



Horace Planning & Zoning Commission Meeting Agenda

Tuesday, December 12, 2023 – 6:00 pm

Fire Hall Event Center – 413 Main Street, Horace, North Dakota

1. Declare Quorum
2. Regular Agenda
3. Approve the November 28, 2023, Planning & Zoning Commission Meeting Minutes
4. Deer Creek Estates 3rd Addition | Jace Hellman, Community Development Director
 - a. Plat
 - i. Public Hearing – *Continued from November 28, 2023*
 - ii. Discussion & Action
 - b. Rezone
 - i. Public Hearing – *Continued from November 28, 2023*
 - ii. Discussion & Action
5. Land Use Ordinance | Jace Hellman, Community Development Director
 - a. Adoption
 - i. Public Hearing
 - ii. Discussion & Action
6. Sparks Addition Amendment | Jace Hellman, Community Development Director
 - a. Plat
 - i. Public Hearing
 - ii. Discussion & Action
 - b. Rezone
 - i. Public Hearing
 - ii. Discussion & Action
7. 1005 5th St E | Jace Hellman, Community Development Director
 - a. Design Review
 - i. Discussion & Action
8. Adjournment



HORACE PLANNING and ZONING COMMISSION MEETING MINUTES

November 28, 2023 | 6:00 p.m.

Horace Fire Hall Event Center | 413 Main Street, Horace ND 58047

Present: Planning and Zoning Commissioners – Amy Beaton, Ron Erickson, and Doug Wendel; Community Development Director, Jace Hellman; City Attorney, Lukas Croaker.

Absent: Planning and Zoning Commissioners – Julie Hochhalter and Chad Chalmers

Commission Chair Beaton called the meeting to order at 6:01 p.m.

Agenda Item 1: Declare Quorum

Agenda Item 2: Regular Agenda

Commissioner Erickson moved to approve the Regular Agenda. Seconded by Commissioner Wendel. All in favor, none opposed. Motion carried 3-0.

Agenda Item 3: Approve the November 28, 2023, Planning and Zoning Commission Meeting Minutes

Commissioner Wendel moved to approve the minutes from November 28, 2023. Seconded by Commissioner Erickson. All in favor, none opposed. Motion carried 3-0.

Agenda Item 4: Deer Creek Estates 3rd Addition | Jace Hellman, Community Development Director

Mr. Hellman provided a quick background of the proposed application for plat and rezone. Mr. Hellman noted that staff is requesting to table the discussion to December 12, 2023, due additional infrastructure information still outlying. Mr. Croaker stated that he would recommend the Commission open the public hearing, then motion to continue the public hearing on December 12, 2023.

Public Hearing open at 6:04

Commissioner Wendel moved to continue the public hearing to December 12, 2023. Seconded by Commissioner Erickson. All in favor, none opposed. Motion carried 3-0.

Agenda Item 6: Adjournment at 6:16 p.m.



**CITY OF HORACE:
PLANNING AND ZONING
COMMISSION
STAFF REPORT**

City of Horace Commission Staff Report

Entitlements Requested:	Subdivision	Zone Change	Design Review	Conditional Use	Variance	Lot Spilt	Other
Title:	Deer Creek Estates 3 rd Addition		Application Number:		CD-2023-28		
Date:	11/28/2023		Staff Contact:		Jace Hellman		
Owner(s)/Applicant:	HS Investments LLC		Applicant Contact:		Matthew@brookestoneproperty.com		
Representative:	Andrew Thill – Lowry Engineering		Representative Contact:		athill@lowryeng.com		

Purpose

The applicant is requesting to subdivide a portion of block one and two within Deer Creek Estates 2nd Addition. Additionally, the applicant is proposing to redistribute the existing zoning of R-6 and PF to fit the new proposed layout

Statement of Fact

Future Land Use Map Classification:	Compact Development
Existing Land Use:	Vacant
Current Zoning:	R-6 and PF
Proposed Zoning:	No Change proposed
Development Area:	5.2 acres
Adjacent Zoning Districts:	North: R-6 (High Density); East: R-6 (High Density); South: A (Agricultural); West: C-3 (General Commercial)
Adjacent Street(s) Existing & Proposed:	64 th Ave S, County Road 17, 68 th St S, Deer Creek Loop, Deer Creek Parkway
Internal Street(s) Existing & Proposed:	None
ROW to be Vacated:	A portion of Deer Creek Loop and Cedar Drive will be vacated. 68 th St S will be extended and connected to 64 th Ave S
Adjacent Bike/Pedestrian Facilities:	64 th and CR 17 will require multi-use paths
Adjacent Parks:	None
Land Dedication Requirements:	None Required

Consistency with Comprehensive Plan and Future Land Use Map

The current zoning of the property is compatible with the future land use map and Comprehensive Plan.

Discussion and Observation

The applicant has filed a subdivision application to replat portions of block 1 and block 2 within Deer Creek Estates 2nd Addition. Additionally due to the replat, a rezone application has accompanied the overall application to adjust existing zoning districts to fit the proposed parcels.

With the platting of Deer Creek 2nd Addition, the Right-of-Way for Deer Creek Loop heading west, and Cedar Drive was created. It should be noted that this provided the developments' second access point. The applicant is proposing to vacate that approximately 290 feet of Deer Creek Loop and 196 ft of Cedar Drive. A replacement for the ROW and access that will be vacated, the applicant is proposing to extend 68th St S. This extension will serve as the developments 2nd required access.

It is staffs understanding that the applicant's goal behind this replat is to make a developable portion of Deer Creek Estates that is not tied regionally to the Commercial lot to the west as it pertains to future assessments that will be required to develop these approved plats.

A resolution creating the improvement district for improvements to 64th Ave S was approved by the City Council on the November 6th, 2023, City Council meeting.

Recommendation

To accept the findings and recommendations of the staff report and recommend approval of the Subdivision and Rezone applications for Deer Creek Estates 3rd to the City Council.

Attachments

1. Subdivision Application
2. Plat
3. Rezone Application
4. Rezone Exhibit
5. Zoning Overlay
6. Preliminary Drainage Report
7. Park District Recommendation – Deer Creek Estates 2nd Addition
8. Title Opinion



COMMUNITY DEVELOPMENT DEPARTMENT
215 PARK DRIVE EAST
HORACE, NORTH DAKOTA 58047
PHONE: 701.492-2972
E-MAIL: bvoigt@cityofhorace.com
www.cityofhorace.com

APPLICATION DATE

(mo/day/year) **9.26.2023**

SUBDIVISION APPLICATION

1 PROPERTY OWNER INFORMATION

NAME (PRINTED): HS Investments LLC - Matthew Hauff

ADDRESS: 5302 51st Ave S, Fargo, ND 58104

PRIMARY PHONE: 701-532-0898

ALTERNATIVE PHONE:

EMAIL: matthew@brookstoneproperty.com

2 REPRESENTATIVE INFORMATION (DEVELOPER, SURVEYOR, ENGINEER)

NAME (PRINTED): Lowry Engineering - Andrew Thill, PE

ADDRESS: 5306 51st Ave S, Suite A, Fargo, ND 58104

PRIMARY PHONE: 701-235-0199

ALTERNATIVE PHONE:

EMAIL: athill@lowryeng.com

3 PROPOSED SUBDIVISION DETAILS

SUBDIVISION: Deer Creek Estates 3rd Addition

SECTION, TOWNSHIP, RANGE: S5 T138 R49

TOTAL ACRES: 5.2

NUMBER OF LOTS: 10

PROPOSED LAND USE AND ZONING: R6 and Public Facilities

4 BRIEF NARRATIVE DESCRIPTION OF REASON(S) FOR APPLICATION

Replat and minor adjustment of Deer Creek Estates 2nd Addition.

5 EXISTING OR PROPOSED INFRASTRUCTURE TYPE

ROADS: PUBLIC PRIVATE PAVED GRAVEL
WATER SUPPLY: PUBLIC PRIVATE RURAL WATER SHARED WELLS
WASTE WATER TREATMENT: PUBLIC ON-SITE SEPTIC
STORM SEWER: DITCHES STORM SEWER SYSTEM
OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF THE SUBDIVISION: PUBLIC PRIVATE

6 HIGHWAY ACCESS PERMITTING

DOES PROPOSED SUBDIVISION ACCESS COUNTY HIGHWAY? YES NO

IF YES, PLEASE SECURE HIGHWAY ACCESS PERMIT WITH CASS COUNTY ENGINEER BEFORE YOU SUBMIT SUBDIVISION APPLICATION. FOR MORE INFORMATION, PLEASE CONTACT THE CASS COUNTY ENGINEER OFFICE AT 701-298-2378 OR BUSTAB@CASSCOUNTYND.GOV.

CASS COUNTY ENGINEER TECHNICIAN

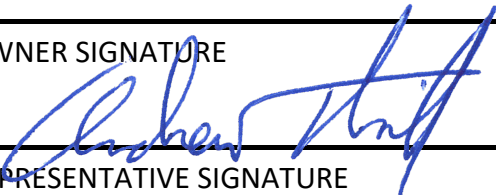
DATE

7 SUPPLEMENTAL DOCUMENTS TO BE SUBMITTED

- TITLE OPINION DOCUMENT
- VERIFICATION OF TAXES PAID (<https://proptax.casscountynd.gov/#Search>)
- PARK BOARD RECOMMENDATION LETTER (PLEASE CONTACT WADE FRANK AT EITHER 218-790-2849 OR WFRANK@CITYOFHORACE.COM)
- NA MASTER PLAN DOCUMENT THAT COVERS ENTIRE CONTIGOUS AREA OWNED OR CONTROLLED BY THE SUBDIVIDER UP TO 80 ACRES
- DRAFT PLAT DOCUMENT
- DRAINAGE PLAN
- NA TABLE SHOWING BREAKDOWN OF LAND USE ACREAGE AND LAND DEDICATION PROPOSED TO MEET CITY ORDINANCE LAND DEDICATION REQUIREMENTS OF TITLE IV SECTION 17.8.10 (EXCEL FORMAT PREFERRED)

8 SIGNATURE

OWNER SIGNATURE



DATE

9.26.2023

REPRESENTATIVE SIGNATURE

DATE

SUBDIVISION FEE SCHEDULE

- SUBDIVISION (1-4 LOTS): \$350.00 BASE FEE + \$20 PER LOT
- SUBDIVISION (5 OR MORE): \$600.00 BASE FEE + \$20 PER LOT

\$800

DATE FEE PAID:

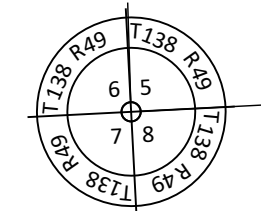
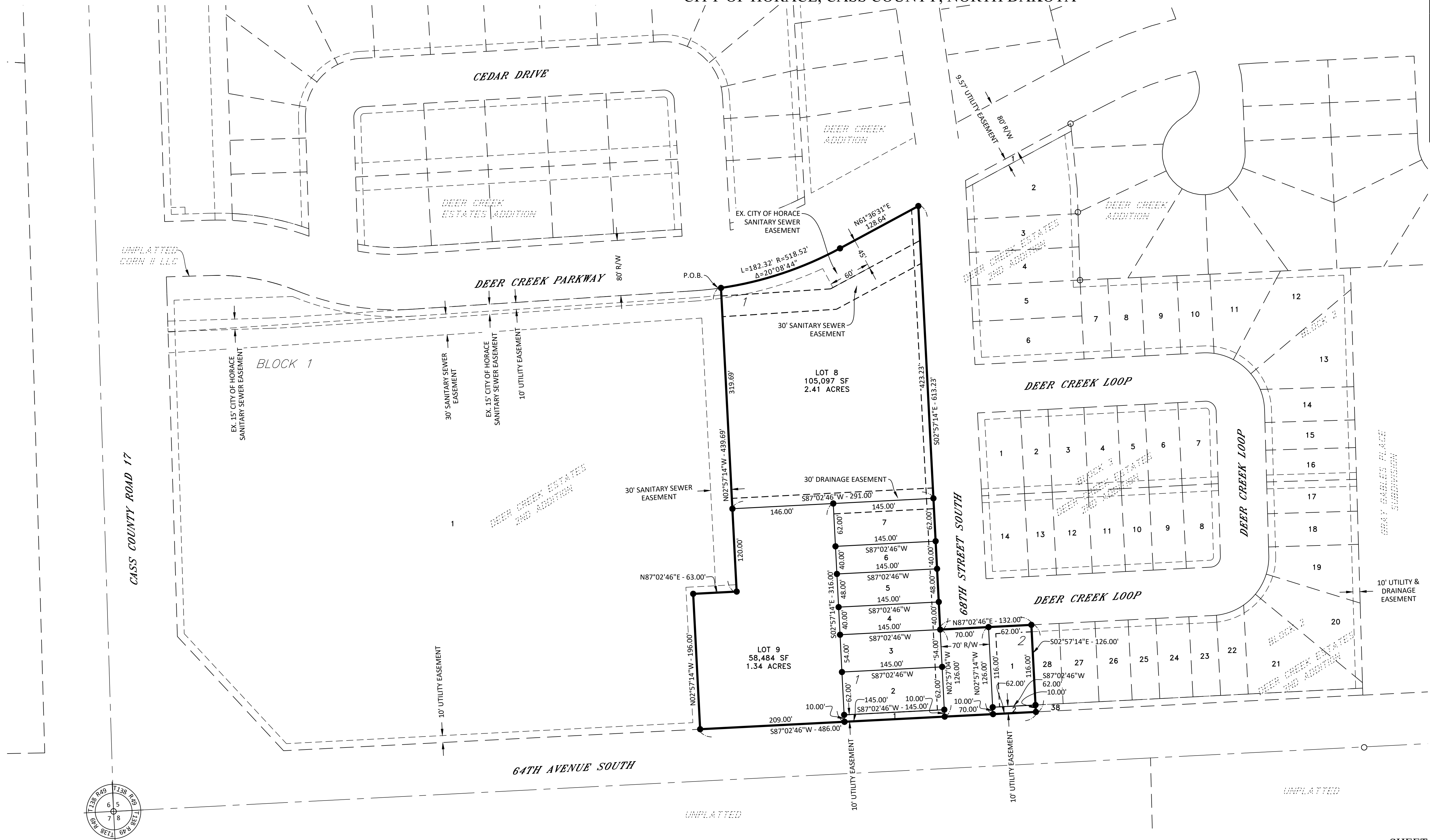
NOTE: A NONREFUNDABLE FILING FEE MUST BE ACCOMPANIED WITH THE APPLICATION AT TIME OF SUBMITTAL MADE PAYABLE TO THE CITY OF HORACE.

ACKNOWLEDGEMENT: WE HEREBY ACKNOWLEDGE THAT THAT THE ABOVE INFORMATION IS TRUE AND COMPLETE TO THE BEST OF OUR KNOWLEDGE AND THAT THE PRIMARY CONTACT NAMED ABOVE WILL BE CONTACTED IF ANY QUESTIONS ARISE AND WHEN THE PLAT HAS BEEN APPROVED

DEER CREEK ESTATES THIRD ADDITION

A REPLAT OF LOTS 2-3, BLOCK 1 AND LOTS 29-37, BLOCK 2; AND A VACATION OF CEDAR DRIVE AND PART OF DEER CREEK LOOP; ALL IN DEER CREEK ESTATES SECOND ADDITION CITY OF HORACE, CASS COUNTY, NORTH DAKOTA

BLOCK 1 LOT AREA TABLE		BLOCK 2 LOT AREA TABLE	
LOT #	SQUARE FEET	LOT #	SQUARE FEET
1	1,450	1	7,192
2	8,990	2	620
3	7,830		
4	5,800		
5	6,960		
6	5,800		
7	8,990		



NOTES

1. ALL DISTANCES ARE GROUND DISTANCES.

SURVEY INFORMATION

DATE OF SURVEY: OCTOBER 2021
 BASIS OF BEARING: COORDINATE SYSTEM NAD83 - NORTH
 DAKOTA STATE PLANE SOUTH ZONE - CASS COUNTY
 GOVERNMENT INTERNATIONAL FOOT PER NDDOT CHAPTER 19
 VERTICAL DATUM: NAVD88

LEGEND

- MONUMENT SET
- MONUMENT FOUND
- - - EX. EASEMENT
- - - EX. PROPERTY LINE
- - - EX. SECTION LINE
- PROPERTY BOUNDARY LINE
- NEW ROW/PROPERTY LINE
- - - NEW EASEMENT LINE

SHEET 1 OF 2

LOWRY
 ENGINEERING
 5306 51ST AVE S - SUITE A
 FARGO, NORTH DAKOTA 58104



2/20/23 01:45:35PM C:\Users\PATRICIA\Bentley\Drawings\Temp\Drawings\6441438-Plat_23145.dwg

DEER CREEK ESTATES THIRD ADDITION

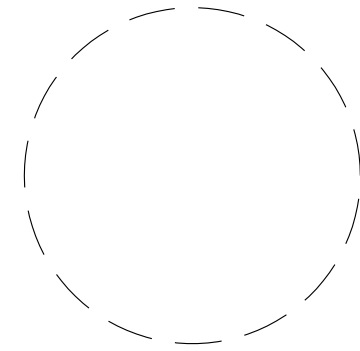
A REPLAT OF LOTS 2-3, BLOCK 1 AND LOTS 29-37, BLOCK 2; AND A VACATION OF CEDAR DRIVE AND PART OF DEER CREEK LOOP; ALL IN DEER CREEK ESTATES SECOND ADDITION CITY OF HORACE, CASS COUNTY, NORTH DAKOTA

SURVEYOR'S CERTIFICATE

I, COLE A. NESET, REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA, DO HEREBY CERTIFY ON THIS _____ DAY OF 2023, THAT THE ATTACHED PLAT OF DEER CREEK ESTATES THIRD ADDITION, BEING A REPLAT OF LOTS 2-3, BLOCK 1 AND LOTS 29-37, BLOCK 2; AND A VACATION OF CEDAR DRIVE AND PART OF DEER CREEK LOOP; ALL IN DEER CREEK ESTATES SECOND ADDITION, IN THE CITY OF HORACE, CASS COUNTY, NORTH DAKOTA, IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY THEREOF, THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT IN FEET AND DECIMALS OF A FOOT, AND THAT THE MONUMENTS FOR THE GUIDANCE OF FUTURE SURVEYS HAVE BEEN PLACED IN THE GROUND AS SHOWN, AND THAT SAID ADDITION IS DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1 OF DEER CREEK ESTATES SECOND ADDITION, A PLAT ON FILE AT THE CASS COUNTY RECORDER'S OFFICE; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 518.52 FEET WITH AN ARC LENGTH OF 182.32 FEET; THENCE N61°36'31"E FOR A DISTANCE OF 128.64 FEET; THENCE S02°57'14"E FOR A DISTANCE OF 613.23 FEET; THENCE N87°02'46"E FOR A DISTANCE OF 132.00 FEET; THENCE S02°57'14"E FOR A DISTANCE OF 126.00 FEET; THENCE S87°02'46"W FOR A DISTANCE OF 486.00 FEET; THENCE N02°57'14"W FOR A DISTANCE OF 196.00 FEET; THENCE N87°02'46"E FOR A DISTANCE OF 63.00 FEET; THENCE N02°57'14"W FOR A DISTANCE OF 439.69 FEET TO THE POINT OF BEGINNING.

SAID DEER CREEK ESTATES THIRD ADDITION, CONSISTS OF 11 LOTS AND 2 BLOCKS, AND CONTAINS 5.19 ACRES, MORE OR LESS, TOGETHER WITH UTILITY AND DRAINAGE EASEMENTS AND STREET RIGHTS OF WAY OF RECORD.



COLE A. NESET,
REGISTERED LAND SURVEYOR
ND REG. LS-7513

STATE OF NORTH DAKOTA }
COUNTY OF CASS }SS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED COLE A. NESET, REGISTERED LAND SURVEYOR, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: _____ CASS _____ STATE: NORTH DAKOTA _____

OWNERS' CERTIFICATE

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "DEER CREEK ESTATES THIRD ADDITION" TO THE CITY OF HORACE, CASS COUNTY, NORTH DAKOTA, AND WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF COLE A. NESET, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT. WE HEREBY DEDICATE AND CONVEY TO THE PUBLIC, FOR PUBLIC USE, LOT 9, BLOCK 1, ALL STREET RIGHT OF WAYS, UTILITY, SANITARY SEWER AND DRAINAGE EASEMENTS SHOWN ON SAID PLAT.

HS INVESTMENTS, LLC
OWNER OF LOTS 1 THRU 8, BLOCK 1 AND ALL OF BLOCK 2

HS INVESTMENTS, LLC
BY: MATTHEW HAUFF
ITS: AGENT

STATE OF NORTH DAKOTA }
COUNTY OF CASS }SS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MATTHEW HAUFF, TO ME KNOWN TO BE AN AGENT OF HS INVESTMENTS, LLC, THAT IS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME ON BEHALF OF HS INVESTMENTS, LLC.

NOTARY PUBLIC, COUNTY: _____ CASS _____ STATE: NORTH DAKOTA _____

CITY OF HORACE

OWNER: LOT 9, BLOCK 1

KORY PETERSON
MAYOR

BRENTON HOLPER
CITY AUDITOR

STATE OF NORTH DAKOTA }
COUNTY OF CASS }SS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED KORY PETERSON, TO ME KNOWN TO BE THE MAYOR OF THE CITY OF HORACE, THAT IS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME ON BEHALF OF THE CITY OF HORACE.

NOTARY PUBLIC, COUNTY: _____ CASS _____ STATE: NORTH DAKOTA _____

STATE OF NORTH DAKOTA }
COUNTY OF CASS }SS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BRENTON HOLPER, TO ME KNOWN TO BE THE CITY AUDITOR OF THE CITY OF HORACE, THAT IS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME ON BEHALF OF THE CITY OF HORACE.

NOTARY PUBLIC, COUNTY: _____ CASS _____ STATE: NORTH DAKOTA _____

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF HORACE, NORTH DAKOTA, IS HEREBY APPROVED THIS _____ DAY OF _____, 2023.

JAMES DAHLMAN
CITY ENGINEER

STATE OF NORTH DAKOTA }
COUNTY OF CASS }SS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JAMES DAHLMAN, TO ME KNOWN TO BE THE CITY ENGINEER DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME AS CITY ENGINEER.

NOTARY PUBLIC, COUNTY: _____ CASS _____ STATE: NORTH DAKOTA _____

CITY COUNCIL APPROVAL

THIS PLAT IN THE CITY OF HORACE, NORTH DAKOTA, IS HEREBY APPROVED THIS _____ DAY OF _____, 2023.

KORY PETERSON
MAYOR

BRENTON HOLPER
CITY AUDITOR

STATE OF NORTH DAKOTA }
COUNTY OF CASS }SS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED KORY PETERSON, TO ME KNOWN TO BE THE MAYOR OF THE CITY OF HORACE, THAT IS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME ON BEHALF OF THE CITY OF HORACE.

NOTARY PUBLIC, COUNTY: _____ CASS _____ STATE: NORTH DAKOTA _____

STATE OF NORTH DAKOTA }
COUNTY OF CASS }SS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BRENTON HOLPER, TO ME KNOWN TO BE THE CITY AUDITOR OF THE CITY OF HORACE, THAT IS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME ON BEHALF OF THE CITY OF HORACE.

NOTARY PUBLIC, COUNTY: _____ CASS _____ STATE: NORTH DAKOTA _____

HORACE PLANNING AND ZONING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF HORACE, NORTH DAKOTA, IS HEREBY APPROVED THIS _____ DAY OF _____, 2023.

AMY BEATON
CHAIR

STATE OF NORTH DAKOTA }
COUNTY OF CASS }SS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED AMY BEATON, TO ME KNOWN TO BE THE CHAIR OF THE HORACE PLANNING AND ZONING COMMISSION THAT IS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT SHE EXECUTED THE SAME ON BEHALF OF THE HORACE PLANNING AND ZONING COMMISSION.

NOTARY PUBLIC, COUNTY: _____ CASS _____ STATE: NORTH DAKOTA _____

CITY ATTORNEY'S APPROVAL

I HEREBY CERTIFY THAT PROPER EVIDENCE OF TITLE HAS BEEN EXAMINED BY ME AND I APPROVE THE PLAT AS TO FORM AND EXECUTION THIS _____ DAY OF _____, 2023.

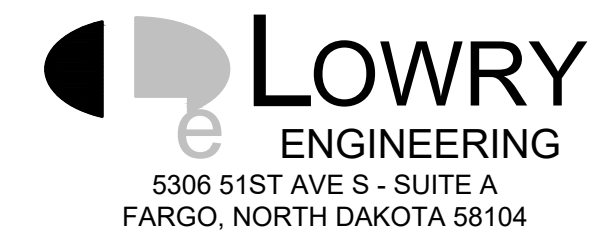
LUKAS W. CROAKER
CITY ATTORNEY

STATE OF NORTH DAKOTA }
COUNTY OF CASS }SS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED LUKAS W. CROAKER, CITY ATTORNEY, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THE CITY ATTORNEY.

NOTARY PUBLIC, COUNTY: _____ CASS _____ STATE: NORTH DAKOTA _____

SHEET 2 OF 2



5306 51ST AVE S - SUITE A
FARGO, NORTH DAKOTA 58104





COMMUNITY DEVELOPMENT DEPARTMENT
215 PARK DRIVE EAST
HORACE, NORTH DAKOTA 58047
PHONE: 701.492-2972
E-MAIL: bvoigt@cityofhorace.com
www.cityofhorace.com

APPLICATION DATE

(mo/day/year)

ZONE CHANGE APPLICATION

1 PROPERTY OWNER INFORMATION

NAME (PRINTED): HS Investments LLC - Matthew Hauff

ADDRESS: 5302 51st Ave S, Fargo, ND 58104

PRIMARY PHONE: 701-532-0898

ALTERNATIVE PHONE:

EMAIL: matthew@brookstoneproperty.com

2 REPRESENTATIVE INFORMATION (DEVELOPER, SURVEYOR, ENGINEER)

NAME (PRINTED): Lowry Engineering - Andrew Thill, PE

ADDRESS: 5306 51st Ave S, Suite A, Fargo, ND 58104

PRIMARY PHONE: 701-235-0199

ALTERNATIVE PHONE:

EMAIL: athill@lowryeng.com

3 PROPERTY DETAILS

LEGAL DESCRIPTION: Deer Creek Estates 3rd Addition

ADDRESS:

CURRENT ZONING: R6 and Public Facilities

PROPOSED ZONING: R6 and Public Facilities

4

BRIEF NARRATIVE DESCRIPTION OF REASON(S) FOR APPLICATION

Revisions to plat and roadway alignments require rezone to change some previous ROW to R6 and some previous R6 to ROW.

8

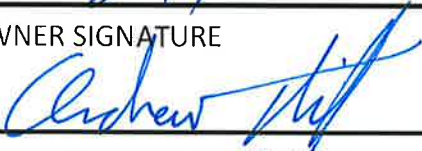
SIGNATURE



OWNER SIGNATURE

10/23/23

DATE



REPRESENTATIVE SIGNATURE

10/24/2023

DATE

ZONING CHANGE FEE SCHEDULE



ZONING CHANGE FEE—\$325.00

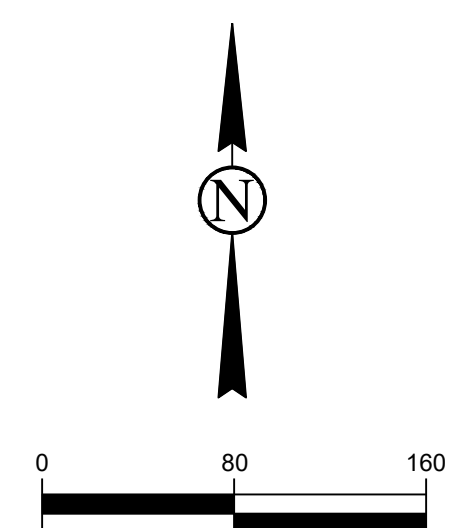
DATE FEE PAID:

NOTE: A NONREFUNDABLE FILING FEE MUST BE ACCOMPANIED WITH THE APPLICATION AT TIME OF SUBMITTAL MADE PAYABLE TO THE CITY OF HORACE.

ACKNOWLEDGEMENT: WE HEREBY ACKNOWLEDGE THAT THAT THE ABOVE INFORMATION IS TRUE AND COMPLETE TO THE BEST OF OUR KNOWLEDGE AND THAT THE PRIMARY CONTACT NAMED ABOVE WILL BE CONTACTED IF ANY QUESTIONS ARISE AND WHEN THE PLAT HAS BEEN APPROVED AND APPROPRIATE COPIES ARE READY FOR RECORDING.

DEER CREEK ESTATES THIRD ADDITION ZONING MAP

COLOR	ZONING DISTRICT	AREA (SF)	AREA (AC)	%
	R-6 - HIGH DENSITY RESIDENTIAL	156,658	3.60	69.4
	PF - PUBLIC FACILITIES	60,554	1.39	26.8
	RIGHT-OF-WAY DEDICATION	8,825	0.20	3.8
	TOTAL	226,037	5.19	100.0



DEER CREEK ESTATES SECOND ADDITION ZONING MAP

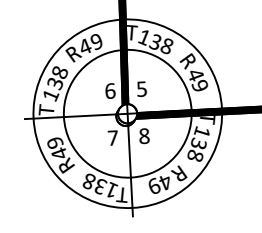
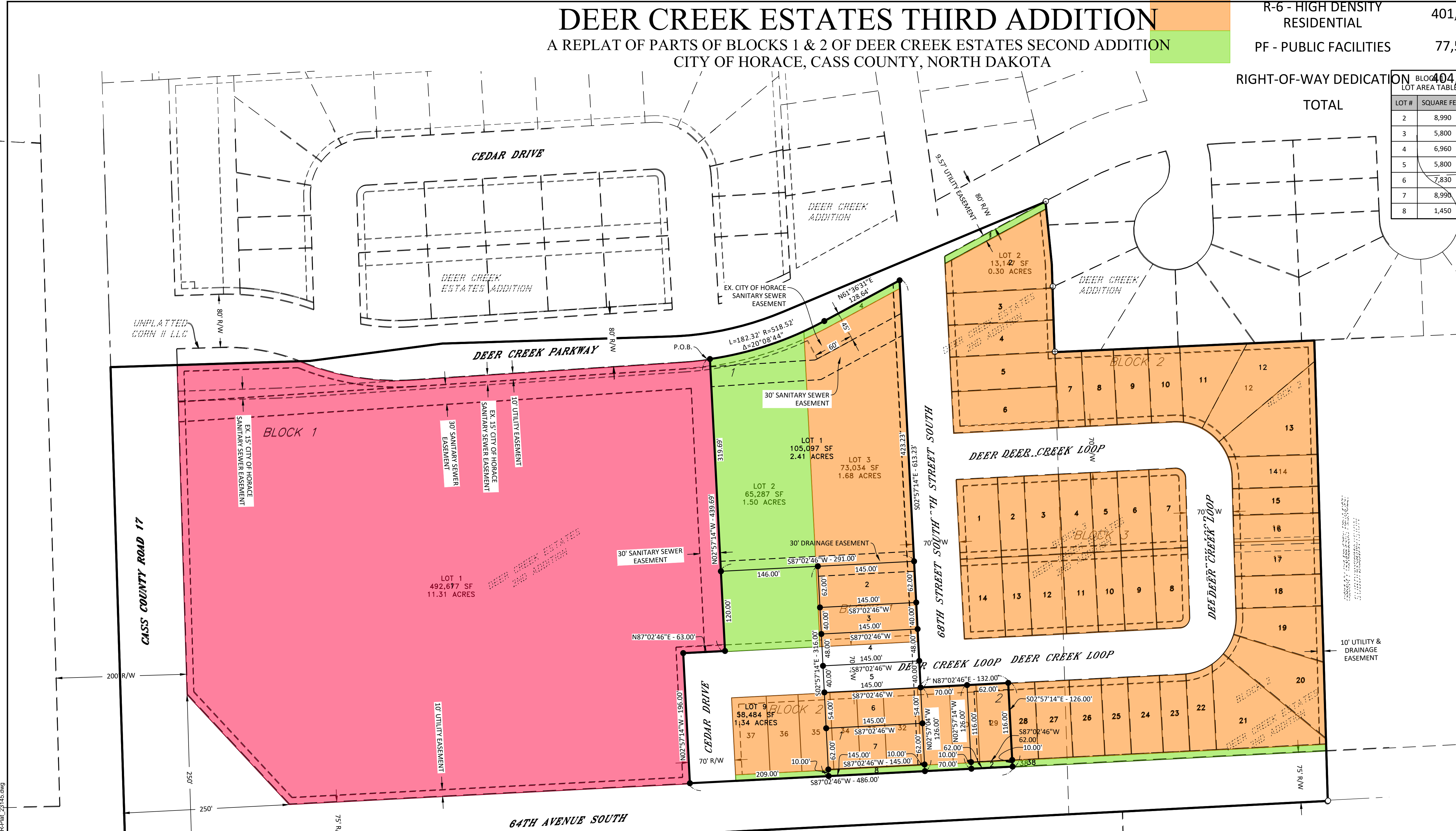
COLOR	ZONING DISTRICT	AREA (SF)	AREA (AC)	%
	C-3 - GENERAL COMMERCIAL	492,677	11.31	35.8

DEER CREEK ESTATES THIRD ADDITION

A REPLAT OF PARTS OF BLOCKS 1 & 2 OF DEER CREEK ESTATES SECOND ADDITION
CITY OF HORACE, CASS COUNTY, NORTH DAKOTA

	R-6 - HIGH DENSITY RESIDENTIAL	401,500	9.22	29.2
	PF - PUBLIC FACILITIES	77,536	1.78	5.6

RIGHT-OF-WAY DEDICATION		BLOCK 104,823		BLOCK 29,29	
TOTAL		LOT AREA TABLE	LOT #	SQUARE FEET	LOT AREA TABLE
2	8,990	1	7,192		
3	5,800	2	620		
4	6,960				
5	5,800				
6	7,830				
7	8,990				
8	1,450				



NOTES
1. ALL DISTANCES ARE GROUND DISTANCES.

SURVEY INFORMATION
DATE OF SURVEY: OCTOBER 2021
BASIS OF BEARING: COORDINATE SYSTEM NAD83 - NORTH
DAKOTA STATE PLANE SOUTH ZONE - CASS COUNTY
GOVERNMENT INTERNATIONAL FOOT PER NDDOT CHAPTER 19
VERTICAL DATUM: NAVD88

LEGEND
● MONUMENT SET
○ MONUMENT FOUND
--- EX. EASEMENT
--- EX. PROPERTY LINE
--- EX. SECTION LINE
--- PROPERTY BOUNDARY LINE
--- NEW ROW/PROPERTY LINE
--- NEW EASEMENT LINE

SHEET 1 OF 2
LOWRY ENGINEERING
5306 51ST AVE S SUITE A
FARGO, NORTH DAKOTA 58104

LOWRY ENGINEERING
5306 51ST AVENUE SOUTH, SUITE A
FARGO, NORTH DAKOTA 58104

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Preliminary Drainage Plan

Date: September 26, 2023

To: City of Horace

From: Samuel Solberg, P.E.

RE: Preliminary Drainage Plan for the Deer Creek Estates 3rd Addition in Horace, ND

LE Project Number: 23145

Purpose

This memorandum describes proposed drainage plan and stormwater detention pond that will serve Deer Creek Estates 3rd Addition.

Storm Water Management Design

- The proposed Deer Creek Estates 3rd Addition will be a replat of a portion of Deer Creek Estates 2nd Addition, while development of this Addition will include all of Deer Creek Estates 2nd and 3rd Addition.
- This development will create approximately 48 single-family lots, between 1/4 – acre and 1/8 – acre in size, as well as two larger lots: one intended for future development and the other for a stormwater detention pond that will serve both Deer Creek Estates 2nd and 3rd Additions.
- **Appendix A** shows a layout of the preliminary storm sewer system that will serve this development. Curb inlets will drain runoff from the roads and the front portions of the lots, while rear yard inlets will drain the back portions of the lots.
- Most of the proposed inlets will connect and drain to the proposed detention pond located in the southwest corner of Deer Creek Estates 3rd Addition.
- Some rear lots in the north portion of Deer Creek Estates 2nd Addition will drain to an existing inlet located between Block 2, Lots 10 and 11.
- A layout of the proposed pond can be observed in **Appendix B**. This pond will be approximately 5' deep from the normal water elevation to the bottom of the pond. A 10' safety shelf from the normal water will lead into a 6:1 slope which will tie into existing ground.
- Duplex stormwater pumps on the south side of the pond will discharge the pond into the ditch along 64th Avenue.
- HydroCad was used to analyze the proposed detention pond for a 100-year, 24-hour storm event in Horace. Utilizing duplex pumps, the proposed pond will discharge 12.25 CFS into the 64th Avenue Ditch. The HydroCad modeling results, which can be seen in **Appendix C**, show that the proposed pond is adequate to serve Deer Creek Estates 2nd and 3rd Additions.

