

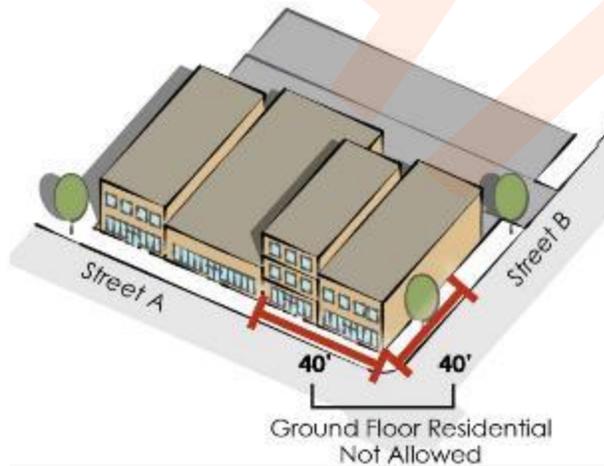
Grand Forks Ordinance Updates DRAFT

Chapter XVIII – Land Development Code

Article 2. – Zoning

18-0217 B-4 Central Business District

- (1) *Statement of intent.* This district is intended to provide an area for the purpose of developing a unified and organized business center which serves a broad service area with a variety of retail, service, office, and public uses.
- (2) *Uses permitted.* When conflicts arise between the uses and standards of this section and other sections of the code, the standards in this section apply.
 - (A) All uses permitted in the B-2 shopping center district.
 - (B) Except as otherwise provided herein, residential dwelling units, including apartments, condominiums, townhomes, and single- and multifamily residences, whether located within a structure used solely for residential purposes or within a structure containing residential and commercial uses provided that:
 - 1. Properties located within the boundaries of the municipal parking system shall provide off-street parking as required by chapter XIV, article 2 of the Grand Forks City Code;
 - 2. Properties not located within a municipal parking system boundary shall provide off-street parking as required by section 18-0302;
 - 3. Residential dwelling units within the core central business district described as that area along Third Street and Fourth Street between Kittson Avenue and University Avenue and along DeMers Avenue between the Red River of [on] the north to Fifth Street are permitted provided that residential dwelling units shall be located on a floor or floors at least three (3) feet above the elevation of any adjacent sidewalk.
 - 4. Ground Floor Residential Uses. Ground floor residential uses are not allowed along the first forty feet of frontage at street intersections illustrated in the Figure: [Ground Floor Residential Standards](#), below.



- 5. All other design standards and building requirements stated in this section are met, unless explicitly stated otherwise.
 - (C) High school.
 - (D) Home occupations.

- (E) Parcel delivery stations.
 - (F) Printing, publishing, engraving and newspaper distribution agency.
 - (G) Recording studios. (H) TV, radio broadcast offices and studios.
 - (I) Noncommercial wireless communication antennas and towers as regulated in section 18-0301.2.
 - (J) Retail sales.
- (3) *Conditional uses:*
- (A) Hospitals.
 - (B) Sports arenas, armory, convention centers, and stadiums.
 - (C) Heliports.
 - (D) Reserved.
 - (E) Wireless communication towers, as regulated by section 18-0310.1.
- (4) *Temporary uses:*
- (A) All temporary uses allowed in the B-1 limited business district.
 - (B) Seasonal sale of farm produce:
 1. Maximum length of permit shall be for six (6) months of each calendar year.
 2. Sales areas, including produce stands, shall be set back a minimum of thirty (30) feet from the nearest right-of-way of any street or highway. Entrances and exits to the parking lot shall be a minimum of thirty (30) feet from any intersection.

Design Standards for B-4 Central Business District

(5) *Purpose.* In 2019, the City officially adopted the Grand Forks Downtown Action Plan. The purpose of the Downtown Action Plan is to advance the vision from the Mayor's Vibrancy Initiative, which was launched by the City of Grand Forks in 2016. This initiative outlined a vision for future generations, recognizing the role of a vibrant downtown as a differentiator and its importance in workforce attraction and retention. The purpose of this section is to preserve and enhance the existing character and scale of the downtown area while facilitating new development. A supplemental document called the Design Standards Manual provides guidance to those undertaking new construction and renovations in downtown Grand Forks. The standards identify the role and responsibilities of approving bodies, including the Downtown Design Review Board.

- (A) *Principles.* The standards in this section shall be implemented for the general intent set out above and to achieve the following principles:
1. *Siting.* New buildings, additions, and exterior renovations to existing buildings shall maintain a relationship with sidewalks and public streets by locating building entrances close to the street and keeping parking behind buildings as much as possible. Features along public spaces are encouraged and required at times to maintain pedestrian character and interest along the street.
 2. *Parking.* New off-street parking as part of a new construction or renovation project shall be screened from view from the street, and be located behind, within, underneath, or between structures. Off-street parking adjacent to the street is prohibited.
 3. *Massing and Scale.* Exterior renovation of an existing structure within the Grand Forks downtown area, shall reflect the historic context of the downtown in scale, bulk, massing, material, color, texture, line, and pattern. New construction or exterior renovations of non-historic structures that use contemporary designs must respect the historic character of their context and maintain the street building line established by their neighbors, including scale, bulk, and massing.

4. *Architecture.* Historic elements, distinguishing features, and examples of craftsmanship shall be preserved and not covered during alterations of existing structures. Where repair of elements or features is not feasible, similar replacements can be considered. Modern materials that have been applied to historic facades must be removed and not replaced. All materials used in facade renovations and new construction must be of high quality and durability to match or reflect existing contextual materials.
 5. *Signage, awnings, fencing, and lighting.* These must not cover architectural facade elements and must be in scale with the facade and immediate context. These elements must reflect historic examples in scale and placement within the district.
 6. *Additions and demolitions.* Additions shall be such that, were they to be removed, the essential form of the existing building would remain. However, additions on new construction can complement rather than mimic historic buildings through massing and scale while using modern design elements. Demolitions of historic buildings shall require additional review as listed in subsection 18-0217(23), [Application Standards](#) and provide an evaluation of alternatives before demolishing.
 7. *ADA.* All new construction and renovations must comply with the Americans with Disabilities Act of 1990 (ADA).
- (B) *Goals.* The design standards in this section and supplemented by the Design Standards Manual establish the following goals:
1. Create more objective rather than subjective standards for new development, redevelopment, additions, and non-historic building areas.
 2. Ensure existing buildings retain their historic qualities through shorter review timelines for maintenance requests meeting historic standards.
 3. Adopt standards that allow the appropriate implementation of the Grand Forks Downtown Action Plan.
- (6) *Application.* The standards of this section apply to new development, redevelopment, substantial improvement, exterior renovation, and expansion of residential and non-residential buildings in the B-4 District. Any exterior renovation of structures within the B-4 District over 50 years old and a contributing structure in the Downtown Grand Forks Historic District shall comply with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, published by the U.S. Department of the Interior (1990 revision), which shall be referenced when applying the Design Standards. The standards in this section are to be applied:
- (A) By developers, engineers, and architects in project design.
 - (B) By City staff in application review for site plans and development plans to ensure consistency with the standards and other adopted city plans.
 - (C) Incorporated into actions as enforceable conditions of approval by the Downtown Design Review Board, Planning and Zoning Commission, and City Council.
- (7) *Exceptions.* The following are exempt from the design standards in this section, subject to the details listed below:
- (A) Single-family homes, multi-plexes, and ground floor residential uses that lawfully existed under the B-4 district regulations and boundaries in effect on July 1st, 2020.
 1. These uses are considered conforming to this section and are allowed to be fully rebuilt on the building footprint as of July 1st, 2020 if damaged or destroyed.

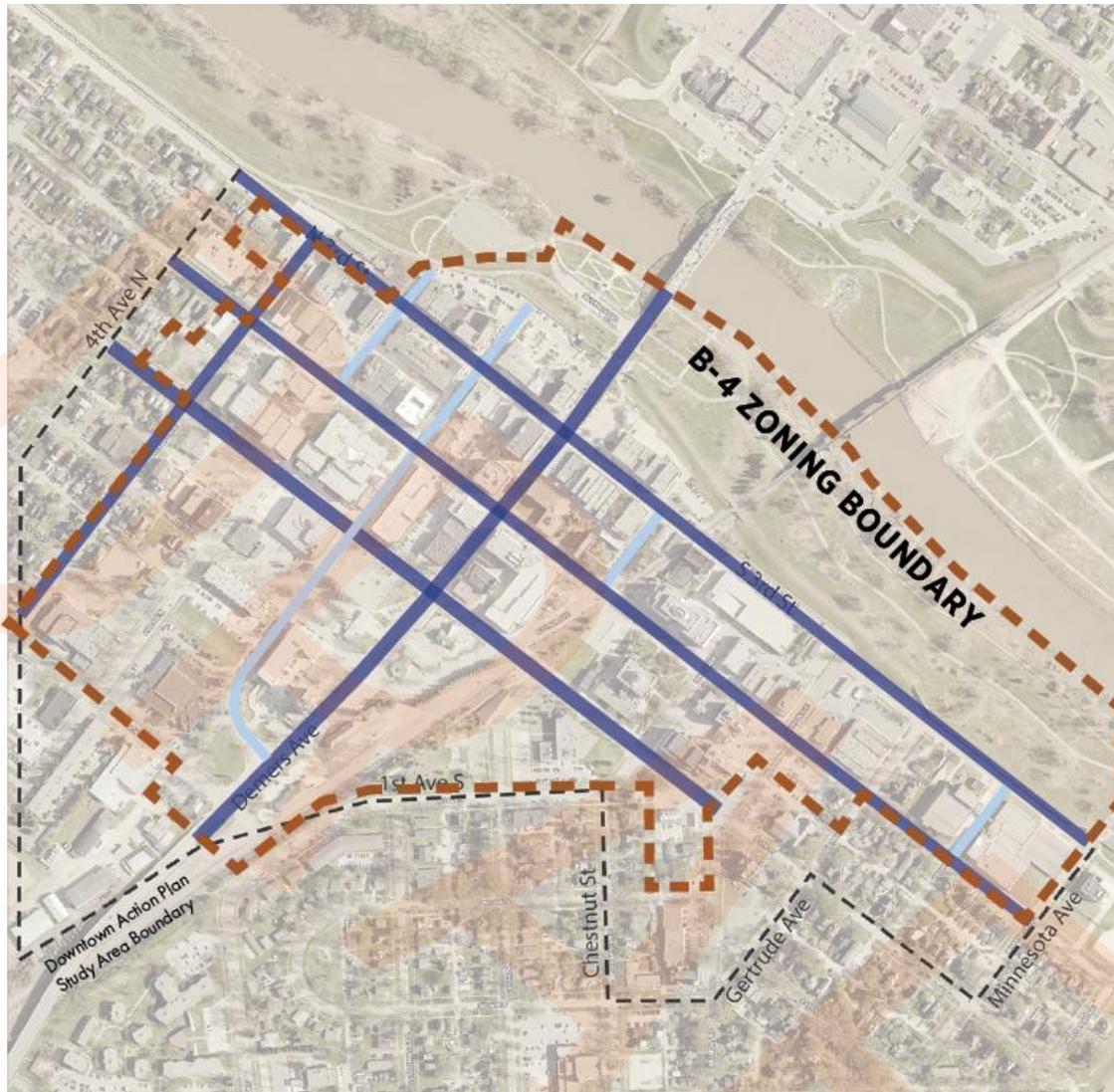
2. However, these uses existing on July 1st, 2020 shall not be allowed to expand their use or building structure unless in compliance with the standards in this section and other codes of the City of Grand Forks.

(8) *Definitions.* The following are defined as used in this section.

- (A) *Aggregate.* The solid material, such as sand or stone, used in making concrete.
- (B) *Alley.* A service way providing a second means of access to properties, often from between or behind, and often one lane wide.
- (C) *Arcade.* A covered passageway to an entryway.
- (D) *Articulation.* The giving of emphasis to architectural elements (like windows, balconies, entries, etc.) that create a complementary pattern or rhythm, dividing large buildings into smaller identifiable pieces. Articulation can be vertical from the ground up or horizontal across all or a portion of a facade, generally parallel to the ground.
- (E) *Awning.* A roof-like covering extending from a building to shield a sidewalk, window, or entrance from the elements often made of fabric stretched over a metal frame.
- (F) *Base.* Bottom section, or “pedestal,” on which a façade or column visually stands.
- (G) *Bay.* A vertical division of a building façade suggesting the underlying structure.
- (H) *Bay window.* A window structure that projects out from the building façade.
- (I) *Bollard.* A low post, often one of a series, set in the ground to prevent motor vehicles from entering an area.
- (J) *Blank wall.* A ground floor wall or portion of a ground floor wall with no square area more than 25% of the ground level facade that does not include a transparent window, door, or architectural changes. Also, an upper floor wall with no area over 25' by 20' without windows or architectural changes.
- (K) *Canopy.* An overhead roof-like structure that has open sides, usually to provide shelter from weather, but may also be used for decorative purposes.
- (L) *Character.* Distinguishing features or attributes.
- (M) *Column.* A vertical support member consisting of a base, cylindrical shaft, and decorative capital.
- (N) *Compatible.* Capable of existing together harmoniously; in agreement.
- (O) *Contemporary.* Here, current, or modern.
- (P) *Context.* Here, the visual and functional surroundings in which a particular building occurs.
- (Q) *Cornice.* The molded, often projecting horizontal decorative member uppermost on a building façade.
- (R) *Curtain wall.* A non-load bearing wall assembly, often consisting mostly of clear and/or opaque glass panels in a metal framework.
- (S) *Dormer window.* A window in a projection built out from a sloping roof.
- (T) *Dumpster.* A large waste container usually stored outside and emptied mechanically by a garbage truck.
- (U) *Elevation.* Here, the front, side, or rear view of a building.
- (V) *Façade.* The exterior face of a building, especially the principal and most ornamental face.

- (W) *Fascia*. Here, a flat horizontal band or member often set off with moldings on the elevation of a building.
- (X) *Fenestration*. The design, proportioning, and disposition of windows and other exterior openings of a building.
- (Y) *Forecourt*. An open court in front of a building or group of buildings that is partly surrounded by walls or buildings.
- (Z) *Gable*. Here, the triangular shape on an elevation created by the end of a pitched roof.
- (AA) *Historic*. Having importance in or an influence on history; surviving from an earlier time period.
- (BB) *Human scale*. The sizes of elements which relate to the size of people.
- (CC) *Integrity*. Being whole or undivided; having internal consistency.
- (DD) *Lintel*. A horizontal member spanning and carrying the load above; an opening (usually a window or door).
- (EE) *Mansard*. Here, a steeply pitched roof section visible on the elevation of a building.
- (FF) *Massing*. The visual shape, weight, and balance of a building.
- (GG) *Molding*. A decorative band of material with an ornamental profile used to delineate parts of a façade or to frame around door or window openings.
- (HH) *Mullion/Muntin*. The slender divider between panes of glass in a window.
- (II) *Ornament*. Something that decorates or embellishes, helping to establish a style and character.
- (JJ) *Parapet*. The part of a wall that continues above concealing the roof.
- (KK) *Pediment*. Here, a triangular shape applied to a façade that suggests a pitched roof behind, derived from Classical architecture.
- (LL) *Pier*. A solid masonry support member.
- (MM) *Pilaster*. A shallow, rectangular column attached to a wall.
- (NN) *Pitch*. Slope, usually of a roof or an awning.
- (OO) *Porch*. A covered area adjoining an entrance to a building and usually having a separate roof
- (PP) *Profile*. Cross-section.
- (QQ) *Proportion*. A part considered in relation to the whole, with respect to comparative size, quantity, or placement.
- (RR) *Prototype*. An early or typical example that serves as a model for later development.
- (SS) *Renovation*. Restoring to an earlier condition, from Latin words meaning “again” and “make new.”
- (TT) *Right-of-way*. A publicly controlled strip of land containing at least one of the following: streets, alleys, sidewalks, or public utilities.
- (UU) *Rhythm*. Here, the regular recurrence of particular elements such as buildings, windows, or awnings.
- (VV) *Sash*. The framework in which panes of glass are set; the movable part of an operable window.
- (WW) *Scale*. The relative size of elements.

- (XX) *Screen*. To conceal from view.
- (YY) *Setback*. Here, the distance a building is sited from the property line.
- (ZZ) *Siding*. Boards, usually wood or vinyl, applied to an exterior wall to create a continuous covering.
- (AAA) *Sill*. The horizontal member that bears the upright portion of a frame – usually the base of a window.
- (BBB) *Street furniture*. Additive elements of streetscape improvements, such as light fixtures, benches, trash cans, and planters.
- (CCC) *Street line*. Here, the front most wall of a building facing onto a street, or the line created by several buildings standing together facing onto a street.
- (DDD) *Streetscape*. Architectural forms, details, materials, and color that are used in combination to create a visually coordinated street scene.
- (EEE) *Stoop*. A porch, platform, entrance stairway, or small veranda to enter a building.
- (FFF) *Storefront*. The ground floor façade of a commercial use adjacent to a sidewalk or internal pathway. Storefront also refers to one of the building type designations that are applied in the design standards.
- (GGG) *String course*. A horizontal row of bricks or stones, sometimes protruding slightly.
- (HHH) *Strip windows*. A continuous horizontal band of glazing, such that the structural support for the windows is not apparent on the building exterior.
- (III) *Transom*. A window placed above a door or storefront display window often operable.
- (JJJ) *Trellis*. A frame supporting open latticework used as a screen or a support for growing vines or plants.
- (KKK) *Trim*. Ornamental material, usually wood or metal.
- (9) *District Boundaries*. The “downtown area” subject to these standards generally includes the area within the B-4 zoning district.
- (A) *Downtown Core*. Includes the B-4 zoning district in the area bounded by the “Downtown B-4 District” area in Figure 18-0217(9)(B), [Design Standards Boundaries](#), as may be amended from time to time.
- (B) *Figure 18-0217(9)(B), Design Standards Boundaries*



Downtown B-4 District - Core Area  **Major Streets**  **Minor Streets** 

(10) *Street Classifications*. Some regulations in this section are based on the type of street a parcel fronts toward.

