

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

AN ORDINANCE REZONING CERTAIN PARCELS
OF LAND LYING IN LOST CREEK FIRST 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 the proposed Lost Creek First Addition to the City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on May 5, 2026; and,

WHEREAS, the rezoning changes were approved by the City Commission on May 26, 2026,

NOW, THEREFORE,

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

Section 1. The following described property:

Lots One (1) through Three (3), Block Eleven (11) of Lost Creek First Addition to the City of Fargo, Cass County, North Dakota;

is hereby rezoned from "AG", Agricultural, District, to "SR-5", Single-Dwelling Residential, District.

Section 2. The following described property:

Lots Two (2), Thirteen (13), and Fourteen (14) of Block Four (4) of Lost Creek First Addition to the City of Fargo, Cass County, North Dakota;

is hereby rezoned from "AG", Agricultural, District, to "P/I", Public and Institutional, District.

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Section 3. The following described property:

Lots Two (2) through Eleven (11), Block Two (2); Lots Two (2) through Thirteen (13), Block Three (3); Lots Three (3) through Twelve (12), Block Four (4); Lots One (1) through Eighteen (18), Block Five (5); Lots One (1) through Twenty (20), Block Six (6); Lots One (1) through Thirty-two (32), Block Seven (7); Lots One (1) through Thirty-two (32), Block Eight (8); Lots One (1) through Twenty-six (26), Block Nine (9); and Lots One (1) through Twenty-six (26), Block Ten (10) of Lost Creek First Addition to the City of Fargo, Cass County, North Dakota;

is hereby rezoned from “AG”, Agricultural, District, to “SR-4”, Single-Dwelling Residential, District.

Section 4. The following described property:

Lot One (1), Block One (1); Lot One (1), Block Two (2); Lot One (1), Block Three (3); and Lot One (1), Block Four (4) of Lost Creek First Addition to the City of Fargo, Cass County, North Dakota;

is hereby rezoned from “AG”, Agricultural, District, to “MR-3”, Single-Dwelling Residential, District with a “C-O”, Conditional Overlay, District as follows:

A. Residential Developments

1. Building Form and Style.

- 1.1. Principal Materials. Unless otherwise deemed acceptable by the Zoning Administrator, all exterior walls shall be constructed or clad with natural stone, synthetic stone, brick, stucco, integrally-colored and textured concrete masonry units or systems, exterior insulation finishing systems (EIFS), fiber cement, curtain walls, rainscreen systems or glass. All materials shall be commercial grade, durable, and have a multi-generational life span. Metal panel, finished wood and vinyl shall be allowed on residential structures but should not exceed 75% of the building elevation.

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- 1.2. Dumpsters, refuse containers, and outdoor storage areas shall be located at the side or rear of buildings and shall be visually screened from adjacent public right-of-way by permanent walls. The permanent walls shall be constructed or clad with the same materials used for the primary building. Dumpsters and refuse containers shall contain permanent walls on at least three (3) sides with the service opening not directly facing any public right-of-way or residentially zoned property. The fourth side shall incorporate a metal gate to visually screen the dumpsters or refuse containers.
- 1.3. The cumulative total building footprint for all accessory buildings shall be a maximum of 40 percent of the primary building coverage.
- 1.4. No accessory buildings shall be allowed between the primary building(s) and the front or street side along public right-of-way.
- 1.5. Individual accessory buildings shall have a maximum length of 140 ft.

2. Site Design

- 2.1. A minimum of five (5) percent of the internal surface area of the parking lot shall be landscaped with plantings within planter islands and peninsulas.
- 2.2. Separate vehicular and pedestrian circulation systems shall be provided. Adjacent properties may share pedestrian circulation systems that connect to public sidewalks with Zoning Administrator approval. An on-site system of pedestrian walkways shall be provided between building entrances and the following:
- 2.1.1. Parking lots;
 - 2.1.2. Any public sidewalk or multi-use path along the perimeter of the lot;
 - 2.1.3. Any public sidewalk system along the perimeter streets adjacent to the development;
 - 2.1.4. Adjacent pedestrian origins and destinations-including, but not limited to transit stops, residential development, office buildings, and retail shopping buildings-where deemed practical and appropriate by the Zoning Administrator; and
 - 2.1.5. Upon approval of the Zoning Administrator, adjacent properties may share pedestrian circulation systems that connect to public sidewalks.

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3. Prohibited Uses. The following uses are prohibited:

- 3.1. Off premises signage/off premises advertising
- 3.2. Portable Signs
- 3.3. Pylon Signs

4. Illegal Splits: Illegal splits will not be considered separate lots as part of the original plat.

Section 5. 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.

Section 6. This ordinance shall be in full force and effect from and after its passage and approval.

Joshua Boschee, Mayor

(SEAL)

Attest:

Angie Bear, Deputy Auditor
on behalf of City Auditor

First Reading:
Second Reading:
Final Passage: