

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. 5047

AN ORDINANCE REZONING CERTAIN PARCELS OF LAND
LYING IN KEENEY AND DEVITTS 2ND ADDITION
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the City of Fargo have held hearings pursuant to published notice to consider the rezoning of certain parcels of land lying in Keeney and Devitts 2nd Addition to the City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on June 7, 2016; and,

WHEREAS, the rezoning changes were approved by the City Commission on July 5, 2016,

NOW, THEREFORE,

Be It Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. The following described property:

Lots Eight (8) through Eleven (11), Block Twenty-Eight (28), Keeney and Devitts 2nd Addition to the City of Fargo, Cass County, North Dakota;

is hereby rezoned from “MR-2”, Multi-Dwelling Residential, District to “MR-2”, Multi-Dwelling Residential, District;

with a “PUD”, Planned Unit Development overlay as follows:

Residential Density: The maximum residential density allowed shall be 22 dwelling units per acre.

Setbacks:

- The minimum front setback (west side) shall be 5 feet.
- The minimum street-side setback (north side) shall be 5 feet.

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- The minimum interior-side setback (south side) shall be 9 feet.
- The minimum rear setback shall (east side) be 5 feet.

Height: The maximum height shall be 35 feet.

Building Coverage & Open Space:

- The maximum building coverage shall be 55% of the lot area.
- The minimum open space shall be 10% of the lot area.

Parking: The minimum number of off-street parking spaces shall be 2 per dwelling unit.

Building Siting & Design:

- Articulation
 - Offsets
 - As to building elevation walls, as visible above ground, that are longer than 100 feet, wall plane projections or recesses having a depth of at least two feet and extending for a minimum of 25% of the length of such walls must be incorporated into the building design.
 - Architectural features
 - The building design shall include integrated design features to avoid monotony, to create visual interest, and to enhance the pedestrian scale all of which is to be designed to create compatibility with the surrounding neighborhood. Examples of features to be included are:
 - Decorative tiles
 - Verandas, porches, balconies or decks
 - Projected walls or dormers
 - Variation of roof lines
 - Decorative caps or chimneys
- Building Materials:
 - Required
 - All exterior walls shall be finished with architectural materials such as:
 - Brick
 - Glass
 - Stone

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- Ceramic
- Stucco
- seamless steel siding with a ceramic hybrid paint finish
- fiber cement siding.
- The following materials may not be used other than for purposes of providing accent:
 - Wood-based materials
 - Asphalt
 - Decorated concrete block
- Prohibited
 - The following materials shall not be used on exterior walls:
 - Metal panels
 - Non-residential grade metal siding
 - Precast panels
 - Exterior insulation finish systems
 - Vinyl siding

Section 2. The City Auditor is hereby directed to amend the zoning map now on file in his office so as to conform with and carry out the provisions of this ordinance.

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Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

/s/

Timothy J. Mahoney, Mayor

(SEAL)

Attest:

/s/

Steven Sprague, City Auditor

First Reading: 7-18-16
Second Reading: 8-1-16
Final Passage: 8-1-16