(A) *Major Streets*. Major Streets are those of significant visibility and traffic. Various standards apply only to major streets and not to other streets in the B-4 District. The streets defined as “major streets” for the purposes of these standards include those illustrated in Figure 18-0217(9)(B), [Design Standards Boundaries](#):

1. DeMers Avenue, DOT regulations override standards in this section.
2. University Avenue.
3. 3rd Street.
4. 4th Street.
5. 5th Street, DOT regulations override standards in this section.

(B) *Minor Streets*. Minor Streets are those of visibility and moderate traffic. Minor Streets exhibit potential redevelopment projects in the future. Various standards apply only to minor streets and not to other streets in the B-4 District. The streets defined as “minor streets” for the purposes of these standards include those illustrated in Figure 18-0217(9)(B), [Design Standards Boundaries](#):

1. 2nd Avenue North between North 4th Street and the river levee.
2. 1st Avenue North between DeMers Avenue and the river levee.
3. Kittson Avenue between South 4th Street and South 3rd Street.
4. Franklin Avenue between South 4th Street and South 3rd Street.

(C) *Determination of Street Frontage*. When this section uses the major and minor street classifications or front, side, street side, or rear to apply standards, the following applies:

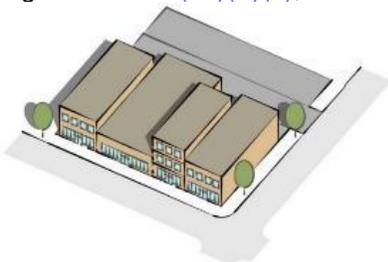
1. The street a parcel fronts towards means the street where the primary building entrance faces or those building elevations that face upon a public street between the building and the public street.
2. Where a parcel has more than one building elevation facing a public street, the following are used to determine street frontage definitions:
 - a. If only one adjacent street is classified as a major street, the major street shall be classified as the front yard and subject to those standards.
 - b. If only one adjacent street is classified as a minor street and no adjacent street is classified as a major street, the minor street shall be classified as the front yard and subject to those standards.
 - c. If more than one adjacent street is classified as a major street, then both major streets shall be classified as a front yard and subject to those standards.
 - d. If more than one adjacent street is classified as a minor street and no adjacent street is classified as a major street, then the minor street with the primary building entrance for pedestrians shall be classified as the front yard and subject to those standards.
 - e. If no adjacent street is classified as a major or minor street, then the street with the primary building entrance for pedestrians shall be classified as the front yard and subject to those standards.

(11) *Building Types*. Downtown Grand Forks has a mix of building types, and the most prominent buildings reflect the historic character of the city. Therefore, the range of building types allowed for new construction and significant rehabilitation are limited to those listed in this subsection.

(A) *Purpose*. Building types are the basic building blocks to maintain the character of downtown. The regulation of building types is not intended to regulate building style. But rather, the form and interaction with public spaces. For example, two different storefront building types can look quite different pending compliance with other downtown regulations.

(B) *Permitted Building Types*. The permitted building types are defined and illustrated below.

1. *Storefront*. A building with a non-residential entrance facing a major or minor street that is built to the front property line for nearly all of the lot. There may be small breaks for entryway areas, plazas, or other public spaces.
 - a. Figure 18-0217(11)(B)(1), [Storefront](#).



2. *Civic Building*. A building for civic activities that may include significant public space at entrances and off-street parking on the side or rear.
 - a. Figure 18-0217(11)(B)(2), *Civic Building*.



3. *Parking Structure*. Structures allowed for vehicle parking that may be stand alone or incorporated into another building. Facades facing streets are integrated into the streetscape design and pedestrian environment. Parking is hidden as much as possible.

(12) *Siting Standards*.

- (A) *Purpose*. Siting standards affect the general layout of new construction and additions to existing properties. They intend to provide flexibility for creative design while requiring the massing and setback of older downtown buildings to be respected. Also, the standards reinforce the building coverage that is unique to downtown.
- (B) *Application*. The standards in this subsection apply to all buildings in the B-4 District unless standards explicitly list otherwise.
- (C) *Build to line*. The building coverage, or “footprint,” of new structures shall be built at or close to the property line, up to at least the second floor for multiple-story structures.
- (D) *Entrances*. When adjacent to a major street, the main entrance(s) to all buildings shall be on the major street façade, with secondary entrance(s) as necessary from off-street parking areas or minor streets facades. If the building is not adjacent to a major street, the primary entrance shall be oriented toward a public street.
 1. *Insets*. Building entries may be inset from the street facade, to allow for protection from the elements, but shall only be permitted at the first-floor level only. Upper level balconies on street façade(s) shall be set into the building, rather than projecting.
 2. *Focal features*. Entrances shall include multiple pedestrian scale focal point features on the ground level façade when provided on any side. Focal point methods include:
 - a. Roofs/canopies.
 - b. Cloth awnings or other weather protected entrance features.
 - c. Ornamental paving.
 - d. Planters.
 - e. Traditional architectural detailing such as piers, columns, and trim.
 - f. Over entrance lighting.
 - g. Business signage.

(E) *Screening applications*.

1. *Trash receptacles, dumpsters, and loading facilities.* All dumpsters and loading facilities shall be accessed from alleys or non-major streets. They must be screened from street view with fencing or landscaping. See section 18-0217(19)(E), *Standards for Fences and Railings* for standards regarding screening.
2. *Utility equipment.* Equipment such as air conditioner units or exhaust fans shall be screened from view and located either in the rear of the building or on the roof. Mounting equipment on the façade is prohibited. See section 18-0217(19)(E), *Standards for Fences and Railings* for standards regarding screening.

(F) *Additional Building Siting Standards.* Additional siting standards are described in Table 18-0217(12)(F)(1), *Building Siting* and Figure 18-0217(12)(F)(2), *Building Siting, Block*.

1. *Table 18-0217(12)(F)(1), Building Siting.*

Figure Label	Standard ⁶	Storefront	Civic
A	More Than One Principle Building Allowed per Lot	Permitted	Permitted
Setback or Established Yards as Seen by Neighboring Properties			
B	<i>Front</i> ^{1,2} See Subsection 18-0217(10)(C) for where applicable	0'-10' Maximum	5' Minimum
B	<i>Side Street</i> ¹ See Subsection 18-0217(10)(C) for where applicable	0'-10' Maximum	5' Minimum
C	<i>Side (Minimum)</i>	0'	5'
D	<i>Rear (Minimum)</i> ³	0'; 5' next to alley ⁵ ; 15' next to a residential zoning district	5'; 15' when next to a residential zoning district
E	<i>Corner Occupation</i> ⁴	Required	Not required if public plaza or greenspace is provided at the corner
Property Line Build to Coverage			
F	<i>Front (Minimum)</i>	90%	Not required
G	<i>Side Street (Minimum)</i>	65%	Not required
Lot			
H	<i>Width</i>	N/A	N/A
I	<i>Depth</i>	N/A	N/A
J	<i>Impervious Coverage (Maximum)</i>	100%	70%
	Main Entry Location	Front or corner facade	One entrance per major street frontage
Table Notes:			
1. Over 5' setback only allowed when there is a forecourt, stoop, shopfront entryway (awning, seating, etc.), or arcade entryway			
2. Required up to the second floor			
3. Rear yard setback may be reduced to 0' when an alley is present or when adjacent lots are approved under one development plan to ensure separation between buildings on different properties.			
4. This means that the building must be built with a 0' setback when the lot abuts two streets.			
5. When an alley is present, rear setbacks may be 0' if providing a consolidated location on the block to use for trash pick-up and larger deliveries.			
6. Encroachments into the right-of-way are approved through an encroachment agreement with the Engineering Department.			

2. Figure 18-0217(12)(F)(2), Building Siting, Block.



 Property Line

(13) *Streetscaping standards.* All site improvements are also subject to design approval and shall be coordinated with the city's streetscape improvement specifications. Properties adjacent to updated streetscape standards will be required to install improvements to new standards. Those not adjacent to new streetscape standards will be required to replace any amenities that were previously there prior to construction and to match existing styles for pavers and sidewalks. Property owners shall coordinate with the city prior to undertaking the following:

- (A) Repair or replacement of sidewalks or other paving.
- (B) Alteration of a sidewalk, parking lot, or planting bed grades or elevations.
- (C) Installation of planters, benches, litter receptacles, bollards, or other street furniture.
- (D) Planting of trees or other landscape material.
- (E) Artificial plants are prohibited in any exterior planters in the downtown area, except as part of temporary, seasonal decorations.

