

MEMO

To: Aaron Nelson, City of Fargo

From: Lisa Wise Consulting, Inc. (LWC)

Date: 9/10/2020

Subject: Fargo LDC Diagnostic Report - Public Review Draft Comments

Introduction

LWC presented the City of Fargo Land Development Code (LDC) Diagnostic Report to the City of Fargo Planning Commission on August 4, 2020. The presentation provided an overview of the key findings from the analysis and concluded with an opportunity for questions from the Planning Commission. Public comments were received by City staff until August 11, 2020. Below is a summary of comments received.

Planning Commission

1. Do the findings in the Report require more form-based zoning?
2. Is there a limit to the potential for mixed-use development in Fargo, compared to other communities? Can this lead to vacancies?
3. What is the relationship of density to health and wellness considerations, particularly in the time of a pandemic?
4. How to address housing redevelopment in a predictable way, particularly as it relates to existing, potentially historic neighborhoods?
5. The Report findings are consistent with the challenges and concerns we have heard from developers and neighborhood residents. The LDC needs to be more congruent so there is less reliance on negotiation tools.
6. Predictability is an issue with existing LDC and review process. For example: when vacant land is developed it does not always get developed in the way that was envisioned. Changes occur throughout the process (ex. Lot sizes)
7. Is there a mathematical equation/ratio for the amount of green space needed as density increases?
8. The central question to consider is what is the long-term vision for the community? How will the community be economically sustainable over time, as it relates to land development? This process needs to be oriented towards a foundational approach to the next five decades.

Public Comments

1. DMU and UMU Zones
 - a. Disagree utility requirements impact building placement at lot line.

- b. Building/Fire Codes, Floodproofing requirements, & ADA standards are probably the main issues with inability to build DMU buildings at the lot line (as opposed to utility placement).
 - c. Agree that DMU works and would benefit from improvements in design standards.
 - d. Agree that mixed-use development outside of DMU & UMU is not easy with current LDC & lacks predictable entitlement process. Would like to see predictable/transparent process for allowing mixed-use in strategic areas outside of DMU & UMU.
 - e. There are challenges and increased snow removal costs in UMU due to the amount of on-street parking.
2. Administration and procedures
- a. PUDs and COs should be banned.
 - b. Review process needs more review boards for project approvals.
 - c. The Report didn't address the current public notice requirements.
 - d. Existing LDC requirements are not being enforced.
3. Parks and Open Space
- a. Street trees are a big component of livability & character and increasing urban tree canopy is detailed within Go2030. There needs to be street tree provisions for things like street design, historic overlays, and RoW standards.
 - b. Inflexible Landscaping Standards. Too many plant units and overcrowding due to insufficient green space left after site design, etc.
 - c. Existing process for parkland dedication works very well, but could be spelled out more clearly for better consistency.
4. Housing and Affordability
- a. Agree missing middle housing is undersupplied and is a result of inflexibility of the LDC. Would like to see LDC allow missing middle housing in transitional areas.
 - b. Support rewrite of the LDC that promotes economically productive spaces. Encourage City to study public return on investment of development types.
 - c. A newly drafted Analysis of Impediments to Fair Housing Choice will be brought forward for adoption within the next 5-year plan (2020-2024).
5. Infrastructure
- a. City should address burdensome and costly floodplain elevation requirements.
 - b. Encourage incentives to complete ROW work quickly.

- c. Would like to see more narrative on green infrastructure and better use of stormwater ponds (like the Fargo Project).
6. Process and Go2030
- a. Decision makers need more education, field trips, and understanding of impacts to community.
 - b. Report is difficult for most people to read through and comprehend.
 - c. Report barely mentions or ties to the Core Neighborhoods Plan and doesn't address what "good urban design" is.
 - d. Agree the LDC fails to implement Go2030 in four key areas: 1) Lack of available up-to-date information; 2) An unpredictable discretionary application process; 3) Inclusion of subjective standards; and 4) Not being coordinated with the Go2030 Comprehensive Plan Vision for future development.