more patio space on the other side for each home. The City does not have a residential district that provides for this zero side lot line, however it is common in commercial properties that can provide adequate firewalls. The Building Inspector has been consulted for an opinion on the matter and will work with the developer to consider how best to achieve this vision.
- Current proposed street names will need to be changed to meet approved Street Naming and Address Standards of the City.

**NOTICES:**

Sent to: Property owners within 150’ and applicable agencies and departments

Comments Received:

- The fire department submitted information regarding the need for additional fire station within this development within five years and would like to open discussion with the property owner regarding setting aside land for such a municipal facility possible considering the provisions of 4-0407.1 for said property to fulfill the requirements of Public Land Dedication. (letter and plan attached hereto)
- Engineering has submitted a response letter which outlines concerns over regional stormwater requirements, proposed street right of way width, the proposed stormwater pond within the development, and requirements (and note of responsibility of costs) of installing publicly owned infrastructure. (letter attached hereto)
- The Inspections Administrator has cautioned that the proposed zero lot line side yard will limit the builder’s ability to provide any openings or means of egress on that side. It will also add costs of constructability in order to be permitted. (email attached hereto)

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

- The mix of housing types and increased densities will increase the diversity of the neighborhood housing stock consistent with goals of the Comprehensive Plan’s Action Plan Big Idea to “Strengthen Neighborhoods and Expand Housing Choice”.
- The imbalance currently present in the City with regards to residential land use over commercial land use is a strong component of the Comprehensive Plan. The Big Idea to Grow the Economy and “Target a Balanced Mix of Uses in Key Nodes” would consider this location at the intersection of an arterial roadway (52<sup>nd</sup> Ave W) and a collector roadway (9<sup>th</sup> St W) to be a possible location to introduce a land use other than residential.
- The development is closed off from other development in the area and disconnects the remaining vacant land that will be developed at some point in the future from connectivity to the west and to the south. The Big Idea to Promote Transportation Choice and Mobility recommendation to “Improve Network Design” is not achieved within the current design.

## STAFF REPORT

**RECOMMENDATIONS:**

It is recommended that the City approve the proposed application in concept on the basis that it may be consistent with City plans and ordinances with recommended items to be addressed with the detailed development plans as follows:

1. Developer move the proposed development off of the collector and arterial roadway to preserve the potential of this area to be used for commercial development.
2. Developer provides connectivity to surrounding land through roadway or trail.
3. Developer will be required to obtain approval of dedication requirements and address shortfall present in agreements for the Wild's 6<sup>th</sup> and Wild's 7<sup>th</sup> additions.
4. City Commission to consider right of way widths if developer continues to pursue reduction from 62'.
5. City Commission to consider lack of sidewalk on interior lots of proposed Block 3.
6. Developer will be required to address regional retention concerns of the City Engineer.
7. Developer address concerns of City Engineer included but not limited to regional retention requirements.
8. Detailed Development Plans will be subject, but not limited to provisions to require but not limit to 4-440 Supplementary District Regulations, Section 4-449-A Landscaping Standards, 4-450 Off-Street Parking and Loading Requirements, and 4-460 Sign Regulations.

**PLANNING AND ZONING RECOMMENDATION:**

At their December 10, 2019 meeting, the Planning and Zoning Commission recommended approval of the concept, subject to the eight conditions listed above, with an additional condition that property owners with concerns be notified when the Detailed Development Plans are available for review before the Planning and Zoning Commission.

**DETAILED DEVELOPMENT PLANS – 2-11-2020:**

The applicant has submitted detailed development plans for the development that includes 77 new single family residential lots with associated homeowner association amenities and streets with the proposal for publicly owned utilities. The applicant has further provided proposed district standards for each of the lots which is provided in the attachment and below:

- **Lots 1-29 and 32-53 shown as "Type A" lots with the following District Standards:**

LOW-DENSITY RESIDENTIAL SIDE COURTYARD LOTS (ZERO LOT LINE-STYLE), IN WHICH HOUSES ON A COMMON STREET FRONTAGE ARE SHIFTED TO ONE SIDE OF THEIR LOT. THE SIDE IN WHICH THE HOUSE IS TO BE LOCATED WILL BE DICTATED BY THE PRESENCE OF COURTYARD EASEMENT. REFER TO FIGURE A FOR ADDITIONAL INFORMATION. ALL USES AND REGULATIONS TYPICAL OF "R-1A" DISTRICT SHALL BE APPLIED, EXCEPT AS MODIFIED HEREIN.

PERMITTED USES: SINGLE-FAMILY DETACHED DWELLINGS.

YARD REQUIREMENTS FOR "TYPE A" LOTS

STAFF REPORT

	ONE-FAMILY	ACCESSORY BUILDINGS	OTHER BUILDINGS
LOT AREA MINIMUM (FT <sup>2</sup> )	7,000		
LOT WIDTH MINIMUM (FT)	58		
LOT DEPTH MINIMUM (FT)	125		
FRONT YARD MINIMUM (FT)	25	25	25
REAR YARD MINIMUM (FT)	15	5	20
SIDE YARD MINIMUM (FT)	8(1)(2)	3(1)(2)	10
MAXIMUM LOT COVERAGE	45%		
MAXIMUM HEIGHT	30	15	
MINIMUM GREEN AREA	15%		
MAXIMUM IMPERVIOUS AREA	85%		

(1) SIDE YARD SETBACK MAY BE REDUCED TO 5 FEET ON THE SIDE OF THE LOT BURDENED WITH THE COURTYARD EASEMENT. REFER TO FIGURE A FOR ADDITIONAL INFORMATION.

(2) ON CORNER LOTS, A SIDE YARD FACING A PRIVATE ACCESS & PUBLIC UTILITY EASEMENT SHALL BE A MINIMUM 12 FEET, EXCEPT WHEN A DRIVEWAY TO A GARAGE IS LOCATED IN SAID SIDE YARD, IN WHICH CASE, THE SIDE YARD SHALL BE A MINIMUM OF 20 FEET.

(3) SIDE YARD SETBACKS FOR LOTS 14, 15, 42 & 43 SHALL BE AS SHOWN ON SHEET 3 OF THESE PUD DETAILED DEVELOPMENT PLANS.

- **Lots 55-80 shown as "Type B" lots with the following District Standards:**

TRADITIONAL LOW-DENSITY RESIDENTIAL LOTS. ALL USES AND REGULATIONS TYPICAL OF "R-1A" DISTRICT SHALL BE APPLIED, EXCEPT AS MODIFIED HEREIN.

PERMITTED USES: SINGLE-FAMILY DETACHED DWELLINGS.

YARD REQUIREMENTS FOR "TYPE B" LOTS

	ONE-FAMILY	ACCESSORY BUILDINGS	OTHER BUILDINGS
LOT AREA MINIMUM (FT <sup>2</sup> )	7,000		
LOT WIDTH MINIMUM (FT)	58		

STAFF REPORT

LOT DEPTH MINIMUM (FT)	125		
FRONT YARD MINIMUM (FT)	20	20	20
REAR YARD MINIMUM (FT)	20	5	20
SIDE YARD MINIMUM (FT)	5(1)	5(1)	10
MAXIMUM LOT COVERAGE	45%		
MAXIMUM HEIGHT	30	15	
MINIMUM GREEN AREA	15%		
MAXIMUM IMPERVIOUS AREA	85%		

(1) ON CORNER LOTS, A SIDE YARD FACING A PRIVATE ACCESS & PUBLIC UTILITY EASEMENT SHALL BE A MINIMUM 12 FEET, EXCEPT WHEN A DRIVEWAY TO A GARAGE IS LOCATED IN SAID SIDE YARD, IN WHICH CASE, THE SIDE YARD SHALL BE A MINIMUM OF 20 FEET.

- **Lots 30 and 81 shown as “Type C” lots with the following District Standards:**

INTENDED FOR USE BY HOMEOWNER'S ASSOCIATION FOR VARIOUS PURPOSES, SUCH AS BUT NOT LIMITED TO CLUBHOUSES, RECREATIONAL ACTIVITIES, PARKING LOTS, AND LANDSCAPING FEATURES. ALL USES AND REGULATIONS TYPICAL OF "R-1A" DISTRICT SHALL BE APPLIED, EXCEPT AS MODIFIED HEREIN.

PERMITTED USES: ADD THE FOLLOWING CONDITIONAL USE AS A PERMITTED USE AND MODIFY AS FOLLOWS:

1. PRIVATE NON-COMMERCIAL RECREATIONAL OR CULTURAL FACILITIES; SUBJECT TO THE FOLLOWING CONDITIONS:

a. THE PROPOSED SITE FOR ANY OF THE USES PERMITTED HEREIN WHICH WOULD ATTRACT PERSONS FROM, OR ARE INTENDED TO SERVE, AREAS BEYOND THE IMMEDIATE NEIGHBORHOOD SHALL HAVE AT LEAST ONE PROPERTY LINE ABUTTING A PRIVATE OR PUBLIC STREET, EITHER EXISTING OR PROPOSED, AND THE SITE SHALL BE SO PLANNED SO AS TO PROVIDE ALL INGRESS AND EGRESS DIRECTLY ONTO OR FROM SAID STREET.

b. FRONT AND REAR YARD SETBACKS SHALL BE AT LEAST SIXTY (60) FEET WIDE; SIDE YARD SETBACKS SHALL BE AT LEAST TWENTY (20) FEET WIDE. PARKING MAY BE ALLOWED IN FRONT YARD ONLY.

- **Lot 82 is intended for a regional stormwater pond to be owned and maintained by the City of West Fargo. Staff would recommend that this lot be then zoned P: Public Facilities.**
- **Lots 31 and 54 are intended to serve as a privately owned and maintained street with publicly owned and maintained utilities to include sanitary, water and storm sewer within an easement.**

STAFF REPORT

Property owners within 150' feet, as well as those who commented at the December meeting were re-notified.

- No comments have been received to date.

The City Engineer and Public Works Director continue to review the plans.