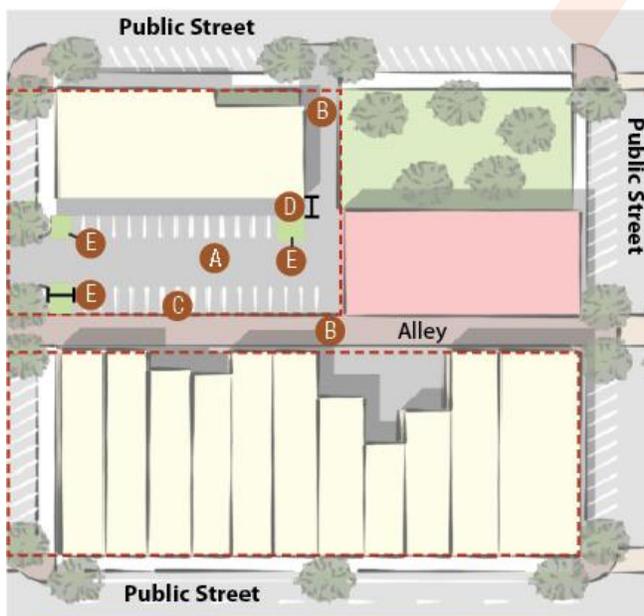
(14) *Parking and Access Standards.*

- (A) *Purpose.* Parking and access standards affect the location and layout of all off-street parking in the B-4 District. They reinforce the continuous street façades and focus on pedestrian experience unique to the downtown area. The standards listed in section 18-0302. Apply when a standard is not explicitly listed in this section.

- (B) *Application.* The standards in this subsection apply to all buildings in the B-4 Zoning District unless standards explicitly list otherwise.
- (C) *Permitted uses and access.*
1. New off-street parking is prohibited in the front or street side of any building, and the side yard of buildings.
 2. Stand-alone surface parking lots as the primary use on a lot are prohibited.
 3. Access to off-street parking shall not be from a street, but rather a rear alley, side alley, or from a non-major street if an alley is not present.
- (D) *Landscaping treatment.* For the purposes of landscaping screening, the following are defined.
1. Dense landscaping means evergreens and natural ground cover, or berm that forms a buffer at least thirty (30) inches in height.
 2. Landscaping means a natural ground cover planted with shrubs, trees, or berm that forms a buffer at least thirty (30) inches in height.
 3. Open fencing means a three-foot decorative fence. See section [18-0217\(19\)\(E\), Standards for Fences and Railings](#) for fencing standards.
- (E) *Screening requirements.* Off-street parking shall be screened from view as follows:
1. *Along major streets.* Using either dense landscaping, open fencing and landscaping, or a low masonry wall and open fencing. See section [18-0217\(19\)\(E\), Standards for Fences and Railings](#) for fencing standards. Similar treatments on minor streets may be used.
 2. *Covered parking.* Whether under a building, within a building, or in a separate parking structure, covered parking shall be screened from view from any street, either architecturally or with landscaping. Sloped parking ramps must not be visible on any building elevation.
 3. A perimeter parking lot landscaping strip is required in the following locations and treatment:
 - a. Adjacent to residential districts and public streets must include dense landscaping, open fencing and landscaping, or a low masonry wall and open fencing.
 - b. Adjacent to building walls where natural ground cover is required and a five-foot pedestrian sidewalk.
- (F) *Interior lot landscaping area.* Interior parking landscaping must be provided for large lots where a parking space is not within 100 feet of a perimeter or interior landscaped area.
1. When provided or required, interior islands shall be at least 160 square feet each.
- (G) *Pedestrian connection requirements.* Pedestrian connections from parking areas must be provided in the following situations:
1. Paved walkways shall be provided from all parking areas to building entrances or other pedestrian systems.
 2. Sidewalks that cross driveways or other vehicle use areas be clearly defined with special materials such as textured concrete, brick pavers, or striping.
- (H) Parking Lot layout, excluding parking lot setbacks, shall follow Table 1 in section 18-0302 Off-Street Parking and Loading.
- (I) *Additional Parking Standards.* Additional parking standards are described in Table [18-0217\(14\)\(I\)\(1\), Parking](#), and Figure [18-0217\(14\)\(I\)\(2\), Parking, Block](#).
1. [Table 18-0225\(14\)\(I\)\(1\), Parking](#).

Figure Label	Standard	Storefront	Civic
Parking			
A	<i>Parking Location</i> ¹	Under building or rear yard	Under building or rear yard
B	<i>Access Location</i> ²	Improved alley; if no alley exists, one driveway from an un-designated or minor street frontage.	Improved alley; if no alley exists, one driveway from a minor street frontage.
Parking Lot Buffering (Minimum)			
	<i>Street Setback</i>	Parking not allowed	Parking not allowed
B	<i>Side Setback</i>	Parking accessed from an alley or driveway from an un-designated or minor street only.	Parking accessed from an alley or driveway from an un-designated or minor street only.
C	<i>Rear Setback</i>	0'	0'
D	<i>Building wall setback</i> ³	6'	6'
	<i>Adjacent to Single-Family Residential</i>	10'	10'
Lot Landscaping			
	<i>5' Perimeter</i>	Required adjacent to residential districts and single-family uses, public streets, and building walls.	Required adjacent to residential districts and single-family uses, public streets, and building walls.
E	<i>Internal</i>	Required so that all spaces are within 100' of a perimeter or interior landscaped area.	Required so that all spaces are within 100' of a perimeter or interior landscaped area.
Table Notes:			
1. Parking not allowed between buildings and public streets. Parking only allowed to the back of buildings.			
2. On corner lots, primary parking access shall not be from a major street.			
3. There must be a buffer from parking spaces to the building that provides a 5ft walkway and landscaping strip.			

2. Figure 18-0217(14)(I)(2), Parking, Block.



 Property Line

(15) *Massing and Scale Standards.*

- (A) *Purpose.* Massing and scale refer to the size of buildings and relationship with the public environment. Massing and scale standards will affect the architectural treatment of new and existing structures, so existing historical features are maintained and respected by new buildings and additions. The following section applies to all buildings and detailed further in Table 18-0217(15)(H)(1), [Building Massing and Scale](#).
- (B) *Application.* The standards in this subsection apply to all buildings unless standards explicitly list otherwise.
- (C) *Pedestrian scale.* The first story of downtown buildings shall be designed to reflect a pedestrian scale, taking cues from existing downtown buildings whose historical integrity remains intact.
1. *Entryway types.* Different frontage types are appropriate in the B-4 District, and also major versus minor/undesignated streets. The following are guidelines for review of pedestrian scale ground floor entryways and illustrated in the Design Standards Manual.
 2. *B-4 District entryway.*
 - a. *Storefront.* A storefront is a highly transparent ground story treatment designed to serve primarily as the display area, and primary entrance for retail or service uses.
 - b. *Arcade.* An arcade is a covered pedestrian walkway within the recess of a ground story.
- (D) *Ground base.* Buildings shall meet the ground with a solid masonry or metal panel base treatment that creates a visual transition from sidewalk to building wall. See Figure 18-0217(15)(H)(3), [Articulation Definitions](#).
- (E) *Cornices.*
1. On existing buildings, the original cornice detail, height, and profile shall be maintained and repaired as needed. See Figure 18-0217(15)(H)(2), [Building Massing and Scale Application](#), and section 18-0217(4), [Definitions](#).
 2. If new structures or additions are taller than immediately adjacent older buildings, existing cornice height(s) must be reflected on the new elevations with an upper floor setback, façade material change, or string course. See Figure 18-0217(15)(H)(3), [Articulation Definitions](#).
- (F) *Roof types.* New structures shall be designed to utilize flat roof and parapet wall construction similar to that of existing structures.
1. Mansard roofs, dormer windows, pediments gables, and visible pitched roofs are not permitted.
- (G) *Windows and doors.*
1. *Scale.* Windows and doors shall reflect the historic types found in the Design Standards Overlay in scale, proportion, and construction. Historic storefront windows and entry doors can utilize modern frame systems if necessary, but glazing shall not extend to the ground. See Figure 18-0217(15)(H)(2), [Building Massing and Scale Application](#).
 2. *Alterations.* Existing windows and doors, including transom windows on the first floor, shall be exposed and repaired where possible. New windows and doors on contributing historic structures shall reflect the original style if a replacement is necessary. New openings shall not be cut into buildings, and original opening sizes shall not be reduced, enlarged, or filled in.
 3. *Upper floors.* Upper-floor windows in new construction shall be individual openings in solid wall planes, reflecting the historic proportions of existing window openings on historic buildings found in the Design Standards Overlay.