Attachments

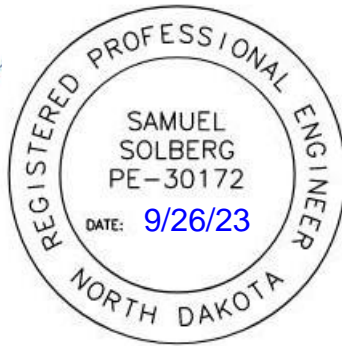
1. **Appendix A:** Preliminary Storm Sewer System
2. **Appendix B:** Proposed Detention Pond
3. **Appendix C:** HydroCad Modeling Results

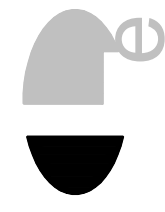
If there are any questions or comments regarding this memorandum, please feel free to contact me at 701-235-0199 or ssolberg@lowryeng.com .

Samuel Solberg, P.E.

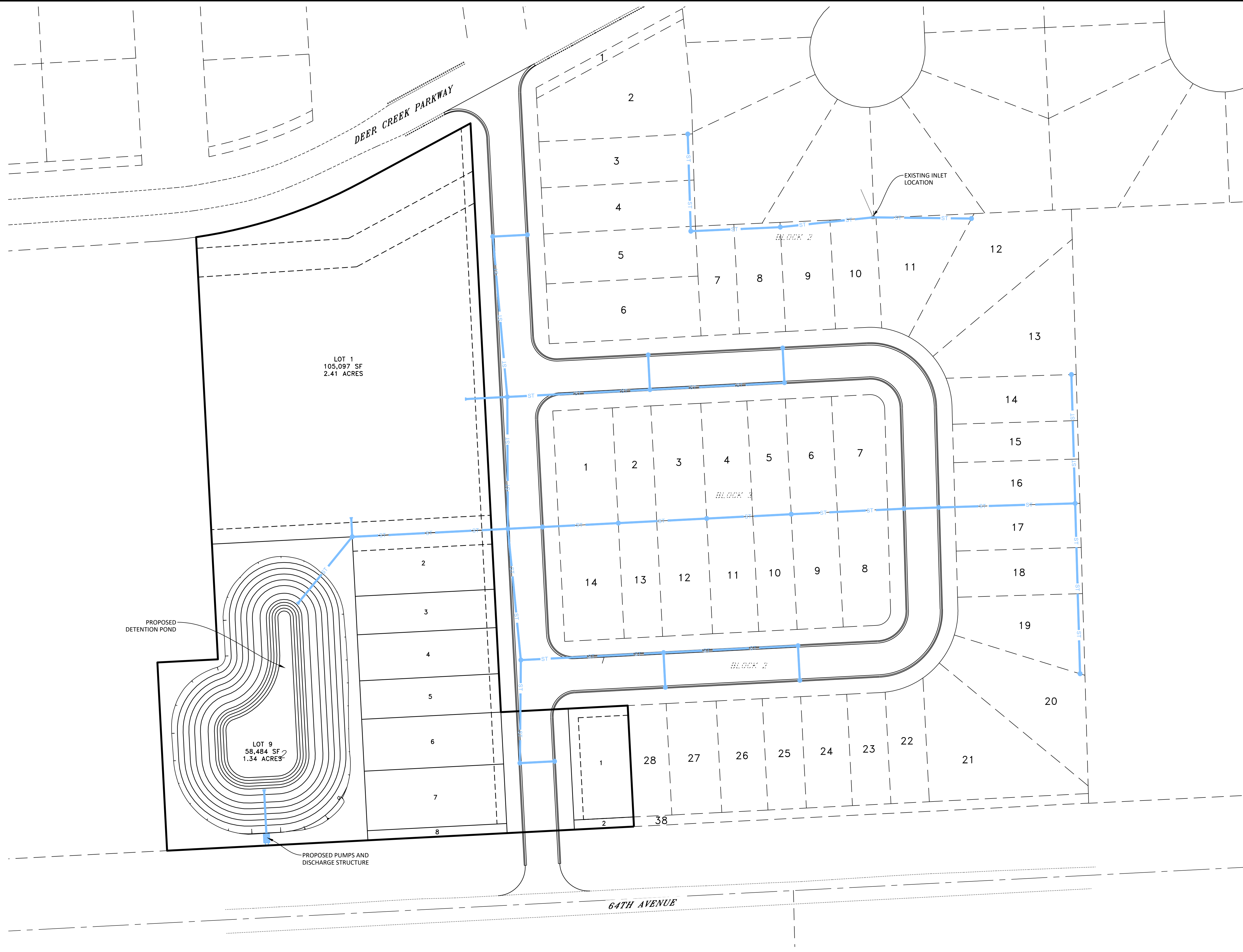
A handwritten signature in blue ink that reads "Samuel Solberg". The signature is written in a cursive style and is positioned to the left of the circular professional engineer seal.

Civil Engineer
Lowry Engineering





LOWRY
ENGINEERING
5306 51ST AVENUE SOUTH, SUITE A
FARGO, NORTH DAKOTA 58104

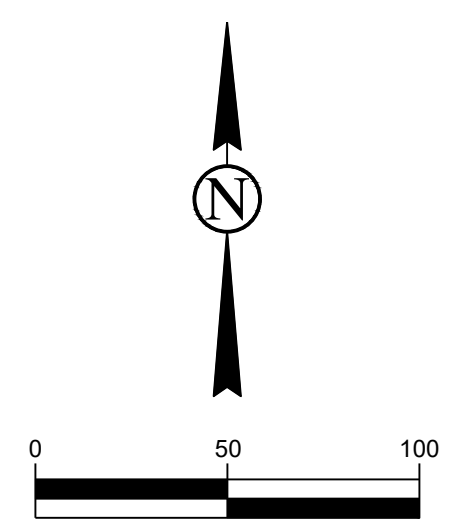


REVISIONS

**DEER CREEK 3RD ADDITION
HORACE, NORTH DAKOTA**

**PRELIMINARY
NOT FOR
CONSTRUCTION**

LE JOB #	23145
PROJECT DATE:	09/26/2023
CHECKED BY:	SAS
DRAWN BY:	
APPROVED BY:	AJT



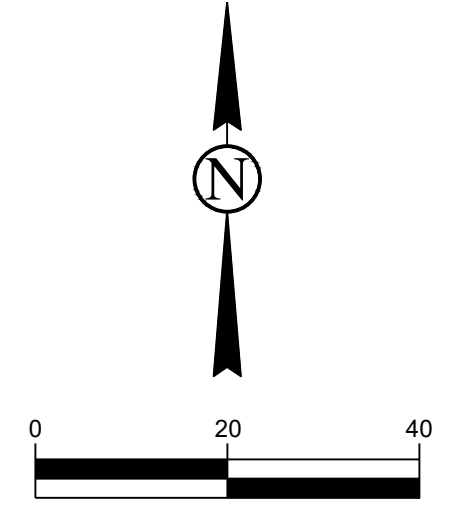
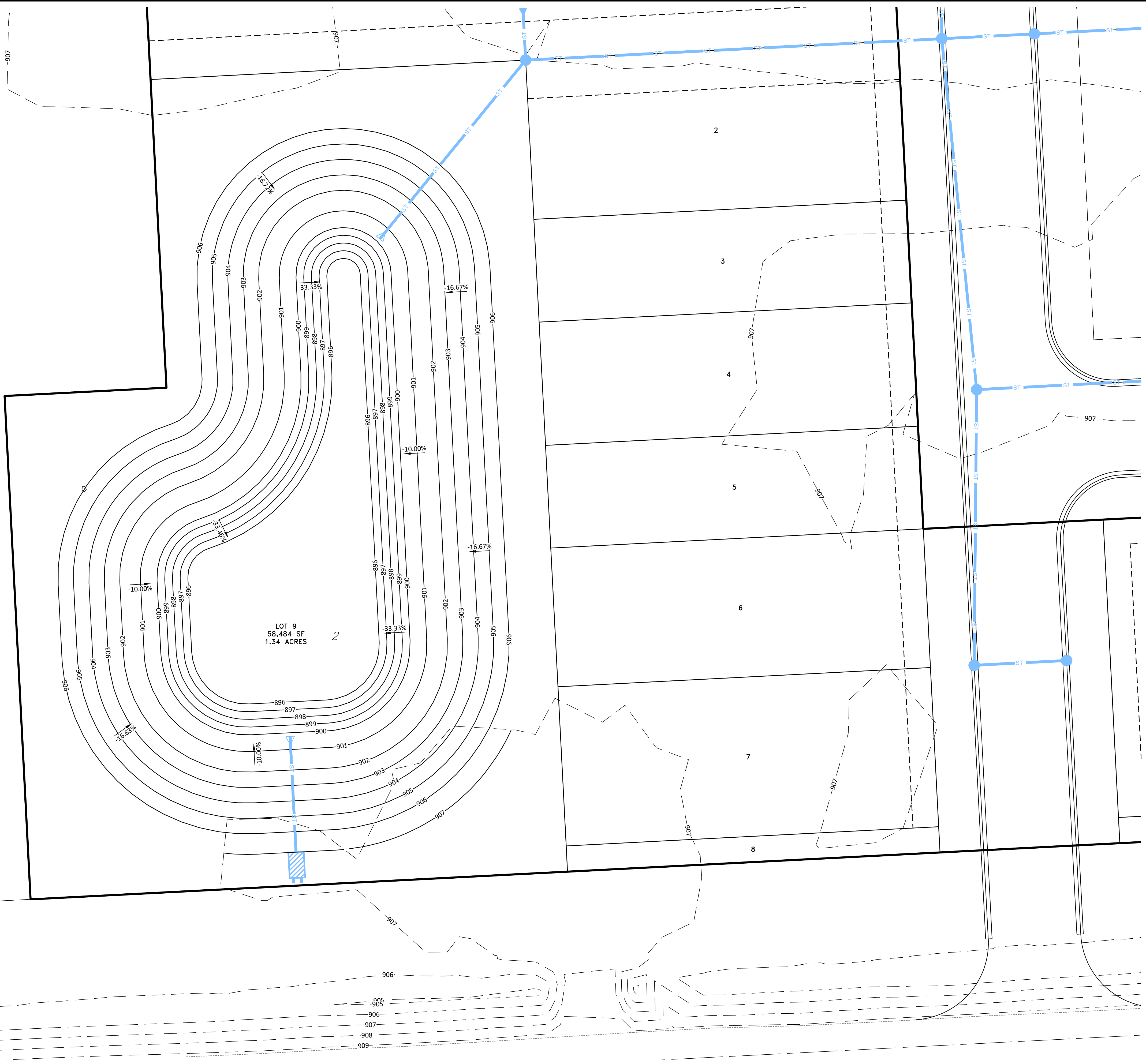
09/26/23 11:30:03AM Z:\Lowry Shared Files\Projects_2023\23145 - Deer Creek Estates 3rd\Drawings\23145 - Project\Conceptual\ Pond Model_23145.dwg

REVISIONS

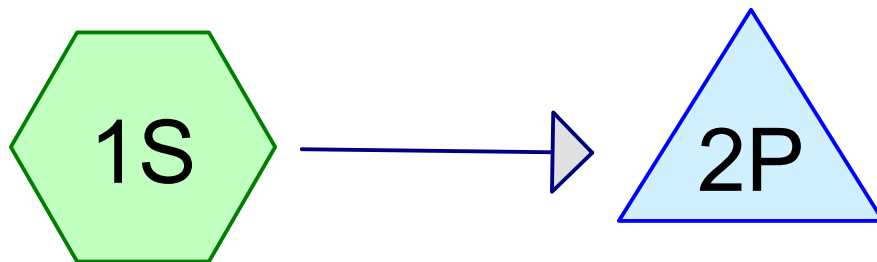
DEER CREEK 3RD ADDITION
HORACE, NORTH DAKOTA

PRELIMINARY
NOT FOR
CONSTRUCTION

LE JOB #	23145
PROJECT DATE:	09/26/2023
CHECKED BY:	SAS
DRAWN BY:	SAS
APPROVED BY:	AJT

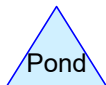
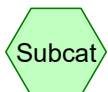


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Deer Creek 3rd

Deer Creek Pond 1



23145_Prelim Pond

Prepared by HP Inc.

HydroCAD® 10.00-26 s/n 07672 © 2020 HydroCAD Software Solutions LLC

Type II 24-hr 100-YR Rainfall=6.36"

Printed 9/26/2023

Page 2

Summary for Subcatchment 1S: Deer Creek 3rd

Runoff = 94.64 cfs @ 12.06 hrs, Volume= 6.658 af, Depth= 5.54"

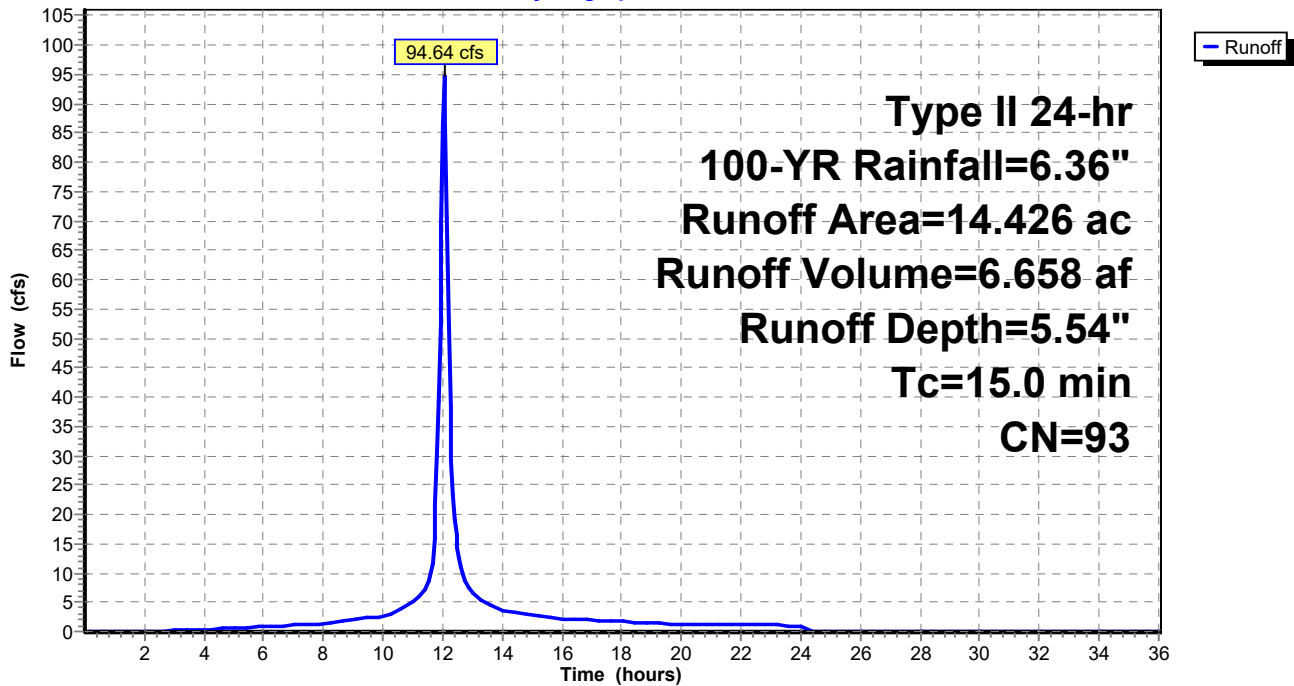
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.01-36.01 hrs, dt= 0.05 hrs
Type II 24-hr 100-YR Rainfall=6.36"

Area (ac)	CN	Description
11.667	92	1/8 acre lots, 65% imp, HSG D
2.759	95	Urban commercial, 85% imp, HSG D
14.426	93	Weighted Average
4.497		31.17% Pervious Area
9.929		68.83% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

Subcatchment 1S: Deer Creek 3rd

Hydrograph



23145_Prelim Pond

Type II 24-hr 100-YR Rainfall=6.36"

Prepared by HP Inc.

Printed 9/26/2023

HydroCAD® 10.00-26 s/n 07672 © 2020 HydroCAD Software Solutions LLC

Page 3

Summary for Pond 2P: Deer Creek Pond 1

Inflow Area = 14.426 ac, 68.83% Impervious, Inflow Depth = 5.54" for 100-YR event
 Inflow = 94.64 cfs @ 12.06 hrs, Volume= 6.658 af
 Outflow = 12.25 cfs @ 12.06 hrs, Volume= 6.665 af, Atten= 87%, Lag= 0.0 min
 Primary = 12.25 cfs @ 12.06 hrs, Volume= 6.665 af

Routing by Dyn-Stor-Ind method, Time Span= 0.01-36.01 hrs, dt= 0.05 hrs
 Peak Elev= 905.27' @ 12.57 hrs Surf.Area= 33,144 sf Storage= 111,596 cf

Plug-Flow detention time= (not calculated: outflow precedes inflow)
 Center-of-Mass det. time= 77.5 min (853.7 - 776.2)

Volume	Invert	Avail.Storage	Storage Description			
#1	900.50'	155,577 cf	Custom Stage Data (Irregular) Listed below (Recalc)			
Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)	
900.50	12,956	517.0	0	0	12,956	
901.00	15,601	548.0	7,129	7,129	15,597	
902.00	20,185	599.0	17,844	24,973	20,287	
903.00	23,891	636.0	22,012	46,985	23,975	
904.00	27,820	674.0	25,831	72,815	27,990	
905.00	31,974	712.0	29,873	102,688	32,239	
906.00	36,352	749.0	34,140	136,828	36,602	
906.50	38,657	768.0	18,749	155,577	38,927	

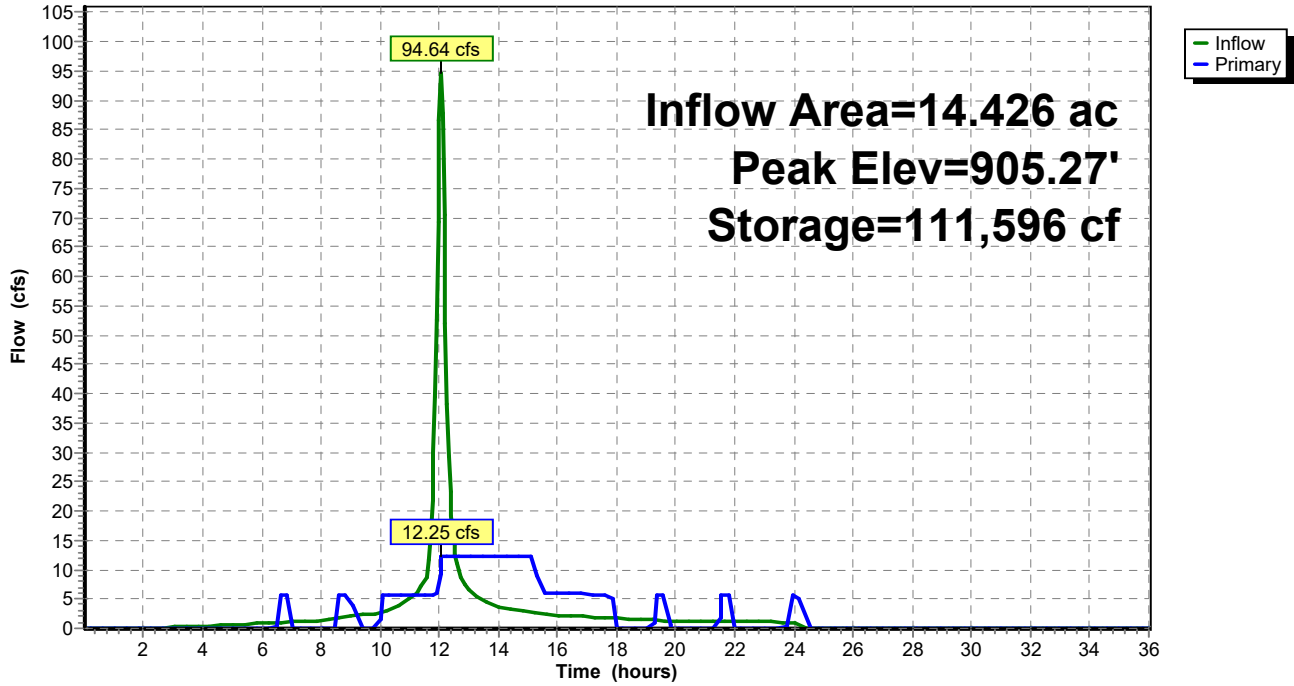
Device	Routing	Invert	Outlet Devices (Turned on 7 times)							
#1	Primary	901.00'	Pump							
			Discharges@907.50' Turns Off<900.51'							
			10.0" Diam. x 12.0' Long Discharge, Hazen-Williams C= 150							
			Flow (gpm)= 1,300.0 1,500.0 1,750.0 2,000.0 2,250.0 2,500.0 2,750.0							
			Head (feet)= 15.00 14.00 13.50 12.00 10.00 7.50 5.00							
			-Loss (feet)= 0.09 0.12 0.16 0.20 0.25 0.31 0.37							
			=Lift (feet)= 14.91 13.88 13.34 11.80 9.75 7.19 4.63							
#2	Primary	903.00'	Pump							
			Discharges@907.50' Turns Off<902.51'							
			10.0" Diam. x 12.0' Long Discharge, Hazen-Williams C= 150							
			Flow (gpm)= 1,300.0 1,500.0 1,750.0 2,000.0 2,250.0 2,500.0 2,750.0							
			Head (feet)= 15.00 14.00 13.50 12.00 10.00 7.50 5.00							
			-Loss (feet)= 0.09 0.12 0.16 0.20 0.25 0.31 0.37							
			=Lift (feet)= 14.91 13.88 13.34 11.80 9.75 7.19 4.63							

Primary OutFlow Max=12.25 cfs @ 12.06 hrs HW=903.56' (Free Discharge)

- 1=Pump (Pump Controls 6.13 cfs)
- 2=Pump (Pump Controls 6.13 cfs)

Pond 2P: Deer Creek Pond 1

Hydrograph





This recommendation letter serves as formal notice from the Horace Park District to the City Council of the City of Horace, North Dakota, that the Developer, *HS Investments LLC*, for *Deer Creek Estates Second Addition* to the City of Horace, North Dakota, has met the requirements set forth in Section 17.8.10 of the Revised Ordinances of 2003 of the City of Horace, North Dakota, regarding park land dedication or payment in-lieu-of park land dedication for the *Deer Creek Estates Second Addition*.

The Horace Park District has requested *payment in-lieu-of park land dedication* for the *Deer Creek Estates Second Addition*. The proposed *dollar amount* for *Deer Creek Estates Second Addition* is *Two Hundred-six Thousand Four Hundred Seventy-four Dollars and 40/100 (\$206,474.40)*. The Horace Park District respectfully requests that the City Council approve this recommendation for the purpose of providing public uses and facilities for existing and future residents of the community.

Dated: January 6, 2022.

Horace Park District

Wade Frank, President of the Horace Park District

* This letter supersedes the letter dated August 23, 2021. Additional information: *The payment in lieu will be put towards the cost of park improvements in Southdale Farms.*

ANDERSON, BOTTRELL, SANDEN & THOMPSON

ATTORNEYS AT LAW

4132 30th Avenue South, Suite 100 • P.O. Box 10247 • Fargo, ND 58106-0247
Phone 701-235-3300 • Fax 701-237-3154 • www.andersonbottrell.com

E-mail: dhauff@andersonbottrell.com

October 6, 2017

Pat McShane
American Federal Bank
1301 30th Avenue South
Fargo, ND 58103

RE: Preliminary Title Opinion

Dear Mr. McShane:

In accordance with your request, we have examined the Abstract of Title No. 40196 to the following described real property, to-wit:

That part of the Southwest Quarter of Section 5, Township 138, Range 49 West, of the Fifth Principal Meridian, Cass County, North Dakota, described as follows: Commencing at the northwest corner of said Southwest Quarter; thence on an assumed bearing of South 01 degrees 45 minutes 16 seconds East along the west line of said Southwest Quarter 1,468.37 feet to the southwest corner of ASHWOOD THIRD SUBDIVISION, according to the record plat thereof, said County; thence North 86 degrees 49 minutes 43 seconds East 100.03 feet to the east line of Cass County Road 17 and the point of beginning; thence North 86 degrees 49 minutes 43 seconds East 916.76 feet to the southeast corner of said ASHWOOD THIRD SUBDIVISION and the west line of DEER CREEK ADDITION, according to the recorded plats thereof, said County; thence South 03 degrees 19 minutes 39 seconds East 351.26 feet along the west line of said DEER CREEK ADDITION to the southwesterly corner of said DEER CREEK ADDITION and the northerly line of Deer Creek Parkway; thence southwesterly 175.35 feet along a curve not tangential with the last described line, said curve is concave to the northwest, with a radius of 440.00 feet, a central angle of 22 degrees 50 minutes 03 seconds, and the chord of said curve has a length of 174.20 feet and bears South 74 degrees 51 minutes 04 seconds West; thence South 86 degrees 16 minutes 05 seconds West, tangent to said curve, 405.92 feet; thence northwesterly 135.07 feet to point of

Richard P. Anderson
Lowell P. Bottrell*
James M. Sanden
Gregory L. Thompson*
Daniel L. Hull*
David J. Hauff*
Michelle M. Donarski*
Ronald J. Knoll*
Krista L. Andrews*
Michael L. Gust*
Michael T. Andrews**
Ann E. Miller*
Joshua M. Fereis*
Matthew D. Kirschenmann*
Ashley K. Champ

*Also licensed in Minnesota
**Also licensed in South Dakota

reverse curve along a tangential curve, concave to the northeast, with a radius of 300.00 feet, a central angle of 25 degrees 47 minutes 50 seconds and the chord of said curve has a length of 133.94 feet and bears North 80 degrees 49 minutes 58 seconds West; thence northwesterly 157.98 feet along a curve concave to the south, with a radius of 380.00 feet, a central angle of 23 degrees 49 minutes 13 seconds, and the chord of said curve has a length of 156.85 feet and bears North 79 degrees 50 minutes 40 seconds West; thence northwesterly 82.68 feet along a non-tangential curve concave to the west, with a radius of 115.00 feet, a central angle of 41 degrees 11 minutes 27 seconds, and the chord of said curve has a length of 80.91 feet and bears North 22 degrees 21 minutes 54 seconds West; thence North 42 degrees 57 minutes 38 seconds West 25.00 feet; thence northwesterly 61.13 feet along a tangential curve concave to the northeast, with a radius of 85.00 feet, a central angle of 41 degrees 12 minutes 21 seconds and the chord of said curve has a length of 59.82 feet and bears North 22 degrees 21 minutes 27 seconds West; thence North 01 degrees 45 minutes 16 seconds West 174.54 feet, tangent to the last described curve, to the Point of Beginning on the south line of said ASHWOOD THIRD SUBDIVISION.

AND

That part of the Southwest Quarter of Section Five, Township One Hundred Thirty-eight North of Range Forty-nine West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows: Beginning at the Northwest corner of Gray Gables Place Subdivision, according to the plat on file at the Cass County Recorder's Office; thence South $01^{\circ}39'56''$ East, assumed bearing, along the Westerly line of said Gray Gables Place Subdivision, for a distance of 692.85 feet to a point of intersection with the Southerly line of the Southwest Quarter of said Section Five; thence South $87^{\circ}02'50''$ West, along the Southerly line of the Southwest Quarter of said Section Five, for a distance of 390.04 feet to the Southeast corner of a tract of land described in Document No. 1169835 on file at the County Recorder's Office; thence North $01^{\circ}46'12''$ West, along the Easterly line of said tract of land, for a distance of 695.44 feet to the Southwest corner of Block Twenty-four, Deer Creek Addition, according to the plat on file at the Cass County Recorder's Office; thence North $87^{\circ}25'52''$ East, along the Southerly line of said Block Twenty-four, for a distance of 391.26 feet to the true point of beginning.

Our examination was made with the aid of an Abstract consisting of 156 Entries, last certified to by the Cass County Abstract Company on the 28th day of September, 2017, at 6:59 a.m.

Assuming said Abstract to be complete and correct, it is our opinion that record title to the real property described above, as of the date and hour above mentioned, was in the name of:

Fred J. Schlanser, Jr.,

by virtue of the Warranty Deed as set forth at Entry #155 of the Abstract, dated May 31, 2017, and recorded on June 6, 2017, as Document #1511837, subject, however, to the following:

(1) An Easement at Entry #87 of the Abstract in favor of Cass Rural Water Users, Inc., to construct, operate and maintain water lines. This easement covers a parcel 30 feet wide should be consulted for its particulars.

(2) An Easement at Entry #89 of the Abstract in favor of US West Communications, Inc., to construct, operate and maintain a communication system. This easement covers a parcel 10 feet wide and should be consulted for its particulars.

(3) The Abstract indicates that the real estate taxes for the year 2016 and prior years have been paid.

We have retained in our file the recording data for the above instruments mentioned in this Opinion, should further reference be necessary.

This Opinion does not extend to, and you should satisfy yourself as to the following matters which may affect the title to the property although they are not matters of record and thus not included in the Abstract:

(a) Unrecorded liens of persons who have furnished labor or materials in the improvement of the premises. Such liens may be effective although not recorded until 90 days after the last item of labor or material is furnished;

(b) The rights of persons in possession of the premises or any portion thereof;

(c) Any alleyways, easements, rights of way, buried transmission facilities, streets or judicial monuments actually located upon the ground;

(d) Encroachment of buildings or other improvements on the premises and any discrepancies in measurements or distances which an accurate survey would disclose;

(e) Rights which may have accrued since the date of the last continuation of the Abstract;

(f) Federal, state or municipal laws restricting the use of the premises, including the provisions of any applicable subdivision, zoning and building ordinances;

(g) Rights of local municipalities arising from unpaid assessments for local improvements;

(h) Access to the described property by public roadway, easement or other right of ingress or egress; and

(i) Claims of liability arising from the deposit of hazardous waste material in or on the soil or arising from underground storage tanks.

We are retaining with this opinion the original Abstract for the real property described herein.

Very truly yours,

ANDERSON, BOTTRELL, SANDEN & THOMPSON



David J. Hauff

162431591race property pto 10-04-17 american federal

Land Use Ordinance Amendments

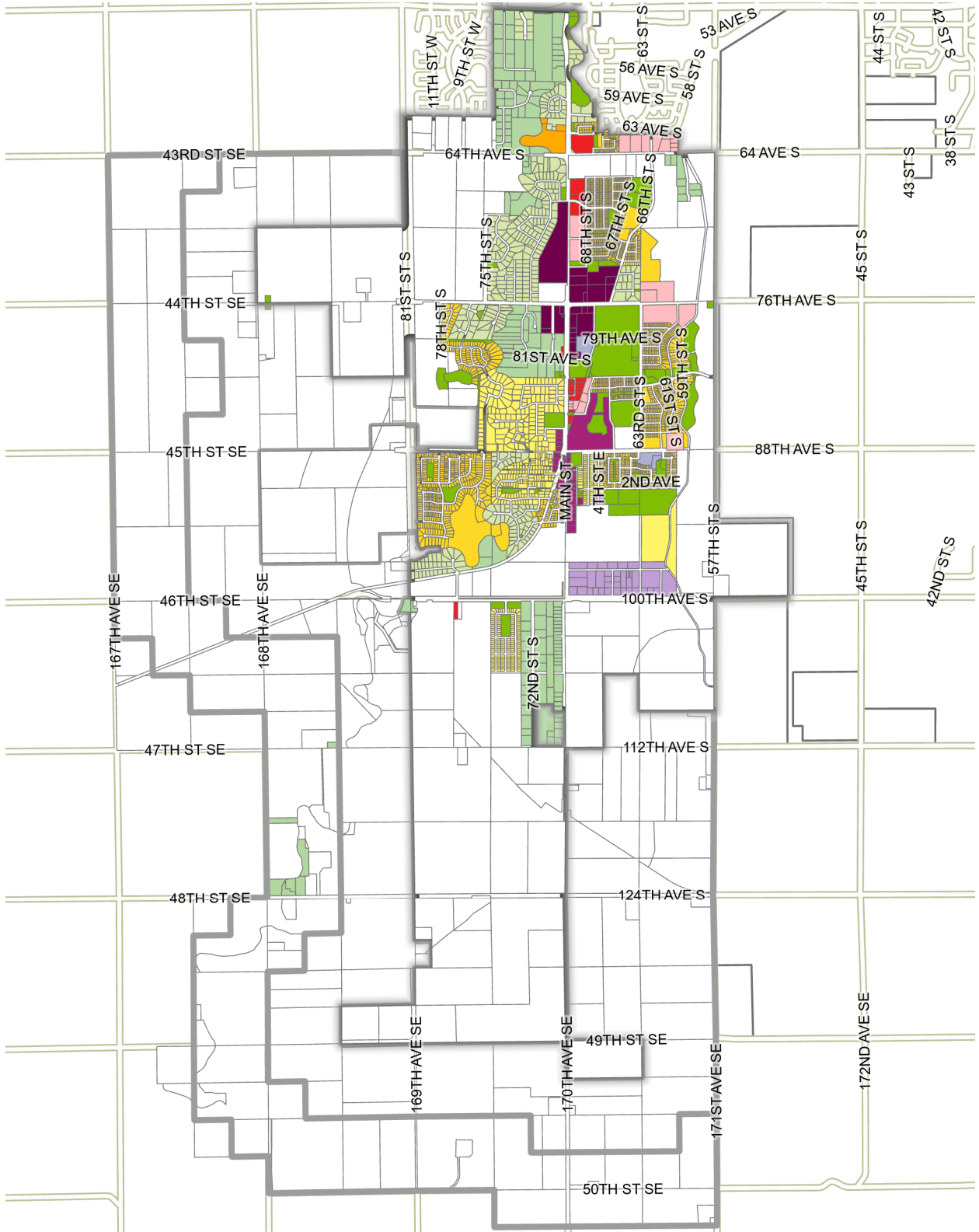
Page/Section/Subsection	Original Text	Change/Addition	Giffels Webster Notes
Overall	Whole Ordinance	Check for missing punctuation	Updates made to Sections 4-4.8, 4-5.2.C.1, 4-5.2.D.1, 4-7.4.I, 4-8.2.4-8.4.D
Overall	International Building Code References	Change all IBC references to Uniform Building Code (UBC)	Updates made to Sections 4-4.8, 4-5.2.C.1, 4-5.2.D.1, 4-7.4.I, 4-8.2.4-8.4.D
Overall	Building and Inspections References	Remove or Change all references of receiving building permits, disseminating building permits, issuing building permits, performing "building code" inspections, and issuing certificate of occupancy to Buildings and Inspections Department	Updates made to Sections 4-4.8, 4-5.2.C.1, 4-5.2.D.1, 4-7.4.I, 4-8.2.4-8.4.D
Overall	Numbers	Ensure formatting for numbers is consistent throughout document - spelled out number (Number), one (1)	Updated as found
Pg 1-3	This code, enacted under the authority granted by Chapters 40-47, 40-48, and 40-50 of the North Dakota Century Code, governing the incorporated portions of the City of Horace, North Dakota and its extraterritorial planning area authorized by North Dakota laws, shall be known as "City of Horace Land Use Code" for the City of Horace, North Dakota.	Add Chapters 40-05 to authority granted by Chapters	Updated
Pg 1-3 (4-1.3 F)	Facilitate the orderly division of land within the City and its extraterritorial jurisdictions, as authorized by North Dakota laws;	Update Facilitate to Facilitating	Updated
Pg 1-4 (4-1.5)	These regulations shall be held to be the minimum requirements unless specifically noted. Whenever, these requirements are at variance with other requirements, rules, regulations, deed restrictions, or covenants, adopted by the City of Horace, the most restrictive shall govern, unless otherwise specifically stated. The City Council, the governing body of the City of Horace, may, from time to time, amend, supplement, or repeal any part of this code after a public hearing(s).	add "notice and" before a public hearing in the last sentence	Updated
Pg 15	Icons located at the bottom of each page are linked to the 'How to Use This Code' Section, the main Table of Contents, the Use Matrix, and the Zoning Map	Add period at end.	Updated
Pg 18	Use Matrix Residential Districts: Below is a reference table that summarizes the uses non-residential districts listed in the code. Uses below are generalized. Consult Section 4-3.1 as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 4-3.1, the latter will control.	Remove "non" from "non-residential", "Below is a reference table that summarizes the uses residential districts listed in the code" may be missing a word or two.	Updated
Pg 19	Use Matrix Residential Districts: Below is a reference table that summarizes the uses non-residential districts listed in the code. Uses below are generalized. Consult Section 4-3.1 as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 4-3.1, the latter will control.	Remove "non" from "non-residential", "Below is a reference table that summarizes the uses residential districts listed in the code" may be missing a word or two.	Updated
Pg 20-23	Use Matrix Non-Residential Districts: Below is a reference table that summarizes the uses non-residential districts listed in the code. Uses below are generalized. Consult Section 4-3.1 as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 4-3.1, the latter will control.	"Below is a reference table that summarizes the uses non-residential districts listed in the code" may be missing a word or two	Updated
Pg 2-13	Civic Uses Definition	Add Schools	Updated
Pg 2-13	Licensed Child Care Center. An early childhood program in a facility licensed to provide early childhood services to nineteen or more children.	add (19) following nineteen	Updated
Pg 2-16	DWellINGS, toWNHoMe. A residential structure with two or more floors of living space designed to house a single-family unit from lowest level to roof, with a private outside entrance, but not necessarily occupying a private lot, and sharing a common wall adjoining dwelling units.	add (2) after two	Updated
Pg 2-23	StrIP LiGHtING. A device or devices installed that attract attention to a non-residential use wherein a source or sources of light are arranged to be visible from the exterior of a building or structure including, but not limited to, strips of LED lights or neon tubes placed along the perimeter of building windows, along building edges, and other locations that serve to attract attention to a non-residential use. This definition shall not include any device or devices classified as a sign by the definitions and regulations in the code. Temporary lights otherwise regulated by this code are also excluded from this definition.	Change "the code" to "this code" in "... any device or devices classified as a sign by the definitions and regulations in the code"	Updated
Pg 2-24	Lot Coverage, Building Area Definition: Lot Coverage, Building Area Definition: The total surface area of a lot which may be used for permitted uses, excluding the yard areas	add or conditional uses following permitted uses	Updated
Pg 2-33	Water and Sewer system operated and managed by the City of Horace and Water system operated and managed by the Cass County Rural Water District	Remove County and add users following Water (Water "Users" District)	Updated to "Cass Rural Water Users District"
Pg 2-34	retail. SaleS aND SerViCe, LiMiteD/MiCro. A retail sales and service establishment that is less than 5,000 square feet (gross floor area) on a lot.	add Five Thousand in front of 5,000. add () around 5,000	Updated