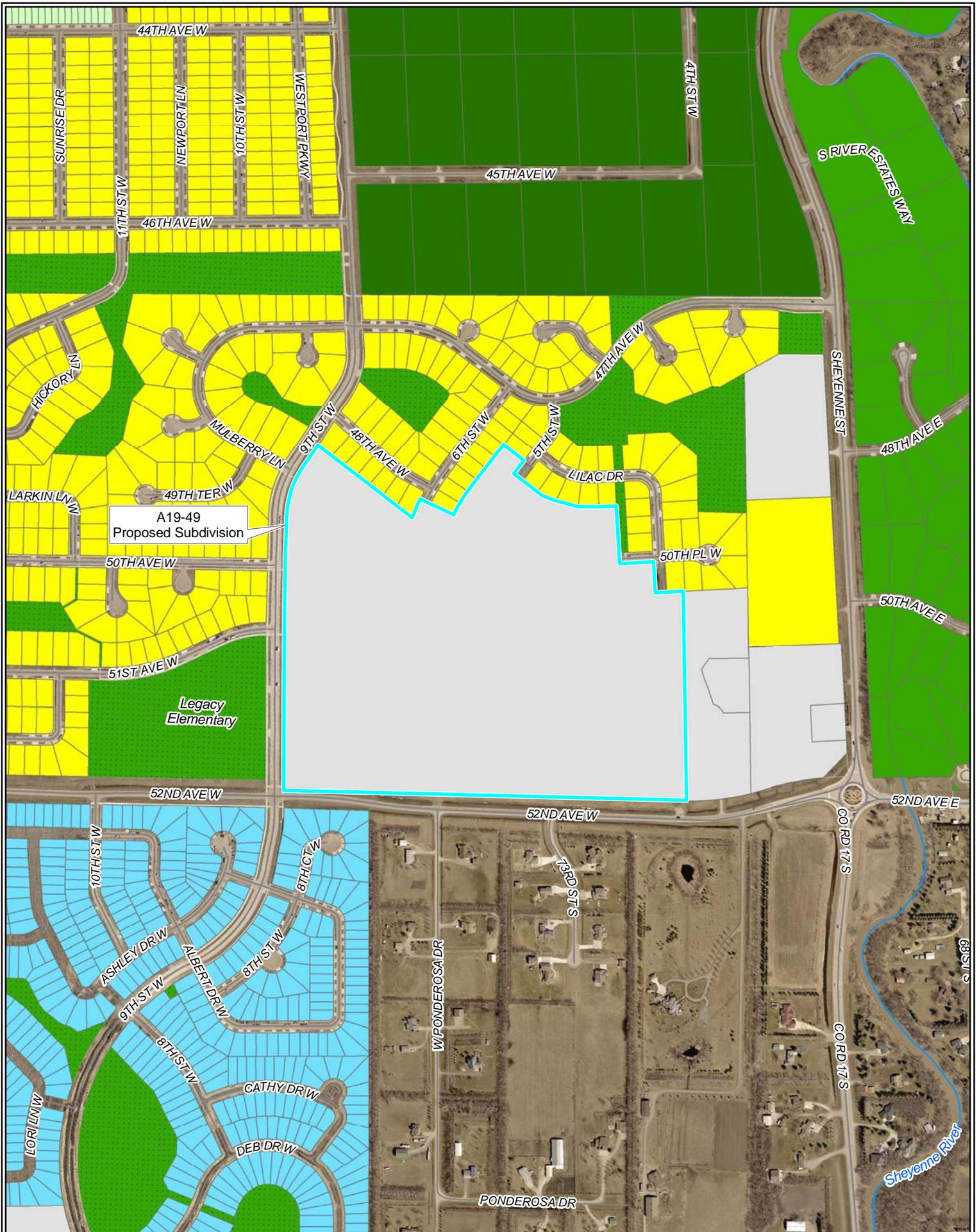
- Engineering has determined that the area plan provided by the landowner to satisfy requirements of platting shows that the utility and grading of the surrounding area can be accommodated. They would however ask for acknowledgement that as a result of the location of the proposed development, that future connections will require development of infrastructure to come from the northwest connection to 9<sup>th</sup> St W which may dictate how the remaining land develops.
- The City's new Public Works Director will work with Planning and Engineering to determine the best approach to accommodating the developer's request to provide privately owned and maintained streets with publicly owned utilities. The strong preference is to provide for a publicly dedicated 62' of right of way.

The developer has addressed shortfalls in previous dedication requirements and will meet the requirements of public land dedication with the proposed plat in an agreement for fee-in-lieu or future land dedication.

It is recommended that the City approve the proposed application on the basis that it may be consistent with City plans and ordinances with recommended items to be addressed with the detailed development plans as follows:

1. Consideration and approval of Public Works Director, City Engineer, Police and Fire of proposal to provide privately owned and maintained streets with publicly owned and maintained utilities.
2. An updated drainage plan is approved by the City Engineer.
3. An Attorney Title Opinion to the City of West Fargo is received.
4. Signed Final Plat is received with any necessary easements.
5. A signed subdivision agreement is received.
6. A signed public dedication agreement is received.
7. A certificate is received showing taxes are current.
8. Detailed Development Plans will be subject, but not limited to 4-440 Supplementary District Regulations, Section 4-449-A Landscaping Standards, 4-450 Off-Street Parking and Loading Requirements, and 4-460 Sign Regulations.





A19-49  
Proposed Subdivision

Legacy  
Elementary



City of  
**WEST  
FARGO**

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



# THE RANCH AT THE WILDS

## PLANNED UNIT DEVELOPMENT

### DETAILED DEVELOPMENT PLANS

#### WEST FARGO, NORTH DAKOTA

#### JANUARY, 2020

#### SHEET INDEX

1	COVER SHEET
2	LOT TYPES
3	SITE PLAN
4	UTILITY PLAN
5	DRAINAGE PLAN
6	DESIGN STANDARDS
7-8	THE RANCH AT THE WILDS PLAT

#### LEGAL DESCRIPTION

THAT PART OF THE SOUTH HALF OF SECTION 31, TOWNSHIP 139, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST FARGO, CASS COUNTY NORTH DAKOTA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 5, THE WILDS SIXTH ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA; THENCE NORTH 89°27'29" EAST, PARALLEL TO THE SOUTHERLY LINE OF THE SOUTH HALF OF SAID SECTION 31, FOR A DISTANCE OF 100.00 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY LINE OF 9TH STREET WEST BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 01°43'55" WEST, ALONG THE EASTERLY LINE OF SAID 9TH STREET WEST, FOR A DISTANCE OF 858.30 FEET TO AN ANGLE POINT ALONG THE EASTERLY LINE OF SAID 9TH STREET WEST; THENCE NORTH 00°46'17" WEST, ALONG THE EASTERLY LINE OF SAID 9TH STREET WEST, FOR A DISTANCE OF 138.15 FEET; THENCE NORTH 88°15'41" EAST FOR A DISTANCE OF 893.12 FEET; THENCE SOUTH 22°14'24" EAST FOR A DISTANCE OF 283.90 FEET TO THE BEGINNING OF A TANGENTIAL CURVE, CONCAVE TO THE WEST HAVING A RADIUS OF 967.50 FEET; THENCE SOUTHERLY ALONG SAID CURVE, FOR A DISTANCE OF 562.14 FEET, CENTRAL ANGLE 33°17'25"; THENCE SOUTH 11°03'01" WEST FOR A DISTANCE OF 131.32 FEET TO THE BEGINNING OF A TANGENTIAL CURVE, CONCAVE TO THE EAST HAVING A RADIUS OF 397.50 FEET; THENCE SOUTHERLY ALONG SAID CURVE, FOR A DISTANCE OF 90.51 FEET, CENTRAL ANGLE 13°02'45"; THENCE SOUTH 01°59'44" EAST FOR A DISTANCE OF 35.62 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF THE SOUTH HALF OF SAID SECTION 31 AND THE NORTHERLY LINE OF SAID 52ND AVENUE SOUTH; THENCE SOUTH 89°27'20" WEST, ALONG THE SOUTHERLY LINE OF THE SOUTH HALF OF SAID SECTION 31 AND THE NORTHERLY LINE OF SAID 52ND AVENUE SOUTH, FOR A DISTANCE OF 530.46 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 31; THENCE SOUTH 89°27'29" WEST, ALONG THE SOUTHERLY LINE OF THE SOUTH HALF OF SAID SECTION 31, FOR A DISTANCE OF 463.29 FEET; THENCE NORTH 01°43'55" WEST FOR A DISTANCE OF 54.64 FEET TO THE TRUE POINT OF BEGINNING.

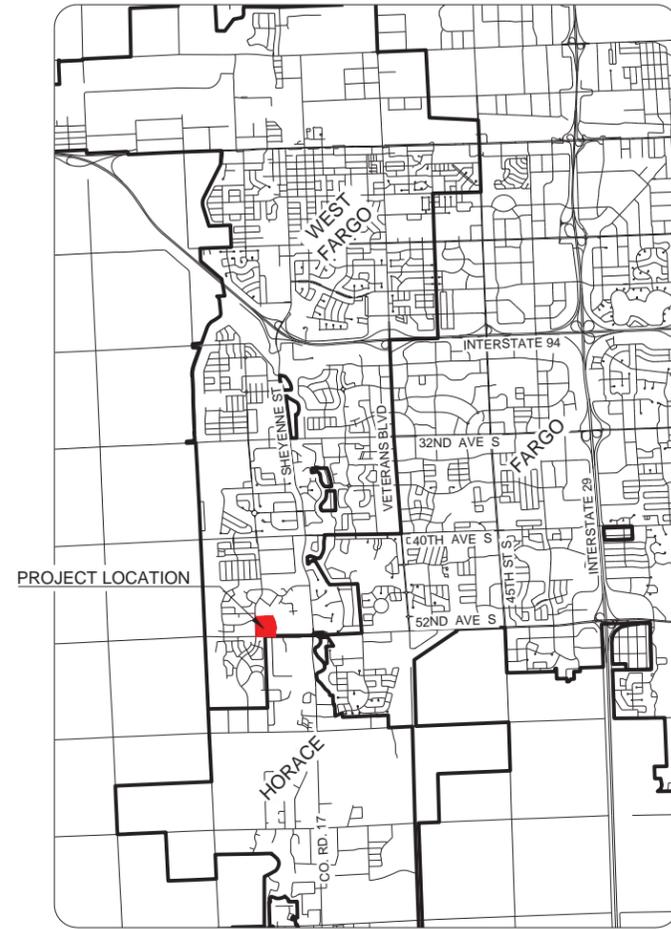
SAID TRACT CONTAINS 24.601 ACRES, MORE OR LESS, AND IS SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

#### GENERAL CHARACTER OF DEVELOPMENT

SINGLE FAMILY RESIDENTIAL DEVELOPMENT WITH A COMBINATION OF ZERO LOT LINE-STYLE EXTERIOR LOTS AND TRADITIONAL INTERIOR LOTS. THE PROPOSED DEVELOPMENT, THROUGH THE IMPLEMENTATION OF A HOME OWNER'S ASSOCIATION, WILL PROVIDE ITS RESIDENTS WITH A CLUBHOUSE AND OTHER SHARED OUTDOOR AMENITIES. THE DEVELOPMENT WILL CONTAIN LARGER THAN TYPICAL BUILDING COVERAGES. HOWEVER, WITH THE UTILIZATION OF THE ZERO LOT LINE-STYLE LOTS ALONG THE PERIMETER OF THE DEVELOPMENT, THOSE LOTS WILL FEATURE INCREASED USABLE SIDE YARD SPACE FOR INDIVIDUAL OUTDOOR AMENITIES.