4. *Prohibited types.* The following window and door types are not permitted in historic buildings in the B-4 District unless listed on the National Register with those design elements:
 - a. Curtain wall glazing systems.
 - b. Horizontal or vertical strip windows.
 - c. Mirrored or visibly reflective glazing.
 - d. Fully glazed or nearly fully glazed doors, though they may be considered acceptable on secondary elevations if the scale, material, and other standards of this section are met.
5. *Accessibility.* Existing and new doors must comply with all accessibility and life safety codes, while still reflecting an appearance in keeping with the original character of the building. Example entryways for different contexts are shown in the Design Standards Manual.

(H) *Additional massing and scale standards.* Additional massing and scale standards in the Downtown Core and Downtown Fringe districts are described in Table 18-0217(15)(H)(1), [Building Massing and Scale](#), Figure 18-0217(15)(H)(2), [Building Massing and Scale Application](#), and Figure 18-0217(15)(H)(3), [Articulation Definitions](#).

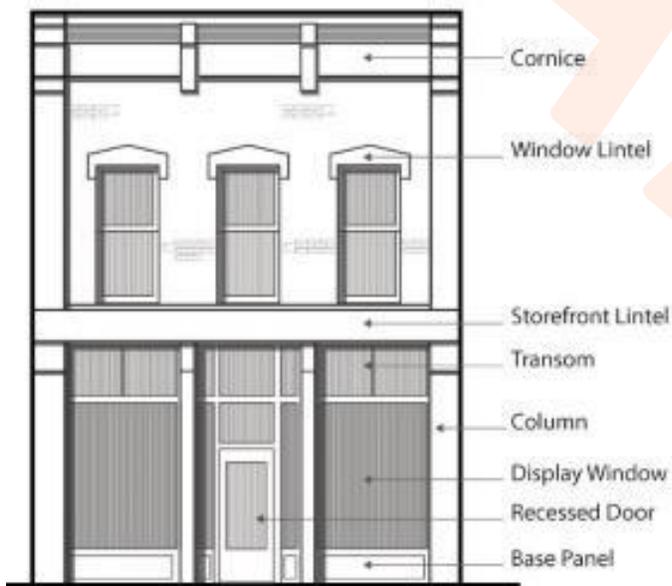
1. *Table 18-0217(15)(H)(1), Building Massing and Scale.*

Figure Label	Standard	Storefront	Civic
	Height		
	<i>Minimum</i>	2 stories	1 story
A	<i>Maximum</i>	N/A	N/A
B	<i>Ground Floor Story (Minimum)</i>	14'	10'
	Street Facades ^{1, 2}		
C	<i>Street or Public Space Facing / Side Yard - Ground Floor Transparency (Minimum)</i>	70% / 25%	15% / 15%
D	<i>Upper Floor Transparency per story (Minimum)</i>	15%	15%
E	<i>Street or Public Space Facing Blank Wall Requirement</i>	Ground floor: No square area more than 25% of the ground-level facade without a window Upper floors: No blank wall over 25' by 20' without windows or architectural changes ³	
F	<i>Street, Public Space, or Side Yard Facing Vertical Articulation</i> ³	Vertical bays at most every 50' in width.	Not Required
G	<i>Street, Public Space, or Side Yard Facing Horizontal Articulation</i>	Within 3' of first-floor height	Not Required
H	Ground Base Panel		
	<i>Material</i>	Masonry or Metal	N/A
	<i>Height</i>	1' - 3'	N/A
I	Roof Types ⁴	Parapet, flat	Parapet, flat, pitched, other
	Table Notes:		
	1. All buildings must have a primary ground-floor entrance that faces a major street, or if not located on a major street, a minor street or side street.		
	2. Rear-facing buildings, loading docks, overhead doors, and other entries for service trucks and carts are prohibited on street-facing facades. This does not mean doors that lift up in seasonal weather to provide outdoor seating and air circulation.		
	3. Bays are differentiated by color, materials, roof form, articulation details, window arrangement, building heights, roof forms.		
	4. Mansard roofs, dormer windows, and pediment gables are not allowed.		

2. Figure 18-0217(15)(H)(2), Building Massing and Scale Application.



3. Figure 18-0217(15)(H)(3), Articulation Definitions.



(16) *Architectural Materials Standards.*

- (A) *Purpose.* It is the goal of these standards to establish a method for the development of a cohesive architectural aesthetic downtown. The following palette of construction materials and thoughtful mix of architectural styles and orientations of structures coupled with the standards found throughout this document will work to develop a sense of downtown identity and balance between new and old buildings.
- (B) *Application.* The standards in this subsection apply to all buildings unless standards explicitly list otherwise.
- (C) *Strict application.* Table 18-0217(17)(B), [Architectural, Primary Materials for Historic Buildings](#) lists the permitted external materials for contributing historic structures as identified in the National Register nomination for the Downtown Grand Forks National Historic District. Table 18-0217(17)(B), shall be used when renovating or adding additions and consistent with the original building materials.
- (D) *Flexible application.* New construction and non-contributing historic structures as identified in the Grand Forks Downtown National Register nominations are permitted flexibility in façade material subject to Table 18-0217(18)(B), [Prohibited and Special Exception Materials From Use On Any Building](#).
- (E) *Colors.* Building colors shall include earth tones, neutrals, and primary colors at the discretion of the City of Grand Forks under the review procedures in section 18-0217(23), [Application Procedures](#). Earth tones are defined as those that were available during the appropriate time period of significance determined for the Grand Forks Downtown Historic District.
1. *Quantity.* No more than two or three colors shall be used on each façade unless evidence shows different historical colors used.
 2. *Accent colors.* Vibrant primary colors are allowed to accent architecturally significant building detail but must contribute to the building's overall attractiveness and design. Similarly, contrasting trim color(s) can be used to highlight architectural elements, such as windows and door trim.
 3. *Applied elements.* Awnings, signage, light fixtures, and other applied structures to a building facade shall coordinate with, rather than overwhelm, the architectural color scheme of the building.
 4. *Brick.* All original brick façades of existing buildings shall be left unpainted, clean, and in good repair.
 5. *Equipment.* If equipment is mounted behind louvered panels for ventilation purposes, louvers shall be oriented to conceal the equipment from view and shall be finished to match the adjacent wall color, rather than the contrasting trim color, to minimize their visual impact.
- (F) *Balconies.*
1. *Major streets.* If balconies are proposed on any building façade facing a major street, they shall be inset into the building at street façades, with solid partial height enclosures integrated into the building's architecture.
 2. *Minor streets.* Balconies on building facades facing a minor street shall be subject to the material requirements outlined in section 18-0217(19)(E), [Standards for Fences and Railings](#).
- (G) *Doors.* Existing and new doors must comply with all accessibility and life safety codes while still reflecting an appearance in keeping with the original character of the building.
- (H) *Material quantity.* Facades over 100 square feet shall use more than one building material.

(17) *Primary Materials for Historic Buildings.*

(A) *Application.* Table 18-0217(17)(B), *Architecture, Primary Materials for Historic Buildings*, applies to contributing historic structures as identified in the National Register nomination for the Downtown Grand Forks National Historic District.

(B) *Table 18-0217(17)(B), Architecture, Primary Materials for Historic Buildings.*

Historic Building Permitted Materials ¹ P = Permitted	Storefront	Civic
Fired clay brick, full veneer masonry wall system	P	P
Natural stone, full veneer masonry wall system	P	P
Integrally colored, specialty concrete block such as textured, burnished, concrete masonry units (CMU)	P	P
Limestone - White, light buff, and course yellow	P	P
Non-tinted glass	P	P
Cast stone	P	P
Terra Cotta	P	P
Anodized aluminum with baked on enamel.	P	P
Wood - (painted or stained when used as trim <25% of facade)	P	P
Table Notes:		
1. Similar materials may be approved if demonstrated they have comparable durability and impact resistance (based on manufacturer's specifications), aesthetic quality, and historic context defined by the Secretary of Interior Standards.		

(18) *Prohibited and Special Exception Materials.*

(A) *Application.* Table 18-0217(18)(B), *Prohibited and Special Exception Materials From Use On Any Building* shall be used when renovating or adding additions and consistent with the original building materials.