Pg 2-51 (Setback)	The minimum horizontal distance between the building line and the related front, side, or rear property line. Roof overhangs, fire balconies, fire escapes, basement window wells, and steps leading to a five (5) foot or less wide landing area by the front door, back door, side door are permitted within the setback area. Uncovered decks no more than five (5) feet wide are permitted in the front yard within the setback areas. Uncovered decks of no more than three (3) feet are permitted in the side yard within the setback area. If the setback area is larger than the requirements stipulated in these regulations, the width of uncovered deck may be increased up to the difference between the actual setback and the minimum required setback. Open work fire balconies, fire escapes, basement window wells, steps, and decks that are permitted in required side yard setbacks, must maintain a minimum setback of three (3) feet to any side yard lot line unless the district has no minimum side yard setback requirement. Uncovered decks in the rear yard should comply with rear yard setback requirements for accessory uses.	Update references of width to uncovered decks to be depth, currently it is unclear how far out uncovered decks can encroach in setback	Updated
Pg 2-9	WIND TURBiNe. A wind energy conversion system that converts wind energy into electricity through the use of a generator, which may include a nacelle, rotor, tower, transformer pad, blades, spirals, helixes, and/or and the supporting energy apparatus.	remove extra "and" before "the supporting energy apparatus"	Updated
Pg 3-102	FP (Floodplain) - Building Placement & Size	Remove Residential Uses, FP may be difficult to apply as a zoning district, further discussion on applicability of the district is needed.	Removed "Residential Uses"
Pg 3-110 (4-3.2 A)	The boundaries of the zoning districts are hereby established as shown on the official zoning district maps maintained by the City Development Director, or their designated representative, which shall be open to examination at any time during regular office hours. Such maps with all notations, references, and other information shown thereon shall be as much a part of this chapter as if fully described herein.	Updated "City Development Director" to "Community Development Director "	Updated
Pg 3-111	If a land use is not listed in any district as a permitted uses or as a conditional uses, and the use is not found to be similar to a permitted or conditional use another district, the City Council may determine that the use is allowed in the I-2 General Industrial district as a conditional use if the use is determined to be a reasonable land use and will not be detrimental to the public health, safety, and welfare of the City. In doing so, the City Council will direct the Planning Commission to hold a public hearing as a conditional land use and make a recommendation to City Council. The City Council shall, if necessary, attach reasonable conditions of approval to ensure that the spirit and intent of this code is met.	add "in" between conditional use and another district.	Updated
Pg 3-112 (4-3.7 A)	Generally. Site plans shall use the street concept plans in the Comprehensive Plan as a guide in developing the grid layout system in the district. The approving body may allow modifications and adjustments if done in keeping with the spirit and intent of this code and Comprehensive Plan.	add "the" before Comprehensive Plan in last sentence	Updated
Pg 3-112 (4-3.7 B-5)	technology and Sustainability. Mitigation of stormwater runoff should be accomplished through a mix of traditional methods and bioretention systems, such as rain gardens and bioswales. Landscaping with native plants, green roofs, living walls, and the incorporation of alternative energy systems, such as solar collectors or geothermal heat pumps into building and site designs is encouraged.	Confirm Technology and Sustainability is the correct title, update all districts accordingly	Title changed to "Sustainability"
Pg 3-117 (4-3.11 E)	Residential Driveway Aprons. The driveway aprons of detached single-family homes shall not be subject to the parking setbacks set forth in Chapter 3 - Zoning Districts of this code.	Bold Residential Driveway Aprons	Updated
Pg 3-24	SR-3 Principal Structure Setbacks	Reduce front and street sideyard setbacks to 25 ft (Help bring existing properties into conformance)	Updated in district and in District Summary Table in the Preface
Pg 3-30	Average lot width within the Compact Development Zoning District	Change from 46 ft to 48 ft	Updated
Pg 3-47/48 - 17/76 Land Use Table	17/76 Land Use Table	Add microbreweries, cideries and coffee roasters as permitted uses	Added
Pg 3-51	Permitted Enroachments (Whole Section)	Add numerals in parenthesis following spelled out number (i.e Three (3))	Updated
Pg 3-51	Building Form: Height - Accesory Building Orientation (All building types except carriage houses and cottage court bungalows, which may have alternate orientation	parenthesis missing, either add or remove parenthesis	Added
Pg 3-55/56 - OT Land Use Table	OT Land Use Table	Add microbreweries, cideries and coffee roasters as permitted uses	Added
Pg 3-59	Building Form: Height - Accesory Building Orientation (All building types except carriage houses and cottage court bungalows, which may have alternate orientation	parenthesis missing, either add or remove parenthesis	Added
Pg 3-59	Permitted Enroachments (Whole Section)	Add numerals in parenthesis following spelled out number (i.e Three (3))	Updated
Pg 3-63/64 - MX Land Use Table	MX Land Use Table	Add microbreweries, cideries and coffee roasters as permitted uses	Added
Pg 3-67	Building Form: Height - Accesory Building Orientation (All building types except carriage houses and cottage court bungalows, which may have alternate orientation	parenthesis missing, either add or remove parenthesis	Added
Pg 3-67	Permitted Enroachments (Whole Section)	Add numerals in parenthesis following spelled out number (i.e Three (3))	Updated
Pg 3-70	Building Types: Reserved for the future	provide clarification on what this reserved for	The building type subsection is reserved in Section 4-3.1.11.3 in case the city wishes to include form based standards in this district
Pg 3-74	90 ft max front setback and 90 ft max street side yard setbacks within commercial district	Increase to 155 ft max front and street side yard setback	Updated in district and in District Summary Table in the Preface
Pg 3-84	Vehicular Parking Setback (Footnote 1): Not applicable to residential uses (Including Multi-family)	Residential Uses are not permitted within the I-1 District, footnote may not be necessary	Removed footnote
Pg 3-90	Footnote 1: When an accessory structure is located in or adjacent to a single-family zoning district, the minimum setback shall be equal to the height of the building in the non-residential district or 30 feet, whichever is greater, and shall be subject to screening requirements in section 4-5.3, subsection A.	Reword, references industrial accessory structures in single family zoning districts. Additionally principal structures setbacks have footnote one, which does not apply.	Changed to "located adjacent to a single-family residential zoning district..." for I-1 and I-2 (page 3-92)
Pg 3-92	Vehicular Parking Setback (Footnote 1): Not applicable to residential uses (Including Multi-family)	Residential Uses are not permitted within the I-2 District, footnote may not be necessary	Removed footnote
Pg 4-10/11	Detached Single Family and Two Family Dwelling Standards	Remove Section 4-4.8 (B & H), adjust pitch from 4:12 to 3:12	Removed; updated

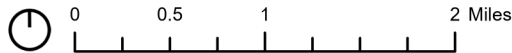
Pg 4-21 (4-4.16 D 2)	The Community Development Department may permit a temporary use occupy a site for a period not to exceed eight (8) months unless located in an AG, SR-1, SR-2, SR-3, CR, or UR district, in which case Planning Commission approval shall be required to extend the time period beyond thirty (30) days.	add "to" in between "temporary use" and "occupy"	Updated
Pg 4-22 (4-4.16 H)	findings. The Community Development Department shall approve, or approve with conditions, an application for a temporary use permit after finding all of the following. If the director does not make all of these findings, the temporary use permit shall be denied:	replace "director" in second sentence with Community Development Director	Updated
Pg 4-5 (C.e)	A letter agreeing that, should any tower/antenna facility approved under this section cease to be used for its approved use for more than ninety (90) continuous days, or more than ninety (90) days of any one hundred twenty (120) day period, it shall be removed from the site within one hundred eighty (180) days of such cessation. Removal of the tower/antenna and its accessory use facilities shall also include removing the top three (3) feet of the caisson upon which the tower is located and covering the remaining portion with top soil. The letter of agreement may include a financial guarantee, if deemed appropriate by the City Council, to ensure removal of any or all of the facilities approved under the conditional use permit. Any such agreement, including any financial guarantee, shall be in a form acceptable to the City Attorney. The financial guarantee may also include a provision for periodic adjustments to reflect changes in the Consumers Price Index or other similarly established and accepted price indexes.	add "at the sole expense of the owner" following "it shall be removed from the site within one hundred eighty (180) days of such cessation"	Updated
pg 5-14	B(4) Drive-through lanes and associated by-pass lanes shall be setback at least ten (10) feet from the side and rear lot lines	Reduce drive-through/by pass lane to five (5) feet from the side and rear lot lines	Updated
pg 5-14	Drive-through lanes shall provide one (1) by-pass lane to allow unobstructed travel for vehicles to pass those waiting to be served.	add width requirement or minimum for by-pass lane	Added as 10 feet
Pg 5-14	Drive-through lanes shall have a minimum width of nine (9) feet. a. Drive-through lanes shall have a minimum length of twenty (20) feet per vehicle. b. Drive-through lanes shall have a minimum centerline turning radius of twenty-five (25) feet. c. Drive-through lanes shall be striped, marked, or otherwise distinctly delineated.	remove "drive through lanes" in a, b & c. provide clarification on whether not centerline turning radius is similar to maneuvering width identified in table 4-5.2.C.2. If so, adjust to be the same	Updated; title of Table 4-5.2.C.2 changed to "Off-Street Parking Layout Dimensions"
pg 5-19	Multi-family and multiplex developments over four (4) units shall provide charging infrastructure for a minimum of fifteen percent (15%) of required spaces. For the purposes of this subsection, "charging infrastructure" shall mean placing the conduit required for the future installation of electrical lines to serve charging stations. Charging outlets may be provided by the developer or tenant by agreement.	Remove EV section from Ordinance	Removed subsection and from CR and UR district standards (now Secs. 4-3.8 and 3.9)
Pg 5-21	Bicycle Parking	Remove Bicycle Parking requirement, Bicycle Parking will be accounted for overall development creation	Removed section and references to "Bicycle access" in subsection Access & Parking of district pages and from CR and UR district standards (now Secs. 4-3.8 and 3.9)
Pg 5-27	Greenbelts/Landscaped buffers. Wherever greenbelts are required by this code, they shall meet the following standards:	"," is highlighted	Updated
Pg 5-3 (A 3)	easements. Accessory structures shall not be located within any recorded public or utility easement, except that accessory structures up to 100 square feet are permitted within easements, and may be located no less than 3 feet from any property line; such structures are prohibited in a front yard.	Add at Risk of Owner before "accessory structures up to 100 square feet are permitted within easements, and may be located no less than 3 feet from any property line; such structures are prohibited in a front yard."	Updated
Pg 5-3 (A 4)	Maximum height. Accessory structures in any residential zoning district shall not be taller than twenty (20) feet. Accessory structures shall not be taller than the principal structure for all other districts. Height is measured the same as for the principal structure.	Add language exempting SR-1 from Principal Structure Height Limitation	Updated
Pg 5-3 (A 5)	Plate height. The plate height of the accessory structure shall not be higher than fifteen (15) feet in all residential districts. Plate height is measured from the lowest grade to the top framing member of the wall (wall plate).	Increase plate height to 16, adjust district standards accordingly	Updated; all districts with height max of 15 ft. updated to 16 ft.
pg 5-36	wall & berm height requirements for parking areas (i. parking areas - 6-foot-high decorative walls as provided in subsection d.i below	add berm (wall or berm)	6-foot-high decorative wall as provided in subsection i below, or berm
Pg 5-36 (B -1)	Walls abutting a residential Zoning District. For those use districts and uses listed below, there shall be provided and maintained on those sides abutting or adjacent to a residential district, an obscuring wall or landscaped berm as required:	Replace shall with may, or reword to make situational	Updated
Pg 5-36 (table 4-5.3.B.1.B)	wall & berm height requirements for parking areas	Adjust title to reference more than parking areas as content of the table relates to more than parking areas. Subsection references d.i, should subsection reference just be d.	Updated; should have been subsection i
Pg 5-4	iv. An ADU shall have a separate water meter from the primary residence.	Remove	Removed
Pg 5-41	Light trespass. Light levels shall not exceed one-tenths (0.1) footcandles at the property line where the site abuts a lot with a residential use or zoning. Where the site abuts a non-residential use or a public right-of way, light levels at the property line shall not exceed three-tenths (0.3) footcandles; Pedestrian areas/sidewalks have minimum footcandles of 0.2	Potential discrepancy in light trespass footcandle mazimums and the required footcandles for sidewalks	No changes needed after discussion
Pg 5-42	Signs. Signs shall be lit in accordance with the standards of Section 4-5.6 Signs.	"," is highlighted	Updated
Pg 5-44	Building appearance Requirements (whole section)	correct T-111 paneling to T1-11 Paneling	Updated
Pg 5-44	Materials. Buildings shall be constructed with one (1) dominant material comprising no less than fifty percent (50%) of any facade visible from a public right-of-way. Facade materials shall be drawn from the list of permitted materials in the district. Additional materials may be approved by the approving body provided that the substituted or additional materials meet the purpose and intent of this chapter and are similar in nature to those specified materials herein. The following building materials are prohibited:	Add the word "underlying" before district. "from the list of permitted materials in the underlying district"	Updated
pg 5-5	B(2) the fence or wall shall be constructed of durable materials and designed to match the exterior finish of the principal building on the site	Change "match" in B(2) to "Complement", add non-combustible material following durable.	Updated

Pg 5-5	C(2) Roof-mounted mechanical equipment shall be screened with a parapet wall, penthouse, or other similar screening device not less than the height of the highest appurtenance. The design of the screening device shall be compatible with the architectural design of the building upon which it is located.	add the following language to the end of C.2 "The approving body may permit a reduction in the height of the screening element when the applicant demonstrates that the proposed screening height will obscure the equipment from adjacent streets and properties."	Updated
Pg 5-55 - Electronic Display Areas	Electronic message signs shall not emit more than 100 nits during night hours, which commence no later than one (1) hour after sunset and extend through no earlier than sunrise, no more than 5,000 nits in full daylight. The displays shall transition smoothly at a consistent rate from the permitted daytime brightness to the permitted nighttime brightness levels. Electronic message signs shall have functioning ambient light monitors and automatic dimming equipment which shall at all times be set to automatically reduce the brightness level of the sign proportionally to any reduction in the ambient light. In order to verify compliance with this Code or other applicable law, the interface that programs an electronic message sign shall be made available to City staff for inspection upon request. If the interface is not or cannot be made available upon the City's request, the sign shall cease operation until the City has been provided proof of compliance with this code	Increase to 200 nits	Updated
pg 5-6	Encroachments into yard and Exceptions to building Height	limit setback encroachments in districts like CR and UR (with smaller setbacks)	Added provision for non-residential districts
Pg 5-6 (G b)	Some zoning district may permit projections that exceed three (3) feet	provide reference to which districts	Removed this subsection and renumbered accordingly
Pg 5-67	Noise - Table 4-5.7.D.3	Remove section entirely, exists elsewhere in City Ordinance	Removed "Noise" subsection
Pg 5-69	Fire and Explosive Hazards. The storage and handling of flammable liquids, liquefied petroleum gases, and explosives shall comply with the state rules and regulations as established by the State of North Dakota Century Code and applicable rules and regulations.	remove "State of" before North Dakota Century Code	Updated
Pg 5-70	4-5.9.D Building Type Standards, Townhomes Maximum stories = 3	Add wording 3 stories above grade	Updated
Pg 6-10	The required number of paper copies, as established by City Council, f at a dimension of 11" by 17", must be provided and the form of the plat shall be suitable for recording with the Cass County Recorder's Office. A PDF file and AutoCAD file of the plat shall also be provided. A DWG file may also be required.	remove "f" after Established by City Council	Updated
Pg 6-11	Prior to the submission of a plat, the subdivider shall consult with the City Community Development Department for assistance regarding the requirements of City plans, ordinances, and policies for subdividing any parcel of land. This step is intended to inform the subdivider of the importance of the plans, ordinances, and policies to assist the subdivider in meeting the land subdivision requirements of the City. The subdivider must provide a master plan document that covers the entire contiguous area owned or controlled by the subdivider.	Remove the word City, before Community Development Department	Updated
Pg 6-11	Meeting with Parks Board. Subdividers for major plats shall meet with the Park Board to discuss land dedication or payment-in-lieu of land dedication in compliance with Section 4-6.23 Dedication of Land for Public Purposes.	Remove the "s" after park, should be Park Board	Updated
Pg 6-12	Upon satisfactory review by City staff of all required documentation submitted by the subdivider, the City will publish one notice at least one (1) week before the time set for the hearing in the official newspaper of the City and provide notification (post marked or hand delivered at least seven (7) days before) to all property owners within three hundred (300) feet of the property in question excluding the street rights-of-way.	remove "the City will publish one notice at least one (1) week before the time set for the hearing..." Replace with "the City will publish notice once each week for two (2) consecutive weeks before the time set for the hearing..."	Updated
Pg 6-12 (D 5)	The subdivider shall submit the plat to the Community Development Department before the regularly scheduled meeting of the Planning Commission a minimum of twenty-five (25) days prior to the meeting to provide sufficient time for City staff review and for publishing notices of public hearing.	Remove subsection 5, staff would like to reserve time for additional review if necessary.	Updated
Pg 6-13 (8)	Upon satisfactory review by City staff of all required documentation submitted by the subdivider, the City will publish notice once each week for two (2) consecutive weeks before the time set for the hearing in the official newspaper of the City and provide notification (post marked or hand delivered at least 7 days before) to all property owners within three hundred (300) feet of the property in question excluding the street rights-of-way.	add seven in between at least and 7, add parenthesis around 7 and delete parenthesis after before.	Updated; not changed - close of parenthetical
Pg 6-16	Before any future subdivision plat is approved, the developer and its successors and assigns will be required by subdivision development agreement to accept responsibility for the layout and construction of all private or public roads, alleys, and streets within the subdivision, according to City specifications.	remove section, covered in City's ID agreements	Removed
Pg 6-24	Road Cross Section: 29 ft (24 ft plus 2.5 ft curb/gutter on each side)	increase to 30 ft (25 ft plus 2.5 ft curb/gutter on each side)	Updated
Pg 6-24	Street Design - The local residential street is only allowed within SR-1, SR-2, and SR-3 districts.	Compact Residential should be added to the zones that allow local residential streets 4-6.17(T.1)	Updated
Pg 6-28	residential collector street. Outside of 17/76, OT, MX, UR, and CR districts, the parallel parking spaces may be removed on one or both sides of the street, if allowed by the approving body, and the road will function as a residential collector street, with a forty-one (41) foot back of curb to back of curb road section. Buildings fronting on a residential collector street will typically have a front yard and will not be zero setback. For the residential collector street, there will be a ten (10) foot wide shared use path on each side.	Ensure "and will not be zero setback" is the correct phrasing	Updated to "[have] a front setback requirement"
Pg 6-33 (F 1 c)	Earth berms shall be physical barriers, which block or screen the view similar to a hedge, fence, or wall. Mounds shall be constructed with proper and adequate plant material to prevent erosion.	Add "grades," in between adequate and plant material	Clarified and updated

Pg 6-35 (7 d)	Street trees in boulevards and adjacent to other common elements of a subdivision shall be installed within one year of the construction of streets and sidewalks. Street trees in front of development lots shall be installed within one year of the issuance of a certificate of occupancy for the principal building on the site. A bond for one-hundred-twenty-five percent (125%) of the estimated cost of street trees shall be provided to ensure that street trees are planted in a timely manner. Cost estimates are subject to approval by the Community Development Department.	Remove, the City has established a tree program to regulate this	Removed
Pg 7-10 (A)	application and fee. Application and Fee. The applicant shall submit the proper application, as supplied by the City, and pay the required fee. The application shall be accompanied by, at a minimum, the following:	Remove duplicate Application and Fee	Removed
Pg 7-3 (4-7.2 C)	review Criteria. Review of a site plan shall assess the plan's compliance with the Land Use Code. In addition, the Community Development Department shall distribute the plans to the Department of Public Works, City Engineer, and Cass County Sheriff's Department for review. Every site plan shall be in accordance with the requirements of this chapter.	remove Cass County Sheriff, add Building and Inspections and Horace Rural Fire District, or change to applicable parties	Updated
Pg 7-6 (4-7.3)	Design Review - whole section	Include multi-family uses as design review eligible, clarification is needed as to whether or not OT and 17/76 developments are subject to DR	Multi-family, multi-building, and mixed use developments in all districts now included to require design review
Pg 7-8 (8)	Is designed, located, planned, and will be operated so there is no interference with the public health, safety, and welfare will be protected.	remove "will be protected", or reword so it fits.	Removed
Pg 8-10 (2 d)	Receive, file, and forward to the Planning Commission and the City Engineer all applications for plats and their supporting documents.	Add City Attorney to list of who plats are forwarded too.	Updated
Pg 8-14, 8-19, 8-20	Performance Guarantees & Certificates of Occupancy (Full Sections)	Combine performance guarantee with unfinished site improvements. Adjust to not require upfront, only use at CofO scenarios. Require bid, bond, cash, etc at 125% of cost, and construction easement for city to do work if improvements are not done in time. Remove CofO section, to be relocated to building title of the ordinance. (work through with Giffels Webster)	Removed and revised section for the building title sent to staff. References to Section 4-8.11 rerouted to "Title V of the City's Code of Ordinances" (in Secs. 4-7.6.A.3 and 4-5.3.A.4)
Pg 8-4 (B)	Nonconforming Lots. A permitted principal building and uses, and permitted accessory structures and uses, may be erected or placed on a lot of record which existed at the date of adoption or amendment of this code, provided such lot shall have been in separate ownership and not contiguous with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area, or width, or both, that are applicable in the district, provided that minimum setback dimensions and other requirements shall conform to the regulations for the district. A reduction of minimum setback requirements shall only be permitted upon granting of a variance by the City Council.	Add lanauage that nonconforming lot cannot be created by a government taking.	Added
Zoning District standards	Average lot width or lot size for developments	Add footnote for intent that it is meant to be dispersed throughout the development, not centralized in one area	New section added (Sec. 4-3.5 Average Lot Widths)
Zoning Districts	Street Tree Standard	Add footnote dictating how far trees must be spaced from intersections. Driveways, hydrants and light poles	Added
Zoning Map	Zoning Map	Update GIS File for Zoning Map	Updated Please note that we have added a few blank reserved pages to account for future updates and minimize the number of times the interactive zoning map will need to be updated upon amendments.



Data Sources: Zoning: City of Horace. Streets and Municipal Boundaries: Cass County Open Data Portal. Date Exported: November, 2023. ©2023 Giffels Webster.

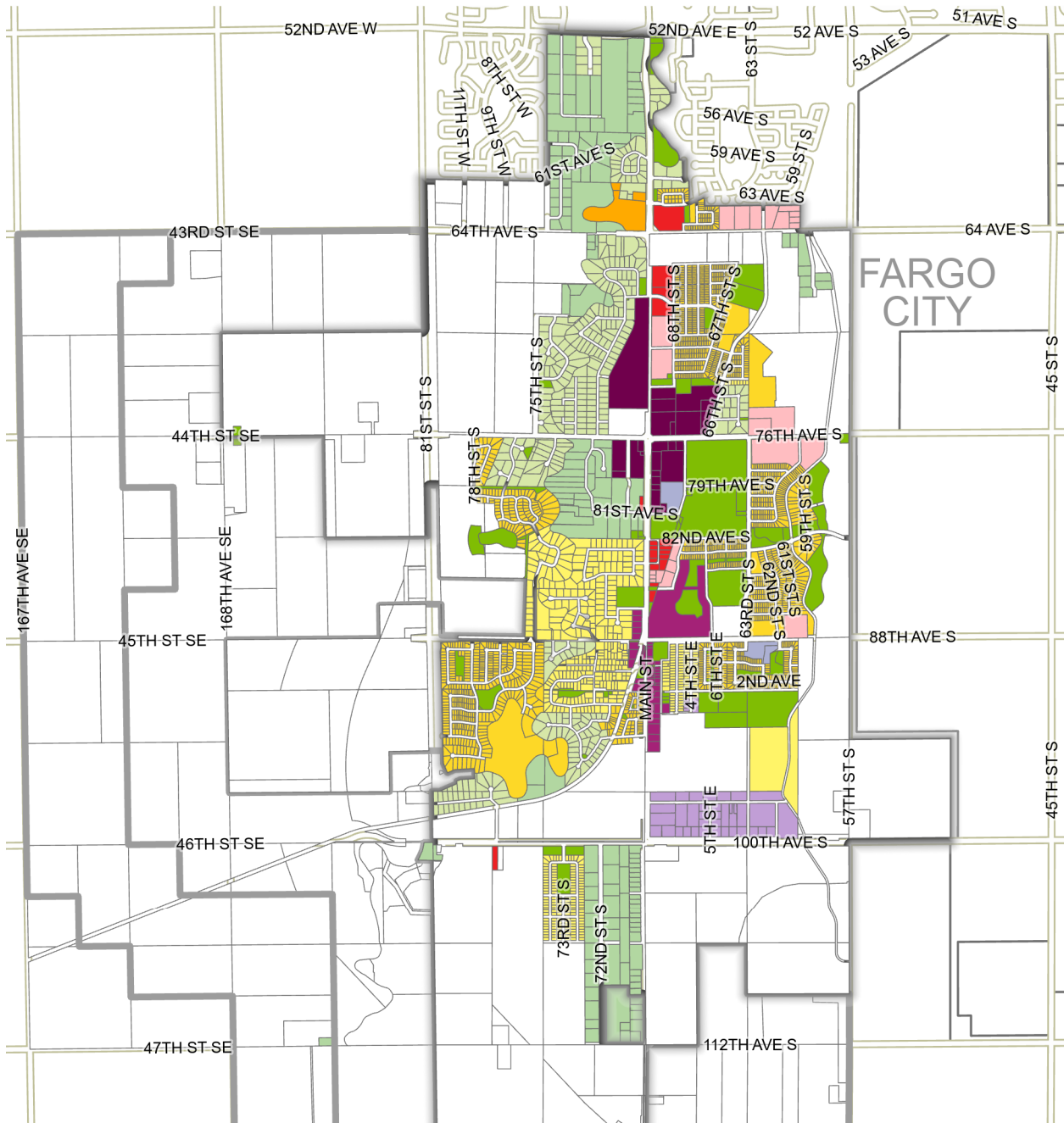


- AG: Agriculture
- SR-1: Suburban Residential 1 < 5 Acres
- SR-2: Suburban Residential 2 < 1 Acres
- SR-3: Suburban Residential 3 < 0.5 Acres
- CR: Compact Residential
- MH: Mobile and Manufactured Home
- 17/76
- OT: Old Town
- MX: Mixed Use
- C: Commercial
- I-1: General Industrial
- CIV: Civic
- PUD: Planned Unit Development

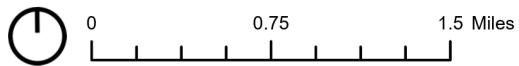


Current Zoning Map

City of Horace



Data Sources: Zoning: City of Horace. Streets and Municipal Boundaries: Cass County Open Data Portal. Date Exported: November, 2023. ©2023Giffels Webster.



- | | |
|--|-------------------------------|
| AG: Agriculture | OT: Old Town |
| SR-1: Suburban Residential 1 < 5 Acres | MX: Mixed Use |
| SR-2: Suburban Residential 2 < 1 Acres | C: Commercial |
| SR-3: Suburban Residential 3 < 0.5 Acres | I-1: General Industrial |
| CR: Compact Residential | CIV: Civic |
| MH: Mobile and Manufactured Home | PUD: Planned Unit Development |
| 17/76 | |



Current Zoning Map

City of Horace

Home Builders Association of Fargo-Moorhead:

Comments and concerns compiled from builder, developer, and Realtor representatives doing business in Horace.

Chapter 3: Zoning Districts

- *Too specific as to the uses allowed on a primary and secondary street and the floor of the building.*
- *Dictating first floor heights of the buildings is too controlling.*
- *Allowed building materials-why only full masonry systems? Thin brick or veneer stone provides a similar aesthetic.*
- *Allowed building materials in 17/76, OT, MX districts: too restrictive. Where is the consideration for project budgets and the varied appeal of other building materials?*
- *EIFS in the Commercial and I-1 district: lower the height to be 5'-6' above ground level.*

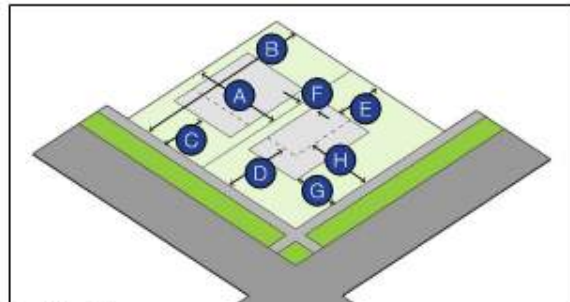
4-3.15 CR Compact Residential (pg. 3-30)

4-3.15 CR Compact Residential

5. Building Placement & Lot Size

Lot Size & Width

Residential use	4,000 sf min. per dwelling	
Other use	4,000 sf min.	
Lot width	40 ft. min.	A
Lot depth	80 ft. min.	B
Average lot width in subdivisions	46 ft.	



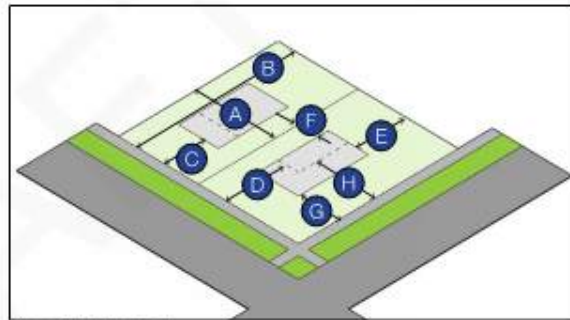
Residential

Building Coverage

Building coverage ^{sq}	65% max.
Impervious surface coverage	80% max.

Setbacks - Principal Structures (Residential)

Front setback:	20 ft. min. 30 ft. max.	C D E
Rear setback:	20 ft. min.	
Side setbacks:		F G H
Interior side	5 ft. min.	
Street side (if applicable)	20 ft. min. 30 ft. max.	



Non-Residential

Consider changing the side setback to 12' or 15' for all residential zoning districts. On a 50' lot this only leaves 25' for a buildable width. Corner lots are usually less desirable with these large street side setbacks they even less desirable.

Landscaping: 4-3.1.5 Compact Residential (pg. 3-33) & 4-3.1.6 Urban Residential (3-39)

Consider changing the street tree spacing to be determined by the classifications of roads.

Example: Local street = 30' or 35'

Collector street = 40' or 45'

Arterial streets = 50' or 55'

This will help keep neighborhoods consistent along the boulevards and give a consistent look in all of the neighborhoods. It also becomes difficult to place trees every 20' with driveway spacing and street lights. If the city wants additional in certain districts, it makes sense to add it to the landscaping code.

4-3.1.8 17/76

- **4. List of Uses (pg. 3-47/48)**
 - Allow/address breweries, cideries, coffee roasters
- **5. Building Placement and Lot Size (pg. 3-50)**
 - Allow zero-lot line buildings
- **7. Building Standards (pg. 3-52)**
 - Building Materials – allow architectural metal panel
 - Building Transparency – Non-Residential 35% minimum
 - Parking Setback – require screened parking and 5ft set back at front (think parking ramp structure)

4-3.1.9 OT Old Town

- **4. List of Uses (pg. 3-55/56)**
 - Allow/address breweries, cideries, coffee roasters
- **5. Building Placement and Lot Size (pg. 3-58)**
 - Allow zero-lot line buildings
- **7. Building Standards (pg. 3-60)**
 - Building Materials – allow architectural metal panel
 - Building Transparency – Non-Residential 35% minimum
 - Parking Setback – require screened parking and 5ft set back at front (think parking ramp structure)

4-3.1.10 MX Mixed Use

- **4. List of Uses (pg. 3-63/64)**
 - Allow/address breweries, cideries, coffee roasters

- **5. Building Placement and Lot Size (pg. 3-66)**
 - Historic Downtown environments are built on 25ft increments. Consider size of buildings/lots vs. experience at street level.
 - Building Coverage – allow zero lot line builds in downtown districts, remove restriction for impervious surface max, and building coverage max
 - Front Set back – allow zero lot line builds downtown districts
- **6. Building Form and Components (pg. 3-67)**
 - Building Façade – 35% Transparency in Front
 - Encroachment – Confirm blade signs, awnings allowed over ROW on zero lot line builds in downtown districts
- **7. Building Standards (pg. 3-68)**
 - Materials – Allow architectural metal panels
 - Transparency – Building Front façade non-residential 35%
- **9. Access and Parking (pg. 3-68)**
 - Vehicle Parking setbacks – require screened parking and 5ft set back at front (think parking ramp structure)
- **11. Signs (pg. 3-69)**
 - Non-residential – Allow Blade and roof signs

4-3.1.11 C Commercial (pg. 3-74)

5. Building Placement & Lot Size

Lot Size & Width

Lot size	None
Lot width	None

Building Coverage

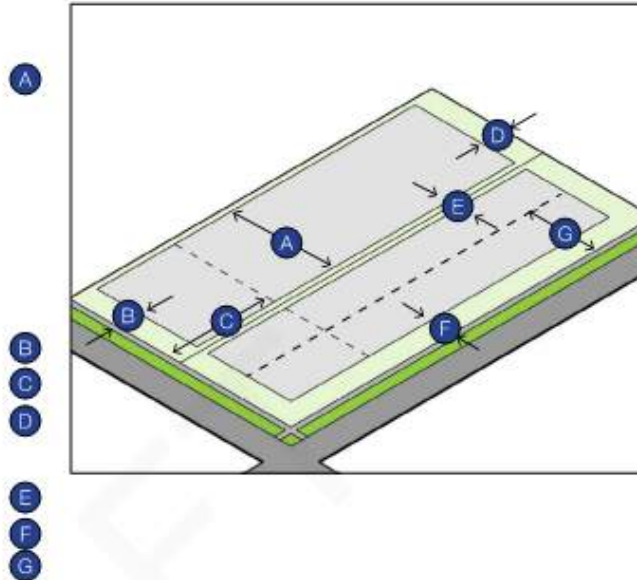
Building coverage ¹	60% max.
Impervious surface coverage	80% max.