#### DESIGN STANDARDS

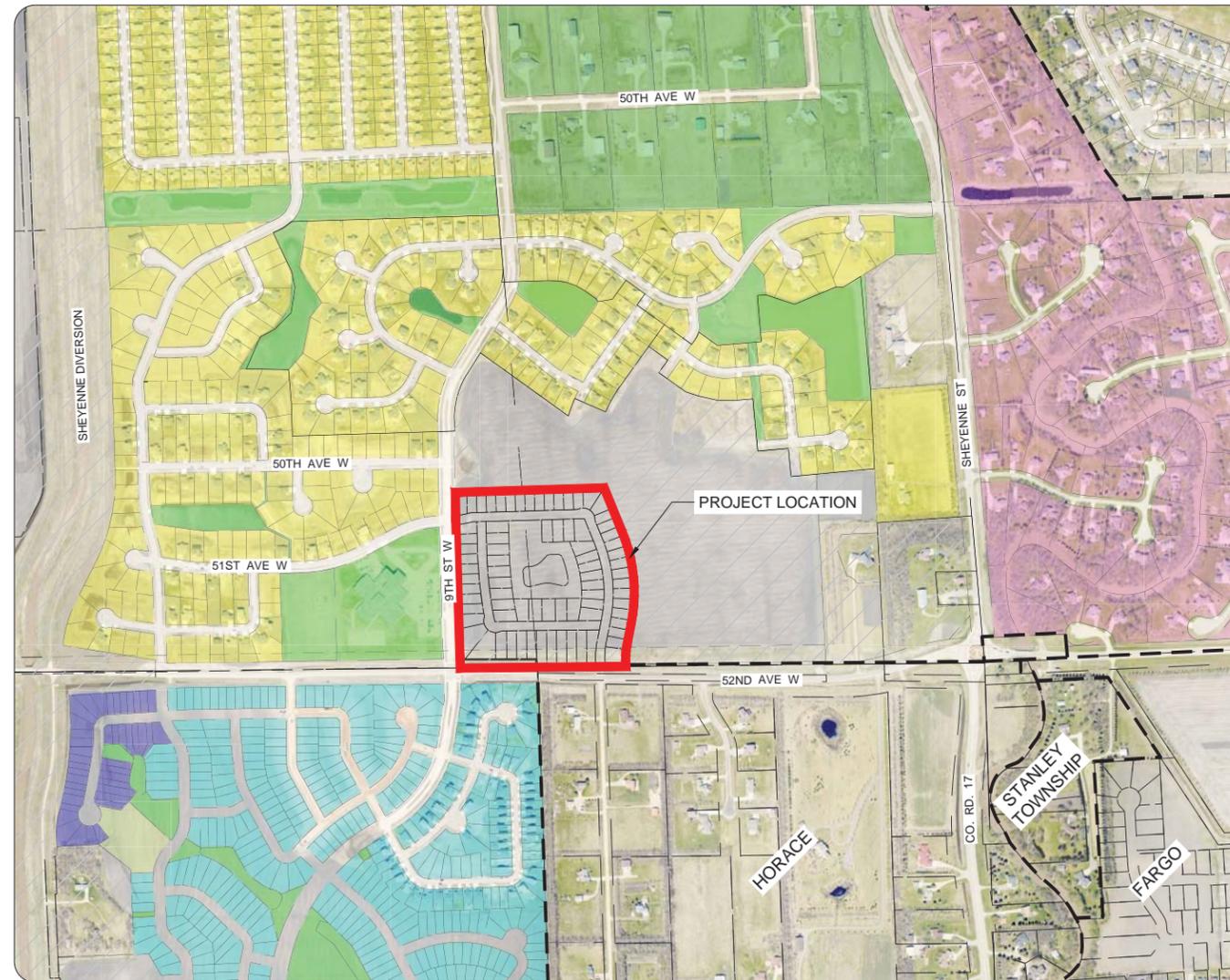
REFER TO SHEET 6



VICINITY MAP

#### LEGEND

CITY LIMITS	---
PROJECT LOCATION	■
A: AGRICULTURAL	▨
P: PUBLIC	■
R-1: ONE AND TWO FAMILY DWELLING	■
R-1A: SINGLE FAMILY DWELLING	■
R-1E: RURAL ESTATE	■
R-1SM: MIXED ONE AND TWO FAMILY DWELLING	■
R-2: LIMITED MULTIPLE DWELLING	■
R-R: RURAL RESIDENTIAL	■

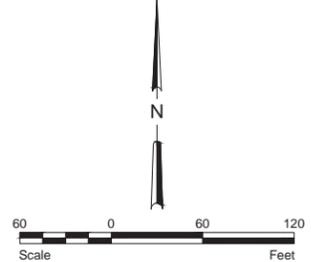
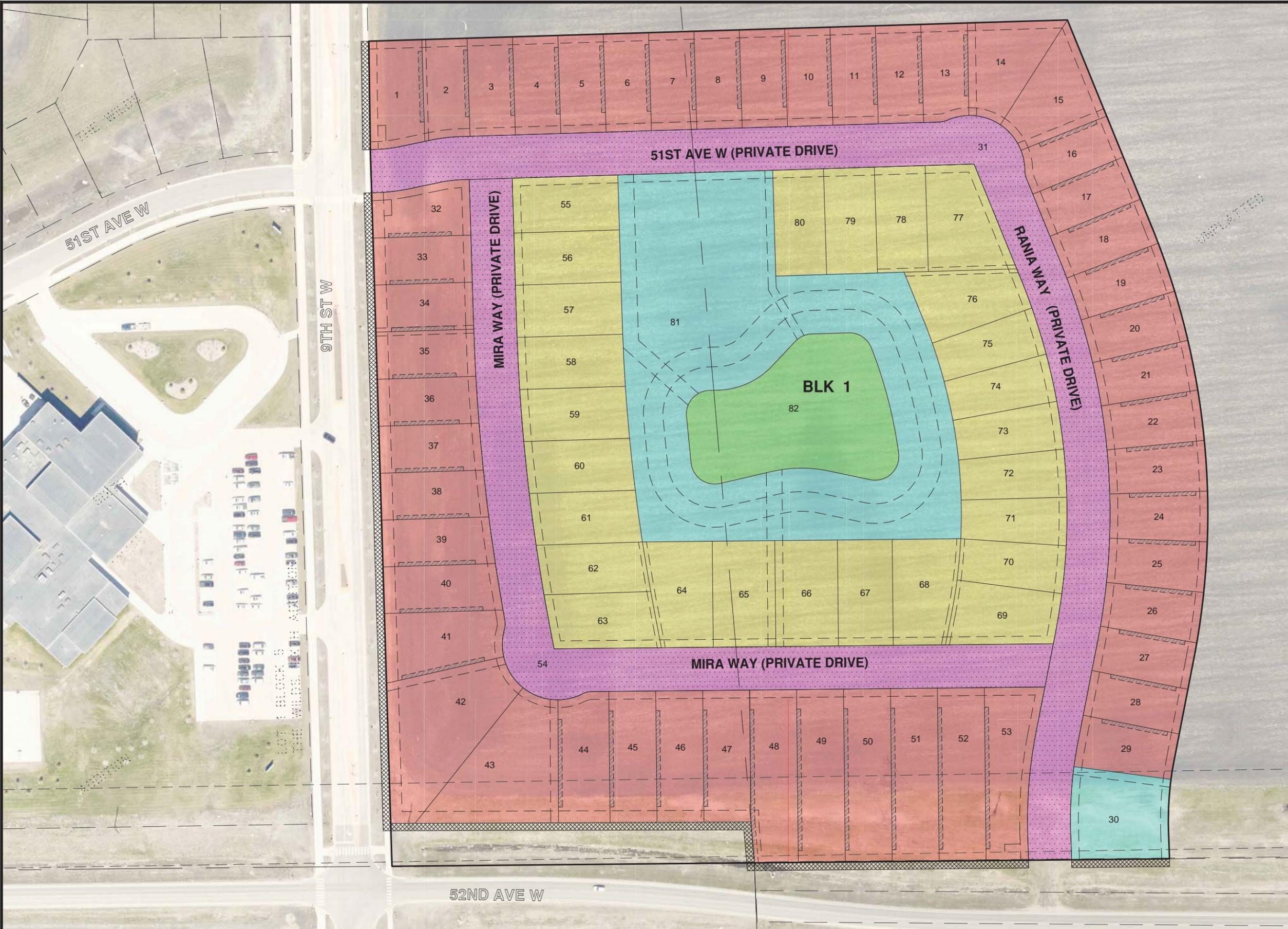


LOCATION MAP

PREPARED BY:



FARGO, NORTH DAKOTA



**LEGEND**

*TYPE A* LOTS	<span style="display:inline-block; width:15px; height:15px; background-color:lightcoral;"></span>
*TYPE B* LOTS	<span style="display:inline-block; width:15px; height:15px; background-color:lightgrey;"></span>
*TYPE C* LOTS	<span style="display:inline-block; width:15px; height:15px; background-color:lightblue;"></span>
*TYPE D* LOTS	<span style="display:inline-block; width:15px; height:15px; background-color:lightgreen;"></span>
*TYPE E* LOTS	<span style="display:inline-block; width:15px; height:15px; background-color:lightpink;"></span>

**NOTES:**  
 1. REFER TO SHEET 6 FOR LOT TYPE DESIGN STANDARDS.

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No.	Revision	Date	By

**PRELIMINARY**  
 Not for Construction

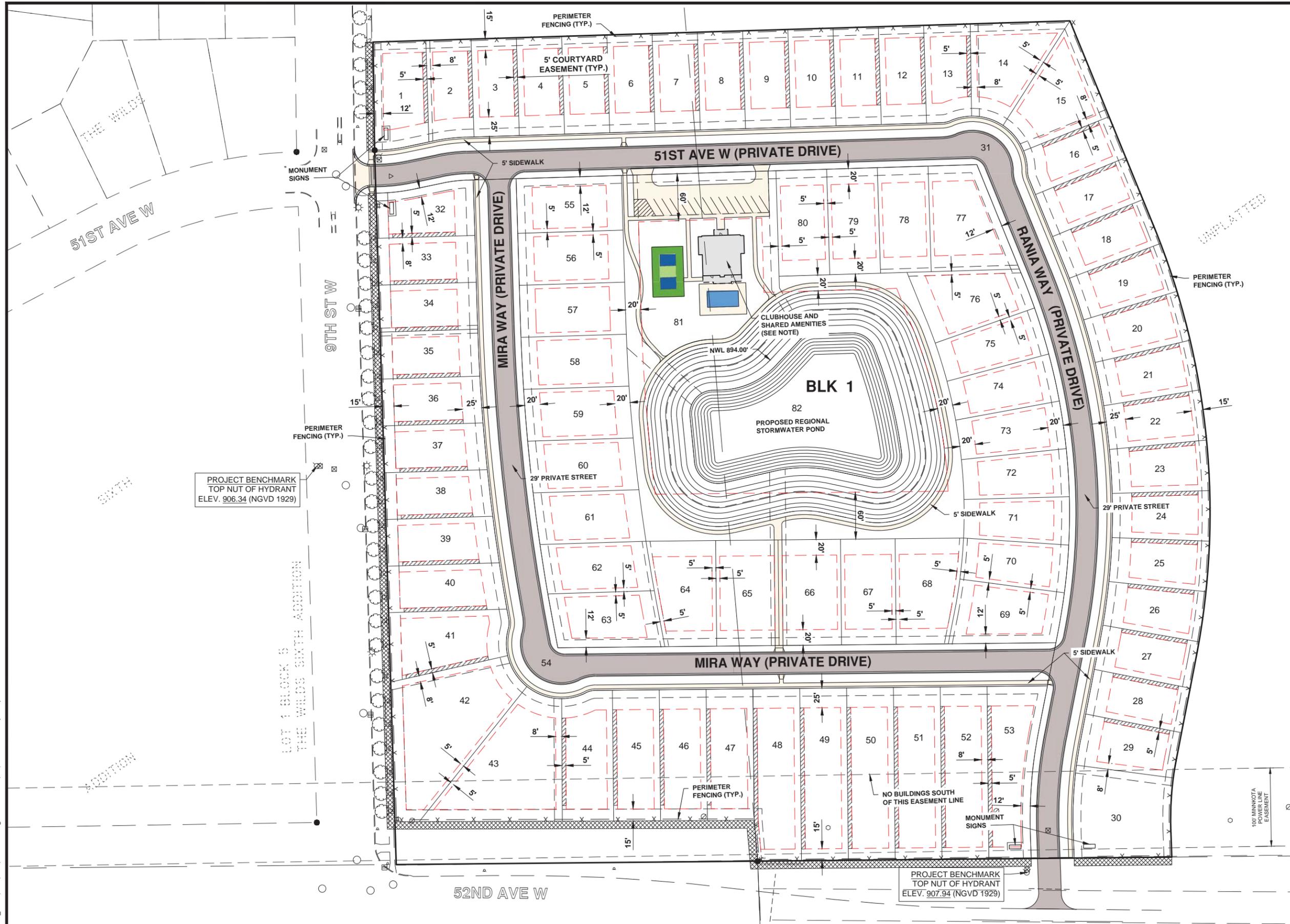


Fargo  
 P: 701.237.5065  
 F: 701.237.5101  
 Drawn by BKW  
 Checked by BTP  
 Date 1-28-20  
 Scale AS SHOWN