(B) *Table 18-0217(18)(B), Prohibited and Special Exception Materials From Use On Any Building (limited to % shown).*

Prohibited and Special Exception Material¹	Storefront	Civic	Non-Street Facing or Alley Facing Facade
Stucco, traditionally applied	0%	0%	0%
Corrugated or ribbed metal panel	0%	0%	<25%
Plywood	0%	0%	0%
Painted brick (brick and stone shall be colored only by means of pigment impregnation throughout the entire material)	0%	0%	0%
Plastic/vinyl siding	0%	0%	0%
Thin Veneer Brick or Tile (Adhered)	0%	0%	0%
Manufactured or cast stone veneers (adhered)	0%	0%	0%
Weathering steel (Corten)	0%	0%	<25%
Cast in Place concrete	0%	0%	<25%
Rustic-finished wood (such as unfinished siding, diagonal siding or wood shingle wall cladding)	0%	0%	0%
Imitation rock or marble work	0%	0%	0%
Asphalt, wood, or synthetic roof shingles (as applied on a vertical facade elevation. This material regulation does not apply to roofs)	0%	0%	0%
Large-aggregate concrete wall panels	0%	0%	0%
Tilt-up concrete wall panel system	<25%	<25%	<50%
Glass block	<25%	<25%	<50%
Textured architectural concrete panels	<50%	<50%	<75%
Copper or Zinc metal panels	<50%	<50%	<75%

Fiber Cement wall panel systems, insulated or rain screen assemblies	<25%	<25%	<75%
Water-managed Exterior Insulation and Finish System (EIFS)	<25%	<25%	<25%
Fiber-cement siding	<50%	<50%	<75%
Smooth faced concrete masonry units (CMU)	<25%	<25%	<75%
Glass curtain wall system	<25%	<50%	<25%
Table Notes:			
1. Any material of similar durability and impact resistance (based on manufacturer's specifications), aesthetic quality, and context of those listed as prohibited may also be prohibited by the DDRB.			

(19) *Awnings, Fences, Railings, and Lighting Standards.*

(A) *Purpose.* Awnings, fences, railings, and lighting are functional and aesthetic features that may be applied to building façades and sites throughout the downtown area. Standards allow flexibility for design while ensuring that each is used appropriately.

(B) *Standards application.* The standards in this subsection apply to all buildings in the Downtown Core and Downtown Fringe unless standards explicitly list otherwise.

1. *State Standards.* Streets regulated by the North Dakota Department of Transportation (DOT) require additional permits through the DOT for any encroachments or lighting in the right-of-way, including awnings.

(C) *Guidelines.* Items under subsection, [18-0217\(19\)\(D\), Guidelines and standards for awnings](#) and [18-0217\(19\)\(F\), Guidelines and standards for lighting](#). Guidelines are recommended for application and shall be considered by the applicant in project design. If a guideline is not applied to a project, the applicant shall provide the reasoning for not following the guideline. The reasoning is meant for the city to understand the appropriateness of the guideline and future amendment considerations. Not following a recommended guideline shall not be the sole reason to disapprove an application.

(D) *Guidelines and standards for awnings.*

1. *Guidelines.*

- a. *Use.* Protected entries and covered arcades on new construction are encouraged.
- b. *Design.* Visually coordinated, full-width awnings are encouraged on both new and existing buildings to facilitate a continuous pedestrian environment.
- c. *Profiles.* Simple pitched awning profiles, either retractable or fixed, are most appropriate on major and minor streets.
- d. *Materials.* Weather-treated fabric awnings are encouraged. Vinyl and metal awnings may be used if other design standards are met.

2. *Standards.*

- a. *Building coordination.* Awning configuration shall coordinate with adjacent building awnings in height, width, and profile.
- b. *Coverage.* Awnings shall not cover architectural elements or occupy more than forty (40) percent of the façade area measured by the first-floor height multiplied by the building bay width.
- c. *Color.* Awning colors shall coordinate with the building façade color scheme.
- d. *Illumination.* Internally illuminated and back-lit awnings are not permitted.

(E) *Standards for fences and railings.*

- a. *Height.* Fences used to screen parking areas from view must fall within a height range of four (4) feet (48 inches) and six (6) feet, six (6) inches (78 inches). Masonry or other enclosures for equipment and dumpsters must be at least six (6) feet (72 inches) in height and fully screened according to the standards in section [18-0217\(19\)\(E\), Standards for Fences and Railings](#).
 - b. *Materials.*
 - (a) Wrought iron open fencing is permitted for the shielding of parking areas from view from any street if used in conjunction with landscaping defined in subsection [18-0217\(14\)\(D\), Landscaping Treatment](#), and if finished in a dark, solid color.
 - (b) Wood fencing or non-white vinyl fencing shall only be used to enclose equipment and dumpster holding areas behind buildings and must be painted a dark, solid color.
 - (c) Chain link fencing shall not be permanently installed. A temporary chain-link fence may be permitted in the rear yard.
 - c. *Coverage.* Masonry walls may be installed for the following purposes:
 - (a) As enclosures for equipment and dumpster holding areas behind buildings, if a dark, solid color and high enough to fully screen the equipment or dumpster.
 - (b) As partial-height enclosures (two (2) feet maximum height) for parking areas, if used in conjunction with wrought iron fencing and/or landscaping as defined in subsection [18-0217\(14\)\(D\), Landscaping Treatment](#), and if a dark, solid color.
 - d. *Railing types.* Railings at ramps, stairways, and balconies shall follow applicable life safety and accessibility codes and not occupy a length of more than forty (40) percent of a building façade. The following railing types are permitted:
 - (a) Inset balconies are required for balconies facing major streets and shall use partial-height solid enclosures integrated with the architecture of the building in lieu of open railings.
 - (b) Projecting balconies are permitted balconies facing non-major streets and shall use decorative metal railings coordinated with the design and color scheme of the building.
 - (c) Wooden railings are not permitted for exterior use in the Design Standards Overlay.
- (F) *Guidelines and standards for lighting.*
1. *Guidelines.*
 - a. *Location.* Lighting may be placed at doorways, below awnings, in display windows, and as needed to illuminate signage or historic elements. See also section [18-0301\(8\) Signs permitted in B-4 Central Business District](#).
 - b. *Finish.* Exposed or painted metal finishes are most appropriate for lighting fixtures.
 2. *Standards.*
 - a. *Use of lighting.* The lighting of building façades shall serve only to illuminate entries, adjacent pedestrian areas and displays, or to highlight significant architectural features above the first floor.
 - b. *Types.* Historically sensitive fixtures and appropriately scaled contemporary fixtures are permitted.
 - c. *Prohibited elements.* The following lighting types are not permitted:

- (a) Visible fluorescent bulbs.
- (b) Neon lighting on building exterior, except signage per Section 18-0225(20), Signage Standards.
- (c) Colored bulbs, except for temporary, seasonal decoration.
- (d) Internally illuminated awnings.
- d. *Color.* Fixture color(s) shall be muted and coordinate with the façade and signage color scheme.

(20) *Signage Standards.*

(A) *Refer to section 18-0301(8) Signs permitted in B-4 Central Business District.*

(21) *Addition Standards.* Additions have special considerations for historic buildings and their impact on the historic district.

(A) *Application.* The standards in this section apply to existing contributing historic structures within the B-4 District as identified in the Grand Forks Downtown National Register Historic District unless standards explicitly list otherwise.

(B) *Location allowance.* Additions are permitted when located on the side or rear façade of a building.

(C) *Size.* Additions shall be subordinate in size and scale to the principal building as measured by the standards in section 18-0217(15), *Building Massing and Scale.*

(D) *Design.* The design of additions shall reflect the design standards overlay and Secretary of the Interior Standards for historically contributing structures.

(22) *Demolition standards.* Demolitions have special considerations for historic buildings and their impact on the historic district.

(A) *Application.* The standards in this section apply to existing contributing historic structures within the B-4 District as identified in the Grand Forks Downtown National Register Historic District unless standards explicitly list otherwise.

(B) *General procedure.* The demolition of contributing historic structures shall only occur under extreme circumstances. Prevention of structural deterioration shall be the first priority for enforcement in compliance with the Grand Forks Municipal Code. The applicant and City shall consult with the North Dakota State Historic Preservation Office and the Grand Forks Historic Preservation Commission on the appropriateness of demolition. For unavoidable demolitions, the following standards apply:

1. All demolitions require special review by the Downtown Design Review Board (DDRB), Planning and Zoning Commission, and City Council. If demolitions occur without the approval of the City Council, then appropriate legal action may be taken subject to section 18-1101, *Violations, Penalties, and Fees.*
2. Prior to demolition, a plan shall be submitted on how the property will be used after demotion. Plans shall follow the standards of the Design Standards Overlay.

(C) *Demolition by neglect.* A person found guilty of demolition of a designated property by neglect or without required approvals shall be fined an amount set out in the fee schedule established by the City Council, as amended from time to time.

1. *Dangerous building exception.* A structure proposed for demolition that is deemed “a dangerous building” as determined by Article 7 is permitted. The property owner shall include a plan for post demolition that follows the regulations of the Design Standards.

(23) *Application Procedures.*

(A) *Applicability.* The application procedures for a project in the B-4 District are displayed in the Downtown Design Standards Manual. This subsection details the extended review procedure.