Setbacks - Principal Structures

Front setback:	20 ft. min. 90 ft. max.
Rear setback:	20 ft. min. ¹
Side setbacks:	
Interior side	5 ft. min. ¹
Street side	20 ft. min. 90 ft. max.

Setbacks - Accessory Structures

Minimum front setback:	Not permitted ²
Minimum rear setback:	5 ft. ¹
Minimum side setback:	
Interior side	5 ft. ²
Street side (if applicable)	Not permitted ¹



Consider removing maximum setbacks. These can be difficult to meet on some sites due to easements or other restrictions.

4-3.1.16 PUD Planned Unit Development (pg. 3-106)

C. Restrictions.

1. Special assessments cannot be used to finance the development of a PUD district, including but not limited to, streets, street lights, water, sanitary sewer, storm sewer, sidewalks and pedestrian spaces, any other utilities, landscaping, or the engineering, design, or labor involved in the construction thereof, within the PUD district.

- E. **Application Requirements.** An application for a PUD district shall contain all the following information:
1. All uses in a PUD district must be connected to the public water and sewer system;
 2. A statement describing the general character of the intended development and why a PUD district is proposed;
 3. Detailed development plan as described in subsection F below;
 4. Proof of financial ability of the owner(s)/developer(s) to carry out the project;
 5. Analysis of economic impacts for a 10-year period which details anticipated sales tax revenue, property tax revenue, and the marginal social benefit to the public;

Chapter 4: Use Standards

4-4.8 Detached Single-Family and Two-Family Dwelling Standards (pg. 4-10/11)

H: Overall, limits buyers dramatically. Limits what they can have and adds cost where they do not need it, making the same house more financially attainable in surrounding areas.

1-3. While these can be done, they also add substantial cost to the buyer. Any combination of these changes can increase build time, material cost and labor.

4. Cost variables on these styles of homes can be very different. Are we really going to have the CDD turn down buyers because of the home type they can afford?

5. Garage front setback greater than house:

Limits the area families use the most (the back yard). In turn adding significant cost in concrete, which the buyer will see no return in investment for.

6. Needs clarification as it seems vague. Pretty sure there is zero change you can have a center front door on any CR.

7. Is this what we are already doing? What are the minimal standards? Most buyers are interested in upgrades on the inside that meet their personal standard of living.

8. This is difficult in a CR unless you include garage door windows, which adds cost to the buyer.

I: Applicants already submit floor plans and front elevations to the city for permits. Need more information on what the Community Development Department is.

It would be helpful to have examples of these standards. Ultimately, who will make the choice?

K: Seems like this is what the city wants every development to be like. PUDs take a long time to plan and are not the same as selling or building homes in CR.

Overall, this would put the potential growth of the city in major jeopardy, making the burden of costs such as taxes even higher on their current residents.

4-4.9 Residential Uses in the 17/76 District and Old Town District

A. (pg. 4-11)

Allow residential lobbies, and amenities spaces on primary frontage and opportunity for special review of circumstances prohibiting a good retail use – i.e., walk-up style townhouse unit or garden level entries.

Chapter 5: Site Standards

4-5.1 Functional Site Elements

B & C (pg. 5-5)

- B. **Dumpster Enclosures.** Outdoor trash and recycling receptacles shall not be visible from public rights-of-way for detached single-family homes, two-family homes, and small multiplexes up to four (4) attached units. Outdoor trash receptacles and areas used for the storage of waste products shall be enclosed and screened from the view of public rights-of-way and adjacent residential properties for all other uses as follows:
1. The receptacle or storage area shall be enclosed within a fully obscuring fence or wall not less than five (5) feet in height and not more than eight (8) feet in height.
 2. The fence or wall shall be constructed of durable materials and designed to match the exterior finish of the principal building on the site.
 3. The enclosure shall be accessed by a gate. The gate shall be obscuring and shall remain closed when the enclosure is not being accessed.
 4. The enclosure shall be set back no less than fifteen (15) feet from any residential property line.
 5. Trash enclosures shall not be located in a front yard or street side yard.
 6. The applicant is encouraged to incorporate the dumpster enclosure into the building and provide gates, roll-up doors, or similar means of access for trash removal personnel where possible.

Revise Item #2 to be complimentary to the exterior finishes.

Item #6 should be removed. With a front/rear loading truck, that means the dumpster would need to be pushed outside of the building which is not a practical or feasible request to ask of building owners/tenants or their staff. Consider the practicality of this item.

- C. **Mechanical Equipment.** For all uses requiring a site plan, mechanical equipment shall be located and screened as follows:
1. Ground-mounted mechanical equipment shall be located in a rear yard, a minimum of twenty (20) feet from any residential property line. Where the location of such equipment in a rear yard is impractical, such equipment may be located in an interior side yard, provided that the equipment is screened by a wall or fence that is architecturally compatible with the building, or by a dense evergreen hedge with a minimum height of one (1) foot above the height of the equipment. Such equipment may project no greater than five (5) feet into a required side yard.
 2. Roof-mounted mechanical equipment shall be screened with a parapet wall, penthouse, or other similar screening device not less than the height of the highest appurtenance. The design of the screening device shall be compatible with the architectural design of the building upon which it is located.

- *Roof top screening can become physically difficult to support and construct if it's required to be to the top of the highest point of the RTU. Parapet walls built that high need to have 'kickers' and the cost becomes expensive, same applies to roof top screens. Views taken from nearby roads or parking lots can provide evidence that roof top screening at 50% is adequate at screening.*
- Parapet walls of that height could require significant additional structural elements due to snow loads. A better option would be to define an eye level distance triangle. This would promote the use of exterior parapets to screen equipment. It also helps force the equipment to the middle of the roofs.

4-5.2 Parking, Loading, and Circulation

12. e. (pg. 5-9) Minimum Required Off-Street Parking Spaces Table 4-5.2.A.12.E

Multi-family Dwellings - Remove Requirement for guest parking of 0.5 spaces per dwelling unit

B. Drive-Through Design and Stacking (pg. 5-14)

- B. **Drive-Through Design and Stacking.** A lane, aisle, drive, or path in which vehicles are directed expressly for the purposes of receiving or dispensing persons, goods, or services without the driver leaving the vehicle (referred to as a drive-through lane) shall comply with the following requirements:
1. Drive-through lanes shall be separate from the circulation roads and lanes necessary for ingress to and egress from the property.
 2. Drive-through lanes shall not use any space that is necessary for adequate access to parking spaces.
 3. Drive-through lanes where vehicle stacking and waiting occur shall not be permitted in the front yard.
 4. Drive-through lanes and associated by-pass lanes shall be setback at least ten (10) feet from the side and rear lot lines.
 5. Drive-through lanes located adjacent to a street shall be buffered by a minimum ten (10) foot wide landscaped planting adjacent to the right-of-way as specified in [Section 4-5.3 Landscape and Natural Features, subsection A.9](#).
 6. When the direction of traffic in an adjacent lane or aisle is opposite the direction of the drive-through lane or when the adjacent aisle is used to access parking spaces, drive-through lanes shall be separated from other aisles and lanes using a landscaped island, sidewalk, or any other similar raised barrier, as approved by the approving body. In no case shall this barrier be less than five (5) feet.
 7. Drive-through lanes shall provide one (1) by-pass lane to allow unobstructed travel for vehicles to pass those waiting to be served.

Items #4 and #7 – these requirements can be difficult to implement into the site design and require more land.

F. Electric Vehicle Charging Stations (pg. 5-19)

F. **Electric Vehicle Charging Stations.**

1. **Intent.** The intent of this section is to facilitate the use of electric vehicles and to expedite the establishment of a convenient electric vehicle infrastructure that such use necessitates. Electric vehicle charging stations should be provided in convenient and safe locations and maintained in good working order to promote electric vehicles and instill confidence in the reliability of the overall network in the City.
2. Any use may provide electric vehicle charging spaces.
3. Commercial, institutional, office, and industrial uses may provide electric vehicle charging spaces as a portion of the overall number of spaces required for the site.
4. Multi-family and multiplex developments over four (4) units shall provide charging infrastructure for a minimum of fifteen percent (15%) of required spaces. For the purposes of this subsection,

Item #4: This percentage is too high, and an unrealistic requirement based on the demographics of this area.

Mandating 15% charging stations for multi-family is excessive and comes with a tremendous cost. This requires larger services and additional transformer requirements for each building. Planning site lighting for a future EV station also adds substantial costs. Forcing maintenance and penalizing non-functioning EV stations is a problem. 14 days is not enough time to get one of these items fixed.

Requirement for minimum of 15% of parking stalls to include EV charging will add significant cost to a project. This should be market driven amenities in multifamily development.

H. Bicycle Parking (pg. 5-21)

Forcing buildings to provide bicycle parking is unnecessary. Builders, Developers, and Business should be able to choose to provide it. They should not be forced into it. We have installed bicycle parking in a couple of projects, and they have been a waste of time, space, and money. Allowing for a reduction in parking spaces by providing bicycle parking makes some sense. Requiring a 6' path for bikes comes at a cost as well. Does this mean that all City sidewalks are now going to need to be 6'?

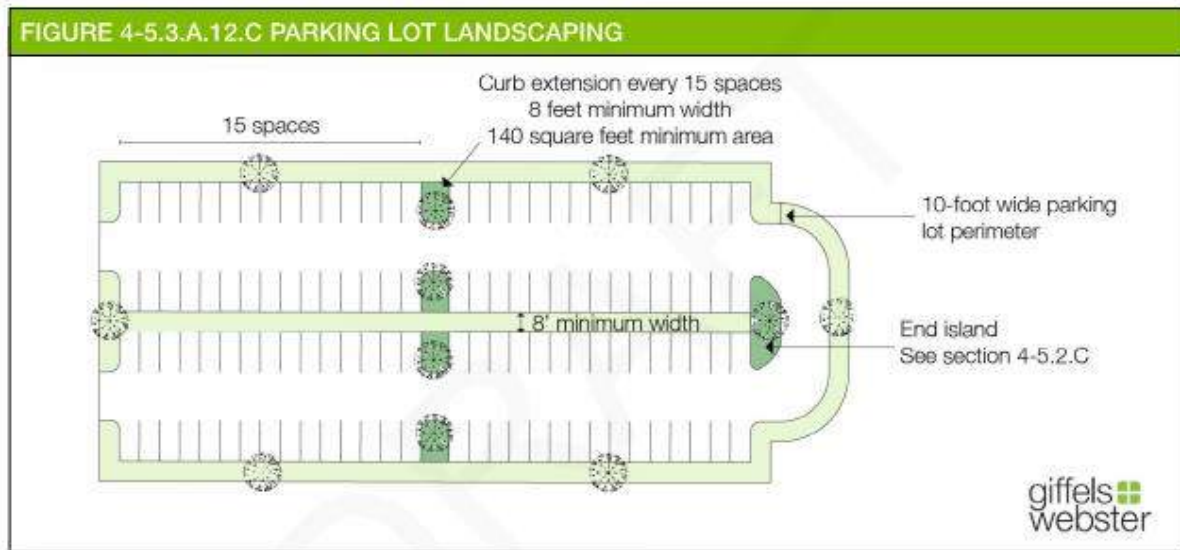
In 17/76, MX and OT districts, bicycle parking should be considered in ROW and public improvement areas adjacent to retail buildings. Especially in zero lot line building sites.

4-5.3 – Landscape and Natural Features

11. e. Greenbelt requirements by zoning district and type of greenbelt. TABLE 4-5.3.A.11.E (pg. 5-31)

Do these buffers only apply to zoning adjacent if there is a street R/W between the two properties the buffer is not required?

12. Parking lot landscaping (pg. 5-33)



Not sure how to interpret this image. 10' landscape buffer around all the parking? What happens when there are easements that prevent trees? Is the 8' wide middle island area required in head to head scenarios?

This can get difficult and doesn't make sense when two businesses are sharing drive aisles or parking lots. Revise or add an exception.

14.b. Landscape maintenance agreement (pg. 5-34)

Adding a landscape maintenance agreement that will be filed seems excessive. Are developers expected to provide this? Who is paying for these agreements? What is the punishment for non-maintained landscaping? How is this getting enforced?

16.b. Fences, Hedges, and Walls (pg. 5-36)

Are 6' fences being required for commercial projects adjacent to residential? This could add substantial costs to commercial development. Forcing brick/stone walls seems a bit excessive!

4-5.4 Lighting

C. General Provisions (pg. 5-41)

There is a conflict in light trespass foot candle maximums and the required footcandles for sidewalks.

4-5.5 Building Appearance Requirements (pg. 5-44)

- There are several issues with this. I don't think it is appropriate for a city to dictate the aesthetic of buildings. This whole section should be removed.

- a. Stucco and exterior finish insulation systems (E.I.F.S.) are prohibited on the first floor and allowed only as accent materials on upper floors (2nd floor and above) in the 1776, OT, and MX districts.

Extents of EIFS should be modified. The first floor heights of buildings in these districts are so tall that EIFS should be allowed on the upper portions of the wall, maybe at 5'-6' above finished floor.

What is T-111 paneling?

4-5.6 Signs (pg. 5-46)

5. Measurement of Sign Area (pg. 5-49)

Remove sign size requirement for projecting and hanging signs at 3sf, also allow one hanging sign per tenant (maybe every 25ft) not entire building.

D. Specific Regulations for Temporary Freestanding and Wall Signs (pg. 5-63)

Temporary Building Signs - It is critical for initial lease up to be able to get a large temporary sign on a building. The maximum allowed by the code is not large enough to effectively drive traffic.

4-5.7 Performance Standards

D. Noise (pg. 5-67)

TABLE 4-5.7.D.3 MAXIMUM NOISE LEVELS BY TIME OF DAY AND RECEIVER			
Time Period	Use Receiving the Sound		
	Residential	Commercial/Mixed Use/Industrial	Industrial
a. Daytime (7:00 a.m. - 8:00 p.m.)	65 dBA	65 dBA	75 dBA
b. Nighttime (8:00 p.m. - 7:00 a.m.)	50 dBA	65 dBA	65 dBA

Does this include an outdoor concert? I don't see an exception. Daytime hours should be extended to 10 pm.

4-5.8 Building Type Standards

D. Allowed Building Types (pg. 5-70)

Townhomes should be allowed to have a 4th floor.

Chapter 6: Subdivision Regulations

4-6.14 Introduction, Intent, and Development Agreement (pg. 6-16)

Appears to be placing all the responsibility on the developer for a very vague statement.

“Accept responsibility for the layout and construction of all private or public roads, alleys, and streets within the subdivision, according to City specifications.”- Is the intent here to abolish specials?

This will push most development and developers out of the city of Horace. I know the City of Bismarck tried to have the developers pay and construct new subdivisions independently 20 years ago. It didn't last long. They now require the developer to pay for the water and sanitary sewer. The pavement, C&G, storm, and streetlights are accessed. The city should consider allowing subdivisions to be allowed to be accessed or at the very minimum take the same approach as Bismarck.

4-6.15 Lots (pg. 6-16)

- A. “An aesthetically pleasing building site and a proper architectural setting for the buildings contemplated for the subdivision.”

What is the definition of aesthetically pleasing and who determines? Seems like a slippery slope.

4-6.21 Landscaping Standards

D. Exemptions (pg. 6-32)

D. Exemptions.

1. Single-family homes, duplexes/two-family dwellings, mobile homes, manufactured homes, and industrial properties are not required to meet proposed plant units for each lot, though they are encouraged to participate. However, single-family homes, duplexes/two-family dwellings, and manufactured home properties shall have a minimum of one (1) three-gallon shrub for every three (3) lineal feet along the foundation for every street facing facade.

The first part seems like homes mentioned are exempt, but then the second part seems like they are not exempt.

6. Wooded Areas (pg. 6-35)

6. Wooded Areas.

- a. Wooded areas with mature trees are to be preserved, at the subdivider's option, these trees may be included to meet all or part of the canopy requirements, provided the site plan identifies such trees and the trees meet the standards of size, health, placement, etc. set out in this section. The Community Development Department shall evaluate use of existing trees to ensure they have adequate health and strength to allow such use.
- b. Existing trees in wooded areas designated to be included as part of these requirements should be protected during construction by fencing as specified in Section 4-6.21, subsection F.5.

Can cash in lieu or new trees be planted to replace displaced trees?

8. Maintenance (pg. 6-36)

- b. The property owner and tenant shall be jointly and severally responsible for maintenance of all required landscape, irrigation, and hardscape improvements as originally approved. This maintenance requirement shall carry with the land and shall be the responsibility of any subsequent owners and tenants of the property. It is the responsibility of the owner to notify any subsequent owners of the property of this responsibility.
- c. Landscape areas and site improvements shall be maintained in good condition for a healthy, neat, and orderly appearance and shall be kept free from weeds and debris. Plant materials shall be maintained in a healthy and vigorous condition through proper irrigation, fertilization, pruning, weeding, mowing, and other standard horticultural practices so as to grow to their normal shape, color, and height, and to fulfill the required functions of screening, shading, buffering, and aesthetic appeal set forth by the City. Dead plants shall be replaced. Damaged plants including lawn grass shall be replaced or restored. Mulch shall be at the proper coverage and depth.

Is this section referring to before the property is built on, after, or both? Does it apply to unsold lots?

Look at subsections b and c.

Chapter 7: Development Review

4-7.3 Design Review

C. Submission of Plans (pg. 7-6)

- C. **Submission of Plans.** Plans for construction and renovation of structures within C districts, I-1 and I-2 districts, and MX districts shall be submitted to the Planning Commission for review. The owner of the property to be constructed upon or renovated shall submit two (2) full-sized and to-scale plans plus two (2) reduced copies of the necessary drawings to the Planning Commission, as well as a digital file of the plans. The Planning Commission shall have forty-five (45) days to review the completed submission, hold a meeting, and approve, conditionally approve, or deny the proposed plans. Upon a motion of the Planning Commission, the review period may be extended for an additional thirty (30) days or to a time mutually agreed upon by the Planning Commission and the applicant.

What is the purpose of this if the project complies with the Land Use Code?

4-7.7 Certificates of Zoning Compliance (pg. 7-12)

- A. A certificate of zoning compliance shall be required for any non-residential use in Horace established on or after the adoption of this code. Application for the certificate shall be made on an application provided by the City, and shall include a fee, as established by a resolution of the City Council. Certificates of zoning compliance are required in the following circumstances:
 - 1. Establishment of any new non-residential use, excluding home occupations as defined in this code.
 - 2. A change of use or re-occupancy in any existing non-residential building or on any existing non-residential, non-agricultural parcel.
 - 3. The conversion of a residential structure or parcel to a non-residential use.
 - 4. The conversion of an agricultural structure or parcel to a non-residential use.

Additional fees and review time when this should be part of the review for the building permit, redundant process and fees.

Chapter 8: Administration, Enforcement, and Appeals

4-8.4 Nonconforming Uses, Lots, and Buildings

B. Nonconforming Lots (pg. 8-4)

Potential issue for developers/builders: Any existing lots that conform currently would be out of compliance with the new standards. It would require a variance granted by the City Council in order to minimize setback requirements. It will impact many of the lots already developed.

4-8.11 (pg. 8-14) Performance Guarantees & 4-8.14.E.3 Cash, letters of credit, and bonds

These sections refer to "Performance Guarantees." Generally, there is no requirement to deposit funds of any kind with the city in order to obtain a permit and begin construction.

4-8.14 Certificates of Occupancy

E. Temporary Certificates of Occupancy (pg. 8-19)

- E. **Temporary Certificates of Occupancy.** A temporary certificate of occupancy may be issued if the property owner is entitled to a temporary certificate of occupancy under the Building Code, provided there is compliance with the additional requirements of this section. Any temporary certificate of occupancy issued shall specify a reasonable time for site improvements. Failure to comply with the time limit set forth shall be considered a violation of the time limit placed on the temporary certificate of occupancy for purposes of enforcing this code and requiring completion of site improvements.
1. **Duration of temporary certificate of occupancy.** A temporary certificate of occupancy shall not be effective for more than six (6) months. Thereafter, occupancy may only be authorized under a final certificate of occupancy.
 2. **Unfinished site improvements.** All unfinished site improvements which are included on an approved site plan or which are otherwise required by this code shall be constructed, installed, or placed on the property and shall be approved by the Community Development Department within six (6) months of obtaining a temporary certificate of occupancy. Failure to finish and obtain approval of such improvements shall constitute a violation of this code.
 3. **Cash, letters of credit, and bonds.** Whenever an applicant seeks occupancy of premises prior to the completion of all improvements and construction in accordance with an approved site plan and the requirements of the City's ordinances, or when the applicant occupies the premises at the time of application for a building permit and continued occupancy is contemplated during the time of construction, the applicant shall deposit cash, a certified check, an irrevocable bank letter of credit, or a corporate surety bond forfeitable to the City in an amount equal to the estimated cost of the remaining improvements pursuant to such site plan and the requirements of this code and other city ordinances and requirements. The estimate of such cost shall be solely in the discretion of the Community Development Department. The financial guarantee shall be administered in accordance with Section 4-8.11 Performance Guarantees.

#2- revise to be nine months or may be extended further with prior approval by the Community Development Department. If a project is finished in the fall, weather conditions may not allow for site improvements to be completed within six months.

#3-Remove. A fine may be sent or their certificate of occupancy may be revoked.

F. Final Certificate of Occupancy (pg. 8-20)

- F. **Final Certificate of Occupancy.** A final certificate of occupancy shall not be issued until all on-site improvements required by an approved site plan and by this code are constructed, installed, or placed on the property in accordance with the approved site plan and this code and approval for such has been obtained from the Community Development Department. **In no case shall a final certificate of occupancy be approved until final as-built drawings are submitted to and approved by the Community Development Department.**
1. **Records of certificates.** A record of all certificates issued shall be kept on file in the office of the Community Development Department.
 2. **Certificates for residential accessory buildings.** Buildings or structures accessory to dwellings shall not require a separate certificate of occupancy but may be included in the certificate of occupancy for the dwelling when shown on the plot plan, and when completed at the same time as such dwellings.
 3. **Applications for certificates.** Application for certificates of occupancy shall be made in writing to the Community Development Department on forms furnished by the City, and such certificates shall be issued within ten (10) days after receipt of such application if it is found that the building, structure, or part thereof, of the land use is in accordance with this code. If such certificate is refused for cause, the applicant shall be notified of such refusal and cause thereof, within the ten-day period.

Not a practical nor realistic expectation and tenants/owners will be waiting additional weeks/months to be able to occupy their buildings. And another application with fees associated with it and more review time?

Jace Hellman

From: Dan Combs <dan.combs@indigosigns.com>
Sent: Friday, May 5, 2023 3:03 PM
To: Jace Hellman
Cc: Jill Gustofson; Eric Klebe; Drew Weltin
Subject: Land Use Ordinance - Notes on the signage section of the proposed.
Attachments: Proposed Sign Ordinance - Horace, ND.pdf

Good morning!

My name is Dan Combs, I am the Director of Sale for Indigo Signs. I want to thank you for allowing us to research and advise on the Land Use Ordinance and hope that our notes and suggestions below help the City of Horace dial in a business friendly and community conscious ordinance specific to signage regulations and requirements.

Our primary focus relates to section 4-5.6 or pages 5-46 thru 5-65. I have summarized out thoughts specific to different sections and sub-sections of the proposal in hopes your team will take them into consideration prior to the issuance of the ordinance. Thank you for taking the time to understand the custom sign industries position on these matters.

Our team at Indigo Signs would be more than happy to meet with your team and discuss these items further. Please let us know how we can help.

Page 5-48 – 3.) – Prohibited Signs – Subsection a.)

- Signs fluttering or moving with the wind. Please considering a tolerance for sidewalk / flag style of signs. There are numerous point-of-sale signs that are “banner / flag” signage pieces that are often used for sales / programs / events that may not be allowed per this code.

Page 5-50 – Measurements of free-standing signs

- Our team strongly recommends placing a standard measurement system in place for all “monument signs”. This section is confusing for the following reasons:
 - a.) Black background being and indicator for calculations. Why?
 - b.) Internally illuminated signage w/ non-black backgrounds calculations vs illuminated signage w/ black backgrounds - varying calculations relating to square footage allowances. Why?
 - c.) A completely different calculation methodology for a non-illuminated sign. Why?

Page 5-52 – Free-Standing Sign Zone

- Please better define “marginal access drive” – There is clarity needed regarding this. Is this a frontage road / easement?

Page 5-54 – Signage sizes by zone

- Maximum sign height – By the review / analysis of this chart, it appears that the City of Horace is attempting to limit the signage “type” in Horace to reflect monument signage and not pylon signage. The comment at the bottom of this column (* For any freestanding sign along a road with a posted speed of 45 mph or higher, the maximum size shall be increased to 120 square feet and the maximum height shall be 10 feet). The overall

allowable height of this signage type / family is low. A 120 square foot sign at a maximum height of 10' essentially does not allow for any "pylon" style of signage. Specific question: Are pylons not allowed?

Indigo Signs has offices in many regions throughout MN and ND. Specific to the push of monument signs. I would like to offer the following relating to the Grand Forks market. This information was shared with representatives from our Grand Forks office as well as various clients and business owners from that region:

"Ground monuments are required in all PUD areas of which covers the south and west developing areas of the city. All freestanding signs are limited to 8' in overall height. This has been code since the mid 90s, although there is a current push from the business community to revise this code. The 8' height restriction is extremely limiting on our community. Most businesses in these areas have complaints due to lack of visibility and customers complain that it is hard to find stores/companies they are trying to visit. During a heavy snow winter most of the monument sign are half buried in snow or hidden behind a snow-pile completely. Most businesses spend additional dollars each winter to keep their signs clear. The height restriction also leads to an extreme lack of creativity. By the time a 2' base is put on there is minimal sign space left to work with – most monuments end up being standard rectangles that all look the same. I would strongly advise against a stringent height restriction like this. This code in Grand Forks has hurt our business community and even kept certain national franchises from developing here."

Page 5-55 – Electronics Display Areas

iii – Electronic message centers shall not emit more than 100 nits during the "night hours". The industry standard is approximately 300 nits in evening hours. The nit output of this sign family is primarily controlled by a photo-sensor of unit controlling brightness. Requiring the settings to be 100 nits or less could essentially make these signs unreadable during those required hours of operation.

Thank you,

Dan Combs

Director of Sales

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Jace Hellman

From: Jennifer Sinner <jenn.frueh@gmail.com>
Sent: Thursday, April 13, 2023 9:14 PM
To: Jace Hellman
Subject: Community Development Feedback

To whom it may concern,

I am writing in regards to the Horace Community Development Proposed Ordinance draft that has been released for public input. We live in the Sunnyside/Woodland Circle neighborhood and have been curious what would come of the land that lays at the entrance to our neighborhood. The proposed draft indicates that it is 17/76. After looking through the options of what could potentially be built there, we would request that you carefully consider what is done with that land. I'd encourage you to drive through this beautiful, well-established neighborhood and experience the community and beauty as you drive through. This neighborhood has approximately 1 acre lots that are highly desirable in today's market. Placing commercial buildings, multi-family housing, and urban developments negatively impacts the feel of any neighborhood, especially a neighborhood like this one that already has established housing, trees, lots, etc. At one time, Horace was a desirable destination because of the small town size (feel), large trees and lots, and their quiet neighborhoods.

We ask that you please consider using this space for updating recreational spaces (baseball field, soccer, parks, etc). We want our neighborhood/community to continue to be desirable, safe and quiet, and feel like the original, small town community that Horace once was. Placing commercial buildings, multifamily housing, etc at the entrance of this neighborhood will be a great disappointment for this neighborhood and significantly change the functionality of our neighborhood from the second you turn into our neighborhood. We greatly appreciate your consideration in allowing the already established Horace neighborhoods to remain established and un-touched by the new construction/urban trends that are taking over the city of Horace.

Thank you for your consideration -

Jennifer Sinner
7169 Woodland Circle, Horace

Jace Hellman

From: John Koerselman <john.koerselman@outlook.com>
Sent: Wednesday, May 3, 2023 4:06 PM
To: Jace Hellman
Subject: 1776

Jace,

My name is John Koerselman. I live at 7002 Sunnyside St. I'm am contacting you in regards to the new zoning called 1776. In reading through it, there are a lot of different options to do commercial or residential. Too many in my opinion and that makes me a vote against that particular zoning. As a former councilman, one of the biggest things and tools that can be used is personal connection to homeowners or landowners when land that affects them is in play. A good example is when Mayor Peterson and another council member went to Apple Orchard and had a group conversation in their neighborhood. The city needs to know what exactly is planned for a particular piece of land. What is a developer going to build specifically. I am not against growth. Just needs to be done in a positive way that benefits everyone.

Thank you!

John

Sent from my iPhone

Jace Hellman

From: MIKE GEIR <c5torch@hotmail.com>
Sent: Thursday, May 4, 2023 8:33 PM
To: Jace Hellman
Subject: 17/76

Jace, I was just made aware of the proposed development plan 17/76. I live on sunnyside street and moved here for the low density housing with larger lots and more reasonable taxes. I am not in favor of the high density or commercial development south of 68th and west of 17. I feel it should stay residential and a lower density not 50 or 75 foot lots. I would prefer not to have mixed use buildings like the lights along 17 on the east side of 17 either because of the noise and likely extra traffic. The light is a nice complex but I do not want to live near it. Another thing I am not in favor of the proposed use of roundabouts from 52nd ave and south on 17. Roundabouts have a place but not all intersections on the main road when they are being built in a hole that collects snow and ice like 76th. I and several neighbors have trailers that we move and the roundabouts are not the way to go. The compact roundabouts on veterans blvd N of 52 I avoid. If that is on the main road to my home it will be time to move. I can be reached at 701-261-2282 if you have any questions. Mike Geir 7003 sunnyside st.

Home Builders Association of Fargo-Moorhead:

Comments and concerns compiled from builder, developer, and Realtor representatives doing business in Horace.

Chapter 3: Zoning Districts

- *Too specific as to the uses allowed on a primary and secondary street and the floor of the building.*
- *Dictating first floor heights of the buildings is too controlling.*
- *Allowed building materials-why only full masonry systems? Thin brick or veneer stone provides a similar aesthetic.*
- *Allowed building materials in 17/76, OT, MX districts: too restrictive. Where is the consideration for project budgets and the varied appeal of other building materials?*
- *EIFS in the Commercial and I-1 district: lower the height to be 5'-6' above ground level.*

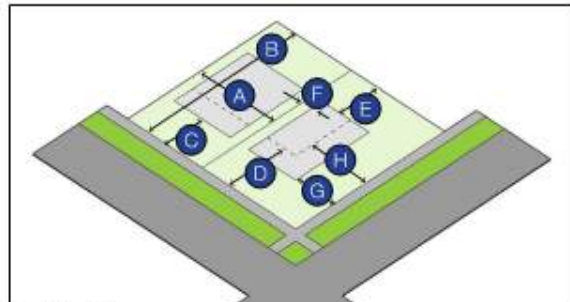
4-3.15 CR Compact Residential (pg. 3-30)

4-3.15 CR Compact Residential

5. Building Placement & Lot Size

Lot Size & Width

Residential use	4,000 sf min. per dwelling	
Other use	4,000 sf min.	
Lot width	40 ft. min.	(A)
Lot depth	80 ft. min.	(B)
Average lot width in subdivisions	46 ft.	



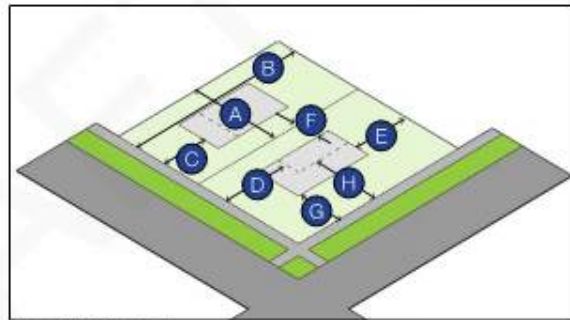
Residential

Building Coverage

Building coverage ^{sq}	65% max.
Impervious surface coverage	80% max.

Setbacks - Principal Structures (Residential)

Front setback:	20 ft. min. 30 ft. max.	(C)
Rear setback:	20 ft. min.	(D)
Side setbacks:		(E)
Interior side	5 ft. min.	(F)
Street side (if applicable)	20 ft. min. 30 ft. max.	(G)
		(H)



Non-Residential

Consider changing the side setback to 12' or 15' for all residential zoning districts. On a 50' lot this only leaves 25' for a buildable width. Corner lots are usually less desirable with these large street side setbacks they even less desirable.

Landscaping: 4-3.1.5 Compact Residential (pg. 3-33) & 4-3.1.6 Urban Residential (3-39)

Consider changing the street tree spacing to be determined by the classifications of roads.

Example: Local street = 30' or 35'

Collector street = 40' or 45'

Arterial streets = 50' or 55'

This will help keep neighborhoods consistent along the boulevards and give a consistent look in all of the neighborhoods. It also becomes difficult to place trees every 20' with driveway spacing and street lights. If the city wants additional in certain districts, it makes sense to add it to the landscaping code.

4-3.1.8 17/76

- **4. List of Uses (pg. 3-47/48)**
 - Allow/address breweries, cideries, coffee roasters
- **5. Building Placement and Lot Size (pg. 3-50)**
 - Allow zero-lot line buildings
- **7. Building Standards (pg. 3-52)**
 - Building Materials – allow architectural metal panel
 - Building Transparency – Non-Residential 35% minimum
 - Parking Setback – require screened parking and 5ft set back at front (think parking ramp structure)

4-3.1.9 OT Old Town

- **4. List of Uses (pg. 3-55/56)**
 - Allow/address breweries, cideries, coffee roasters
- **5. Building Placement and Lot Size (pg. 3-58)**
 - Allow zero-lot line buildings
- **7. Building Standards (pg. 3-60)**
 - Building Materials – allow architectural metal panel
 - Building Transparency – Non-Residential 35% minimum
 - Parking Setback – require screened parking and 5ft set back at front (think parking ramp structure)

4-3.1.10 MX Mixed Use

- **4. List of Uses (pg. 3-63/64)**
 - Allow/address breweries, cideries, coffee roasters

- **5. Building Placement and Lot Size (pg. 3-66)**
 - Historic Downtown environments are built on 25ft increments. Consider size of buildings/lots vs. experience at street level.
 - Building Coverage – allow zero lot line builds in downtown districts, remove restriction for impervious surface max, and building coverage max
 - Front Set back – allow zero lot line builds downtown districts
- **6. Building Form and Components (pg. 3-67)**
 - Building Façade – 35% Transparency in Front
 - Encroachment – Confirm blade signs, awnings allowed over ROW on zero lot line builds in downtown districts
- **7. Building Standards (pg. 3-68)**
 - Materials – Allow architectural metal panels
 - Transparency – Building Front façade non-residential 35%
- **9. Access and Parking (pg. 3-68)**
 - Vehicle Parking setbacks – require screened parking and 5ft set back at front (think parking ramp structure)
- **11. Signs (pg. 3-69)**
 - Non-residential – Allow Blade and roof signs

4-3.1.11 C Commercial (pg. 3-74)

5. Building Placement & Lot Size

Lot Size & Width

Lot size	None
Lot width	None

Building Coverage

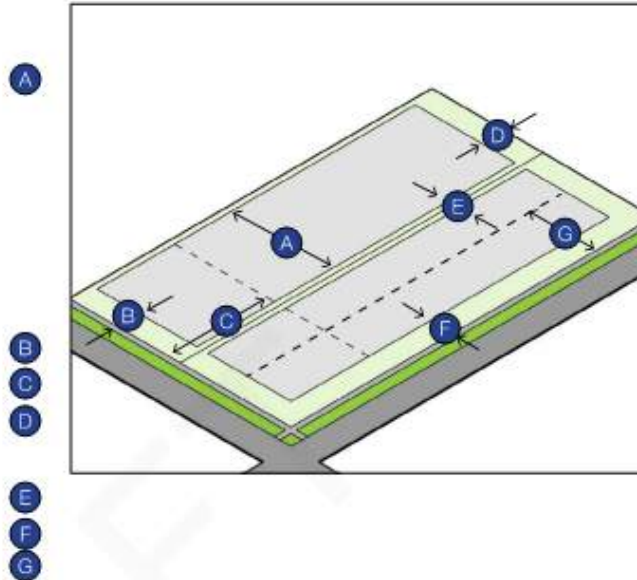
Building coverage ¹	60% max.
Impervious surface coverage	80% max.