THE RANCH AT THE WILDS  
 PUD - DETAILED DEVELOPMENT PLANS  
 WEST FARGO, NORTH DAKOTA

LOT TYPES  
 PROJECT NO. 6023-0077

SHEET  
 2 of 8



**LEGEND**

BUILDING SETBACKS ---

**NOTES:**

1. CLUBHOUSE SITE PLAN SHOWN FOR REFERENCE ONLY. SEPARATE SITE PLAN TO BE SUBMITTED FOR BUILDING PERMIT AT A LATER DATE.
2. DIMENSIONS SHOWN ARE FOR BUILDING SETBACKS ONLY. SETBACKS ARE TYPICAL BETWEEN DIMENSIONS SHOWN. REFER TO PLAT FOR PROPERTY DIMENSIONS AND EASEMENTS.

PROJECT BENCHMARK  
TOP NUT OF HYDRANT  
ELEV. 906.34 (NGVD 1929)

PROJECT BENCHMARK  
TOP NUT OF HYDRANT  
ELEV. 907.94 (NGVD 1929)

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F: 701.237.5101

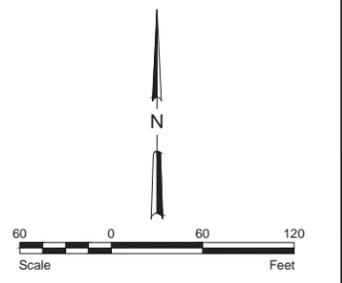
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THE RANCH AT THE WILDS  
PUD - DETAILED DEVELOPMENT PLANS  
WEST FARGO, NORTH DAKOTA

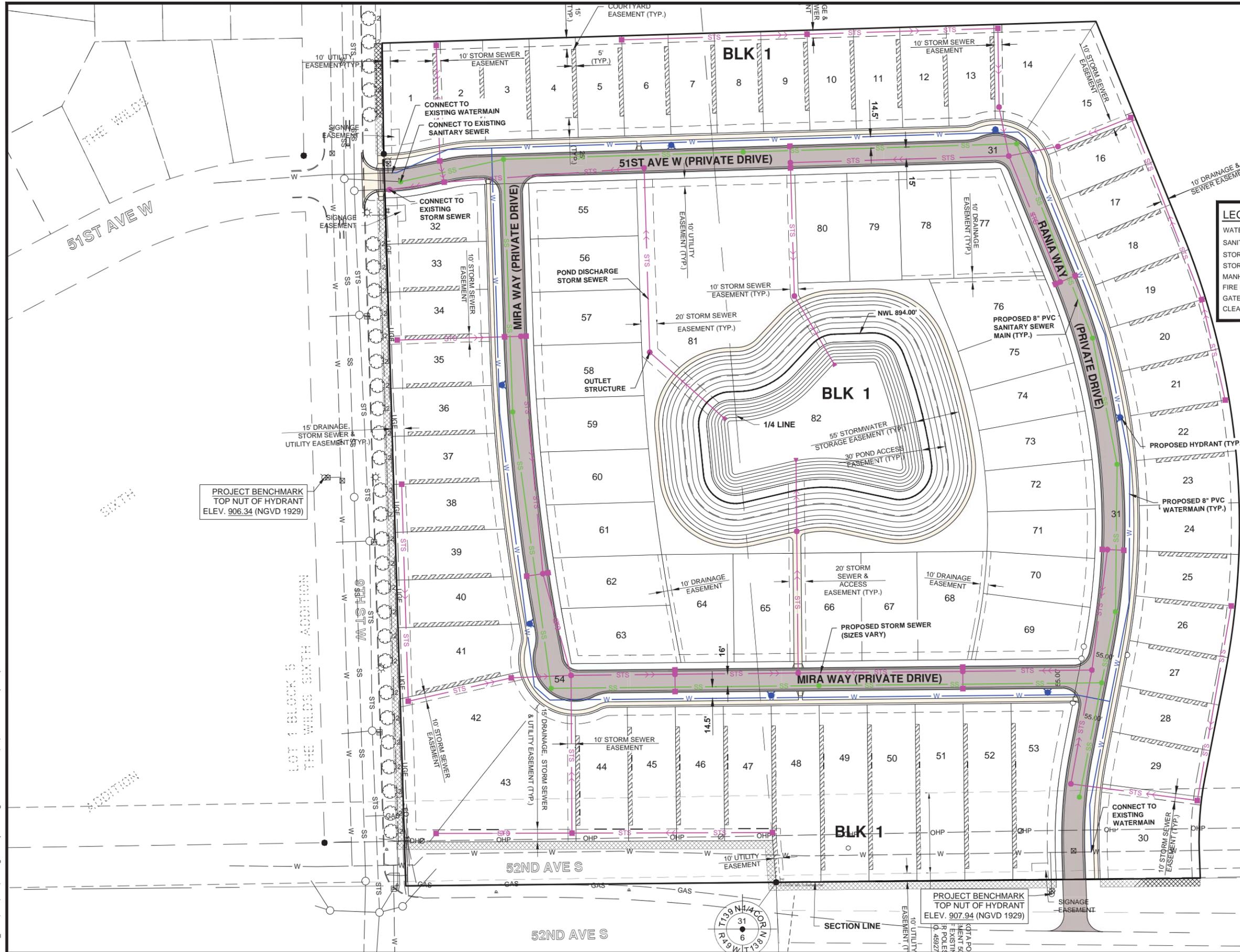
SITE PLAN  
PROJECT NO. 6023-0077

SHEET  
3 of 8



	EXISTING	NEW
WATER MAIN	— W —	— W —
SANITARY SEWER MAIN	— SS —	— SS —
STORM SEWER MAIN	— STS —	— STS —
STORM INLET	⊠	⊠
MANHOLE	○	○
FIRE HYDRANT	⊙	⊙
GATE VALVE	⊠	⊠
CLEANOUT	△	△

- NOTES:
1. WATER AND SANITARY SEWER SERVICES NOT SHOWN FOR CLARITY. EACH LOT WILL HAVE 1" TYPE K COPPER WATER SERVICE AND 6" PVC SDR26 SANITARY SEWER SERVICE.
  2. WATER GATE VALVES NOT SHOWN FOR CLARITY.



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No.	Revision	Date	By

**PRELIMINARY**  
Not for Construction



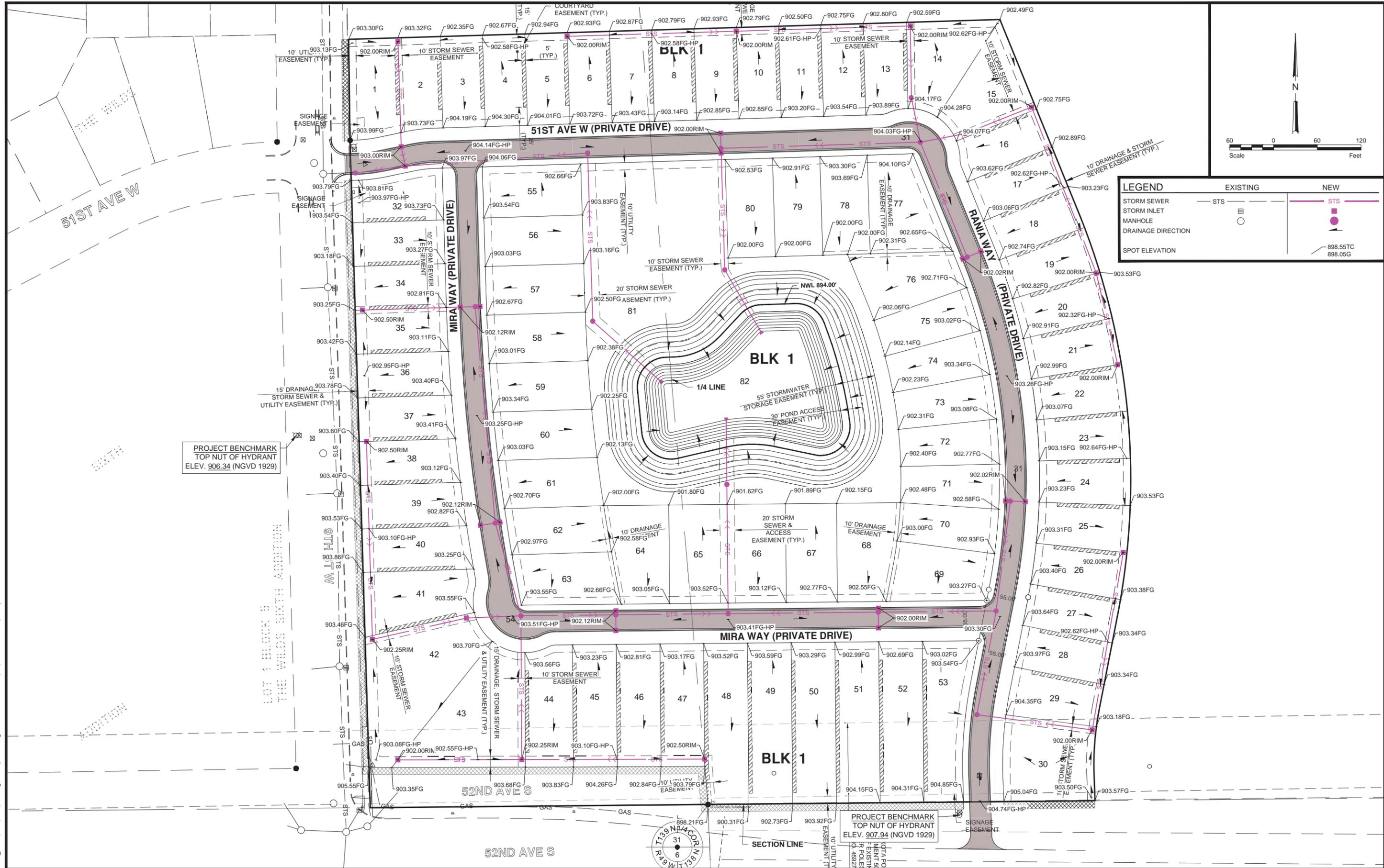
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THE RANCH AT THE WILDS  
 PUD - DETAILED DEVELOPMENT PLANS  
 WEST FARGO, NORTH DAKOTA