1. *Staff review and approval.* The Planning Director or their designee reviews, approves, or refers all applications for the Design Standards Overlay.
2. *DDRB review and approval.* The Planning Director or their designee shall review and refer applications to the Downtown Design Review Board (DDRB) for approval that involve:
 - a. Demolitions, which also require approval by the Planning and Zoning Commission and City Council.
 - b. Redevelopment of an existing site that changes the footprint of an existing building by more than twenty (20) percent. A second change under twenty (20) percent on the same building, and all those in a three-year period from the last change, shall require DDRB review.
 - c. All new development.
 - d. Additions to existing buildings.
 - e. Addition, relocation, and modifications other than replacement of windows and doors that do not alter the existing dimensions on façades facing any street or public space.
 - f. Changes in architectural materials on a façade by more than 25 percent.

(B) *Application materials.* Every application for approval required by this section shall be submitted on a form approved by the Planning Department and shall include the corresponding application fee that is established by the City Council, as amended from time to time. This includes two (2) full sized and to-scale plans and ten (10) reduced and legible copies (minimum 8½ x 11 inches) of the necessary drawings. The items to review include, but are not limited to:

1. Building sites.
2. The siting of any structure and property as compared to the siting of other structures on abutting properties.
3. Building massing, proportion, materials, colors, exterior appearance, and details.
4. Size, location, and arrangement of parking and paved areas.
5. Ingress and egress points.
6. Landscaping.
7. Size, location, design, color, number, lighting, and materials of all signs and/or advertising structures. Each application for a sign subject to the provisions of this section shall be accompanied by a scaled drawing depicting the requirements stated herein.
8. Windows and doors.
9. Awnings.
10. Fences.
11. Lighting.
12. Demolition.

13. Other elements contained in any regulations of the city or in the Design Standards Manual adopted and not listed above.

(C) *Pre-application meeting.* The purpose of a pre-application meeting is to familiarize the applicant with the development review and approval processes, and application provisions of this section that are required to permit the proposed development. A pre-application meeting is required for all applications in the Design Standards.

1. The applicant shall bring to (or submit prior to) the pre-application meeting sufficient supporting materials to explain:
 - a. The address and general location of the project.
 - b. The proposed uses and building types (in general terms).
 - c. The proposed arrangement of buildings, parking, access points, open spaces, and drainage facilities, as applicable.
2. The Planning Director or their designee may request additional information prior to or subsequent to the meeting.
3. The Planning Director or their designee may waive a pre-application meeting if it is agreed that such conference is unnecessary to serve the purposes above.

(D) *Application filing.* Application and plans submitted to the Planning Department. Applications that require DDRB review must include an architect or licensed contractor. The Planning Director or their designee will prepare and refer applications to the DDRB for review when required. The owner of the property to be constructed upon or renovated, or their authorized agent, shall submit plans of the necessary drawings in an electronic, PDF format. The submission shall indicate the specific information that is required to process each type of application.

(E) *Application completeness review.* Within five (5) business days after an application is submitted, the Planning Director or their designee shall review the application to verify that it is complete.

1. Upon submission of a complete application, the Planning Director or their designee shall refer the application to other city departments for review or the North Dakota Department of Transportation as applicable.
2. If referred, city departments shall return their comments to the Planning Director within five (5) business days.
3. If referred to the North Dakota Department of Transportation (DOT), the application and approval process can continue contingent on approval or comments to correct from the DOT.

(F) *Approval criteria.* In granting approval, the Planning Director or their designee or the DDRB shall take into account the architectural and historic significance of the structure under consideration and the exterior form and appearance of any proposed additions or modifications to that structure, as well as the effect of such addition or modification upon other structures in the B-4 District. When considering applications, the designated review body shall use the following standards for review and compliance approval:

1. Secretary of the Interior Standard for Rehabilitation and Guidelines for Rehabilitation of Historic Buildings for contributing structures to the Downtown Grand Forks National Historic District.
2. This section and the Design Standards Manual.
3. Other Applicable Zoning Ordinance Regulations.

(G) *Staff decision.* If not required to refer to the DDRB as indicated in subsection [18-0217\(23\)\(A\)\(2\)](#), the Planning Director or their designee shall review the application for conformance with the

standards and requirements of this section and approve, conditionally approve, or deny the application.

1. The Planning Director or their designee shall render a decision to the applicant within ten (10) business days after receiving comments from other city departments as applicable.
- (H) *DDRB referral.* The Planning Director or their designee shall refer the application to the DDRB when the conditions listed in subsection [18-0217\(23\)\(A\)\(2\)](#) apply. Referral shall set the application on the next available agenda of the DDRB, consistent with the legal requirements for public notice.
- (I) *Meeting notice.* Adjoining property owners on the block face of the subject property, and on the parallel adjacent block face across the public street of the subject property shall be notified prior to the DDRB meeting.
1. Notification shall be by regular United States mail not less than seven (7) days in advance of the meeting date to the applicant, the owner of any property subject of the application, and to any other person or persons in addition to those above deemed by the Planning Director to have a direct interest in the subject matter of the meeting.
 2. Notice to city agencies or officials may be by interdepartmental memorandum.
 3. The notice shall include the date, time, and place of the DDRB meeting, a description of the contents of the matter to be heard, and the address or location of the property involved and to be discussed at the meeting.
 4. In computing the time periods for providing notice pursuant to this Subsection, the day of mailing, publication, or posting shall not be counted, but the day of the meeting shall be counted.
- (J) *DDRB decision.* The DDRB shall have twenty (20) business days to review the application, hold a meeting, and approve, conditionally approve, or deny the application. Upon motion of the DDRB, the review period may be extended for an additional twenty (20) business days or to a time mutually agreed upon by the DDRB and the applicant.
- (K) *Approved applications.* Upon approval of the application, the applicant may proceed with requests for other required approvals and permits.
- (L) *Conditionally approved applications.* Upon conditional approval of an application, the applicant must make all changes addressed by the Planning Department or DDRB. Revised plans shall be reviewed by the Planning Director or their designee to ensure compliance with the conditional approval.
- (M) *Denied applications.* If the Planning Director or their designee, or the DDRB determine that the application should be denied, a new application affecting the same property may be submitted only if a substantial change is made in the plans. It is the policy of the city not to hear successive applications for a substantially similar application after an application is denied.
1. However, any such second application filed more than two years after the final denial of a prior application shall be presumed to be based on new grounds and shall be heard on the merits as though no prior application has been filed.
- (N) *Appeals.* Appeals to any staff, board, or Commission decision shall follow the same procedures as [Article 6, section 18-0603, Appeals](#).
- (O) *Enforcement.* Enforcement of the Design Standards Overlay is the same as [Chapter XVIII, Article 11, Violations, Penalties, and Fees](#).

18-0311 Downtown Design Review Board

- (1) *Purposes.* There is hereby created a downtown design review board for the following purposes:
 - (A) Coordination of characteristics of structures in the downtown district.
 - (B) Preserve and enhance historical character and scale of the downtown district.
 - (C) To protect from adverse effects of poor design, appearance, and inferior quality and to encourage good professional design practices consistent with characteristics of the downtown district.
 - (D) Facilitate new development within the district.
 - (E) For purposes of this section "downtown district" and "district" shall mean the B-4 zoning district.
- (2) *Membership.* The downtown design review board shall be composed of seven (7) members consisting of representatives from the following professions, occupations, groups, or sectors:
 - (A) One (1) member of the Grand Forks Historical Commission as appointed by that body.
 - (B) Two (2) members of the public with professional background in history, architectural history, and/or architecture nominated by the mayor and confirmed by the city council.
 - (C) Three (3) members of the public owning property or owning and operating businesses located within the central business district nominated by the mayor and confirmed by the city council.
 - (D) One (1) member of the planning and zoning commission appointed by that body.
 - (E) Reserved.
- (3) *Terms.* The member appointed under subsection (A) shall be appointed for an initial term of three (3) years. The members appointed under subsection (B) shall be appointed for initial terms of one (1) and two (2) years respectively. The members appointed under subsection (C) shall be appointed for initial terms of one (1) and two (2) years respectively. The member appointed under subsection (D) shall be appointed for an initial term of three (3) years. Thereafter, all members shall be appointed for a term of three (3) calendar years so that approximately one-third (1/3) of the members' terms shall expire each year on December 31. However, each member shall continue to serve until its successor is duly appointed and confirmed.
- (4) *Chair.* There shall annually be elected a chairperson and vice chairperson from the board members.
- (5) *Reimbursement of expenses.* No salary shall be paid to the members but such members shall be entitled to reimbursement for actual, reasonable, and necessary expenses incurred in the performance of their official duties and as provided by city policy.
- (6) *Review required.* The board is responsible for reviewing and deciding on the items granted to it for the B-4 District in section [18-0217\(23\) Application Procedures](#).
- (7) *Authority to adopt guidelines.* In addition to the foregoing authority and responsibility, the board shall have the power to adopt such guidelines, standards, policies, procedures, rules, regulations, conditions, and/or requirements as it may determine to be reasonably necessary and/or convenient to the exercise of the board's authority and implementation of such guidelines, standards, policies, procedures, rules, regulations, conditions, and/or requirements to carry out the purposes of this section. Any design guidelines or standards promulgated by the board shall, at a minimum, comply with the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitation of Historic Buildings to the extent reasonably applicable and appropriate as determined by the board. Any amendments to the guidelines adopted after the 16th day of April 2010 shall be subject to review by the planning and zoning commission and approval by the Grand Forks City Council.
- (8) *Minimum vote required.* Any action by the board must be approved by four (4) members of the board voting in favor of the action.