Setbacks - Principal Structures

Front setback:	20 ft. min. 90 ft. max.
Rear setback:	20 ft. min. ¹
Side setbacks:	
Interior side	5 ft. min. ¹
Street side	20 ft. min. 90 ft. max.

Setbacks - Accessory Structures

Minimum front setback:	Not permitted ²
Minimum rear setback:	5 ft. ¹
Minimum side setback:	
Interior side	5 ft. ²
Street side (if applicable)	Not permitted ¹



Consider removing maximum setbacks. These can be difficult to meet on some sites due to easements or other restrictions.

4-3.1.16 PUD Planned Unit Development (pg. 3-106)

C. Restrictions.

1. Special assessments cannot be used to finance the development of a PUD district, including but not limited to, streets, street lights, water, sanitary sewer, storm sewer, sidewalks and pedestrian spaces, any other utilities, landscaping, or the engineering, design, or labor involved in the construction thereof, within the PUD district.

- E. **Application Requirements.** An application for a PUD district shall contain all the following information:
1. All uses in a PUD district must be connected to the public water and sewer system;
 2. A statement describing the general character of the intended development and why a PUD district is proposed;
 3. Detailed development plan as described in subsection F below;
 4. Proof of financial ability of the owner(s)/developer(s) to carry out the project;
 5. Analysis of economic impacts for a 10-year period which details anticipated sales tax revenue, property tax revenue, and the marginal social benefit to the public;

Chapter 4: Use Standards

4-4.8 Detached Single-Family and Two-Family Dwelling Standards (pg. 4-10/11)

H: Overall, limits buyers dramatically. Limits what they can have and adds cost where they do not need it, making the same house more financially attainable in surrounding areas.

1-3. While these can be done, they also add substantial cost to the buyer. Any combination of these changes can increase build time, material cost and labor.

4. Cost variables on these styles of homes can be very different. Are we really going to have the CDD turn down buyers because of the home type they can afford?

5. Garage front setback greater than house:

Limits the area families use the most (the back yard). In turn adding significant cost in concrete, which the buyer will see no return in investment for.

6. Needs clarification as it seems vague. Pretty sure there is zero change you can have a center front door on any CR.

7. Is this what we are already doing? What are the minimal standards? Most buyers are interested in upgrades on the inside that meet their personal standard of living.

8. This is difficult in a CR unless you include garage door windows, which adds cost to the buyer.

I: Applicants already submit floor plans and front elevations to the city for permits. Need more information on what the Community Development Department is.

It would be helpful to have examples of these standards. Ultimately, who will make the choice?

K: Seems like this is what the city wants every development to be like. PUDs take a long time to plan and are not the same as selling or building homes in CR.

Overall, this would put the potential growth of the city in major jeopardy, making the burden of costs such as taxes even higher on their current residents.

4-4.9 Residential Uses in the 17/76 District and Old Town District

A. (pg. 4-11)

Allow residential lobbies, and amenities spaces on primary frontage and opportunity for special review of circumstances prohibiting a good retail use – i.e., walk-up style townhouse unit or garden level entries.

Chapter 5: Site Standards

4-5.1 Functional Site Elements

B & C (pg. 5-5)

- B. **Dumpster Enclosures.** Outdoor trash and recycling receptacles shall not be visible from public rights-of-way for detached single-family homes, two-family homes, and small multiplexes up to four (4) attached units. Outdoor trash receptacles and areas used for the storage of waste products shall be enclosed and screened from the view of public rights-of-way and adjacent residential properties for all other uses as follows:
1. The receptacle or storage area shall be enclosed within a fully obscuring fence or wall not less than five (5) feet in height and not more than eight (8) feet in height.
 2. The fence or wall shall be constructed of durable materials and designed to match the exterior finish of the principal building on the site.
 3. The enclosure shall be accessed by a gate. The gate shall be obscuring and shall remain closed when the enclosure is not being accessed.
 4. The enclosure shall be set back no less than fifteen (15) feet from any residential property line.
 5. Trash enclosures shall not be located in a front yard or street side yard.
 6. The applicant is encouraged to incorporate the dumpster enclosure into the building and provide gates, roll-up doors, or similar means of access for trash removal personnel where possible.

Revise Item #2 to be complimentary to the exterior finishes.

Item #6 should be removed. With a front/rear loading truck, that means the dumpster would need to be pushed outside of the building which is not a practical or feasible request to ask of building owners/tenants or their staff. Consider the practicality of this item.

- C. **Mechanical Equipment.** For all uses requiring a site plan, mechanical equipment shall be located and screened as follows:
1. Ground-mounted mechanical equipment shall be located in a rear yard, a minimum of twenty (20) feet from any residential property line. Where the location of such equipment in a rear yard is impractical, such equipment may be located in an interior side yard, provided that the equipment is screened by a wall or fence that is architecturally compatible with the building, or by a dense evergreen hedge with a minimum height of one (1) foot above the height of the equipment. Such equipment may project no greater than five (5) feet into a required side yard.
 2. Roof-mounted mechanical equipment shall be screened with a parapet wall, penthouse, or other similar screening device not less than the height of the highest appurtenance. The design of the screening device shall be compatible with the architectural design of the building upon which it is located.

- *Roof top screening can become physically difficult to support and construct if it's required to be to the top of the highest point of the RTU. Parapet walls built that high need to have 'kickers' and the cost becomes expensive, same applies to roof top screens. Views taken from nearby roads or parking lots can provide evidence that roof top screening at 50% is adequate at screening.*
- Parapet walls of that height could require significant additional structural elements due to snow loads. A better option would be to define an eye level distance triangle. This would promote the use of exterior parapets to screen equipment. It also helps force the equipment to the middle of the roofs.

4-5.2 Parking, Loading, and Circulation

12. e. (pg. 5-9) Minimum Required Off-Street Parking Spaces Table 4-5.2.A.12.E

Multi-family Dwellings - Remove Requirement for guest parking of 0.5 spaces per dwelling unit

B. Drive-Through Design and Stacking (pg. 5-14)

- B. **Drive-Through Design and Stacking.** A lane, aisle, drive, or path in which vehicles are directed expressly for the purposes of receiving or dispensing persons, goods, or services without the driver leaving the vehicle (referred to as a drive-through lane) shall comply with the following requirements:
1. Drive-through lanes shall be separate from the circulation roads and lanes necessary for ingress to and egress from the property.
 2. Drive-through lanes shall not use any space that is necessary for adequate access to parking spaces.
 3. Drive-through lanes where vehicle stacking and waiting occur shall not be permitted in the front yard.
 4. Drive-through lanes and associated by-pass lanes shall be setback at least ten (10) feet from the side and rear lot lines.
 5. Drive-through lanes located adjacent to a street shall be buffered by a minimum ten (10) foot wide landscaped planting adjacent to the right-of-way as specified in [Section 4-5.3 Landscape and Natural Features, subsection A.9](#).
 6. When the direction of traffic in an adjacent lane or aisle is opposite the direction of the drive-through lane or when the adjacent aisle is used to access parking spaces, drive-through lanes shall be separated from other aisles and lanes using a landscaped island, sidewalk, or any other similar raised barrier, as approved by the approving body. In no case shall this barrier be less than five (5) feet.
 7. Drive-through lanes shall provide one (1) by-pass lane to allow unobstructed travel for vehicles to pass those waiting to be served.

Items #4 and #7 – these requirements can be difficult to implement into the site design and require more land.

F. Electric Vehicle Charging Stations (pg. 5-19)

F. **Electric Vehicle Charging Stations.**

1. **Intent.** The intent of this section is to facilitate the use of electric vehicles and to expedite the establishment of a convenient electric vehicle infrastructure that such use necessitates. Electric vehicle charging stations should be provided in convenient and safe locations and maintained in good working order to promote electric vehicles and instill confidence in the reliability of the overall network in the City.
2. Any use may provide electric vehicle charging spaces.
3. Commercial, institutional, office, and industrial uses may provide electric vehicle charging spaces as a portion of the overall number of spaces required for the site.
4. Multi-family and multiplex developments over four (4) units shall provide charging infrastructure for a minimum of fifteen percent (15%) of required spaces. For the purposes of this subsection,

Item #4: This percentage is too high, and an unrealistic requirement based on the demographics of this area.

Mandating 15% charging stations for multi-family is excessive and comes with a tremendous cost. This requires larger services and additional transformer requirements for each building. Planning site lighting for a future EV station also adds substantial costs. Forcing maintenance and penalizing non-functioning EV stations is a problem. 14 days is not enough time to get one of these items fixed.

Requirement for minimum of 15% of parking stalls to include EV charging will add significant cost to a project. This should be market driven amenities in multifamily development.

H. Bicycle Parking (pg. 5-21)

Forcing buildings to provide bicycle parking is unnecessary. Builders, Developers, and Business should be able to choose to provide it. They should not be forced into it. We have installed bicycle parking in a couple of projects, and they have been a waste of time, space, and money. Allowing for a reduction in parking spaces by providing bicycle parking makes some sense. Requiring a 6' path for bikes comes at a cost as well. Does this mean that all City sidewalks are now going to need to be 6'?

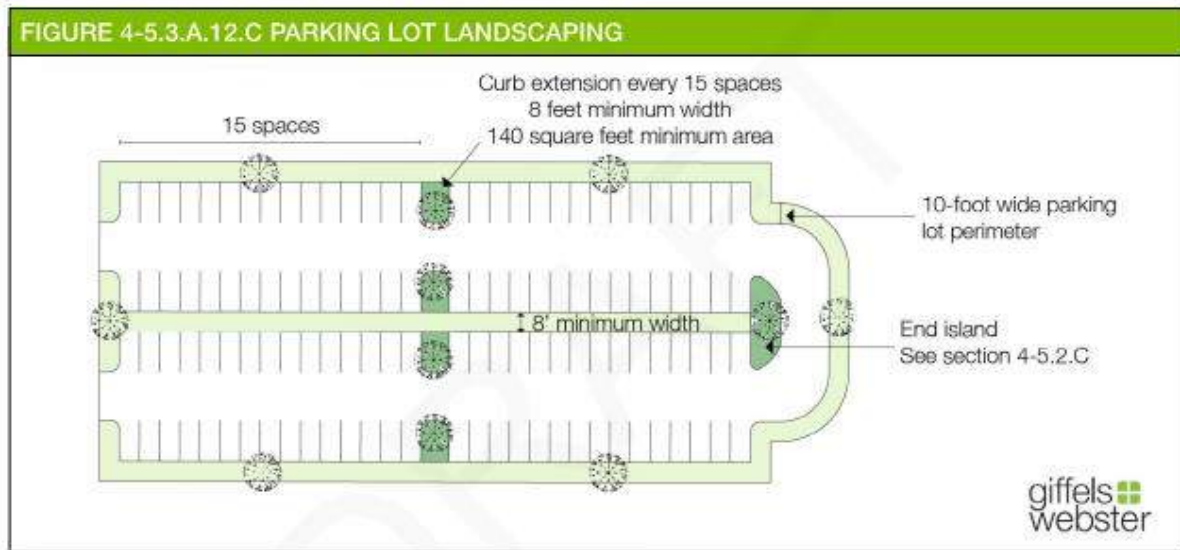
In 17/76, MX and OT districts, bicycle parking should be considered in ROW and public improvement areas adjacent to retail buildings. Especially in zero lot line building sites.

4-5.3 – Landscape and Natural Features

11. e. Greenbelt requirements by zoning district and type of greenbelt. TABLE 4-5.3.A.11.E (pg. 5-31)

Do these buffers only apply to zoning adjacent if there is a street R/W between the two properties the buffer is not required?

12. Parking lot landscaping (pg. 5-33)



Not sure how to interpret this image. 10' landscape buffer around all the parking? What happens when there are easements that prevent trees? Is the 8' wide middle island area required in head to head scenarios?

This can get difficult and doesn't make sense when two businesses are sharing drive aisles or parking lots. Revise or add an exception.

14.b. Landscape maintenance agreement (pg. 5-34)

Adding a landscape maintenance agreement that will be filed seems excessive. Are developers expected to provide this? Who is paying for these agreements? What is the punishment for non-maintained landscaping? How is this getting enforced?

16.b. Fences, Hedges, and Walls (pg. 5-36)

Are 6' fences being required for commercial projects adjacent to residential? This could add substantial costs to commercial development. Forcing brick/stone walls seems a bit excessive!

4-5.4 Lighting

C. General Provisions (pg. 5-41)

There is a conflict in light trespass foot candle maximums and the required footcandles for sidewalks.

4-5.5 Building Appearance Requirements (pg. 5-44)

- There are several issues with this. I don't think it is appropriate for a city to dictate the aesthetic of buildings. This whole section should be removed.

- a. Stucco and exterior finish insulation systems (E.I.F.S.) are prohibited on the first floor and allowed only as accent materials on upper floors (2nd floor and above) in the 1776, OT, and MX districts.

Extents of EIFS should be modified. The first floor heights of buildings in these districts are so tall that EIFS should be allowed on the upper portions of the wall, maybe at 5'-6' above finished floor.

What is T-111 paneling?

4-5.6 Signs (pg. 5-46)

5. Measurement of Sign Area (pg. 5-49)

Remove sign size requirement for projecting and hanging signs at 3sf, also allow one hanging sign per tenant (maybe every 25ft) not entire building.

D. Specific Regulations for Temporary Freestanding and Wall Signs (pg. 5-63)

Temporary Building Signs - It is critical for initial lease up to be able to get a large temporary sign on a building. The maximum allowed by the code is not large enough to effectively drive traffic.

4-5.7 Performance Standards

D. Noise (pg. 5-67)

TABLE 4-5.7.D.3 MAXIMUM NOISE LEVELS BY TIME OF DAY AND RECEIVER			
Time Period	Use Receiving the Sound		
	Residential	Commercial/Mixed Use/Industrial	Industrial
a. Daytime (7:00 a.m. - 8:00 p.m.)	65 dBA	65 dBA	75 dBA
b. Nighttime (8:00 p.m. - 7:00 a.m.)	50 dBA	65 dBA	65 dBA

Does this include an outdoor concert? I don't see an exception. Daytime hours should be extended to 10 pm.

4-5.8 Building Type Standards

D. Allowed Building Types (pg. 5-70)

Townhomes should be allowed to have a 4th floor.

Chapter 6: Subdivision Regulations

4-6.14 Introduction, Intent, and Development Agreement (pg. 6-16)

Appears to be placing all the responsibility on the developer for a very vague statement.

“Accept responsibility for the layout and construction of all private or public roads, alleys, and streets within the subdivision, according to City specifications.”- Is the intent here to abolish specials?

This will push most development and developers out of the city of Horace. I know the City of Bismarck tried to have the developers pay and construct new subdivisions independently 20 years ago. It didn't last long. They now require the developer to pay for the water and sanitary sewer. The pavement, C&G, storm, and streetlights are accessed. The city should consider allowing subdivisions to be allowed to be accessed or at the very minimum take the same approach as Bismarck.

4-6.15 Lots (pg. 6-16)

- A. “An aesthetically pleasing building site and a proper architectural setting for the buildings contemplated for the subdivision.”

What is the definition of aesthetically pleasing and who determines? Seems like a slippery slope.

4-6.21 Landscaping Standards

D. Exemptions (pg. 6-32)

D. Exemptions.

1. Single-family homes, duplexes/two-family dwellings, mobile homes, manufactured homes, and industrial properties are not required to meet proposed plant units for each lot, though they are encouraged to participate. However, single-family homes, duplexes/two-family dwellings, and manufactured home properties shall have a minimum of one (1) three-gallon shrub for every three (3) lineal feet along the foundation for every street facing facade.

The first part seems like homes mentioned are exempt, but then the second part seems like they are not exempt.

6. Wooded Areas (pg. 6-35)

6. Wooded Areas.

- a. Wooded areas with mature trees are to be preserved, at the subdivider's option, these trees may be included to meet all or part of the canopy requirements, provided the site plan identifies such trees and the trees meet the standards of size, health, placement, etc. set out in this section. The Community Development Department shall evaluate use of existing trees to ensure they have adequate health and strength to allow such use.
- b. Existing trees in wooded areas designated to be included as part of these requirements should be protected during construction by fencing as specified in Section 4-6.21, subsection F.5.

Can cash in lieu or new trees be planted to replace displaced trees?

8. Maintenance (pg. 6-36)

- b. The property owner and tenant shall be jointly and severally responsible for maintenance of all required landscape, irrigation, and hardscape improvements as originally approved. This maintenance requirement shall carry with the land and shall be the responsibility of any subsequent owners and tenants of the property. It is the responsibility of the owner to notify any subsequent owners of the property of this responsibility.
- c. Landscape areas and site improvements shall be maintained in good condition for a healthy, neat, and orderly appearance and shall be kept free from weeds and debris. Plant materials shall be maintained in a healthy and vigorous condition through proper irrigation, fertilization, pruning, weeding, mowing, and other standard horticultural practices so as to grow to their normal shape, color, and height, and to fulfill the required functions of screening, shading, buffering, and aesthetic appeal set forth by the City. Dead plants shall be replaced. Damaged plants including lawn grass shall be replaced or restored. Mulch shall be at the proper coverage and depth.

Is this section referring to before the property is built on, after, or both? Does it apply to unsold lots?

Look at subsections b and c.

Chapter 7: Development Review

4-7.3 Design Review

C. Submission of Plans (pg. 7-6)

- C. **Submission of Plans.** Plans for construction and renovation of structures within C districts, I-1 and I-2 districts, and MX districts shall be submitted to the Planning Commission for review. The owner of the property to be constructed upon or renovated shall submit two (2) full-sized and to-scale plans plus two (2) reduced copies of the necessary drawings to the Planning Commission, as well as a digital file of the plans. The Planning Commission shall have forty-five (45) days to review the completed submission, hold a meeting, and approve, conditionally approve, or deny the proposed plans. Upon a motion of the Planning Commission, the review period may be extended for an additional thirty (30) days or to a time mutually agreed upon by the Planning Commission and the applicant.

What is the purpose of this if the project complies with the Land Use Code?

4-7.7 Certificates of Zoning Compliance (pg. 7-12)

- A. A certificate of zoning compliance shall be required for any non-residential use in Horace established on or after the adoption of this code. Application for the certificate shall be made on an application provided by the City, and shall include a fee, as established by a resolution of the City Council. Certificates of zoning compliance are required in the following circumstances:
 - 1. Establishment of any new non-residential use, excluding home occupations as defined in this code.
 - 2. A change of use or re-occupancy in any existing non-residential building or on any existing non-residential, non-agricultural parcel.
 - 3. The conversion of a residential structure or parcel to a non-residential use.
 - 4. The conversion of an agricultural structure or parcel to a non-residential use.

Additional fees and review time when this should be part of the review for the building permit, redundant process and fees.

Chapter 8: Administration, Enforcement, and Appeals

4-8.4 Nonconforming Uses, Lots, and Buildings

B. Nonconforming Lots (pg. 8-4)

Potential issue for developers/builders: Any existing lots that conform currently would be out of compliance with the new standards. It would require a variance granted by the City Council in order to minimize setback requirements. It will impact many of the lots already developed.

4-8.11 (pg. 8-14) Performance Guarantees & 4-8.14.E.3 Cash, letters of credit, and bonds

These sections refer to "Performance Guarantees." Generally, there is no requirement to deposit funds of any kind with the city in order to obtain a permit and begin construction.

4-8.14 Certificates of Occupancy

E. Temporary Certificates of Occupancy (pg. 8-19)

- E. **Temporary Certificates of Occupancy.** A temporary certificate of occupancy may be issued if the property owner is entitled to a temporary certificate of occupancy under the Building Code, provided there is compliance with the additional requirements of this section. Any temporary certificate of occupancy issued shall specify a reasonable time for site improvements. Failure to comply with the time limit set forth shall be considered a violation of the time limit placed on the temporary certificate of occupancy for purposes of enforcing this code and requiring completion of site improvements.
1. **Duration of temporary certificate of occupancy.** A temporary certificate of occupancy shall not be effective for more than six (6) months. Thereafter, occupancy may only be authorized under a final certificate of occupancy.
 2. **Unfinished site improvements.** All unfinished site improvements which are included on an approved site plan or which are otherwise required by this code shall be constructed, installed, or placed on the property and shall be approved by the Community Development Department within six (6) months of obtaining a temporary certificate of occupancy. Failure to finish and obtain approval of such improvements shall constitute a violation of this code.
 3. **Cash, letters of credit, and bonds.** Whenever an applicant seeks occupancy of premises prior to the completion of all improvements and construction in accordance with an approved site plan and the requirements of the City's ordinances, or when the applicant occupies the premises at the time of application for a building permit and continued occupancy is contemplated during the time of construction, the applicant shall deposit cash, a certified check, an irrevocable bank letter of credit, or a corporate surety bond forfeitable to the City in an amount equal to the estimated cost of the remaining improvements pursuant to such site plan and the requirements of this code and other city ordinances and requirements. The estimate of such cost shall be solely in the discretion of the Community Development Department. The financial guarantee shall be administered in accordance with Section 4-8.11 Performance Guarantees.

#2- revise to be nine months or may be extended further with prior approval by the Community Development Department. If a project is finished in the fall, weather conditions may not allow for site improvements to be completed within six months.

#3-Remove. A fine may be sent or their certificate of occupancy may be revoked.

F. Final Certificate of Occupancy (pg. 8-20)

- F. **Final Certificate of Occupancy.** A final certificate of occupancy shall not be issued until all on-site improvements required by an approved site plan and by this code are constructed, installed, or placed on the property in accordance with the approved site plan and this code and approval for such has been obtained from the Community Development Department. **In no case shall a final certificate of occupancy be approved until final as-built drawings are submitted to and approved by the Community Development Department.**
1. **Records of certificates.** A record of all certificates issued shall be kept on file in the office of the Community Development Department.
 2. **Certificates for residential accessory buildings.** Buildings or structures accessory to dwellings shall not require a separate certificate of occupancy but may be included in the certificate of occupancy for the dwelling when shown on the plot plan, and when completed at the same time as such dwellings.
 3. **Applications for certificates.** Application for certificates of occupancy shall be made in writing to the Community Development Department on forms furnished by the City, and such certificates shall be issued within ten (10) days after receipt of such application if it is found that the building, structure, or part thereof, of the land use is in accordance with this code. If such certificate is refused for cause, the applicant shall be notified of such refusal and cause thereof, within the ten-day period.

Not a practical nor realistic expectation and tenants/owners will be waiting additional weeks/months to be able to occupy their buildings. And another application with fees associated with it and more review time?

Jace Hellman

From: Dan Combs <dan.combs@indigosigns.com>
Sent: Friday, May 5, 2023 3:03 PM
To: Jace Hellman
Cc: Jill Gustofson; Eric Klebe; Drew Weltin
Subject: Land Use Ordinance - Notes on the signage section of the proposed.
Attachments: Proposed Sign Ordinance - Horace, ND.pdf

Good morning!

My name is Dan Combs, I am the Director of Sale for Indigo Signs. I want to thank you for allowing us to research and advise on the Land Use Ordinance and hope that our notes and suggestions below help the City of Horace dial in a business friendly and community conscious ordinance specific to signage regulations and requirements.

Our primary focus relates to section 4-5.6 or pages 5-46 thru 5-65. I have summarized out thoughts specific to different sections and sub-sections of the proposal in hopes your team will take them into consideration prior to the issuance of the ordinance. Thank you for taking the time to understand the custom sign industries position on these matters.

Our team at Indigo Signs would be more than happy to meet with your team and discuss these items further. Please let us know how we can help.

Page 5-48 – 3.) – Prohibited Signs – Subsection a.)

- Signs fluttering or moving with the wind. Please considering a tolerance for sidewalk / flag style of signs. There are numerous point-of-sale signs that are “banner / flag” signage pieces that are often used for sales / programs / events that may not be allowed per this code.

Page 5-50 – Measurements of free-standing signs

- Our team strongly recommends placing a standard measurement system in place for all “monument signs”. This section is confusing for the following reasons:
 - a.) Black background being and indicator for calculations. Why?
 - b.) Internally illuminated signage w/ non-black backgrounds calculations vs illuminated signage w/ black backgrounds - varying calculations relating to square footage allowances. Why?
 - c.) A completely different calculation methodology for a non-illuminated sign. Why?

Page 5-52 – Free-Standing Sign Zone

- Please better define “marginal access drive” – There is clarity needed regarding this. Is this a frontage road / easement?

Page 5-54 – Signage sizes by zone

- Maximum sign height – By the review / analysis of this chart, it appears that the City of Horace is attempting to limit the signage “type” in Horace to reflect monument signage and not pylon signage. The comment at the bottom of this column (* For any freestanding sign along a road with a posted speed of 45 mph or higher, the maximum size shall be increased to 120 square feet and the maximum height shall be 10 feet). The overall

allowable height of this signage type / family is low. A 120 square foot sign at a maximum height of 10' essentially does not allow for any "pylon" style of signage. Specific question: Are pylons not allowed?

Indigo Signs has offices in many regions throughout MN and ND. Specific to the push of monument signs. I would like to offer the following relating to the Grand Forks market. This information was shared with representatives from our Grand Forks office as well as various clients and business owners from that region:

"Ground monuments are required in all PUD areas of which covers the south and west developing areas of the city. All freestanding signs are limited to 8' in overall height. This has been code since the mid 90s, although there is a current push from the business community to revise this code. The 8' height restriction is extremely limiting on our community. Most businesses in these areas have complaints due to lack of visibility and customers complain that it is hard to find stores/companies they are trying to visit. During a heavy snow winter most of the monument sign are half buried in snow or hidden behind a snow-pile completely. Most businesses spend additional dollars each winter to keep their signs clear. The height restriction also leads to an extreme lack of creativity. By the time a 2' base is put on there is minimal sign space left to work with – most monuments end up being standard rectangles that all look the same. I would strongly advise against a stringent height restriction like this. This code in Grand Forks has hurt our business community and even kept certain national franchises from developing here."

Page 5-55 – Electronics Display Areas

iii – Electronic message centers shall not emit more than 100 nits during the "night hours". The industry standard is approximately 300 nits in evening hours. The nit output of this sign family is primarily controlled by a photo-sensor of unit controlling brightness. Requiring the settings to be 100 nits or less could essentially make these signs unreadable during those required hours of operation.

Thank you,

Dan Combs

Director of Sales

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 indigo SIGNS

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Jace Hellman

From: Jennifer Sinner <jenn.frueh@gmail.com>
Sent: Thursday, April 13, 2023 9:14 PM
To: Jace Hellman
Subject: Community Development Feedback

To whom it may concern,

I am writing in regards to the Horace Community Development Proposed Ordinance draft that has been released for public input. We live in the Sunnyside/Woodland Circle neighborhood and have been curious what would come of the land that lays at the entrance to our neighborhood. The proposed draft indicates that it is 17/76. After looking through the options of what could potentially be built there, we would request that you carefully consider what is done with that land. I'd encourage you to drive through this beautiful, well-established neighborhood and experience the community and beauty as you drive through. This neighborhood has approximately 1 acre lots that are highly desirable in today's market. Placing commercial buildings, multi-family housing, and urban developments negatively impacts the feel of any neighborhood, especially a neighborhood like this one that already has established housing, trees, lots, etc. At one time, Horace was a desirable destination because of the small town size (feel), large trees and lots, and their quiet neighborhoods.

We ask that you please consider using this space for updating recreational spaces (baseball field, soccer, parks, etc). We want our neighborhood/community to continue to be desirable, safe and quiet, and feel like the original, small town community that Horace once was. Placing commercial buildings, multifamily housing, etc at the entrance of this neighborhood will be a great disappointment for this neighborhood and significantly change the functionality of our neighborhood from the second you turn into our neighborhood. We greatly appreciate your consideration in allowing the already established Horace neighborhoods to remain established and un-touched by the new construction/urban trends that are taking over the city of Horace.

Thank you for your consideration -

Jennifer Sinner
7169 Woodland Circle, Horace

Jace Hellman

From: John Koerselman <john.koerselman@outlook.com>
Sent: Wednesday, May 3, 2023 4:06 PM
To: Jace Hellman
Subject: 1776

Jace,

My name is John Koerselman. I live at 7002 Sunnyside St. I'm am contacting you in regards to the new zoning called 1776. In reading through it, there are a lot of different options to do commercial or residential. Too many in my opinion and that makes me a vote against that particular zoning. As a former councilman, one of the biggest things and tools that can be used is personal connection to homeowners or landowners when land that affects them is in play. A good example is when Mayor Peterson and another council member went to Apple Orchard and had a group conversation in their neighborhood. The city needs to know what exactly is planned for a particular piece of land. What is a developer going to build specifically. I am not against growth. Just needs to be done in a positive way that benefits everyone.

Thank you!

John

Sent from my iPhone

Jace Hellman

From: MIKE GEIR <c5torch@hotmail.com>
Sent: Thursday, May 4, 2023 8:33 PM
To: Jace Hellman
Subject: 17/76

Jace, I was just made aware of the proposed development plan 17/76. I live on sunnyside street and moved here for the low density housing with larger lots and more reasonable taxes. I am not in favor of the high density or commercial development south of 68th and west of 17. I feel it should stay residential and a lower density not 50 or 75 foot lots. I would prefer not to have mixed use buildings like the lights along 17 on the east side of 17 either because of the noise and likely extra traffic. The light is a nice complex but I do not want to live near it. Another thing I am not in favor of the proposed use of roundabouts from 52nd ave and south on 17. Roundabouts have a place but not all intersections on the main road when they are being built in a hole that collects snow and ice like 76th. I and several neighbors have trailers that we move and the roundabouts are not the way to go. The compact roundabouts on veterans blvd N of 52 I avoid. If that is on the main road to my home it will be time to move. I can be reached at 701-261-2282 if you have any questions. Mike Geir 7003 sunnyside st.

Jace Hellman

From: Rachael Danielson <rdanielson@namsa.com>
Sent: Friday, April 14, 2023 8:20 AM
To: Jace Hellman
Subject: RE: Brink Dr. and Land behind our property being changed to commirchal

Hi Jace,

Thank you again for your response. I would imagine having such large lots established as horse properties directly behind the newly zoned 17/76 will not remain as is forever but like you I am not entirely sure about our CC&Rs. On one hand the re-zoning could make our property more valuable if we are able to sell it for similar use as the zoned 17/76 one day. On the other hand, if we are not able to sell it because it needs to remain a 3+-acre property and we end up with a 4-story apartment building blocking the sun and having a bunch of people looking into our windows and backyard are property value now plummets. I am sure you can understand why many of us along this planned re-zoning have concerns.

Thank you,

Rachael Danielson, BS | Clinical Study Manager | **NAMSA**
8 Spring House Innovation Park, Suite 100, Lower Gwynedd, PA 19002
Office: +1 267.551.4925
rdanielson@namsa.com | www.namsa.com | [How can NAMSA save you time and money?](#)

From: Jace Hellman <jhellman@cityofhorace.com>
Sent: Thursday, April 13, 2023 5:10 PM
To: Rachael Danielson <rdanielson@namsa.com>
Subject: RE: Brink Dr. and Land behind our property being changed to commirchal

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Hello Rachael,

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Best,



Jace Hellman | Community Development Director
Horace, ND | JHellman@CityofHorace.com
City Hall (701) 492-2972 | Cell (701) 552-1608
215 Park Drive E, PO Box 99, Horace, ND 58047

From: Rachael Danielson <rdanielson@namsa.com>
Sent: Thursday, April 13, 2023 8:18 AM
To: Jace Hellman <jhellman@cityofhorace.com>
Subject: RE: Brink Dr. and Land behind our property being changed to commirchal

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From: Jace Hellman <jhellman@cityofhorace.com>
Sent: Wednesday, April 12, 2023 3:07 PM
To: Rachael Danielson <rdanielson@namsa.com>
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Hello Rachael,

Thank you for reaching out. If I am looking at the correct property, it is currently zoned R-E (Residential Estates) under our current zoning district structure. Are you by chance referring to the zoning map within the proposed land use ordinance? That does include a restructuring of the zoning within City limits and the extraterritorial jurisdiction. That property within that proposed land use ordinance is currently proposed as a new zoning district called 17/76, which does allow a wide variety of uses including residential and commercial type uses. With that being said, the proposed ordinance also places a heavy emphasis on transitional uses and buffers between uses. This proposed district is a reflection of the City's comprehensive plan which was approved in 2019. The future land use map within the Comprehensive plan identifies the parcel adjacent to you as a community focus area, which could experience some uses as you have listed. As the Ordinance has not been adopted by the City at this time, the property adjacent to you remains with a zoning district classification of R-E.

In regard to your follow up question, a property owner does have the right to seek a rezone, and unfortunately there is nothing in ND century code that requires them to consult with their neighbors before submitting an application. With

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I hope I answered your question, if not, or if you have additional questions, please do not hesitate to ask. I am more than happy to provide whatever information I can.

Best,



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City Hall (701) 492-2972 | Cell (701) 552-1608
215 Park Drive E, PO Box 99, Horace, ND 58047

From: Rachael Danielson <rdanielson@namsa.com>
Sent: Wednesday, April 12, 2023 12:30 PM
To: Jace Hellman <jhellman@cityofhorace.com>
Subject: RE: Brink Dr. and Land behind our property being changed to commirchal

[One more question. Can we also decide to re-zone our land without any regards to our neighbors?](#)

From: Rachael Danielson <rdanielson@namsa.com>
Sent: Wednesday, April 12, 2023 11:38 AM
To: jhellman@cityofhorace.com
Subject: Brink Dr. and Land behind our property being changed to commirchal

Hello,

Can you please provide me with some information on how the land directly behind us on Brink Dr. owned by Brian Smith was changed from residential to commercial? This comes to us as a big surprise, and we would like to confirm that this land can become anything from apartment buildings to restaurants correct and be just 25 feet from our property line?

We are at 7610 Adelman Dr. right off Brink drive and our back yard of 3+ acers will be affected by this.

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Jace Hellman

From: Sandra Vigen <mamaducksleaningservice@gmail.com>
Sent: Thursday, May 4, 2023 11:59 AM
To: Jace Hellman
Subject: Zoning 1776 Westwood Addition

Good morning Jace,

As a proud Horace resident & business owner I'm writing this to express my thoughts and concerns over the zoning for the land along Sheyenne & 68th and 76th. We have lived at 6805 Sunnyside St, for over 16 years and we always think how lucky & fortunate we are to live here in the town. Obviously over the 16 years we've seen a lot of changes and growth. Growth and change are inevitable, there is good and bad. Looking over the the zoning for land use it does concern me about how the land along Sheyenne and my neighborhood is zoned 1776. Please change it to CIV or SR-2.



- | | |
|--|--|
|  SR-1 Suburban Residential 1 < 5 Acres |  OT Old Town |
|  SR-2 Suburban Residential 2 < 1 Acres |  MX Mixed Use |
|  SR-3 Suburban Residential 3 < .5 Acres |  C Commercial |
|  CR Compact Residential |  I-1 General Industrial |
|  UR Urban Residential |  CIV Civic |
|  MH Mobile and Manufactured Home |  FP Floodplain |
|  1776 | |



Reading over 1776 and it's intent, myself along with many of our neighbors think this isn't a fit for our longtime 50 years + neighborhood. We are longtime owners, not renters and this isn't going to add the peace, tranquility and quality we want for our neighborhood's future. We all moved out here to our .75+ acre homes to get away from the hustle, bustle of Fargo and West Fargo. We love our neighbors and knowing each other when we were out for walks or working in the yard. This won't be the case if this zoning goes through. Our neighborhood isn't designed for the traffic

this will bring. I don't want my yard to have trash blowing around like you see in so many "Fargo / West Fargo" neighborhoods where homes bump right up to strip malls, apartments or row housing. We don't want to live next to strip malls, storage units, apartments, townhomes or duplexes. I'm proud that when we moved here and check to see if there are sex offenders in our neighborhood it came up with zero. An apartment and rentals will bring that. I want kids to be able to run, and play outside safely by knowing their neighbors like we do. We've seen these strip malls, and housing styles pop up all over WF and Fargo & look at the crime that is bringing. That's not what we want. Change is happening I know.... I can look across the highway from us and see these small row houses, and rentals. That doesn't add value to our homes & our lives. It only adds more noise, and traffic. Our taxes have only gone up.... substantially to pay for more infrastructure. So the solution I have.....