UTILITY PLAN  
 PROJECT NO. 6023-0077

SHEET  
 4 of 8

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No.	Revision	Date	By

**PRELIMINARY**  
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THE RANCH AT THE WILDS  
 PUD - DETAILED DEVELOPMENT PLANS  
 WEST FARGO, NORTH DAKOTA

DRAINAGE PLAN  
 PROJECT NO. 6023-0077

SHEET  
 5 of 8

**ADDITIONAL PROJECT INFORMATION**

**SITE STATISTICS**

TOTAL AREA: 24.6 ACRES (INCLUDES 52ND AVE W. R/W DEDICATION)  
 RESIDENTIAL UNITS: 77  
 RESIDENTIAL DENSITY: 3.13 UNITS/ACRE  
 CURRENT ZONING: "A" DISTRICT OR AGRICULTURAL DISTRICT  
 PROPOSED ZONING: "PUD" DISTRICT OR PLANNED USE DEVELOPMENT DISTRICT

**ANTICIPATED SCHEDULE AND SEQUENCE OF CONSTRUCTION**

PHASE 1: PUBLIC UTILITIES AND STORMWATER POND - MAY TO JULY, 2020  
 PHASE 2: PAVING RANIA WAY (NORTH/EAST PRIVATE STREET) - JULY TO SEPTEMBER, 2020  
 PHASE 3: PAVING MIRA COURT (SOUTH/WEST PRIVATE STREET) - 2021 OR 2022

**DESIGN STANDARDS**

**GENERAL INFORMATION**

ALL FRONT AND SIDE STREET SETBACKS SHALL BE CALCULATED FROM THE PROPERTY LINE ABUTTING THE PRIVATE ACCESS & PUBLIC UTILITY EASEMENTS COINCIDING WITH LOTS 31 & 54.

**"TYPE A" LOTS (LOTS 1-29, 32-53)**

DESCRIPTION: LOW-DENSITY RESIDENTIAL SIDE COURTYARD LOTS (ZERO LOT LINE-STYLE), IN WHICH HOUSES ON A COMMON STREET FRONTAGE ARE SHIFTED TO ONE SIDE OF THEIR LOT. THE SIDE IN WHICH THE HOUSE IS TO BE LOCATED WILL BE DICTATED BY THE PRESENCE OF COURTYARD EASEMENT. REFER TO FIGURE A FOR ADDITIONAL INFORMATION. ALL USES AND REGULATIONS TYPICAL OF "R-1A" DISTRICT SHALL BE APPLIED, EXCEPT AS MODIFIED HEREIN.

PERMITTED USES: SINGLE-FAMILY DETACHED DWELLINGS.

**YARD REQUIREMENTS FOR "TYPE A" LOTS**

	ONE-FAMILY	ACCESSORY BUILDINGS	OTHER BUILDINGS
LOT AREA MINIMUM (FT <sup>2</sup> )	7,000		
LOT WIDTH MINIMUM (FT)	58		
LOT DEPTH MINIMUM (FT)	125		
FRONT YARD MINIMUM (FT)	25	25	25
REAR YARD MINIMUM (FT)	15	5	20
SIDE YARD MINIMUM (FT)	8 <sup>(1)(2)</sup>	3 <sup>(1)(2)</sup>	10
MAXIMUM LOT COVERAGE	45%		
MAXIMUM HEIGHT	30	15	
MINIMUM GREEN AREA	15%		
MAXIMUM IMPERVIOUS AREA	85%		

- (1) SIDE YARD SETBACK MAY BE REDUCED TO 5 FEET ON THE SIDE OF THE LOT BURDENED WITH THE COURTYARD EASEMENT. REFER TO FIGURE A FOR ADDITIONAL INFORMATION.
- (2) ON CORNER LOTS, A SIDE YARD FACING A PRIVATE ACCESS & PUBLIC UTILITY EASEMENT SHALL BE A MINIMUM 12 FEET, EXCEPT WHEN A DRIVEWAY TO A GARAGE IS LOCATED IN SAID SIDE YARD, IN WHICH CASE, THE SIDE YARD SHALL BE A MINIMUM OF 20 FEET.
- (3) SIDE YARD SETBACKS FOR LOTS 14, 15, 42 & 43 SHALL BE AS SHOWN ON SHEET 3 OF THESE PUD DETAILED DEVELOPMENT PLANS.

**"TYPE B" LOTS (LOTS 55-80)**

DESCRIPTION: TRADITIONAL LOW-DENSITY RESIDENTIAL LOTS. ALL USES AND REGULATIONS TYPICAL OF "R-1A" DISTRICT SHALL BE APPLIED, EXCEPT AS MODIFIED HEREIN.

PERMITTED USES: SINGLE-FAMILY DETACHED DWELLINGS.

**YARD REQUIREMENTS FOR "TYPE B" LOTS**

	ONE-FAMILY	ACCESSORY BUILDINGS	OTHER BUILDINGS
LOT AREA MINIMUM (FT <sup>2</sup> )	7,000		
LOT WIDTH MINIMUM (FT)	58		
LOT DEPTH MINIMUM (FT)	125		
FRONT YARD MINIMUM (FT)	20	20	20
REAR YARD MINIMUM (FT)	20	5	20
SIDE YARD MINIMUM (FT)	5 <sup>(1)</sup>	5 <sup>(1)</sup>	10
MAXIMUM LOT COVERAGE	45%		
MAXIMUM HEIGHT	30	15	
MINIMUM GREEN AREA	15%		
MAXIMUM IMPERVIOUS AREA	85%		

- (1) ON CORNER LOTS, A SIDE YARD FACING A PRIVATE ACCESS & PUBLIC UTILITY EASEMENT SHALL BE A MINIMUM 12 FEET, EXCEPT WHEN A DRIVEWAY TO A GARAGE IS LOCATED IN SAID SIDE YARD, IN WHICH CASE, THE SIDE YARD SHALL BE A MINIMUM OF 20 FEET.

**"TYPE C" LOTS (LOTS 30 & 81)**

DESCRIPTION: INTENDED FOR USE BY HOMEOWNER'S ASSOCIATION FOR VARIOUS PURPOSES, SUCH AS BUT NOT LIMITED TO CLUBHOUSES, RECREATIONAL ACTIVITIES, PARKING LOTS, AND LANDSCAPING FEATURES. ALL USES AND REGULATIONS TYPICAL OF "R-1A" DISTRICT SHALL BE APPLIED, EXCEPT AS MODIFIED HEREIN.

PERMITTED USES: ADD THE FOLLOWING CONDITIONAL USE AS A PERMITTED USE AND MODIFY AS FOLLOWS:

1. PRIVATE NON-COMMERCIAL RECREATIONAL OR CULTURAL FACILITIES; SUBJECT TO THE FOLLOWING CONDITIONS:
  - a. THE PROPOSED SITE FOR ANY OF THE USES PERMITTED HEREIN WHICH WOULD ATTRACT PERSONS FROM, OR ARE INTENDED TO SERVE, AREAS BEYOND THE IMMEDIATE NEIGHBORHOOD SHALL HAVE AT LEAST ONE PROPERTY LINE ABUTTING A PRIVATE OR PUBLIC STREET, EITHER EXISTING OR PROPOSED, AND THE SITE SHALL BE SO PLANNED SO AS TO PROVIDE ALL INGRESS AND EGRESS DIRECTLY ONTO OR FROM SAID STREET.
  - b. FRONT AND REAR YARD SETBACKS SHALL BE AT LEAST SIXTY (60) FEET WIDE; SIDE YARD SETBACKS SHALL BE AT LEAST TWENTY (20) FEET WIDE. PARKING MAY BE ALLOWED IN FRONT YARD ONLY.

**"TYPE D" LOTS (LOT 82)**

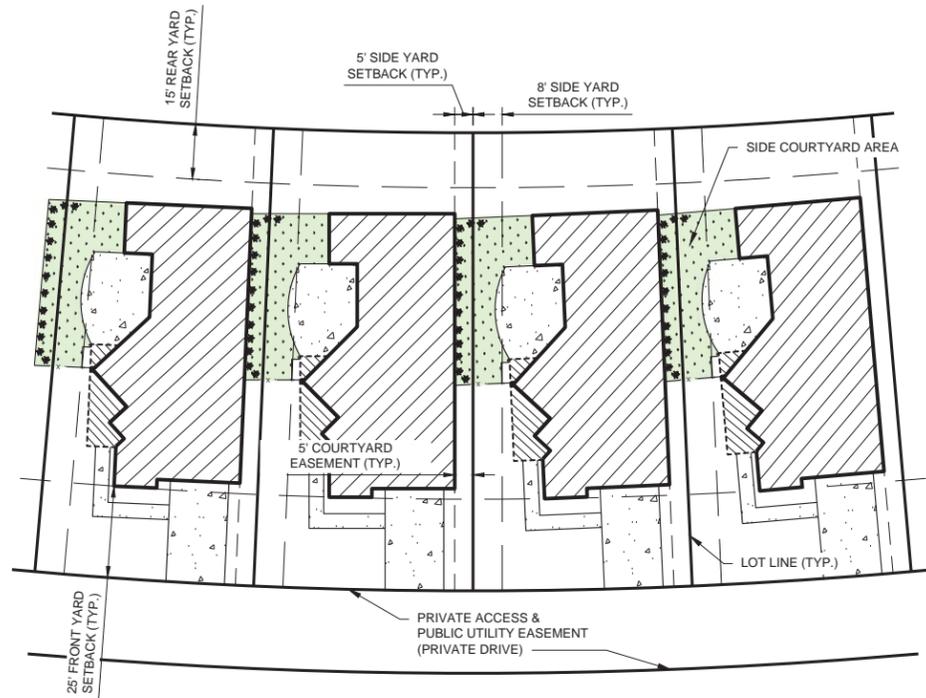
DESCRIPTION: INTENDED FOR STORMWATER POND OWNED AND MAINTAINED BY THE CITY OF WEST FARGO

