

Residential Protection Standards - §20-0704(I)

Residential Protection Standards apply to:

- A. All multi-dwelling development when such development occurs on a site located within 150 feet of any SR or MHP zoning districts; and
- B. All nonresidential development when such development occurs on a site located within 150 feet of any SR, MR, or MHP zoning districts.

Exemptions: The following are specifically exempt from compliance with Residential Protection Standards to the extent indicated:

- 1) Structural alterations of an existing building when such alteration does not increase the building's square footage by more than 1,000 square feet;
- 2) Structural alteration of an existing building when such alteration does not increase the building's height by more than 10 percent; or
- 3) A change in use that does not increase the number of required off-street parking spaces.

The Residential Protection Standards:

- A. More restrictive setback requirements
- B. Visual screening of dumpsters and outdoor storage area
- C. More restrictive building height regulations
- D. Residential protection buffers along lot lines adjacent to any SR, MR, or MHP zoned property –
 - a. Type A: 10 feet wide, with a minimum of 1 tree and 20 shrubs per 50 linear feet of buffer
 - b. Type B: 20 feet wide, with a minimum of 1 tree and 10 shrubs per 50 linear feet.
- E. More restrictive operating hours regulations
- F. More restrictive lighting requirements
- G. Attention paid to specific and noted odor related to the property's use

For more detailed information, and specifics on the standards, please refer to Section 20-0704 in the Land Development Code. You can view the Land Development Code in its entirety online at: [Chapter 20 - Land Development Code](#); or by requesting a paper copy from the Planning and Development Department located in City Hall, 225 4th Street North, Fargo, ND.



APPLICATION FOR WAIVER OF RESIDENTIAL PROTECTION STANDARDS

Property Owner Information
Name (<i>printed</i>): _____
Address: _____
Primary Phone: _____
Alternative Phone: _____
Fax: _____
Email: _____

Representation Information (<i>if applicable</i>)
Name (<i>printed</i>): _____
Address: _____
Primary Phone: _____
Alternative Phone: _____
Fax: _____
Email: _____

Location of property involved in the application decision (<i>if applicable</i>)
Zoning District of Subject Property (e.g. SR1, MR3, GC): _____
Address: _____
Legal Description (<i>attach separate sheet if more space is needed</i>): _____

*Please include a site plan and any other supporting documentation related to the Waiver Request.

Explain Waiver Request: (*attach separate sheet if more space is needed*)

Acknowledgement – We hereby acknowledge that we have familiarized ourselves with the rules and regulations to the preparation of this submittal and that the forgoing information is true and complete to the best of our knowledge.
Owner (<i>Signature</i>): _____ Date: _____
Note: A nonrefundable filing fee of \$185.00 must be accompanied with the application at time of submittal.

Office Use Only
Date Filed: _____ Planning Office Contact: _____
Nonrefundable Filing Fee \$185.00: _____