Parks & more recreational green space. We've been lucky to have the Lion's park in our neighborhood but each year there are more baseball games which is great to see. It means families still have children participating in sports. I love seeing kids playing at the park and families practicing t-ball or baseball on the weekends. Families and us north end residents need more places. We want a basketball, hockey rink, tennis court, pickleball, soccer field, baseball, walk our dogs, sledding hill, frisbee golf, gazebos to picnic....like the River's bend. We're the ones that have been here and with the growth I feel we're getting overlooked. We live in a world where there is so much computer digital time and we want as parents to encourage our kids to get out and unplug. The playground is too small, and 1 baseball field is just not enough and limited. What about kids with disabilities? And interest in other sports. Especially when you see all the houses to the East of our development there are going to be so many families and first time home owners.

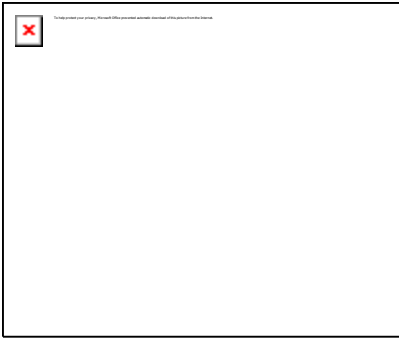
I would love to see an area too for more cars to park for the baseball games (which would be much safer). Right now the lot in Lions park fills up quickly, and families park along the street. This is very dangerous with kids not always paying attention & could easily get hit with so much distracted driving happening. I also think by having walking paths that families can walk together, The paths can be used for walking, biking, rollerblading, and so much more safely. Let's people walk their dog and little kids being able to ride their bikes safely off the roads. Without sidewalks out here kids and families are forced to walk on the road & need to constantly be watching for cars. I know how dangerous this can be as a mom of a boy who was struck by a car 12 years ago right in front of our house middle of the day. That was before there was so much distracted driving.

Horace has done a wonderful job planning & creating the park in the new neighborhoods with basketball court, tennis, baseball and a shelter for picnics. By having this on the North end of town it welcomes drivers from other cities to see what family friendly, community focused community we are right away. It's a space where Horace could host an event for Bean days. It would be so easy to find, convenient and large. I love driving into my neighborhood and see the smiles, & joy of families at a game or practice. There is nothing better than hearing the laughter, and clapping when I'm out gardening. I don't want to see the neon lights of a gas station or the back of a strip mall. We have enough strip malls that aren't rented or being used in this digital world. We have to get back to encouraging people to be engaged, to getting to know their neighbors again, to be outside and to be proud they live in Horace for the feeling of the community. Young families want to live in our town, our neighborhood, the affordable first time homes across the road and this would encourage them to purchase their first home here in Horace.

If it is to become homes, SR-2 fits the lot size and appearance of our neighborhood. We want to keep the look and feel of our neighborhood. We don't want cookie cutter, row housing. If we did, we'd move to Fargo or West Fargo. Lets not make Horace look or feel like them. We don't need to. Horace is known for it's small town charm and those neighborhoods don't have it.

I would love to be involved in anyway that I can be to see this happen. Please let me know how I can help create this special space that would be used by so many residents to create memories & happiness.

Sandra Vigen - CEO & Founder
Mama Ducks Cleaning Service, LLC
701-371-7889



www.mamaduckscleaningservice.com

<https://g.page/r/CUtny0bZSrSuEBM/review>

May 4, 2023

Jace Hellman
City of Horace Community Development
PO Box 99
Horace, ND 58047

RE: 17/76 Zoning

Jace, I am a resident at 6926 Sunnyside Street in Horace, and I am writing this letter to express my opposition to the permitted uses that are being considered for the land 17/76. We moved into Woodland Acres in 1998 and raised our children in this neighborhood. We love the community and value the close knit neighbors and lifestyle we have all shared.

In reviewing the draft of the proposed ordinance posed on the city's website, I feel strongly that the 17/76 segment is not a favorable zoning district for multifamily dwelling, town homes, bar/tavern, retail, medical, restaurants, professional offices, artisan manufacturing, and many more that were stated in this draft. These permitted zoning concepts bring renters and can drive the price of residential property down and deepen the pocket of a developer. The residents do not want such possible businesses to bring more traffic, to reduce our privacy, to infringe on our personal property and safety and have no say in what goes up. These are NOT ideal for the established neighborhood in a rural community.

17/76 directly impacts the Woodland Acres also known as Holmen's Fourth Addition. The community of Woodland Addition goes back 50 years and is home to many of its original homeowners. The residents moved out here for the space of their land, for quiet, and to live away from city dynamics. Such permitted allowances would allow us to lose our privacy, increase foot traffic, increase vehicle traffic, and change the aesthetics of the neighborhood. There is a serious cost associated with this land as this land has a low profile from County Road 17. When we built our home in 1998 we spend \$10,000 on dirt to build up around our foundation. I believe that anything built on 17/76 land will have to build up, changing the dynamics of natural water runoff and may have to impose a possible addition of retention pond(s) to manage run off. I would anticipate that with new structures being built in 17/76 and building up, brings a potential to flood the existing and established homes around it. I also want to call out that there is NO buffer between the residents in Woodland and 17/76 to separate the proposed district regulations. The existing trees in the shelter have exhausted their life and are dying off and or drowning out due to the natural run off that follows the shelter. The cost to create a buffer would be costly and again significantly impacts the neighbors along 17/76 – would they have a say as to what kind of buffer is built or planted in their back yards?

Reviewing this draft brought a pit to my stomach to think of how the permitted allowances would change the nature of our community that has been established in a rural setting for 50 years.

The zero foot set back on the interior side, the 25 foot rear set back and the along with the 75% coverage of building are a few allowances that are detrimental to the existing residents. If they wanted those features and amenities that come from such approved businesses, they would have moved to be near them already. Yet they are still living in rural areas.

If you were to look at the geographical footprint of Horace and the developments along County Road 17, from Horace Elementary School, I to the 52nd Avenue roundabout, the entire west side of County Road 17 is residential. Please keep 17/76 zoned as it currently is – AGRICULTURE. With all due respect, would you want any of these approved zones to be in your backyard?

Jace, I am aware of how fast Horace is growing and changing. But in respect to the current established existence of 17/76, the greater community does not want multifamily dwellings, town homes, bar/tavern, retail, medical, restaurants, professional offices, artisan manufacturing, etc.

Please consider keeping 17/76 zoned Ag and may realign 17/76 for future development to zone the space for a place of worship, green space for soccer field, baseball, lacrosse, roller hockey, etc. for the residents of Horace to enjoy.

I appreciate your time to review my concerns and my request.

Kind Regards,

Autumn

Autumn and Steve Hareland

Jace Hellman

From: Rachael Danielson <rdanielson@namsa.com>
Sent: Friday, April 14, 2023 8:20 AM
To: Jace Hellman
Subject: RE: Brink Dr. and Land behind our property being changed to commirchal

Hi Jace,

Thank you again for your response. I would imagine having such large lots established as horse properties directly behind the newly zoned 17/76 will not remain as is forever but like you I am not entirely sure about our CC&Rs. On one hand the re-zoning could make our property more valuable if we are able to sell it for similar use as the zoned 17/76 one day. On the other hand, if we are not able to sell it because it needs to remain a 3+-acre property and we end up with a 4-story apartment building blocking the sun and having a bunch of people looking into our windows and backyard are property value now plummets. I am sure you can understand why many of us along this planned re-zoning have concerns.

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In regard to your follow up question, a property owner does have the right to seek a rezone, and unfortunately there is nothing in ND century code that requires them to consult with their neighbors before submitting an application. With

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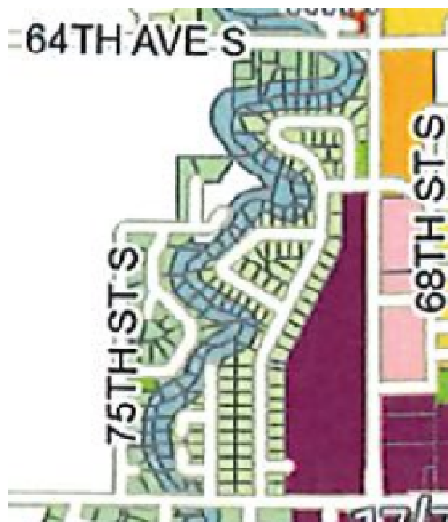
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Jace Hellman

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Reading over 1776 and it's intent, myself along with many of our neighbors think this isn't a fit for our longtime 50 years + neighborhood. We are longtime owners, not renters and this isn't going to add the peace, tranquility and quality we want for our neighborhood's future. We all moved out here to our .75+ acre homes to get away from the hustle, bustle of Fargo and West Fargo. We love our neighbors and knowing each other when we were out for walks or working in the yard. This won't be the case if this zoning goes through. Our neighborhood isn't designed for the traffic

this will bring. I don't want my yard to have trash blowing around like you see in so many "Fargo / West Fargo" neighborhoods where homes bump right up to strip malls, apartments or row housing. We don't want to live next to strip malls, storage units, apartments, townhomes or duplexes. I'm proud that when we moved here and check to see if there are sex offenders in our neighborhood it came up with zero. An apartment and rentals will bring that. I want kids to be able to run, and play outside safely by knowing their neighbors like we do. We've seen these strip malls, and housing styles pop up all over WF and Fargo & look at the crime that is bringing. That's not what we want. Change is happening I know.... I can look across the highway from us and see these small row houses, and rentals. That doesn't add value to our homes & our lives. It only adds more noise, and traffic. Our taxes have only gone up.... substantially to pay for more infrastructure. So the solution I have.....

Parks & more recreational green space. We've been lucky to have the Lion's park in our neighborhood but each year there are more baseball games which is great to see. It means families still have children participating in sports. I love seeing kids playing at the park and families practicing t-ball or baseball on the weekends. Families and us north end residents need more places. We want a basketball, hockey rink, tennis court, pickleball, soccer field, baseball, walk our dogs, sledding hill, frisbee golf, gazebos to picnic....like the River's bend. We're the ones that have been here and with the growth I feel we're getting overlooked. We live in a world where there is so much computer digital time and we want as parents to encourage our kids to get out and unplug. The playground is too small, and 1 baseball field is just not enough and limited. What about kids with disabilities? And interest in other sports. Especially when you see all the houses to the East of our development there are going to be so many families and first time home owners.

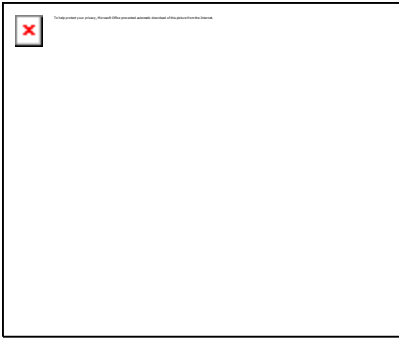
I would love to see an area too for more cars to park for the baseball games (which would be much safer). Right now the lot in Lions park fills up quickly, and families park along the street. This is very dangerous with kids not always paying attention & could easily get hit with so much distracted driving happening. I also think by having walking paths that families can walk together, The paths can be used for walking, biking, rollerblading, and so much more safely. Let's people walk their dog and little kids being able to ride their bikes safely off the roads. Without sidewalks out here kids and families are forced to walk on the road & need to constantly be watching for cars. I know how dangerous this can be as a mom of a boy who was struck by a car 12 years ago right in front of our house middle of the day. That was before there was so much distracted driving.

Horace has done a wonderful job planning & creating the park in the new neighborhoods with basketball court, tennis, baseball and a shelter for picnics. By having this on the North end of town it welcomes drivers from other cities to see what family friendly, community focused community we are right away. It's a space where Horace could host an event for Bean days. It would be so easy to find, convenient and large. I love driving into my neighborhood and see the smiles, & joy of families at a game or practice. There is nothing better than hearing the laughter, and clapping when I'm out gardening. I don't want to see the neon lights of a gas station or the back of a strip mall. We have enough strip malls that aren't rented or being used in this digital world. We have to get back to encouraging people to be engaged, to getting to know their neighbors again, to be outside and to be proud they live in Horace for the feeling of the community. Young families want to live in our town, our neighborhood, the affordable first time homes across the road and this would encourage them to purchase their first home here in Horace.

If it is to become homes, SR-2 fits the lot size and appearance of our neighborhood. We want to keep the look and feel of our neighborhood. We don't want cookie cutter, row housing. If we did, we'd move to Fargo or West Fargo. Lets not make Horace look or feel like them. We don't need to. Horace is known for it's small town charm and those neighborhoods don't have it.

I would love to be involved in anyway that I can be to see this happen. Please let me know how I can help create this special space that would be used by so many residents to create memories & happiness.

Sandra Vigen - CEO & Founder
Mama Ducks Cleaning Service, LLC
701-371-7889



www.mamaduckscleaningservice.com

<https://g.page/r/CUtny0bZSrSuEBM/review>

May 4, 2023

Jace Hellman
City of Horace Community Development
PO Box 99
Horace, ND 58047

RE: 17/76 Zoning

Jace, I am a resident at 6926 Sunnyside Street in Horace, and I am writing this letter to express my opposition to the permitted uses that are being considered for the land 17/76. We moved into Woodland Acres in 1998 and raised our children in this neighborhood. We love the community and value the close knit neighbors and lifestyle we have all shared.

In reviewing the draft of the proposed ordinance posed on the city's website, I feel strongly that the 17/76 segment is not a favorable zoning district for multifamily dwelling, town homes, bar/tavern, retail, medical, restaurants, professional offices, artisan manufacturing, and many more that were stated in this draft. These permitted zoning concepts bring renters and can drive the price of residential property down and deepen the pocket of a developer. The residents do not want such possible businesses to bring more traffic, to reduce our privacy, to infringe on our personal property and safety and have no say in what goes up. These are NOT ideal for the established neighborhood in a rural community.

17/76 directly impacts the Woodland Acres also known as Holmen's Fourth Addition. The community of Woodland Addition goes back 50 years and is home to many of its original homeowners. The residents moved out here for the space of their land, for quiet, and to live away from city dynamics. Such permitted allowances would allow us to lose our privacy, increase foot traffic, increase vehicle traffic, and change the aesthetics of the neighborhood. There is a serious cost associated with this land as this land has a low profile from County Road 17. When we built our home in 1998 we spend \$10,000 on dirt to build up around our foundation. I believe that anything built on 17/76 land will have to build up, changing the dynamics of natural water runoff and may have to impose a possible addition of retention pond(s) to manage run off. I would anticipate that with new structures being built in 17/76 and building up, brings a potential to flood the existing and established homes around it. I also want to call out that there is NO buffer between the residents in Woodland and 17/76 to separate the proposed district regulations. The existing trees in the shelter have exhausted their life and are dying off and or drowning out due to the natural run off that follows the shelter. The cost to create a buffer would be costly and again significantly impacts the neighbors along 17/76 – would they have a say as to what kind of buffer is built or planted in their back yards?

Reviewing this draft brought a pit to my stomach to think of how the permitted allowances would change the nature of our community that has been established in a rural setting for 50 years.

The zero foot set back on the interior side, the 25 foot rear set back and the along with the 75% coverage of building are a few allowances that are detrimental to the existing residents. If they wanted those features and amenities that come from such approved businesses, they would have moved to be near them already. Yet they are still living in rural areas.

If you were to look at the geographical footprint of Horace and the developments along County Road 17, from Horace Elementary School, I to the 52nd Avenue roundabout, the entire west side of County Road 17 is residential. Please keep 17/76 zoned as it currently is – AGRICULTURE. With all due respect, would you want any of these approved zones to be in your backyard?

Jace, I am aware of how fast Horace is growing and changing. But in respect to the current established existence of 17/76, the greater community does not want multifamily dwellings, town homes, bar/tavern, retail, medical, restaurants, professional offices, artisan manufacturing, etc.

Please consider keeping 17/76 zoned Ag and may realign 17/76 for future development to zone the space for a place of worship, green space for soccer field, baseball, lacrosse, roller hockey, etc. for the residents of Horace to enjoy.

I appreciate your time to review my concerns and my request.

Kind Regards,

Autumn

Autumn and Steve Hareland



**CITY OF HORACE:
PLANNING AND ZONING
COMMISSION
STAFF REPORT**

City of Horace Commission Staff Report

Entitlements Requested:	Subdivision	Zone Change	Design Review	Conditional Use	Variance	Lot Spilt	Other
Title:	Sparks Addition Amendment		Application Number:		CD-2023-09		
Date:	12/12/2023		Staff Contact:		Jace Hellman		
Owner(s)/Applicant:	Lee and Nancy Sparks Trust		Applicant Contact:		N/A		
Representative:	Jack Dwyer, Dwyer Law Office		Representative Contact:		Jack@dwyerlawnd.com		

Purpose

The applicant is proposing to amend the previously approved Sparks Addition to incorporate additional and wider HOA lot to preserve the existing tree row surrounding the development area. Additionally, a request to amend the approved rezone ordinance accompanies this development to include additional Public Facility Lots.

Statement of Fact

Parcel Number(s):	15020013090000
Future Land Use Map Classification:	Mixed Use
Existing Land Use:	Agricultural
Current Zoning:	Agricultural
Proposed Zoning:	R-6 (high-density residential), R-5 (multi-family residential) and PF (Public Facilities)
Development Area:	105.59 acres (43.37 acres are proposed to remain agricultural)
Adjacent Zoning Districts:	North: PF (Public Facilities), C-3 (General Commercial), C-1 (Neighborhood Commercial), I-1 (Light Industrial), R-4 (Intermediate Residential); East: PF (Public Facilities), I-1 (Light Industrial) & R-4 (Intermediate Density Residential); South: I-1 (Light Industrial); West: A (Agricultural)
Adjacent Street(s) Existing & Proposed:	North: 8 th Ave; East: 7 th St E (Proposed); South: None; West: None
Internal Street(s) Existing & Proposed:	Nelson Street (Continuation), 3 rd St E (Continuation), 4 th St E (Continuation), 5 th St E (Continuation), Sparks Boulevard (Proposed), Luther Avenue (Proposed).
Adjacent Bike/Pedestrian Facilities:	CR 17 & 8 th Ave S (Future Bike/Ped Facility Identified)
Adjacent Parks:	Freed Park
Land Dedication Requirements:	Lot 1, Block 8; Lot 4, Block 5 & \$972,416.02 in Cash in Lieu (see Park District Letter)

Consistency with Comprehensive Plan and Future Land Use Map

The Comprehensive Plan identifies the subject property as Mixed Use. The proposed districts of R-6 and R-5 are viewed as compatible zoning districts within the Mixed-Use Future Land Use Designation. It should be noted that within future phases of this development, the applicant will be required to further meet the full intent of the Mixed-Use Designation as defined within the Comprehensive Plan. The Mixed-Use designation is intended to provide flexibility to allow complementary uses within a district. A Mixed-Use land use pattern generally includes a combination of higher density residential and commercial uses. The specific mix of uses will vary based on adjacent uses, location, and access. Industrial land uses are not permitted.

Discussion and Observation

The applicant is submitting a request to amend the plat for Sparks Addition. The plat proposes the reduction of six (6) buildable lots, and add three (3) Public Facility lots, which will be managed and maintained by the proposed Homeowners Association. Additionally, two lots, specifically lot 1, block 1 and lot 1, block 2 are proposed to be expanded from 10,369.11 sq ft and 9140.72 sq ft (currently approved) to 33,105 sq ft and 26,136 sq ft respectively.

The rezone approval would be required because additional Public Facility Lots (to be managed by the HOA) have been included in the proposed amendment. Apart from those additional Public Facility Lots, the proposed zoning has not changed from the originally approved application.

This proposed amendment would still account for Nelson Drive continuing through the north, however rather than introducing additional townhome product, the applicant has opted to continue with the previously approved single family home lots.

Recommendation

To accept the findings and recommendations of the staff report and recommend approval of the Rezone and Plat for Sparks Addition to the City Council.

Attachments

1. Rezone Application
2. Subdivision Application
3. Plat - Amended
4. Phase 1 Zoning Exhibit - Amended
5. Title Opinion
6. Verification of Taxes Paid
7. Park District Recommendation Letter
8. County Road 17 Connection



COMMUNITY DEVELOPMENT DEPARTMENT
215 PARK DRIVE EAST
HORACE, NORTH DAKOTA 58047
PHONE: 701.492-2972
E-MAIL: bvoigt@cityofhorace.com
www.cityofhorace.com

APPLICATION DATE

(mo/day/year)

ZONE CHANGE APPLICATION

1 PROPERTY OWNER INFORMATION

NAME (PRINTED): Lee and Nancy Sparks Trust
ADDRESS: 621 Kearney St, Benicia, CA 94510
PRIMARY PHONE:
ALTERNATIVE PHONE:
EMAIL:

2 REPRESENTATIVE INFORMATION (DEVELOPER, SURVEYOR, ENGINEER)

NAME (PRINTED): Dwyer Law Office PLLC
ADDRESS: 5302 51st Ave S Ste D, Fargo, ND 58104
PRIMARY PHONE: 701-235-2040
ALTERNATIVE PHONE: 701-730-5469
EMAIL: jack@dwyerlawnd.com


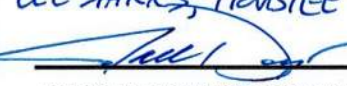
3 PROPERTY DETAILS

LEGAL DESCRIPTION: See attached Lowry Exhibits
ADDRESS:
CURRENT ZONING: Ag
PROPOSED ZONING: R-5, R-6, Ag, AF

4 BRIEF NARRATIVE DESCRIPTION OF REASON(S) FOR APPLICATION

To seek zoning approval for "Sparks Addition"

8 SIGNATURE

	<u>Nancy Sparks</u> Nancy Sparks, Trustee	<u>8/18/23</u>
OWNER SIGNATURE		DATE
	<u>Jack Dwyer</u> Dwyer Law	<u>8/16/2023</u>
REPRESENTATIVE SIGNATURE		DATE

ZONING CHANGE FEE SCHEDULE

ZONING CHANGE FEE—\$325.00

DATE FEE PAID:

NOTE: A NONREFUNDABLE FILING FEE MUST BE ACCOMPANIED WITH THE APPLICATION AT TIME OF SUBMITTAL MADE PAYABLE TO THE CITY OF HORACE.

ACKNOWLEDGEMENT: WE HEREBY ACKNOWLEDGE THAT THAT THE ABOVE INFORMATION IS TRUE AND COMPLETE TO THE BEST OF OUR KNOWLEDGE AND THAT THE PRIMARY CONTACT NAMED ABOVE WILL BE CONTACTED IF ANY QUESTIONS ARISE AND WHEN THE PLAT HAS BEEN APPROVED AND APPROPRIATE COPIES ARE READY FOR RECORDING.



COMMUNITY DEVELOPMENT DEPARTMENT
215 PARK DRIVE EAST
HORACE, NORTH DAKOTA 58047
PHONE: 701.492-2972
E-MAIL: bvoigt@cityofhorace.com
www.cityofhorace.com

APPLICATION DATE

(mo/day/year)

SUBDIVISION APPLICATION

1 PROPERTY OWNER INFORMATION

NAME (PRINTED): Lee and Nancy Sparks Trust

ADDRESS: 621 Kearney St, Benicia, CA 94510

PRIMARY PHONE:

ALTERNATIVE PHONE:

EMAIL:

2 REPRESENTATIVE INFORMATION (DEVELOPER, SURVEYOR, ENGINEER)

NAME (PRINTED): Dwyer Law Office PLLC

ADDRESS: 5302 51st Ave S Ste D, Fargo, ND 58104

PRIMARY PHONE: 701-235-2040

ALTERNATIVE PHONE: 701-738-5469

EMAIL: jack@dwyerlawnd.com

3 PROPOSED SUBDIVISION DETAILS

SUBDIVISION: Sparks Addition

SECTION, TOWNSHIP, RANGE: Part of SW¹/₄S20 and Part of N¹/₄S20 in

TOTAL ACRES: 105.59

T138
R49W

NUMBER OF LOTS: 104 lots, 8 blocks

PROPOSED LAND USE AND ZONING: R-5, R-6, Ag, PF

4 BRIEF NARRATIVE DESCRIPTION OF REASON(S) FOR APPLICATION

To seek zoning + subdivision approval for
"Sparks Addition"

5 EXISTING OR PROPOSED INFRASTRUCTURE TYPE

- ROADS: PUBLIC PRIVATE PAVED GRAVEL
- WATER SUPPLY: PUBLIC PRIVATE RURAL WATER SHARED WELLS
- WASTE WATER TREATMENT PUBLIC ON-SITE SEPTIC
- STORM SEWER: DITCHES STORM SEWER SYSTEM
- OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF THE SUBDIVISION: PUBLIC PRIVATE

6 HIGHWAY ACCESS PERMITTING

DOES PROPOSED SUBDIVISION ACCESS COUNTY HIGHWAY?

YES NO

IF YES, PLEASE SECURE HIGHWAY ACCESS PERMIT WITH CASS COUNTY ENGINEER BEFORE YOU SUBMIT SUBDIVISION APPLICATION. FOR MORE INFORMATION, PLEASE CONTACT THE CASS COUNTY ENGINEER OFFICE AT 701-298-2378 OR BUSTAB@CASSCOUNTYND.GOV.


CASS COUNTY ENGINEER TECHNICIAN

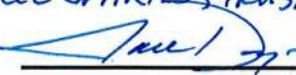
DATE

7 SUPPLEMENTAL DOCUMENTS TO BE SUBMITTED

- TITLE OPINION DOCUMENT
- VERIFICATION OF TAXES PAID (<https://proptax.casscountynynd.gov/#Search>)
- PARK BOARD RECOMMENDATION LETTER (PLEASE CONTACT WADE FRANK AT EITHER 218-790-2849 OR WFRANK@CITYOFHORACE.COM)
- MASTER PLAN DOCUMENT THAT COVERS ENTIRE CONTIGOUS AREA OWNED OR CONTROLLED BY THE SUBDIVIDER UP TO 80 ACRES
- DRAFT PLAT DOCUMENT
- DRAINAGE PLAN
- TABLE SHOWING BREAKDOWN OF LAND USE ACREAGE AND LAND DEDICATION PROPOSED TO MEET CITY ORDINANCE LAND DEDICATION REQUIREMENTS OF TITLE IV SECTION 17.8.10 (EXCEL FORMAT PREFERRED)

8 SIGNATURE


OWNER SIGNATURE Nancy Sparks DATE 8/18/23
LEE SPARKS, TRUSTEE Nancy Sparks, Trustee


REPRESENTATIVE SIGNATURE Jack Dwyer Dwyer Law DATE 8/16/2023

SUBDIVISION FEE SCHEDULE

- SUBDIVISION (1-4 LOTS): \$350.00 BASE FEE + \$20 PER LOT
- SUBDIVISION (5 OR MORE): \$600.00 BASE FEE + \$20 PER LOT

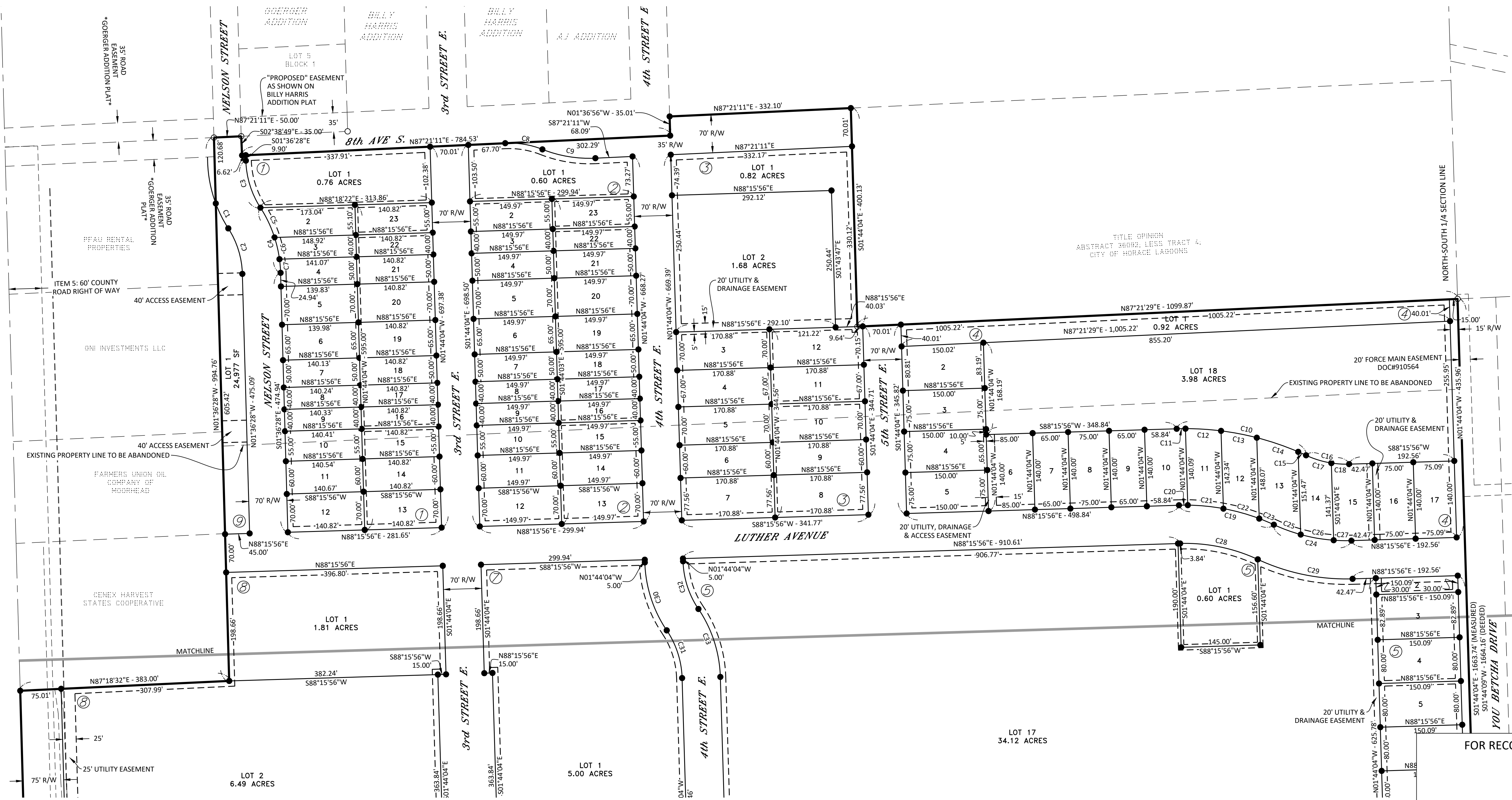
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SPARKS ADDITION

PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER AND THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 20,
TOWNSHIP 138 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN, TO THE CITY OF HORACE, CASS COUNTY, NORTH DAKOTA



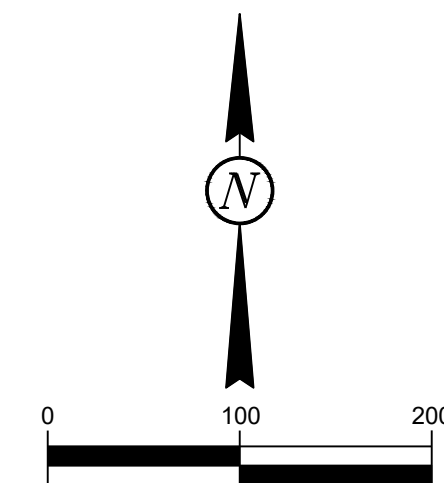
CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	51.13'	237.75'	12°19'18"
C2	88.27'	162.25'	31°10'17"
C3	91.26'	167.75'	31°10'17"
C4	126.35'	232.25'	31°10'17"
C5	60.43'	232.25'	14°54'27"
C6	40.82'	232.25'	10°04'09"
C7	25.11'	232.25'	6°11'41"
C8	69.54'	165.00'	24°08'49"
C9	99.04'	235.00'	24°08'49"
C10	243.95'	525.00'	26°37'23"
C11	16.16'	525.00'	1°45'49"
C12	65.32'	525.00'	7°07'45"
C13	66.63'	525.00'	7°16'18"
C14	80.17'	525.00'	8°44'57"
C15	15.66'	525.00'	1°42'34"
C16	81.32'	175.00'	26°37'23"
C17	48.60'	175.00'	15°54'42"
C18	32.72'	175.00'	10°42'41"
C19	178.89'	385.00'	26°37'23"
C20	16.16'	385.00'	2°24'19"
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C26	61.33'	315.00'	11°09'17"
C27	32.58'	315.00'	5°55'36"
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- NOTES**
- ALL PUBLIC UTILITY EASEMENTS ARE 10' IN WIDTH (5' EACH SIDE OF SHARED LOT LINES) UNLESS OTHERWISE NOTED IN PLAT.
 - ALL DISTANCES ARE GROUND DISTANCES.

SURVEY INFORMATION

DATE OF SURVEY: 12-8-2022
BASIS OF BEARING: (NAD83) NORTH DAKOTA STATE PLANE
VERTICAL DATUM: NAVD88

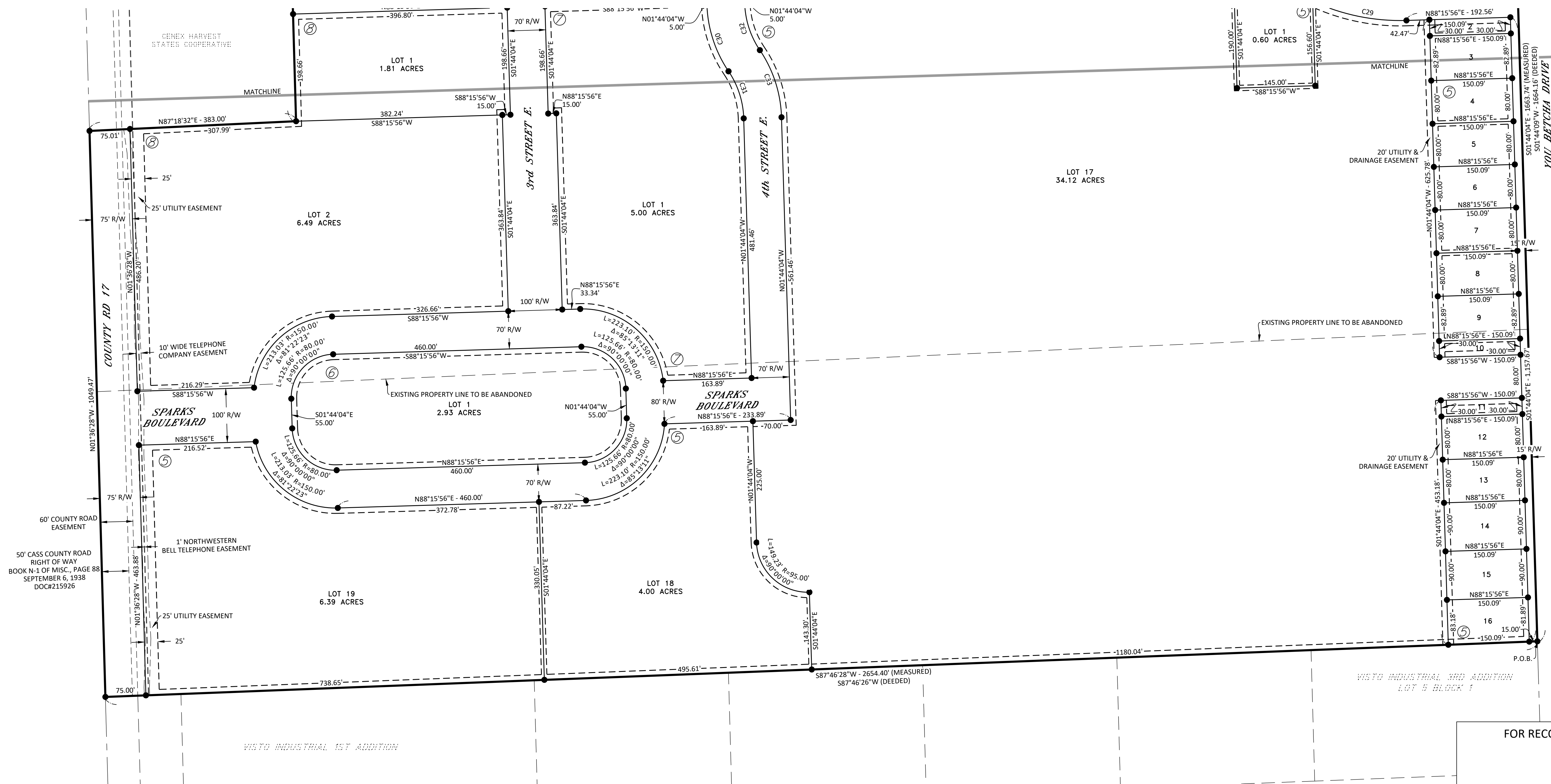
- LEGEND**
- MONUMENT SET
 - MONUMENT FOUND
 - - - EX. EASEMENT
 - - - EX. PROPERTY LINE
 - - - EX. SECTION LINE
 - PROPERTY BOUNDARY LINE
 - NEW ROW/PROPERTY LINE
 - - - NEW EASEMENT LINE



FOR RECORDING PURPOSES ONLY

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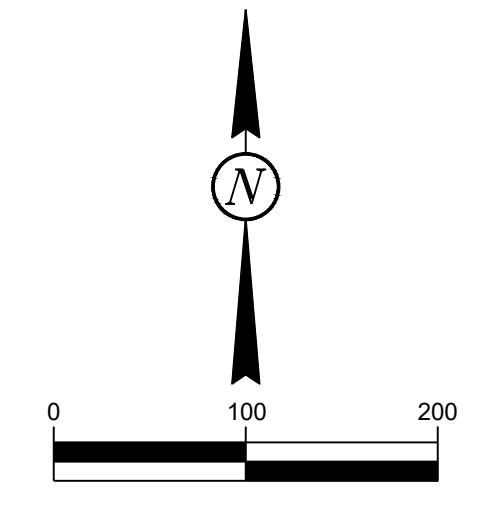
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- ALL DISTANCES ARE GROUND DISTANCES.