ZONING: "P" DISTRICT OR PUBLIC FACILITIES DISTRICT

**"TYPE E" LOTS (LOTS 31 & 54)**

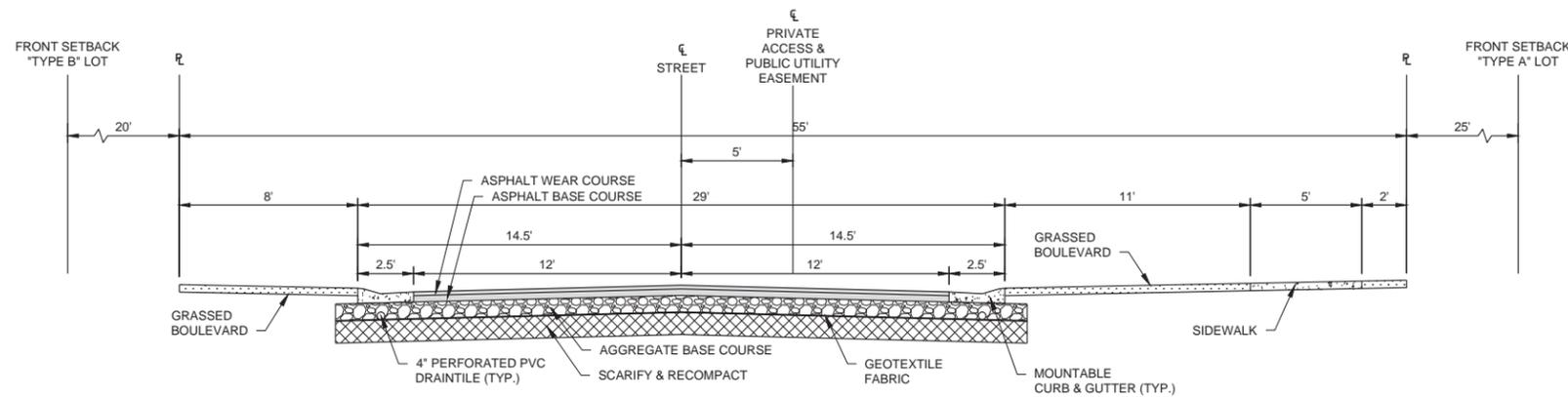
DESCRIPTION: COINCIDES WITH PRIVATE ACCESS & PUBLIC UTILITY EASEMENTS

USE: PRIVATELY OWNED AND MAINTAINED PRIVATE STREETS AND PUBLICLY OWNED AND MAINTAINED PUBLIC UTILITIES CORRIDOR



NOTE:  
 HOUSE FOOTPRINTS AND COURTYARDS SHOWN ARE FOR DEMONSTRATING THE DESIGN INTENT ONLY. ACTUAL LAYOUT WILL VARY PER FLOORPLAN AND LOT.

**FIGURE A - TYPICAL "TYPE A" LOT CONFIGURATION**  
 NOT TO SCALE



**FIGURE B - TYPICAL STREET SECTION**  
 NOT TO SCALE

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No.	Revision	Date	By

**PRELIMINARY**  
 Not for Construction



Fargo	Drawn by BKW	Date 1-28-20
P: 701.237.5065 F: 701.237.5101	Checked by BTP	Scale AS SHOWN

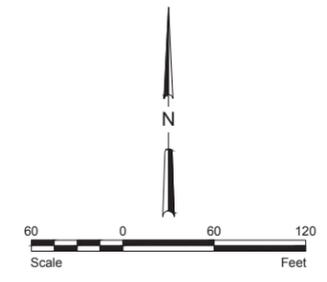
THE RANCH AT THE WILDS  
 PUD - DETAILED DEVELOPMENT PLANS  
 WEST FARGO, NORTH DAKOTA

DESIGN STANDARDS  
 PROJECT NO. 6023-0077

SHEET  
 6 of 8

# THE RANCH AT THE WILDS ADDITION

BEING A PLAT OF PART OF THE SOUTH HALF OF SECTION 31, T. 139 N., R. 49 W., 5th P.M.  
CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA



### LEGEND

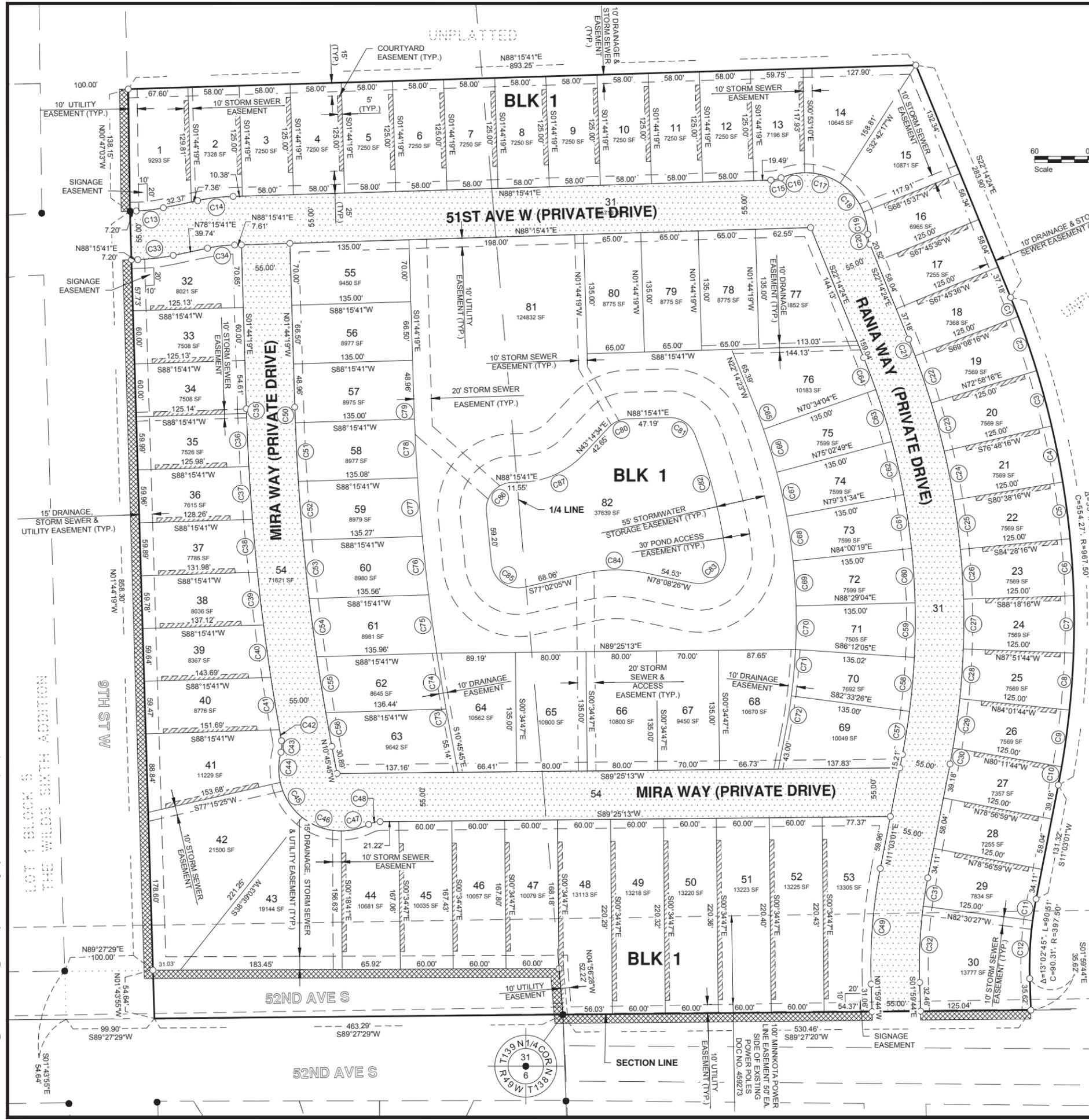
- IRON MONUMENT FOUND
- 1/2" I.D. PIPE SET
- MEASURED BEARING
- PLAT BEARING
- MEASURED DISTANCE
- PLAT DISTANCE
- NEGATIVE ACCESS EASEMENT
- PRIVATE ACCESS & PUBLIC UTILITY EASEMENT
- COURTYARD EASEMENT
- PLAT BOUNDARY
- LOT LINE
- UTILITY EASEMENT
- EXISTING LOT LINE
- EXISTING UTILITY EASEMENT

### Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	23.26	967.50	1°22'40"	S21°33'04"E	23.26
C2	64.73	967.50	3°50'00"	N18°56'44"W	64.72
C3	64.73	967.50	3°50'00"	S15°06'44"E	64.72
C4	64.73	967.50	3°50'00"	S11°16'44"E	64.72
C5	64.73	967.50	3°50'00"	S07°26'44"E	64.72
C6	64.73	967.50	3°50'00"	S03°36'44"E	64.72
C7	64.73	967.50	3°50'00"	S00°13'16"W	64.72
C8	64.73	967.50	3°50'00"	S04°03'16"W	64.72
C9	64.73	967.50	3°50'00"	S07°53'16"W	64.72
C10	21.04	967.50	1°14'45"	S10°25'38"W	21.04
C11	24.68	397.50	3°33'28"	S09°16'17"W	24.68
C12	65.82	397.50	9°29'17"	S02°44'55"W	65.75
C13	30.98	177.50	10°00'00"	S83°15'41"W	30.94
C14	40.58	232.50	10°00'00"	S83°15'41"W	40.53
C15	11.97	32.00	21°26'21"	S77°32'31"W	11.90
C16	27.43	70.50	22°17'29"	S77°58'05"W	27.26
C17	42.56	70.50	34°35'09"	N73°35'36"W	41.91
C18	42.53	70.50	34°33'39"	N39°01'12"W	41.88
C19	25.76	70.50	20°56'19"	N11°16'13"W	25.62
C20	11.97	32.00	21°26'21"	N11°31'14"W	11.90
C21	20.26	842.50	1°22'40"	N21°33'04"W	20.26
C22	56.37	842.50	3°50'00"	N18°56'44"W	56.36
C23	56.37	842.50	3°50'00"	N15°06'44"W	56.36
C24	56.37	842.50	3°50'00"	N11°16'44"W	56.36
C25	56.37	842.50	3°50'00"	N07°26'44"W	56.36
C26	56.37	842.50	3°50'00"	N03°36'44"W	56.36
C27	56.37	842.50	3°50'00"	N00°13'16"E	56.36
C28	56.37	842.50	3°50'00"	N04°03'16"E	56.36
C29	56.37	842.50	3°50'00"	N07°53'16"E	56.36
C30	18.32	842.50	1°14'45"	N10°25'38"W	18.32
C31	32.44	522.50	3°33'28"	N09°16'17"E	32.44
C32	86.52	522.50	9°29'17"	N02°44'55"E	86.43
C33	40.58	232.50	10°00'00"	N83°15'41"E	40.53
C34	30.98	177.50	10°00'00"	N83°15'41"E	30.94
C35	5.39	2510.00	0°07'23"	S01°48'01"E	5.39
C36	60.00	2510.00	1°22'11"	S02°32'48"E	60.00
C37	60.00	2510.00	1°22'11"	S03°54'58"E	60.00
C38	60.00	2510.00	1°22'11"	S05°17'09"E	60.00
C39	60.00	2510.00	1°22'11"	S06°39'20"E	60.00
C40	60.01	2510.00	1°22'11"	S08°01'31"E	60.01
C41	60.01	2510.00	1°22'12"	S09°23'42"E	60.01
C42	12.66	2510.00	0°17'20"	S10°13'28"E	12.66
C43	13.15	29.50	25°32'56"	S02°24'19"W	13.05
C44	34.36	70.50	27°55'23"	S01°13'06"W	34.02
C45	47.50	70.50	38°36'22"	S32°02'46"E	46.61