(9) *Appeal.*

- (A) Any owner or representative having submitted a request to the board may appeal a decision of the board to the city council provided that such appeal is filed with the director of planning within fifteen (15) days following any decision by the board.
- (B) Any adjoining property owner objecting to a decision of the board may appeal the board's decision to the city council provided that the notice of appeal is filed with the director of planning within fifteen (15) days of the board's action.

(Ord. No. 3809, § II, 8-16-99; Ord. No. 3885, § I, 5-7-01; Ord. No. 4292, § 1, 4-19-10)

18-0301 Signs

(8) The following section applies to signage in the B-4 District.

(A) *Purpose.* Signs are a distinguishing feature of a building and lots in the downtown core. Standards allow design flexibility while ensuring signage applies to both existing and new structures appropriately and in a coordinated manner.

(B) *Standards application.* The standards in this subsection apply to all buildings in the B-4 District unless standards explicitly list otherwise.

1. *Federal standards.* Signage must comply with Americans with Disability Act (ADA) regulations.
2. *State standards.* Streets regulated by the North Dakota Department of Transportation (DOT) require additional permits and approvals through the DOT for any signage in the right-of-way.

(C) Only the following signs are permitted in the B-4 District:

1. On-premises business signs.
2. Ground monument signs as defined by section 18-0204, further regulated by [sub]section (3)(GG).
3. Banner signs as defined in section 18-0204.
4. Temporary and A-frame signs. One (1) approved A-frame sign is permitted per business.
5. No off-premises advertising signs are permitted.

(D) *General area measurement standards.* The total of all business signs on a single lot shall not exceed four (4) square feet for each linear foot of lot frontage, or ten (10) percent of the building facing area, whichever is greater. Sign areas for corner lots shall be computed on the basis of the side with the least width.

(E) *Projecting measurement standards.*

1. Projecting signs bracketed to building façades beside or above doorways are permitted if:
 - a. No projecting sign shall project within two (2) feet of the curb line.
 - b. There is an eight-foot clearance zone on the sidewalk.
 - c. The sign projects no more than six feet from the wall.
 - d. The sign is no larger than eighteen (18) square feet.
 - e. The sign is compliant with other requirements of this section and the Municipal Code.
2. Wall signs shall not extend more than twenty-four (24) inches from the wall to which attached into any required yard.
3. Signage must not project above the cornice line or be mounted on the roof of any downtown building. In case of signs erected before May 6, 1968, the existing extension above the roof or parapet line may be used.

(F) *Architectural integration.* Signage must be integrated with architectural façade elements and not cover architectural details.

(G) *Location.* Primary signage must be located in the space above the first-floor windows and below second floor windows.

1. *Multi-story buildings.* For multi-story buildings, one primary sign per street frontage may be located on the third story or above. This sign must be no more than thirty-two (32) square feet in total sign area.

- (H) *Awning signs.* A sign on an awning can be located on the narrow vertical face or top with a maximum size of one square foot per linear foot of awning/canopy width.
- (I) *Street numbering.* Street numbers must be prominently displayed at the main entrance to the building and visible from the street. Street numbers do not count toward the amount of sign area on a parcel or building.
- (J) *Plaque signs.* Plaque signs mounted directly to building façades beside secondary entrances, such as to second floor offices, are permitted if small and subdued in nature, and if in compliance with the other requirements of this section.
- (K) *Painted signs.* Signage painted or affixed directly on storefront glass is permitted on ground floors only but shall not cover more than fifteen (15) percent of a single windowpane.
1. Vinyl signage can be applied directly onto window and door glazing at the first-floor subject to the size limits above.
- (L) *Illuminated signs.* Individual letters and signs illuminated by wall-mounted fixtures are permitted.
- (M) *Neon signs.* Neon signs are permitted, but the gross sign area shall not exceed five (5) percent of the building face.
- (N) *Temporary signs.* Temporary signs may be hung on the inside of storefront windows or displayed outside, such as a “sandwich sign” style, subject to the requirements of this section and applicable city ordinances. Temporary signs must not exceed more than thirty (30) days with the same message unless a sandwich sign obtains an approved city permit as required in city ordinances.
- (O) A-frame signs are subject to the following requirements:
1. *Permit required.* It shall be unlawful for any person or entity to display an A-frame sign without first obtaining approval by the Planning Department. Upon approval of said sign, the applicant shall obtain a sign permit from the city building inspections division and comply with all provisions of the Code relating thereof. Denial of an applicant's application by the Planning Department may be appealed to the city council within thirty (30) days of denial.
 2. *Application.* Application for such permit shall be made to the Planning Department upon forms provided by the city. The application shall contain, among other things, the following information:
 - a. The name of the applicant;
 - b. The name of the business;
 - c. Place of residence and telephone number of applicants;
 - d. Business address of applicant;
 - e. The proposed materials, colors and design of the sign;
 - f. The spatial relationship of the proposed sign to the existing sidewalk and to any existing public improvements and the dimensions of the proposed sign;
 - g. A hold harmless agreement for signs on public right-of-way. In order to obtain a sign permit, the sign permit application must include a signed hold harmless agreement that specifies that the owner of the sign will defend, indemnify, and hold the city harmless for any loss, injuries, damage, claims or lawsuit, including attorney's fees that arise from the sign.

- h. The city may require any other information as part of the application that it deems useful in evaluating the application.
3. *Fees for permit.* The annual fee for the permit shall be fifty dollars (\$50.00), payable on or before April 1 of each year and upon approval of the sign by the Planning Department and issuance of a sign permit by the building inspections division.
 4. *Revocation of permit.* The permit issued pursuant to this section may be revoked by the city for a violation, by the permittee, of any provision of the Code relating thereof. No such revocation shall be effective until notice is first given to the permittee thereof by certified mail, stating the reasons for such revocation. Such revocation shall become final, unless, within ten (10) days of the receipt or refusal of such notice, the holder of such permit shall in writing request a hearing thereon before the downtown design review board. Such hearing shall be held within ten (10) days thereafter and the decision of the board shall be final. Revocation by the downtown design review board may be appealed to the city council.
 5. *Permits nontransferable.* A special permit for the display of an A-frame sign is personal to the permittee only and shall not be transferable.
 6. Location requirements.
 - a. A-frame signs must be placed on the sidewalk immediately adjacent to the building and business to which the sign relates and in a location which allows a minimum of four (4) feet of unobstructed sidewalk area between either the edge of the sign and the building, or between the edge of the sign and a line parallel to the curb at a distance of at least one (1) foot from the curb.
 - b. No sign shall be located as to pose a danger and violate the clear vision of a vehicle or pedestrian. Where a traffic vision is impaired or other hazards are created, the city may require a modification to the height or location of a sign to the degree necessary to eliminate the hazard.
 - c. No sign shall be permitted to obstruct any door, fire escape, stairway, or opening intended to provide ingress or egress for any building or structure.
 7. *Size.* Signs shall not exceed thirty-two (32) inches in width and forty-eight (48) inches in height. The height limitation shall apply to the maximum height of the sign when displayed.
 8. *Construction specifications and materials.* The sign must be stable to not blow off the premises during what would be considered normal storm or wind events. No lighting, speakers or other types of attachments are permitted.
 9. *Maintenance and appearance.* Signs must be maintained and kept in a clean and safe condition.
 10. *Alteration of landscaping prohibited.* No publicly owned landscaping may be damaged or modified to accommodate an A-frame sign.
 11. *Removal during nonbusiness hours required.* A-frame signs shall not be displayed by the permittee during nonbusiness hours.
 12. *Removal of signs.* Signs that do not comply with the provisions of this section may be removed by the city without notice.
- (P) *Sign graphics.* Signage graphics are subject to the following standards and guidelines:
1. Signs must contain a minimum of wording and the minimum reasonably readable type size while meeting ADA requirements.
 2. Font styles shall be limited to one or two easily readable styles per business.

3. Dark lettering on a light background is encouraged, and signs shall have sufficient visual contrast while meeting ADA requirements.
4. Colors must complement the storefront. Excessively bright or neon colors shall not be used.
5. Wood, metal, stone, and fabric are recommended materials.

(Q) *Prohibited sign types.* The following sign types are prohibited:

1. Internally illuminated awnings.
2. Flashing signs.
3. Moving signs or signs with moving elements.
4. Signage painted directly onto building facades, including side and rear facades.
5. Digital, electronic, or fixed letter boards except that letter form theater marquees are permitted.