SURVEY INFORMATION

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BASIS OF BEARING: (NAD83) NORTH DAKOTA STATE PLANE
VERTICAL DATUM: NAVD88

LEGEND

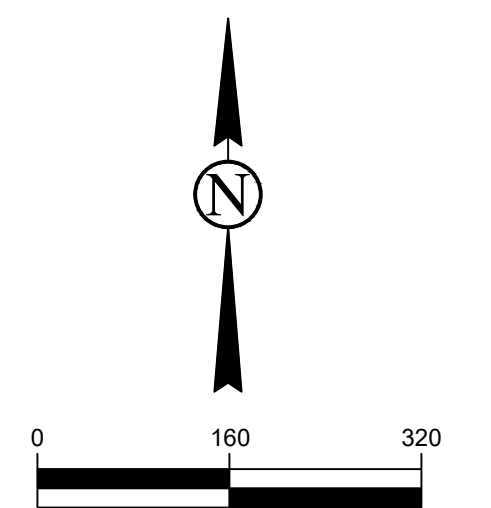
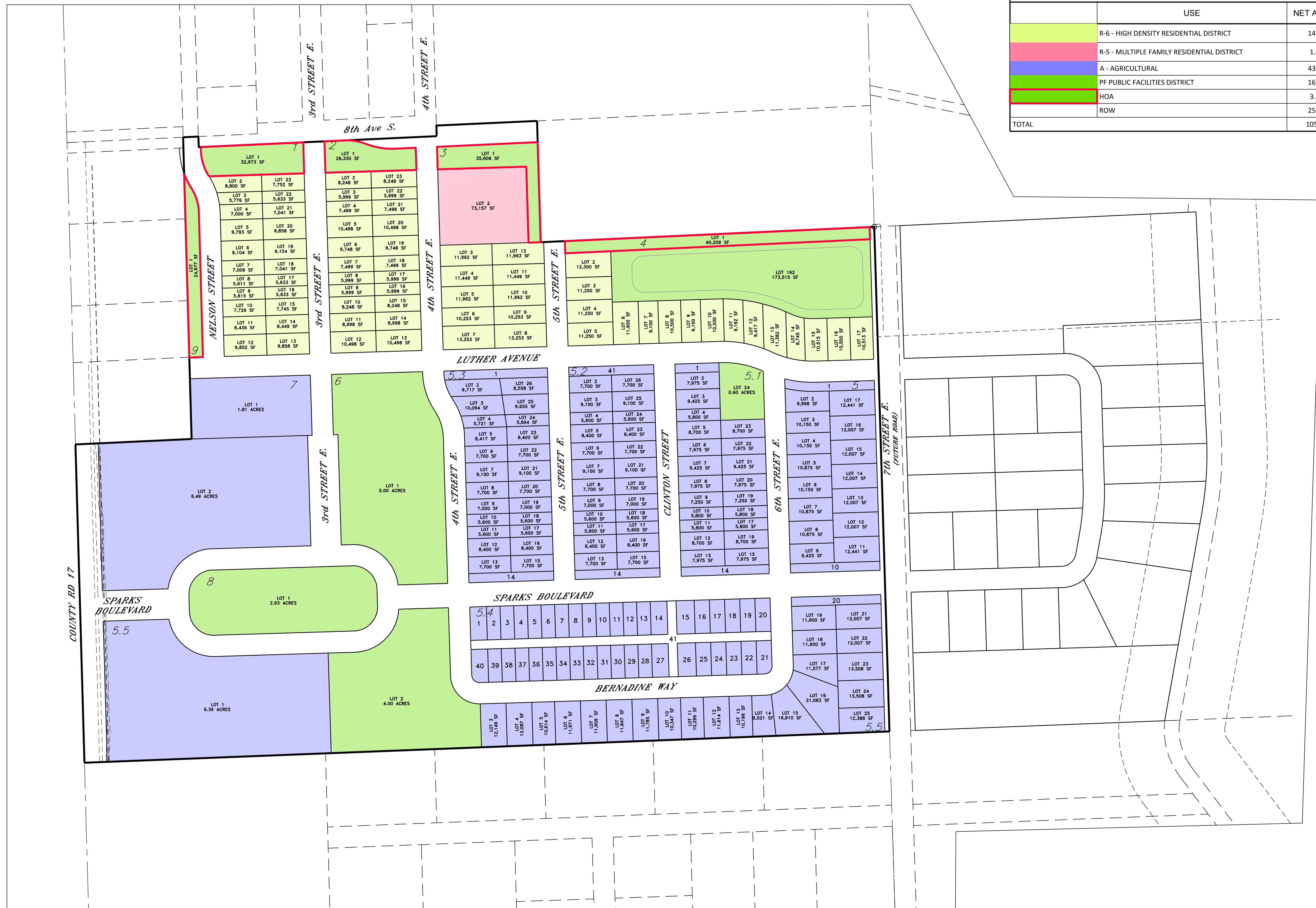
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- — — — PROPERTY BOUNDARY LINE
- — — — NEW ROW/PROPERTY LINE
- - - - NEW EASEMENT LINE



FOR RECORDING PURPOSES ONLY

1/16/23 1:23:52AM C:\Users\PATRICIA\Bentley\Drawings\Temp\Drawings\1528030X.dwg

SITE BREAKDOWN				
	USE	NET ACRES	ESTIMATED LOTS	%
	R-6 - HIGH DENSITY RESIDENTIAL DISTRICT	14.51		13.72
	R-5 - MULTIPLE FAMILY RESIDENTIAL DISTRICT	1.68		1.59
	A - AGRICULTURAL	43.37		41.01
	PF PUBLIC FACILITIES DISTRICT	16.52		15.62
	HOA	3.68		0.40
	ROW	25.99		24.58
TOTAL		105.75		100





Dwyer LAW OFFICE PLLC

PRELIMINARY TITLE OPINION

DATE: 11/7/2022

TO: The City of Horace

ABSTRACT: 36092

NUMBER OF ENTRIES: 1-82, inclusive.

LAST CERTIFIED: October 24, 2022 at 6:59 a.m. by Cass County Abstract Company.

COVERING AND DESCRIBING: That part of the South Half of the Northwest Quarter of Section Twenty, in Township One Hundred Thirty-eight North of Range Forty-nine West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows: Commencing at a point on the West line of said Quarter Section, 1886.8 feet South of the Northwest corner of said Quarter; thence East to a point on the East line of said Quarter, 1898.3 feet South of the North line of said Quarter; thence South on the East line of said Quarter, 568.5 feet, thence West to the West line of said Quarter; thence North 565.3 feet to the point of beginning; EXCEPTING THEREFROM THE FOLLOWING FIVE TRACTS: (1) A tract of land in the South Half of the Northwest Quarter of Section Twenty, in Township One Hundred Thirty-eight North of Range Forty-nine West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows: Commencing at the Northwest corner of the Northwest Quarter of Section Twenty; thence South 0°00' East along the West line of said Section Twenty for a distance of 1886.8 feet to the point of beginning; thence North 88°55' East for a distance of 383 feet; thence South 0°00' East parallel to the West line of said Section Twenty for a distance of 269.72 feet; thence South 88°55' West for a distance of 383 feet to the West line of said Section Twenty; thence North 0°00' East along said West line of Section Twenty for a distance of 269.72 feet to the point of beginning, less 60 feet along the West line for Highway Right of Way; and (2) A tract of land in the South Half of the Northwest Quarter of Section Twenty, in Township One Hundred Thirty-eight North of Range Forty-nine West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows, to-wit: Commencing at the Northwest corner of the Northwest Quarter of Section Twenty, thence South 0°00' East along the West line of said Section Twenty for a distance of 2156.52 feet to the point of beginning; thence North 88°55' East for a distance of 383 feet; thence South 0°00' East parallel to the West line of said Section Twenty for a distance of 269.72 feet; thence South 88°55' West for a distance of 383 feet to the West line of said Section Twenty; thence North 0°00' East along said West line of Section Twenty for a distance of 269.72 feet to the point of beginning, less 60 feet along the West line for Highway Right of Way; and (3) A tract of land in the West Half of Section Twenty, Township One Hundred Thirty-eight North of Range Forty-nine West of the Fifth Principal Meridian, Cass County, North Dakota described as follows: Commencing at the Northwest corner of said Section Twenty; thence South 0°00' East along the West line of said Section

Twenty for a distance of 2,426.24 feet thence North 88°55' East for a distance of 383.0 feet; thence South 0°00' East parallel to the West line of said Section Twenty for a distance of 186.42 feet; thence South 88°55' West for a distance of 383.0 feet to the West line of said Section Twenty; thence North 0°00' East along said West line of Section Twenty for a distance of 186.42 feet to the point of beginning, less 60.0 feet along the West line for Highway Right of Way; and (4) That part of the Southeast Quarter of the Northwest Quarter of Section Twenty, Township One Hundred Thirty-eight North of Range Forty-nine West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows: Commencing at the Northeast corner of the Southeast Quarter of the Northwest Quarter of Section Twenty, thence Southerly along the East line of the Southeast Quarter of the Northwest Quarter of said Section Twenty, for a distance of 579.90 feet to the true point of beginning, said point being the Southeast corner of a tract of land described on page 561 of Book 323 on record at the office of the Cass County Register of Deeds; thence continue Southerly, along the East line of the Southeast Quarter of the Northwest Quarter of said Section Twenty, for a distance of 400.00 feet; thence Westerly, parallel to and 400.00 feet Southerly of a tract of land described on page 561 of Book 323 and tract of land described on page 574 of Book 377, both tracts of record at the office of the Cass County Register of Deeds, for a distance of 1,100.00 feet; thence North parallel to the East line of the Southeast Quarter of the Northwest Quarter for a distance of 400.00 feet to a point of intersection with the South line of a tract of land described on page 574 of Book 377 on Record at the office of the Cass County Register of Deeds; thence Easterly, along the South line of a tract described on page 574 of Book 377 and along the South line of a tract of land described on page 561 of Book 323, both tracts of record at the Office of the Cass County Register of Deeds, for a distance of 1,100.00 feet to the true point of beginning; and (5) That part of the South Half of the Northwest Quarter of Section Twenty, Township One Hundred Thirty-eight North of Range Forty-nine West of the Fifth Principal Meridian, situate in the County of Cass and the State of North Dakota, described as follows, to-wit: Commencing at the Southwest corner of Lot Five of Block One, of Georger's Addition to the City of Horace; thence East on the South Boundary line of said Lot Five and the Extension of said Lot Five a distance of 415 feet; thence South a distance of 35 feet; thence West on a line parallel with the above described North line a distance of 415 feet, more or less, to a point South of the point of beginning; thence North 35 feet to the point of beginning.

ADDED NAMES SEARCHED: None.

APPARENT TITLE IN: Lee Clinton Sparks and Nancy Virginia Sparks, as Trustees of the Lee and Nancy Sparks 2018 Living Trust, by virtue of a Trustee's Deed, dated April 14, 2021 and recorded April 23, 2021 as Document No. 1630051 (at Entry No. 81 of the Abstract).

PREVIOUS TITLE IN: Dr. Clinton L. Sparks and Bernadine L. Sparks, as Co-Trustees of The Clinton L. & Bernadine L. Sparks Trust dated June 28, 2001, by virtue of a Quit Claim Deed, dated June 28, 2001 and recorded July 5, 2001 as Document No. 986418 (at Entry No. 79 of the Abstract); and by virtue of a Quit Claim Deed, dated June 28, 2001 and recorded July 5, 2001 as Document No. 986419 (at Entry No. 80 of the Abstract). [Examiner's Note: This deed indicates that Grantor Clinton L. Sparks is a married man, but no spouse joined in the conveyance and no Affidavit of Non-Homestead has been recorded].

SUBJECT TO:

1. Unpaid taxes of special assessments which have not yet been certified by the County Treasurer for collection. 2021 and prior years taxes are shown as paid. Tax Parcel Number: Part of 15-0200-13090-000.
2. At Entry No. 54 appears a County Road Easement to Cass County, dated July 2, 1953 and recorded April 22, 1954 in Book "K-2" of Misc., page 452 as Document No. 313989. Said easement is for public highway purposes on the property described therein. Notice should be taken of the location, scope and effect of this easement, which impacts a portion of the Southwest Quarter of the Northwest Quarter of Section 20, Township 138 North, Range 49 West and also a portion of the Southeast Quarter of the Northeast Quarter of Section 19, Township 138 North, Range 49 West.
3. At Entry No. 55 appears a County Road Easement to Cass County, dated July 2, 1953 and recorded April 27, 1954 in Book "K-2" of Misc., page 511 as Document No. 314091. Said easement is for public highway purposes on the property described therein. Notice should be taken of the location, scope and effect of this easement, which includes land in (i) the Northwest Quarter of the Southwest Quarter of Section 20, Township 138 North, Range 49 West; (ii) the Southwest Quarter of the Northwest Quarter of Section 20, Township 138 North, Range 49 West; (iii) the Southeast Quarter of the Northeast Quarter of Section 19, Township 138 North, Range 49 West; and (iv) the Northeast Quarter of the Southeast Quarter of Section 19, Township 138 North, Range 49 West.
4. At Entry No. 57½ appears a Right of Way Easement to Northwestern Bell Telephone Company, dated February 9, 1971 and recorded January 18, 1972 in Book "R-5" of Misc., page 301 as Document No. 455169. Said easement is to construct, operate, maintain, replace, and enlarge buried or underground telephone and communications lines in the North Half of the Southwest Quarter of Section 20 and South Half of South Half of the Northwest Quarter of Section 20, Township 138 North, Range 49 West, specifically approximately 80 feet East of the center of the section road bordering Section 20 on the west. Notice should be taken of the location, scope and effect of this easement.
5. At Entry No. 60 appears a Right of Way Easement to Northwestern Bell Telephone Company, dated August 2, 1977 and recorded November 29, 1977 in Book "Q-7" of Misc., page 374 as Document No. 528641. Said easement is to construct, operate, maintain, replace, enlarge and remove a communications system consisting of buried cables or wires and associated equipment in the Northeast Quarter of the Southeast Quarter and Southeast Quarter of the Northeast Quarter of Section 19, Township 138 North, Range 49 West, specifically the west boundary of said strip shall be a line parallel to and approximately 60 feet west of the centerline of the road bordering said Section 19 to the east. The east boundary shall be a line parallel to and 2 feet east of the first cable

laid. Notice should be taken of the location, scope and effect of this easement.

[Examiner's Note: As this easement impacts property in Section 19, it does not appear to impact the subject property].

6. At Entry No. 61 appears a Right of Way Easement to Cass County Electric Cooperative, Inc., dated May 3, 1979 and recorded February 5, 1980 in Book "M-8" of Misc., page 254 as Document No. 564316. Said easement is to construct, operate, and maintain an electric service line or system with the right to enter the premises described therein to maintain and repair said service line of system. Notice should be taken of the location, scope and effect of this easement, which is located in the Southeast Quarter of the Northeast Quarter of Section 19, Township 138 North, Range 49 West. [Examiner's Note: As this easement impacts property in Section 19, it does not appear to impact the subject property].
7. At Entry No. 64 appears a Right of Way Easement to Cass County Electric Cooperative, Inc., dated June 13, 1975 and recorded July 18, 1975 in Book "Q-6" of Misc., page 32 as Document No. 491439. Said easement is to construct, operate, and maintain an electric service line or system with the right to enter the premises described therein to maintain and repair said service line of system. Notice should be taken of the location, scope and effect of this easement, which is located in the Northwest Quarter of Section 20, Township 138 North, Range 49 West.
8. At Entry No. 68 appears a Plat of Auditor's Lot No. 3 of the Northwest Quarter of Section 20, Township 138 North, Range 49 West, dated July 29, 1983 and recorded August 4, 1983 in Book "C" of Misc., page 353 as Document No. 603047. Notice should be taken of all interests created, referenced or dedicated by way of said plat, which is shown in the abstract for information purposes only.
9. At Entry No. 69 appears a Right of Way Deed to the City of Horace, dated August 27, 1993 and recorded September 2, 1993 as Document No. 791492. Same is a right of way for public road, sidewalk, sewer or water, or related utilities over and across the property described therein (part of the South Half of the Northwest Quarter of Section 20, Township 138 North, Range 49 West).
10. At Entry No. 78 appears an Annexation Plat of Part of the West Half of Section 20, Township 138 North, Range 49 West of the Fifth Principal Meridian, recorded September 17, 1998 as Document No. 910964. Notice should be taken of all interests created, referenced or dedicated by way of said plat.

11. At Entry No. 82 appears a Telephone Company Right of Way Easement Agreement in favor of Insight Technologies, Inc. dba ReadITech Fiber, dated August 5, 2022 and recorded August 9, 2022 as Document No. 1672557. Said easement is to construct, reconstruct, operate and maintain a communications line or system, to cut and trim trees and shrubbery that may interfere with or threaten to endanger the operation and maintenance of said line or system on the property described therein. Same impacts the Southwest Quarter of Section 20, Township 138 North, Range 49 West. Notice should be taken of the location, scope and effect of this easement.

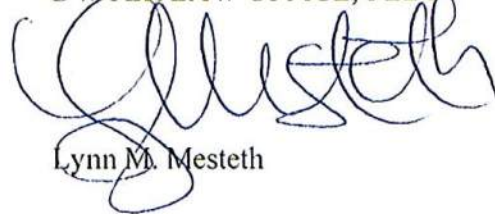
12. Your attention is directed to the attached Scope of Opinion for additional comments which are a part of this Title Opinion.

You are charged with the notice of the rights of persons in possession of said premises, the possibility of mechanic's liens, liens of the County Auditor. By statute, certain utilities have filed documents which place you on notice of the possibility of buried underground facilities. Whether such facilities actually do exist is not disclosed by the abstract.

I return the abstract here within.

Sincerely,

DWYER LAW OFFICE, PLLC

A handwritten signature in black ink, appearing to read "Lynn M. Mesteth", written in a cursive style.

Lynn M. Mesteth

SCOPE OF OPINION

Scope of Opinion: Unless otherwise stated, this opinion is written from an examination of the abstract only, and the court files of any proceedings that may appear, such as foreclosure, quiet title actions, probate proceedings or tax sales, have not been examined. The regularity of such legal proceedings is presumed. According to the abstract there appear to be no judgments, no mechanic's or other liens, and no unpaid taxes against the described premises except as mentioned in the opinion.

Location of Buildings: The abstract does not show the location of buildings. If buildings or other improvements are involved, you must satisfy yourself by survey or other proper investigation that the same lie within the boundaries of the property described in the abstract.

Possession: You are charged with notice of the rights of persons in possession of the premises and of easements, encroachments and the like which, though not appearing of record, are capable of ascertainment by inspection or survey.

Construction Liens: Such liens may be filed for record within 90 days after improvements or construction upon the premises. Therefore, if there have been any recent improvements, there is a possibility that liens for such work may still be filed though they do not appear in the abstract. In North Dakota, failure to file a construction lien within the 90-day period does not invalidate the lien except as against purchasers or encumbrances in good faith and for value whose rights accrue after the 90 days and before any claim for the lien is filed. You should satisfy yourself that there has been no labor performed or material furnished which would subject the property to construction liens or, if so, that they have been paid, and a 1989 amendment to the law allows mechanic's liens to be filed for architectural services, construction staking, engineering, land surveying, mapping, or soil testing.

Zoning Ordinances and Covenants: Information as to zoning ordinances is outside the scope of this opinion but can be obtained from the building inspector of the city in which the property is located. The examiner is unable to express an opinion whether structures are in compliance with covenants and restrictions filed on the subject property.

Taxes: In North Dakota, the general real estate taxes are not due until the year following the year for which they are assessed and levied. Taxes assessed and levied in the current year are not shown in an abstract. Federal or state tax liens that do not appear of record are not shown in the abstract and not mentioned in this opinion.

Special Assessments: Special assessments are not normally shown in an abstract until they have been extended in the tax lists by the county auditor. Consequently, it is possible for property to be subject to special assessments which do not appear in the abstract. Inquiry should be made as to special assessments from the city or county auditor involved.

Special Assessment Credit: N.D.C.C. § 57-02-08.3 provides for a lien in favor of the State against real property upon which a special assessment credit is allowed and said lien shall have

precedence over all other liens, except general taxes, and a mistake in description or name of the owner shall not defeat the lien.

Lien for Weed Control Purposes: N.D.C.C. § 63-01.1-08 provides for a lien against the property of a landowner who is responsible for infestation or fails or refuses to perform requirements for the control of weeds, and said lien need not be filed for record. It is possible that the real property described in the opinion may be subject to a lien and the county commissioners or county weed control officer should be contracted to determine whether a lien exists on the property as described in the abstract.

Waiver of Homestead Exemption: This examiner does not express an opinion whether any mortgage(s) listed in this opinion are in compliance with N.D.C.C. § 47-18-05.1 which requires a waiver of homestead exemption by the mortgagor(s) on a mortgage on homestead property, except for a purchase money mortgage.

Mineral Estate: No opinion is expressed as to the status of the mineral estate or the rights of the owners or holders of mineral estates.

Non-Access Control Line: This examiner has not viewed the subject property and does not express an opinion whether any driveway allowing access from a public street to the subject property is in violation of a non-access control line which may be dedicated in a subdivision plat in which the lot or lots are located.

Veterans Administration Loan Guarantees: This examiner does not express an opinion whether the borrower and lender in any mortgage cited in the title opinion have complied with N.D.C.C. § 35-03-01.3 which requires a statement to be signed by both parties at the time of the loan application when the loan is insured or guaranteed by the United States Veterans Administration.

Waste: No opinion is expressed whether the subject property is in compliance with all state and federal laws and regulations or orders of government bodies relating to solid waste, radioactive waste, hazardous waste or hazardous substances, including but not limited to those defined in 42 U.S.C. § 9601 *et seq.* and N.D.C.C. Chapters 23-20.2, 23-20.3, 23-20.4 and 23-29.



Dwyer LAW OFFICE PLLC

PRELIMINARY TITLE OPINION

DATE: 11/7/2022

TO: The City of Horace

ABSTRACT: 9596 (Abstract of Title and Stub Abstract of Title)

NUMBER OF ENTRIES: Entries A-W, inclusive (Abstract of Title); and Entry Nos. 1-123, inclusive (Stub Abstract of Title).

LAST CERTIFIED: October 24, 2022 at 6:59 a.m. by Cass County Abstract Company.

COVERING AND DESCRIBING: The following described tract of land, to-wit: Beginning at a point on the West line of Section Twenty, in Township One Hundred Thirty-eight North of Range Forty-nine West of the Fifth Principal Meridian, Cass County, North Dakota, which point is 3,365.9 feet south of the Northwest corner of said Section twenty; running thence East to a point on the East line of the Southwest Quarter of said Section Twenty, which point is 3,386.8 feet south of the North line of the said Section Twenty; thence South along the East line of the Southwest Quarter of said Section Twenty, 568.4 feet to the Southeast corner of the North Half of the Southwest Quarter of said Section Twenty; thence West to the Southwest corner of said North Half of the Southwest Quarter of Section Twenty; thence North along the West line of said Section Twenty, 565.2 feet to the point of beginning;

AND

The following described tract of land, to-wit: Beginning at a point on the West line of Section Twenty, in Township One Hundred Thirty-eight North of Range Forty-nine West of the Fifth Principal Meridian, Cass County, North Dakota, which point is 2452.1 feet South of the Northwest corner of said Section Twenty; running thence East to a point on the East line of the West Half of said Section Twenty, which point is 2466.8 feet South of the North line of said Section Twenty, thence South along the said East line 920 feet; thence West to a point on the West line of said section Twenty; thence North along the west line of said Section 913.8 feet to the point of beginning; EXCEPTING THEREFROM THE FOLLOWING TWO TRACTS:

(1) A tract of land in the West Half of section Twenty, Township One Hundred Thirty-eight North of Range Forty-nine West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows: Commencing at the Northwest corner of said Section Twenty; thence South 0°00' East along the West line of said Section Twenty for a distance of 2,426.24 feet; thence North 88°55' East for a distance of 383.0 feet; thence South 0°00' East parallel to the West line of said Section Twenty for a distance of 186.42 feet; thence South 88°55' West for

a distance of 383.0 feet to the West line of said Section Twenty; thence North 0°00' East along said West line of Section Twenty for a distance of 186.42 feet to the point of beginning; and

(2) A tract of land in the West Half of Section Twenty, Township One Hundred Thirty-eight North of Range Forty-nine West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows: Commencing at the Northwest corner of said Section Twenty; thence South 0°00' East along the West line of said Section Twenty for a distance of 2,612.66 feet to the point of beginning; thence North 88°55' East for a distance of 383.0 feet; thence South 0°00' East parallel to the West line of said Section Twenty for a distance of 269.72 feet; thence South 88°55' West for a distance of 383.0 feet to the West line of said Section Twenty; thence North 0°00' East along said West line of Section Twenty for a distance of 269.72 feet to the point of beginning, less sixty feet along the West line for highway right-of-way.

ADDED NAMES SEARCHED: None.

APPARENT TITLE IN: Lee Clinton Sparks and Nancy Virginia Sparks, as Trustees of the Lee and Nancy Sparks 2018 Living Trust, by virtue of a Trustee's Deed, dated April 14, 2021 and recorded April 23, 2021 as Document No. 1630051 (at Entry No. 122 of the Abstract).

PREVIOUS TITLE IN: Dr. Clinton L. Sparks and Bernadine L. Sparks, as Co-Trustees of The Clinton L. & Bernadine L. Sparks Trust dated June 28, 2001, by virtue of a Quit Claim Deed, dated June 28, 2001 and recorded July 5, 2001 as Document No. 986418 (at Entry No. 120 of the Abstract; and by virtue of a Quit Claim Deed, dated June 28, 2001 and recorded July 5, 2001 as Document No. 986419 (at Entry No. 121 of the Abstract). [Examiner's Note: This deed indicates that Grantor Clinton L. Sparks is a married man, but no spouse joined in the conveyance and no Affidavit of Non-Homestead has been recorded].

SUBJECT TO:

1. Unpaid taxes of special assessments which have not yet been certified by the County Treasurer for collection. 2021 and prior years taxes are shown as paid. Tax Parcel Number: Part of 15-0200-13090-000.
2. At Entry No. 2 appears a Plat Showing Section 19, Township 138 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota. Notice should be taken of all interests created, referenced or dedicated by way of said plat.
3. At Entry No. 94 appears a County Road Easement to Cass County, dated September 6, 1938 and recorded September 23, 1938 in Book "N-1" of Misc., page 88 as Document No. 215926. Said easement is for public highway purposes on the property described therein. Notice should be taken of the location, scope and effect of this easement, which impacts the West 17 feet of the East 50 feet of the Southeast Quarter of the Northeast Quarter and the West 17 feet of the East 50 feet of the Northeast Quarter of the Southeast Quarter of Section 19, Township 138 North, Range 49 West, and also the East 17 feet of

the West 50 feet of the Northwest Quarter of the Southwest Quarter of Section 20, Township 138 North, Range 49 West.

4. At Entry No. 98 appears a County Road Easement to Cass County, dated July 2, 1953 and recorded April 22, 1954 in Book "K-2" of Misc., page 452 as Document No. 313989. Said easement is for public highway purposes on the property described therein. Notice should be taken of the location, scope and effect of this easement, which impacts a portion of the Southwest Quarter of the Northwest Quarter of Section 20, Township 138 North, Range 49 West and also a portion of the Southeast Quarter of the Northeast Quarter of Section 19, Township 138 North, Range 49 West.
5. At Entry No. 98-A appears a County Road Easement to Cass County, dated July 2, 1953 and recorded April 27, 1954 in Book "K-2" of Misc., page 511 as Document No. 314091. Said easement is for public highway purposes on the property described therein, which includes land in (i) the Northwest Quarter of the Southwest Quarter of Section 20, Township 138 North, Range 49 West; (ii) the Southwest Quarter of the Northwest Quarter of Section 20, Township 138 North, Range 49 West; (iii) the Southeast Quarter of the Northeast Quarter of Section 19, Township 138 North, Range 49 West; and (iv) the Northeast Quarter of the Southeast Quarter of Section 19, Township 138 North, Range 49 West. Notice should be taken of the location, scope and effect of this easement.
6. At Entry No. 105 appears a Right of Way Easement to Northwestern Bell Telephone Company, dated February 9, 1971 and recorded January 18, 1972 in Book "R-5" of Misc., page 301 as Document No. 455169. Said easement is to construct, operate, maintain, replace, and enlarge buried or underground telephone and communications lines in the North Half of the Southwest Quarter of Section 20 and South Half of South Half of the Northwest Quarter of Section 20, Township 138 North, Range 49 West, specifically approximately 80 feet East of the center of the section road bordering Section 20 on the west. Notice should be taken of the location, scope and effect of this easement.
7. At Entry No. 108 appears a Right of Way Easement to Northwestern Bell Telephone Company, dated August 2, 1977 and recorded November 29, 1977 in Book "Q-7" of Misc., page 374 as Document No. 528641. Said easement is to construct, operate, maintain, replace, enlarge and remove a communications system consisting of buried cables or wires and associated equipment in the Northeast Quarter of the Southeast Quarter and Southeast Quarter of the Northeast Quarter of Section 19, Township 138 North, Range 49 West, specifically the west boundary of said strip shall be a line parallel to and approximately 60 feet west of the centerline of the road bordering said Section 19 to the east. The east boundary shall be a line parallel to and 2 feet east of the first cable laid. Notice should be taken of the location, scope and effect of this easement.

[Examiner's Note: As this easement impacts property in Section 19, it does not appear to impact the subject property].

8. At Entry No. 109 appears a Right of Way Easement to Cass County Electric Cooperative, Inc., dated April 18, 1978 and recorded May 26, 1978 in Book "U-7" of Misc., page 587 as Document No. 536463. Said easement is to construct, operate, and maintain an electric service line or system with the right to enter the premises described therein to maintain and repair said service line of system. Notice should be taken of the location, scope and effect of this easement, which is located in the Northwest Quarter of Section 19, Township 138 North, Range 49 West. [Examiner's Note: As this easement impacts property in Section 19, it does not touch or concern the subject property].
9. At Entry No. 110 appears a Right of Way Easement to Cass County Electric Cooperative, Inc., dated April 19, 1979 and recorded January 10, 1980 in Book "L-8" of Misc., page 408 as Document No. 563475. Said easement is to construct, operate, and maintain an electric service line or system with the right to enter the premises described therein to maintain and repair said service line of system. Notice should be taken of the location, scope and effect of this easement, which is located in the East Half of the Southeast Quarter of Section 19, Township 138 North, Range 49 West. [Examiner's Note: As this easement impacts property in Section 19, it does not appear to impact the subject property].
10. At Entry No. 111 appears a Right of Way Easement to Cass County Electric Cooperative, Inc., dated May 3, 1979 and recorded February 5, 1980 in Book "M-8" of Misc., page 254 as Document No. 564316. Said easement is to construct, operate, and maintain an electric service line or system with the right to enter the premises described therein to maintain and repair said service line of system. Notice should be taken of the location, scope and effect of this easement, which is located in the Southeast Quarter of the Northeast Quarter of Section 19, Township 138 North, Range 49 West. [Examiner's Note: As this easement impacts property in Section 19, it does not appear to impact the subject property].
11. At Entry No. 119 appears an Annexation Plat of Part of the West Half of Section 20, Township 138 North, Range 49 West of the Fifth Principal Meridian, recorded September 17, 1998 as Document No. 910964. Notice should be taken of all interests created, referenced or dedicated by way of said plat.
12. At Entry No. 123 appears a Telephone Company Right of Way Easement Agreement in favor of Insight Technologies, Inc. dba ReadITech Fiber, dated August 5, 2022 and recorded August 9, 2022 as Document No. 1672557. Said easement is to construct,

reconstruct, operate and maintain a communications line or system, to cut and trim trees and shrubbery that may interfere with or threaten to endanger the operation and maintenance of said line or system on the property described therein. Same impacts the Southwest Quarter of Section 20, Township 138 North, Range 49 West. Notice should be taken of the location, scope and effect of this easement.

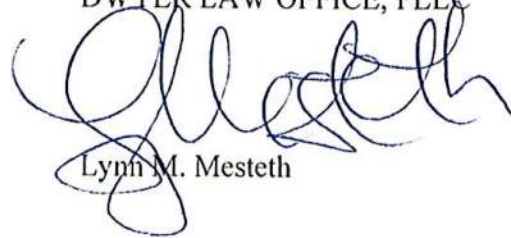
13. Your attention is directed to the attached Scope of Opinion for additional comments which are a part of this Title Opinion.

You are charged with the notice of the rights of persons in possession of said premises, the possibility of mechanic's liens, liens of the County Auditor. By statute, certain utilities have filed documents which place you on notice of the possibility of buried underground facilities. Whether such facilities actually do exist is not disclosed by the abstract.

I return the abstract here within.

Sincerely,

DWYER LAW OFFICE, PLLC

A handwritten signature in black ink, appearing to read "Lynn M. Mesteth", written in a cursive style.

Lynn M. Mesteth

SCOPE OF OPINION

Scope of Opinion: Unless otherwise stated, this opinion is written from an examination of the abstract only, and the court files of any proceedings that may appear, such as foreclosure, quiet title actions, probate proceedings or tax sales, have not been examined. The regularity of such legal proceedings is presumed. According to the abstract there appear to be no judgments, no mechanic's or other liens, and no unpaid taxes against the described premises except as mentioned in the opinion.

Location of Buildings: The abstract does not show the location of buildings. If buildings or other improvements are involved, you must satisfy yourself by survey or other proper investigation that the same lie within the boundaries of the property described in the abstract.

Possession: You are charged with notice of the rights of persons in possession of the premises and of easements, encroachments and the like which, though not appearing of record, are capable of ascertainment by inspection or survey.