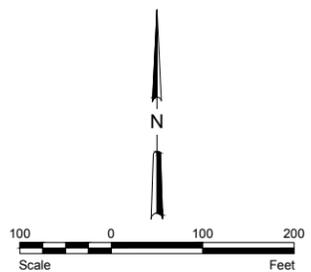
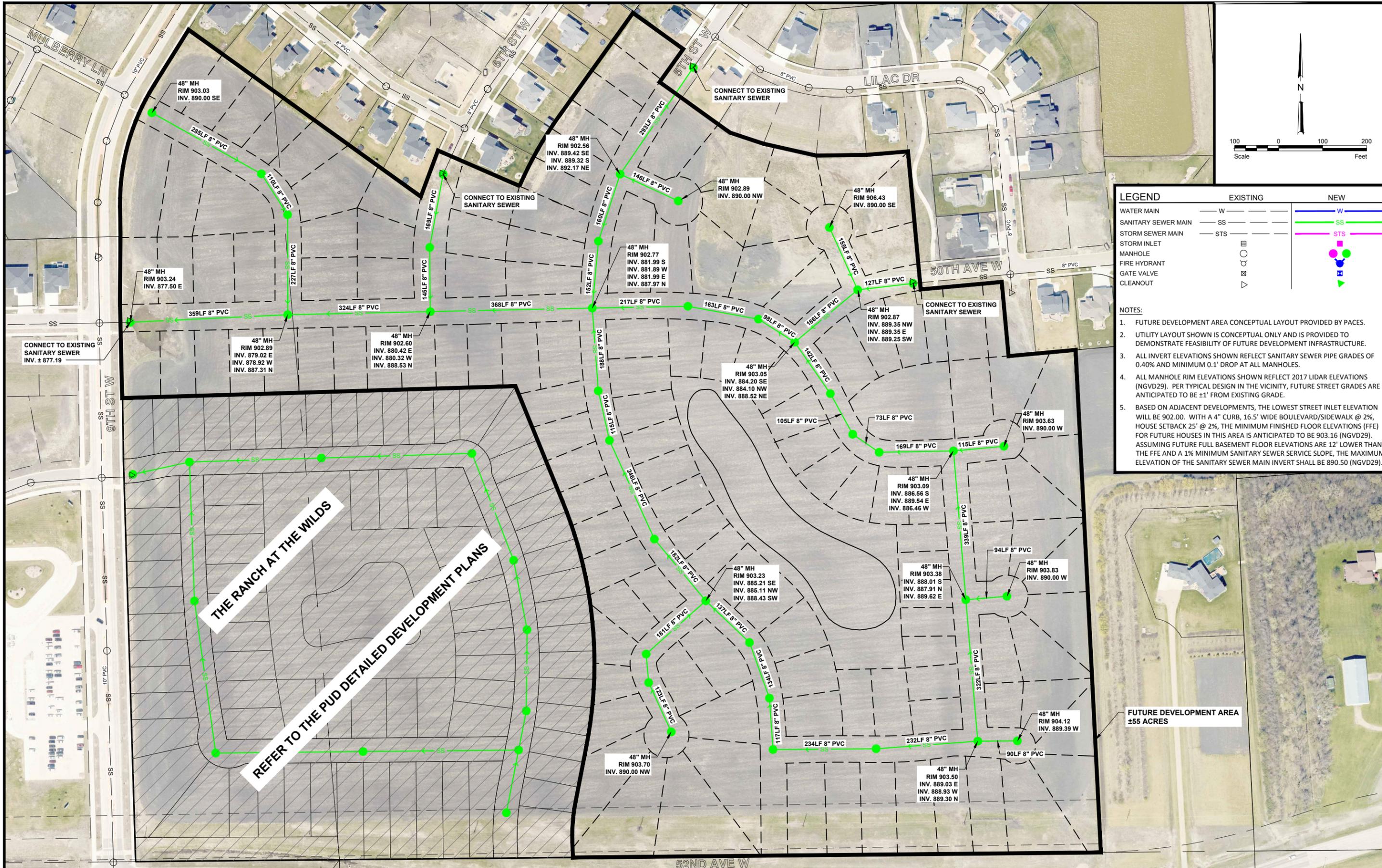
### Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C46	47.94	70.50	38°57'43"	S70°49'49"E	47.02
C47	32.17	70.50	26°08'29"	N76°37'05"E	31.89
C48	13.32	29.50	25°52'23"	N76°29'02"E	13.21
C49	131.49	577.50	13°02'45"	S04°31'39"W	131.21
C50	17.52	2455.00	0°24'32"	N01°56'35"W	17.52
C51	66.50	2455.00	1°33'07"	N02°55'24"W	66.50
C52	66.50	2455.00	1°33'08"	N04°28'32"W	66.50
C53	66.51	2455.00	1°33'08"	N06°01'39"W	66.50
C54	66.50	2455.00	1°33'08"	N07°34'47"W	66.50
C55	64.01	2455.00	1°29'38"	N09°06'10"W	64.01
C56	39.11	2455.00	0°54'46"	N10°18'22"W	39.11
C57	49.58	787.50	3°36'27"	S09°14'47"W	49.57
C58	61.27	787.50	4°27'29"	S05°12'50"W	61.26
C59	61.85	787.50	4°30'01"	S00°44'05"W	61.84
C60	61.56	787.50	4°28'45"	S03°45'18"E	61.55
C61	61.56	787.50	4°28'45"	S08°14'03"E	61.55
C62	61.56	787.50	4°28'45"	S12°42'48"E	61.55
C63	61.56	787.50	4°28'45"	S17°11'33"E	61.55
C64	38.59	787.50	2°48'29"	S20°50'10"E	38.59
C65	31.98	652.50	2°48'29"	N20°50'10"W	31.97
C66	51.01	652.50	4°28'45"	N17°11'33"W	51.00
C67	51.01	652.50	4°28'45"	N12°42'48"W	51.00
C68	51.01	652.50	4°28'45"	N08°14'03"W	51.00
C69	51.01	652.50	4°28'45"	N03°45'18"W	51.00
C70	49.33	652.50	4°19'55"	N00°39'02"E	49.32
C71	52.69	652.50	4°37'35"	S05°07'47"W	52.67
C72	41.08	652.50	3°36'27"	S09°14'47"W	41.08
C73	17.71	2320.00	0°26'14"	S10°32'37"E	17.71
C74	64.07	2320.00	1°34'56"	S09°32'02"E	64.07
C75	66.55	2320.00	1°38'36"	S07°55'16"E	66.54
C76	66.53	2320.00	1°38'35"	S06°16'40"E	66.53
C77	66.51	2320.00	1°38'34"	S04°38'06"E	66.51
C78	66.50	2320.00	1°38'32"	S02°59'33"E	66.50
C79	17.52	2320.00	0°25'58"	S01°57'18"E	17.52
C80	23.79	30.28	45°01'07"	N65°45'08"E	23.18
C81	37.15	30.28	70°17'52"	S56°35'23"E	34.86
C82	139.14	577.53	13°48'13"	S14°32'21"E	138.80
C83	57.87	30.28	109°29'48"	S47°06'40"W	49.45
C84	73.10	168.72	24°49'28"	S89°26'50"W	72.53
C85	51.45	30.28	97°21'24"	N54°17'12"W	45.48
C86	49.48	30.28	93°37'07"	N41°27'08"E	44.15
C87	77.57	98.72	45°01'07"	N65°45'08"E	75.59



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	EXISTING	NEW
WATER MAIN	— W —	— W —
SANITARY SEWER MAIN	— SS —	— SS —
STORM SEWER MAIN	— STS —	— STS —
STORM INLET	⊠	⊠
MANHOLE	○	●
FIRE HYDRANT	⊙	⊙
GATE VALVE	⊠	⊠
CLEANOUT	△	△

- NOTES:
1. FUTURE DEVELOPMENT AREA CONCEPTUAL LAYOUT PROVIDED BY PACES.
  2. UTILITY LAYOUT SHOWN IS CONCEPTUAL ONLY AND IS PROVIDED TO DEMONSTRATE FEASIBILITY OF FUTURE DEVELOPMENT INFRASTRUCTURE.
  3. ALL INVERT ELEVATIONS SHOWN REFLECT SANITARY SEWER PIPE GRADES OF 0.40% AND MINIMUM 0.1' DROP AT ALL MANHOLES.
  4. ALL MANHOLE RIM ELEVATIONS SHOWN REFLECT 2017 LIDAR ELEVATIONS (NGVD29). PER TYPICAL DESIGN IN THE VICINITY, FUTURE STREET GRADES ARE ANTICIPATED TO BE ±1' FROM EXISTING GRADE.
  5. BASED ON ADJACENT DEVELOPMENTS, THE LOWEST STREET INLET ELEVATION WILL BE 902.00. WITH A 4" CURB, 16.5' WIDE BOULEVARD/SIDEWALK @ 2%, HOUSE SETBACK 25' @ 2%, THE MINIMUM FINISHED FLOOR ELEVATIONS (FFE) FOR FUTURE HOUSES IN THIS AREA IS ANTICIPATED TO BE 903.16 (NGVD29). ASSUMING FUTURE FULL BASEMENT FLOOR ELEVATIONS ARE 12' LOWER THAN THE FFE AND A 1% MINIMUM SANITARY SEWER SERVICE SLOPE, THE MAXIMUM ELEVATION OF THE SANITARY SEWER MAIN INVERT SHALL BE 890.50 (NGVD29).

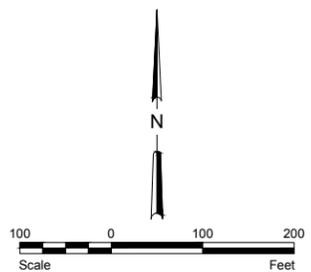
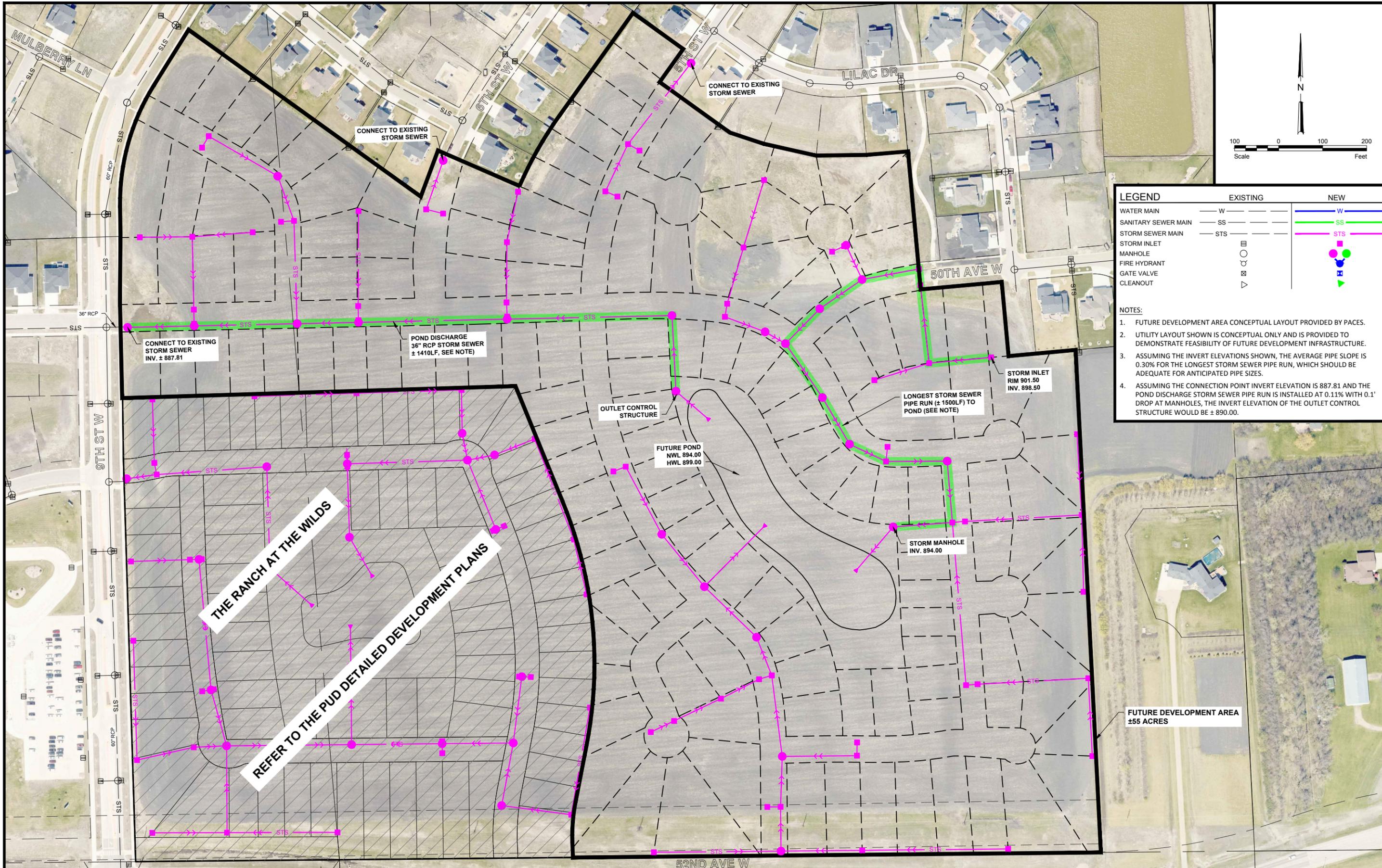
THE RANCH AT THE WILDS

REFER TO THE PUD DETAILED DEVELOPMENT PLANS

FUTURE DEVELOPMENT AREA  
±55 ACRES

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<p><b>PRELIMINARY</b> Not for Construction</p>				<p>Fargo</p>		<p>Drawn by BKW</p>		<p>Date 2-3-20</p>		<p>THE RANCH AT THE WILDS PUD SUPPORTING INFORMATION WEST FARGO, NORTH DAKOTA</p>		<p>ADJ. FUTURE DEV. CONCEPT SANITARY SEWER PLAN PROJECT NO. 6023-0077</p>		<p>SHEET 1 of 3</p>	
No.	Revision	Date	By	P: 701.237.5065	F: 701.237.5101	Checked by BTP	Scale AS SHOWN								



	EXISTING	NEW
WATER MAIN	— W —	— W —
SANITARY SEWER MAIN	— SS —	— SS —
STORM SEWER MAIN	— STS —	— STS —
STORM INLET	⊕	⊕
MANHOLE	⊙	⊙
FIRE HYDRANT	⊕	⊕
GATE VALVE	⊕	⊕
CLEANOUT	△	△

- NOTES:
1. FUTURE DEVELOPMENT AREA CONCEPTUAL LAYOUT PROVIDED BY PACES.
  2. UTILITY LAYOUT SHOWN IS CONCEPTUAL ONLY AND IS PROVIDED TO DEMONSTRATE FEASIBILITY OF FUTURE DEVELOPMENT INFRASTRUCTURE.
  3. ASSUMING THE INVERT ELEVATIONS SHOWN, THE AVERAGE PIPE SLOPE IS 0.30% FOR THE LONGEST STORM SEWER PIPE RUN, WHICH SHOULD BE ADEQUATE FOR ANTICIPATED PIPE SIZES.
  4. ASSUMING THE CONNECTION POINT INVERT ELEVATION IS 887.81 AND THE POND DISCHARGE STORM SEWER PIPE RUN IS INSTALLED AT 0.11% WITH 0.1' DROP AT MANHOLES, THE INVERT ELEVATION OF THE OUTLET CONTROL STRUCTURE WOULD BE ± 890.00.

**THE RANCH AT THE WILDS**  
**REFER TO THE PUD DETAILED DEVELOPMENT PLANS**

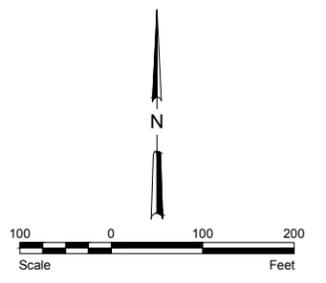
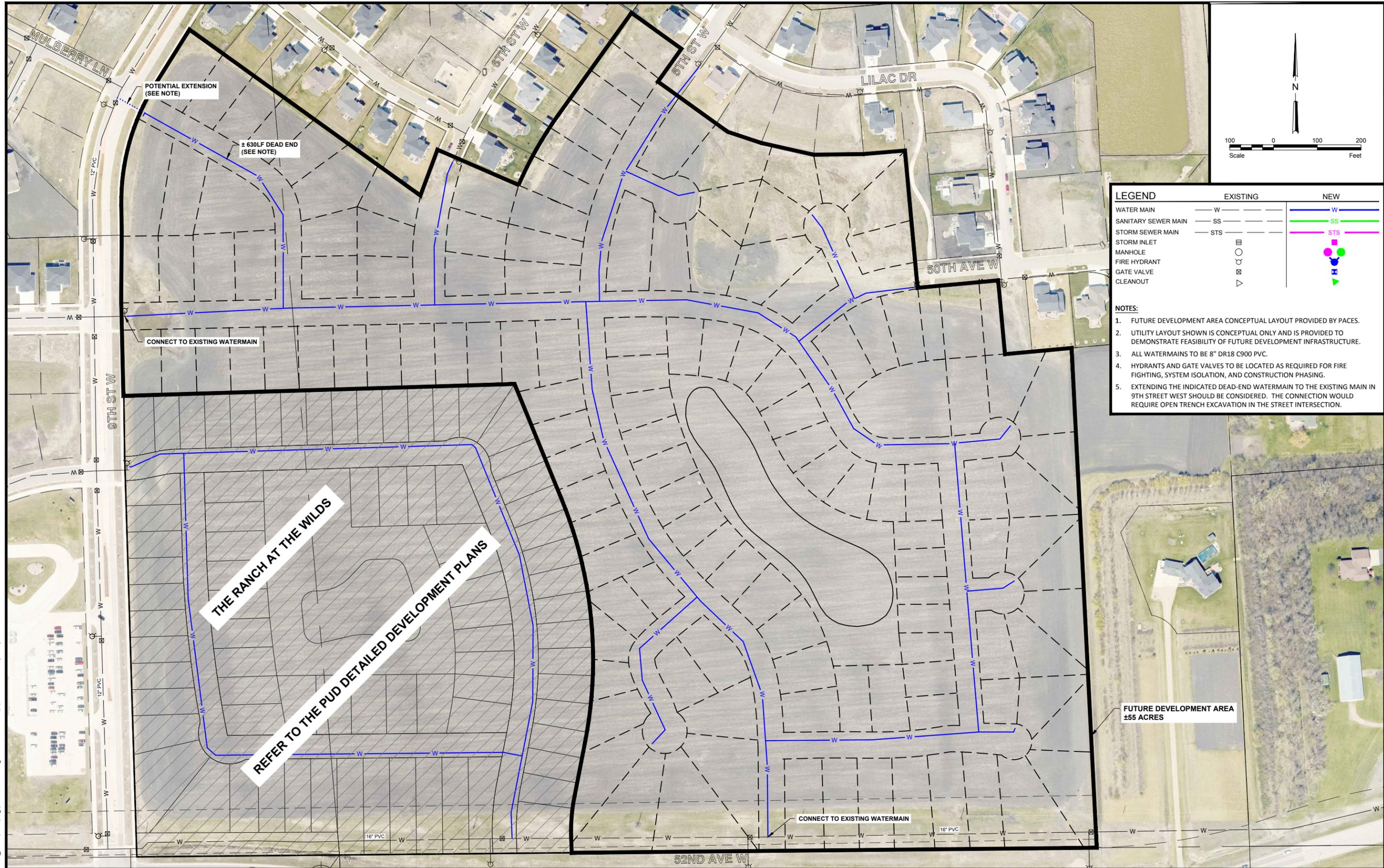
**FUTURE DEVELOPMENT AREA**  
 ±55 ACRES

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No.	Revision	Date	By

<b>PRELIMINARY</b> Not for Construction		Fargo P: 701.237.5065 F: 701.237.5101	Drawn by BKW Checked by BTP	Date 2-3-20 Scale AS SHOWN	THE RANCH AT THE WILDS PUD SUPPORTING INFORMATION WEST FARGO, NORTH DAKOTA	ADJ. FUTURE DEV. CONCEPT STORM SEWER PLAN PROJECT NO. 6023-0077	SHEET 2 of 3
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H:\JBN\6023\6023\_0077\CAD\Eng\Master Plan.dwg-3 WATERMAIN-2/3/2020 3:02 PM-(bwall)



	EXISTING	NEW
WATER MAIN	— W —	— W —
SANITARY SEWER MAIN	— SS —	— SS —
STORM SEWER MAIN	— STS —	— STS —
STORM INLET	⊞	⊞
MANHOLE	○	○
FIRE HYDRANT	⊙	⊙
GATE VALVE	⊞	⊞
CLEANOUT	△	△

- NOTES:**
1. FUTURE DEVELOPMENT AREA CONCEPTUAL LAYOUT PROVIDED BY PACES.
  2. UTILITY LAYOUT SHOWN IS CONCEPTUAL ONLY AND IS PROVIDED TO DEMONSTRATE FEASIBILITY OF FUTURE DEVELOPMENT INFRASTRUCTURE.
  3. ALL WATERMAINS TO BE 8" DR18 C900 PVC.
  4. HYDRANTS AND GATE VALVES TO BE LOCATED AS REQUIRED FOR FIRE FIGHTING, SYSTEM ISOLATION, AND CONSTRUCTION PHASING.
  5. EXTENDING THE INDICATED DEAD-END WATERMAIN TO THE EXISTING MAIN IN 9TH STREET WEST SHOULD BE CONSIDERED. THE CONNECTION WOULD REQUIRE OPEN TRENCH EXCAVATION IN THE STREET INTERSECTION.

No.	Revision	Date	By

**PRELIMINARY**  
Not for Construction



Fargo  
P: 701.237.5065  
F: 701.237.5101

Drawn by BKW  
Checked by BTP  
Date 2-3-20  
Scale AS SHOWN

THE RANCH AT THE WILDS  
PUD SUPPORTING INFORMATION  
WEST FARGO, NORTH DAKOTA

ADJ. FUTURE DEV. CONCEPT  
WATERMAIN PLAN  
PROJECT NO. 6023-0077

SHEET  
3 of 3