Construction Liens: Such liens may be filed for record within 90 days after improvements or construction upon the premises. Therefore, if there have been any recent improvements, there is a possibility that liens for such work may still be filed though they do not appear in the abstract. In North Dakota, failure to file a construction lien within the 90-day period does not invalidate the lien except as against purchasers or encumbrances in good faith and for value whose rights accrue after the 90 days and before any claim for the lien is filed. You should satisfy yourself that there has been no labor performed or material furnished which would subject the property to construction liens or, if so, that they have been paid, and a 1989 amendment to the law allows mechanic's liens to be filed for architectural services, construction staking, engineering, land surveying, mapping, or soil testing.

Zoning Ordinances and Covenants: Information as to zoning ordinances is outside the scope of this opinion but can be obtained from the building inspector of the city in which the property is located. The examiner is unable to express an opinion whether structures are in compliance with covenants and restrictions filed on the subject property.

Taxes: In North Dakota, the general real estate taxes are not due until the year following the year for which they are assessed and levied. Taxes assessed and levied in the current year are not shown in an abstract. Federal or state tax liens that do not appear of record are not shown in the abstract and not mentioned in this opinion.

Special Assessments: Special assessments are not normally shown in an abstract until they have been extended in the tax lists by the county auditor. Consequently, it is possible for property to be subject to special assessments which do not appear in the abstract. Inquiry should be made as to special assessments from the city or county auditor involved.

Special Assessment Credit: N.D.C.C. § 57-02-08.3 provides for a lien in favor of the State against real property upon which a special assessment credit is allowed and said lien shall have

precedence over all other liens, except general taxes, and a mistake in description or name of the owner shall not defeat the lien.

Lien for Weed Control Purposes: N.D.C.C. § 63-01.1-08 provides for a lien against the property of a landowner who is responsible for infestation or fails or refuses to perform requirements for the control of weeds, and said lien need not be filed for record. It is possible that the real property described in the opinion may be subject to a lien and the county commissioners or county weed control officer should be contracted to determine whether a lien exists on the property as described in the abstract.

Waiver of Homestead Exemption: This examiner does not express an opinion whether any mortgage(s) listed in this opinion are in compliance with N.D.C.C. § 47-18-05.1 which requires a waiver of homestead exemption by the mortgagor(s) on a mortgage on homestead property, except for a purchase money mortgage.

Mineral Estate: No opinion is expressed as to the status of the mineral estate or the rights of the owners or holders of mineral estates.

Non-Access Control Line: This examiner has not viewed the subject property and does not express an opinion whether any driveway allowing access from a public street to the subject property is in violation of a non-access control line which may be dedicated in a subdivision plat in which the lot or lots are located.

Veterans Administration Loan Guarantees: This examiner does not express an opinion whether the borrower and lender in any mortgage cited in the title opinion have complied with N.D.C.C. § 35-03-01.3 which requires a statement to be signed by both parties at the time of the loan application when the loan is insured or guaranteed by the United States Veterans Administration.

Waste: No opinion is expressed whether the subject property is in compliance with all state and federal laws and regulations or orders of government bodies relating to solid waste, radioactive waste, hazardous waste or hazardous substances, including but not limited to those defined in 42 U.S.C. § 9601 *et seq.* and N.D.C.C. Chapters 23-20.2, 23-20.3, 23-20.4 and 23-29.

Parcel #: 15-0200-13090-000
 Owner: LEE & NANCY SPARKS 2018 LIVING TRUST ETAL
 Address: RURAL ADDRESS
 HORACE ND 58047
 Jurisdiction: Horace City

Mortgage Company:

[Map View](#) - [Legal Description](#) - [Property details](#)
[Agricultural Land Value Calculation](#)

Mail To: LEE & NANCY SPARKS 2018 LT
 621 KEARNEY ST
 BENICIA CA 94510-3935

**2022
 Statement #220153196**

Mill Levy Rate:	286.30
Consolidated:	\$1,964.01
Specials:	\$27,820.41
Drains:	\$52.77
Other:	\$0.00
Discounts:	\$98.20
Pen/Int:	\$0.00
1st Due:	\$0.00
2nd Due:	\$0.00
Amount Due:	\$0.00
Grand Total Due:	\$0.00

Statements

Year	Statement #	Type	Tax	Penalty	Interest	Discount *	Paid	Balance	Add to Cart
2022	220153196	Real Estate	\$29,837.19	\$0.00	\$0.00	\$98.20	<u>\$29,738.99</u>	\$0.00	Paid
2021	210152917	Real Estate	\$30,588.30	\$0.00	\$0.00	\$103.38	<u>\$30,484.92</u>	\$0.00	Paid
2020	200152362	Real Estate	\$31,277.95	\$0.00	\$0.00	\$102.86	<u>\$31,175.09</u>	\$0.00	Paid
2019	190151756	Real Estate	\$15,605.69	\$0.00	\$0.00	\$101.60	<u>\$15,504.09</u>	\$0.00	Paid
2018	180151257	Real Estate	\$15,696.63	\$442.89	\$0.00	\$0.00	<u>\$16,139.52</u>	\$0.00	Paid
2017	170150595	Real Estate	\$1,972.16	\$0.00	\$0.00	\$88.04	<u>\$1,972.16</u>	\$0.00	Paid
2016	160150104	Real Estate	\$1,691.67	\$0.00	\$0.00	\$74.01	<u>\$1,617.66</u>	\$0.00	Paid

Assessments

Year	Agricultural Land	Residential Land Building	Commercial Land Building	Total	Taxable Value Before Credits	Credits	Net Taxable Value
2022	\$137,200.00	\$0.00 \$0.00	\$0.00 \$0.00	\$137,200.00	\$6,860.00	<u>\$0.00</u>	\$6,860.00
2021	\$143,100.00	\$0.00 \$0.00	\$0.00 \$0.00	\$143,100.00	\$7,155.00	<u>\$0.00</u>	\$7,155.00
2020	\$144,500.00	\$0.00 \$0.00	\$0.00 \$0.00	\$144,500.00	\$7,225.00	<u>\$0.00</u>	\$7,225.00
2019	\$142,300.00	\$0.00 \$0.00	\$0.00 \$0.00	\$142,300.00	\$7,115.00	<u>\$0.00</u>	\$7,115.00
2018	\$136,900.00	\$0.00 \$0.00	\$0.00 \$0.00	\$136,900.00	\$6,845.00	<u>\$0.00</u>	\$6,845.00
2017	\$132,700.00	\$0.00 \$0.00	\$0.00 \$0.00	\$132,700.00	\$6,635.00	<u>\$0.00</u>	\$6,635.00
2016	\$132,700.00	\$0.00 \$0.00	\$0.00 \$0.00	\$132,700.00	\$6,635.00	<u>\$0.00</u>	\$6,635.00

SPECIAL ASSESSMENTS

If any special assessment districts are listed below they are for debt service type districts where improvements are financed and a yearly installment of principal and interest is attached to your tax billing. The "Principal Remaining" is the principal balance of the assessment that has not been billed on the tax statement. The "2023 Installment" is the proposed billing of principal and interest for the next tax year. The "Paid Specials" is a listing of the principal and interest payments made each year.

Specials

Project Code	Project Name	Principle Remaining	2023 Installment	Future (proposed)	Add to Cart
X522	2019-2	\$42,350.86	\$3,867.44	\$0.00	
X525	2019-5	\$120,647.62	\$11,017.42	\$0.00	
X517	City of Horace - Sewer 2017-2	\$127,665.75	\$12,341.02	\$0.00	
Total		\$290,664.23	\$27,225.88	\$0.00	

Payoff Date:

Paid Specials

Year	Total Payment	Principal Amount	Interest Amount
2022	\$12,596.35	\$8,511.05	\$4,085.30
2022	\$3,955.57	\$2,016.71	\$1,938.86
2022	\$11,268.49	\$5,745.13	\$5,523.36
2021	\$12,851.69	\$8,511.05	\$4,340.64
2021	\$4,043.70	\$2,016.71	\$2,026.99
2021	\$11,519.56	\$5,745.13	\$5,774.43
2020	\$13,107.02	\$8,511.05	\$4,595.97
2020	\$4,131.83	\$2,016.71	\$2,115.12
2020	\$11,770.62	\$5,745.13	\$6,025.49
2019	\$13,362.35	\$8,511.05	\$4,851.30



This recommendation letter serves as formal notice from the Horace Park District to the City Council of the City of Horace, North Dakota, that the Developer, *Lee and Nancy Sparks 2018 Living Trust*, for *Sparks Addition* to the City of Horace, North Dakota, has met the requirements set forth in Section 17.8.10 of the Revised Ordinances of 2003 of the City of Horace, North Dakota, regarding park land dedication or payment in-lieu-of park land dedication for *Sparks Addition*.

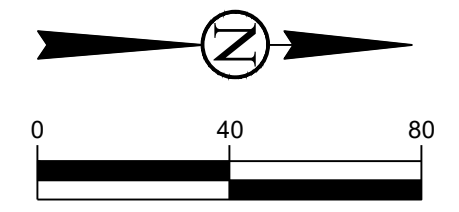
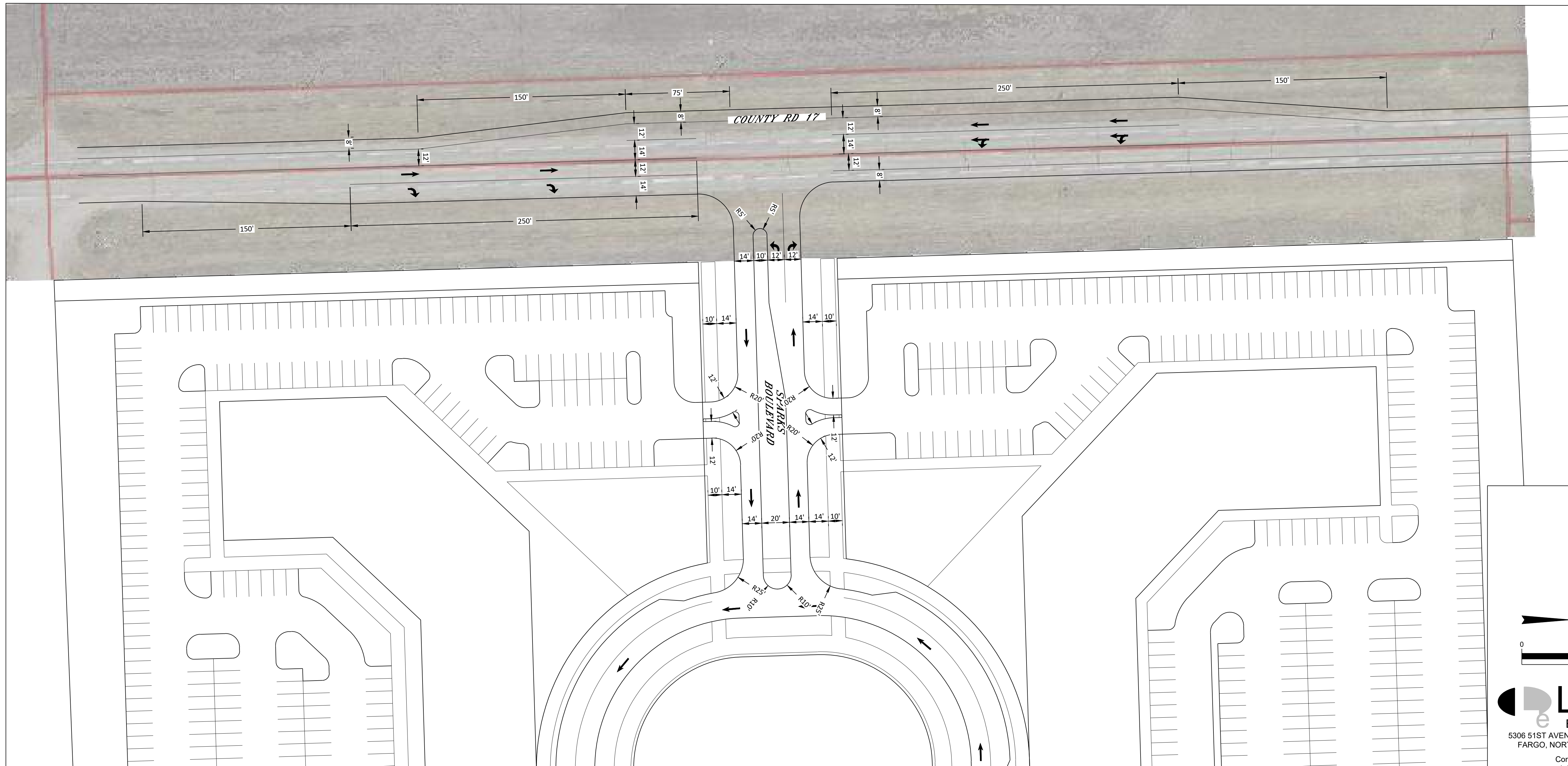
The Horace Park District has requested *park land dedication and payment in-lieu-of park land dedication* for *Sparks Addition*. The proposed *acreage* for *Sparks Addition* is *3.53 acres and is identified as Lot 4 of Block 5 (0.60 acres) and Lot 1 Block 8 (2.93 acres)* on the plat of *Sparks Addition*. The proposed *dollar amount* for *Sparks Addition* is *Nine-hundred Seventy-two Thousand Four Hundred Sixteen Dollars and 02/100 (\$972,416.02)*. The Horace Park District respectfully requests that the City Council approve this recommendation for the purpose of providing public uses and facilities for existing and future residents of the community.

Dated: August 22, 2023.

Horace Park District

Wade Frank, President of the Horace Park District

*This letter supersedes the previous letters dated March 27, 2023, and June 13, 2023. The cash-in-lieu will be put towards the costs associated with park improvements in Sparks Addition.



LOWRY
 ENGINEERING
 5306 51ST AVENUE SOUTH, SUITE A
 FARGO, NORTH DAKOTA 58104
 Concept #2c.2
 L.E.#22007

2023-116

rec'd 8-18

ACCESS PERMIT APPLICATION



Highway Department
1201 Main Avenue West
West Fargo, ND 58078
www.casscountynd.gov
Phone: 701-298-2370
Fax: 701-298-2395

Please Print or Type Instructions: Complete all questions that apply, sign, attach necessary documents, and submit to the Cass County Highway Department, along with a nonrefundable application fee in the amount of \$50 and a \$1000 refundable performance guarantee. Submit an application and fee for each access requested.

Applicant Lee and Nancy Sparks (C/O Dwyer Law Office) <i>2018 Living Trust</i>		Applicant's Representative Dwyer Law Office	
Address 5302 51st Ave S, Suite D		Address 5302 51st Ave S, Suite D	
City, State Zip Fargo, ND 58102	Phone 701-235-2040	City, State Zip Fargo, ND 58102	Phone 701-235-2040
Email Address jack@dwyerlawnd.com		Email Address jack@dwyerlawnd.com	

Type of Permit Requested

New Access
 Modify Existing Access
 Remove Existing Access } Permanent Temporary Field Drive

Address, City, State Zip of Property to be Served by Permit (if applicable)

Parcel ID 15-0200-13090-000	Subdivision	Section 20	Township 138	Range 49
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On what county highway are you requesting the access?
Cass Hwy 17

What side of the highway? N S E W


Current land use of property? Agricultural Residential Business Other:

Will this activity disrupt normal traffic and/or functionality of the roadway?
 No Yes If yes, describe and submit a traffic safety plan per MUTCD on separate sheet (include timeline).

Are there other existing or dedicated public streets, roads, highways, or access easements bordering or within the property?
 No Yes If yes, list them on the plans and indicate the proposed and existing access points.

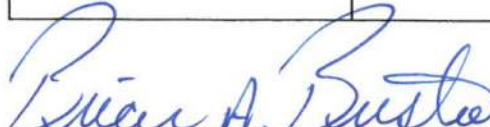
Description of proposed work
New access for proposed future subdivision

By signing below, the Applicant agrees to perform all work in accordance with the Cass County Highway Access Ordinance and this Permit and to indemnify and hold harmless the County, its officers and employees from all liability, judgments, costs, expenses, and claims growing out of damages, or alleged damages, of any nature whatsoever, to any person or property arising out of performance or nonperformance of said work, or the existence of said drives.

 Nancy Sparks 8/18/23
Applicant Signature Nancy Sparks, Trustee Date

Upon approval and issuance of the permit, the Applicant is granted permission to commence the work described herein as per the Installation Start Date. At such time as all work has been done to the complete satisfaction of the Highway Department, the performance guarantee shall be released.

Installation Start Date	Installation Completion Date	Temporary Access Removal Date	Permitted Length of Time of Traffic Disruption
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 Brian A. Busto 8/21/2023
Authorized Highway Department Signature Date

ACCESS PERMIT REQUIREMENTS

1. The applicant shall be solely responsible for paying all costs associated with the design and construction of an access facility and all costs associated with the design and construction of any improvement to a County Highway as required to accommodate the access facility and the traffic using the access facility.
2. No work under this application is to be started until the application is approved and the permit is issued.
3. The total cost of all construction and maintenance of the work specified shall be borne by the Applicant, its grantees, successors, and assigns; except that the County will maintain the shoulder of the roadway.
4. It is understood by the Applicant that the County does not assume any responsibility for the removal or clearance of snow, ice or sleet, or the opening of windrows of such material, upon any portion of the drive even though snow, ice, or sleet is deposited or windrowed on said drive by its authorized representative engaged in normal winter maintenance operations.
5. A drive, as referred to in this Permit, shall be the traveled area between the highway roadway-surface and the adjacent right-of-way line. Said drive shall be used only for the purpose of providing entrance to and exit from the Applicant's property.
6. The granting of this permit does not vest the applicant with the exclusive use of the drive. Cass County Highway Department retains the right to diminish and expand the use of the drive as required in the interest of the safety of highway traffic.
7. Where work on or near the traveled roadway is necessary, proper signs, channelizing devices, warning lights, and barricades must be erected to protect traffic, employees, and pedestrians. All traffic control devices and methods shall conform to the Manual on Uniform Traffic Control device (MUTCD).
8. It is understood by the Applicant that the location, construction, and maintenance of drives are under the supervision of the County at all times, and that in granting this permit the County waives none of its powers or rights to direct the removal, relocation, and/or proper maintenance in the future of any drives within the right of way of the County Highway.
9. No foreign material such as dirt, gravel, or bituminous material shall be deposited or left on the road during the construction or installation of drainage facilities.
10. Roadside must be cleaned up after work is completed.
11. No improvement constructed on the highway right of way shall be altered or relocated without permission of the County Engineer of the County Highway Department.
12. Right of way widths for County Highways shall be 100 feet from the centerline of the county highway to the right of way line on both sides of the highway, unless the County Engineer determines an increase or decrease in width is appropriate.
13. Driveway side slopes shall be constructed 8:1 and shall be hand finished and seeded.
14. Proper erosion control and sedimentation devices shall be used.
15. No construction shall be considered as completed until checked and approved by the County Highway Department. Surfacing may be omitted on field entrances if so specified in the application.
16. After construction is completed the applicant shall notify the Cass County Highway Department that the work is completed and is ready for inspection.

OFFICE USE ONLY		
Application Fee Received:	Amount \$ <i>N/A BAB</i>	Date: <i>8-21-2023</i>
Performance Guarantee Received:	Amount \$ <i>—</i>	Date: <i>—</i>
Onsite Survey Completed By:		Date:
Requirements: <i>Turn / Bypass lanes, meet ROW Plat Dedication ✓</i>		
Approved Permit Sent to Applicant:	Date: <i>8/21/23</i> <i>LS</i>	
Written Notification Received From Applicant:	Date:	
Final Inspection Completed By:		Date:
Final Inspection Approved:	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Performance Guarantee Released:	Date:	
Comments:		



Community Development Building Permit Review

November 17, 2023

Project Name: PSV Commercial Building
Location: 1005 5th St E, Horace, ND 58047
Owner: PSV Enterprises
Applicant/Contact: Eagle Ridge Development
 Ian Bullis
Ian@EagleRidgeCompanies.com

This review is related to the requirements specified in the City of Horace’s Land Use Ordinance (Title 4).

Current Zoning District:	C-3 (Light Industrial)	Property Size:	1.17 acres (51,195 Square Feet)
Proposed Setbacks:	Rear: 94.1 ft	Building Square Footage:	7,200 Square Feet
	Front: 90.9 ft	Proposed Building Height:	18.2 ft top of plat, 28.9 to peak
	South Side: 10.6 ft	Building Materials:	None Listed
	North Side: 70.4 ft		

The following items must be addressed prior to the application being presented to the Planning and Zoning Commission for Design Review approval.

- **Sheet C2:** Please relocate the planting units within the open ditch. Although required by City Ordinance, the Visto’s Development has proven unable to accommodate the boulevard trees. Trees should be relocated to other areas on the property. *see attached civil response*
- **Sheet C-5:** Per Horace City Code 17.8.12 (6) (c) (ii) requires all outdoor storage to not be visible from the main public street frontage. Chain link with privacy screen is not listed as a permitted material. Please provide opaque fencing or architectural screen walls.
 - The Commission may approve an alternative material; however, it should be noted that at a minimum, the area visible from the public ROW will most likely be required to be a architectural screen wall or opaque type fencing. *see attached civil response*
- **Sheet A200:** Please provide color descriptions of roof, siding, and veneer materials. *see attached architectural drawings*
- **Sheet A-4:** Please provide viewpoint directions for elevations. *see attached architectural drawings*
- **Sheet A-4: Please provide material descriptions.** *see attached architectural drawings*
- **Sheet A-5: Please provide viewpoint directors for elevations.** *see attached architectural drawings*
- **Sheet A-5 Please provide material descriptions.** *see attached architectural drawings*
- Horace City Code 17.8.12 (6) (a) (v) requires sloped roofs over one hundred (100) feet to have a roof plane, gable, dormer, or similar feature to break up the roof line. Please provide updated plans depicting break up in roof line. *Noted, we would like to discuss options with the city. Many of the buildings in the area have small cupolas, we would like to discuss other ideas*
- Horace City Code 17.8.12 (6) (a) (iii) requires ground floor building facades of commercial and office buildings to have a minimum of twenty percent (20%) glass windows. Please update architectural plans and elevations to meet this requirement. *see attached architectural drawings*
- Elevations are not to scale: It should be noted that per 17.8.12 (6) (a) (vi) uilding design shall incorporate architectural characteristics that emphasize human-scale design features and minimize



the mass and scale of buildings through the use of features including, but not limited to: variation in the rooflines and form, designs that visually define “tops” and “bottoms” of buildings, use of protected or recessed entries, use of vertical elements on or in front of expansive blank walls, use of focal points, inclusions of windows on elevations facing identified corridors and pedestrian areas. Elevations have been modified. see attached architectural drawings

- Horace City Code 17.8.12 (6) (a) (vii) requires building entrances, including emergency exists to be designed as focal points and requires them to be enhanced through use of elements such as canopies, overhangs, peaked roofs, paving materials, planters, landscaping features and outdoor seating areas. Please update the plan set to comply with City Ordinance. Elevations have been modified. see attached architectural drawings

Once the above-mentioned corrections and questions have been addressed, pending any additional corrections, the Design Review will be presented to the Planning and Zoning Commission for their approval at their next available regularly scheduled meeting.

Following an approval of the Design Review, and all associated departmental signoffs have been received, a building permit may be issued for the proposed project upon your request.

Regards,

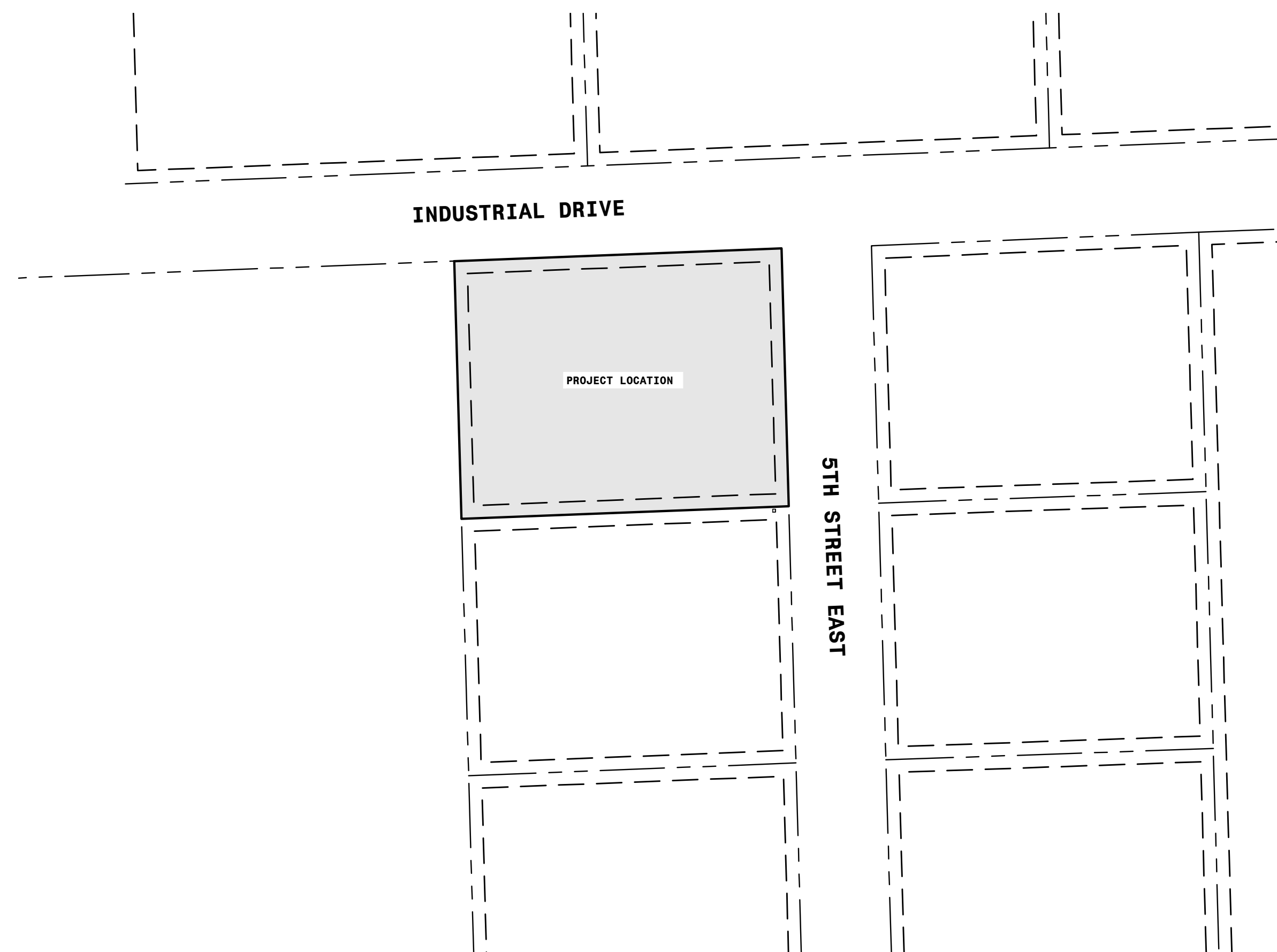


Jace Hellman
City of Horace
Community Development Director

EAGLE RIDGE DEVELOPMENT PSV COMMERCIAL BUILDING

MBN
ENGINEERING
MECHANICAL * ELECTRICAL * CIVIL
503 7TH ST. N., SUITE 200
FARGO, ND 58102
PHONE: 701.478.6336
FAX: 701.478.6340

PROJECT INFORMATION:		SHEET NO.	TITLE
LEGAL DESCRIPTION:	LOT 3, BLOCK 2, OF VISTO INDUSTRIAL 3RD ADDITION TO THE CITY OF HORACE, CASS COUNTY, NORTH DAKOTA	C0.0	COVER SHEET
ADDRESS:	1005 5TH STREET E	C0.1	SPECIFICATIONS
SITE SIZE:	51,195 SF (1.17 ACRE)	C1.0	EXISTING CONDITIONS PLAN
ZONING:	(C-3) GENERAL COMMERCIAL DISTRICT	C2.0	EROSION CONTROL / LANDSCAPING PLAN
EXISTING PROPERTY USE:	VACANT LOT	C3.0	UTILITY PLAN
PROPOSED PROPERTY USE:	COMMERCIAL BUILDING	C4.0	GRADING PLAN
DEVELOPER:	IAN BULLIS EAGLE RIDGE DEVELOPMENT 3280 VETERANS BLVD S SUITE 300 FARGO, ND 58104 IAN@EAGLERIDGECOMPANIES.COM (701)-540-7159	C5.0	PAVING PLAN
ENGINEER:	ANTHONY K. EUKEL, PE MBN ENGINEERING, INC. 503 7TH STREET NORTH, SUITE 200, FARGO, ND 58102 TONY.EUKEL@MBNENGR.COM (701) 478-6336	C6.0	JOINTING PLAN
		C7.0	DETAILS



REVISIONS:		
NO.	DATE	DESCRIPTION
1	11/28/23	CITY REVIEW

**EAGLE RIDGE
DEVELOPMENT**
**PSV COMMERCIAL
BUILDING**
HORACE, NORTH DAKOTA



MBN JOB #: 23-234 DATE: 10-13-23

COVER SHEET

C0.0

GENERAL NOTES

1. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES, AS SHOWN ON THESE PLANS, IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL VERIFY PERTINENT LOCATIONS AND ELEVATIONS, ESPECIALLY AT THE CONNECTION POINTS AND AT POTENTIAL UTILITY CONFLICTS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES THAT CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM ALL APPLICABLE AGENCIES. THE CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER AT LEAST 48 HOURS PRIOR TO THE START OF ANY EARTH DISTURBING ACTIVITY, OR CONSTRUCTION ON ANY AND ALL PUBLIC IMPROVEMENTS.
3. THE CONTRACTOR SHALL HAVE ONE (1) SIGNED COPY OF THE APPROVED PLANS, ONE (1) COPY OF THE APPROPRIATE STANDARDS AND SPECIFICATIONS, AND A COPY OF ANY PERMITS AND EXTENSION AGREEMENTS NEEDED FOR THE JOB, ON HAND AT ALL TIMES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ASPECTS OF SAFETY INCLUDING, BUT NOT LIMITED TO, EXCAVATION, TRENCHING, SHORING, TRAFFIC CONTROL, AND SECURITY.
5. IF DURING THE CONSTRUCTION PROCESS, CONDITIONS ARE ENCOUNTERED BY THE CONTRACTOR, HIS SUBCONTRACTORS, OR OTHER AFFECTED PARTIES WHICH COULD INDICATE A SITUATION THAT IS NOT IDENTIFIED IN THE PLANS OR SPECIFICATIONS, THE CONTRACTOR SHALL STOP WORK IN THAT AREA UNTIL THE ISSUE IS RESOLVED AND CONTACT THE ENGINEER IMMEDIATELY.
6. THE CONTRACTOR SHALL SUBMIT A TRAFFIC CONTROL PLAN IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES TO THE CITY OF HORACE FOR APPROVAL, PRIOR TO ANY CONSTRUCTION ACTIVITIES WITHIN, OR AFFECTING, THE RIGHT-OF-WAY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ANY AND ALL TRAFFIC CONTROL DEVICES AS MAY BE REQUIRED BY THE CONSTRUCTION ACTIVITIES. CONTRACTOR SHALL PROVIDE A MINIMUM OF 48 HOURS' NOTICE FOR ANY ROAD CLOSURES.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RECORDING AS-BUILT INFORMATION ON A SET OF RECORD DRAWINGS KEPT AT THE CONSTRUCTION SITE, AND AVAILABLE TO THE CITY OF HORACE AND PROJECT ENGINEER AT ALL TIMES. CONTRACTOR TO PROVIDE RECORD DRAWINGS TO CONSTRUCTION ENGINEER AT JOB COMPLETION.
8. ALL OPERATIONS CONDUCTED ON THE PREMISES, INCLUDING THE WARMING UP, REPAIR, ARRIVAL, DEPARTURE OR RUNNING OF TRUCKS, EARTHMOVING EQUIPMENT, CONSTRUCTION EQUIPMENT AND ANY OTHER ASSOCIATED EQUIPMENT SHALL BE LIMITED TO THE PERIOD BETWEEN 7:00 AM AND 10:00 PM EVERYDAY UNLESS OTHERWISE APPROVED BY THE PROJECT ENGINEER.
9. ALL EQUIPMENT AND VEHICLES LEAVING THE SITE SHALL BE CLEANED OF LOOSE DEBRIS AND SOIL. A ROCK CONSTRUCTION ENTRANCE SHALL BE BUILT TO PREVENT EXCESSIVE TRACKING AS A RESULT OF SITE OR WEATHER CONDITIONS. ALL SOIL AND OTHER DEBRIS TRACKED ONTO ADJACENT ROADWAYS (OUTSIDE THE PROJECT LIMITS) IS TO BE REMOVED REGULARLY AND BY THE END OF EACH DAY'S WORK.
10. THE VEHICLE TRACKING PAD IS TO INCLUDE INSTALLATION AND REMOVAL OF ALL ITEMS SHOWN IN THE "VEHICLE TRACKING PAD" DETAIL AS SHOWN IN THE EROSION CONTROL SECTION OF THE PLANS.
11. THE CONTRACTOR SHALL SCHEDULE A PRECONSTRUCTION CONFERENCE WITH THE CITY OF HORACE PRIOR TO BEGINNING ANY CONSTRUCTION ACTIVITIES.
12. PROVIDE A LIST OF ALL CONTRACTORS, SUBCONTRACTORS, AND SUPPLIERS TO THE CITY OF HORACE.
13. PROVIDE CONTACT INFORMATION FOR THE OVERALL SITE SUPERINTENDENT, ALL CONTRACTORS, AND SUBCONTRACTORS.

UTILITY GENERAL NOTES

1. CONTRACTOR SHALL NOTIFY THE CITY OF HORACE PRIOR TO CONNECTING TO ANY EXISTING UTILITY. THE CITY OF HORACE HAS VETO AUTHORITY OVER THE TIMING OF ANY CONNECTION.
2. ALL UTILITIES SHALL BE PRE-TESTED PRIOR TO THE CITY WITNESSING THE TEST TO ENSURE THAT SAID UTILITIES WILL PASS DURING CITY WITNESS TESTING. IF ANY UTILITIES DO NOT PASS DURING CITY WITNESS TESTING DUE TO NOT PERFORMING THE PRE-TESTING, A PENALTY MAY BE APPLIED TO THE GENERAL CONTRACTOR.
3. COORDINATE SERVICE CONNECTION LOCATIONS AT THE BUILDING WITH THE MECHANICAL CONTRACTOR PRIOR TO CONSTRUCTION OF EACH SERVICE.
4. ALL SERVICE CONNECTION WITH LESS THAN 5 FEET OF COVER OF THE TOP OF THE PIPE SHALL BE INSULATED. INSULATION SHALL BE INSTALLED FROM THE BUILDING TO THE POINT WHICH THE SERVICE ATTAINS 5 FEET OF COVER.
5. ALL SEWER/STORM AND WATER CROSSINGS SHALL HAVE A MINIMUM VERTICAL SEPARATION OF 2.0 FEET AND A MINIMUM HORIZONTAL SEPARATION OF 11 FEET. FOLLOW ALL ND PLUMBING CODE REQUIREMENTS.
6. CONTRACTOR IS RESPONSIBLE TO COORDINATE ALL WORK WITH THE GAS, ELECTRIC, TELEVISION, TELEPHONE AND COMMUNICATIONS UTILITY COMPANIES PRIOR TO START OF CONSTRUCTION.
7. CONTRACTOR SHALL CLEAN AND TELEVISION ALL SANITARY AND STORM SEWER PIPING. PROVIDE TELEVISION REPORTS AND VIDEO TO THE CITY OF HORACE.

8. CONTRACTOR SHALL BACKFILL TO THE CITY OF HORACE SPECIFICATIONS AND PROVIDE ALL TESTING RESULTS FOR BACKFILLED AREAS WITHIN THE RIGHT-OF-WAY.

GRADING PLAN NOTES

1. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL UTILITIES AND NOTIFYING THE APPROPRIATE UTILITY COMPANY PRIOR TO BEGINNING GRADING.
2. CONTOURS SHOWN ARE FOR FINISHED PAVING, SIDEWALK, SLAB, OR TOPSOIL. ADJUSTMENT FOR SUBGRADE IS THE CONTRACTOR'S RESPONSIBILITY.
3. UNLESS OTHERWISE SHOWN, NO PROPOSED SLOPE SHALL EXCEED FOUR (4) HORIZONTAL TO ONE (1) VERTICAL. ALL SLOPED AREAS MUST BE PROTECTED FROM EROSION. (SEE EROSION AND SEDIMENT CONTROL NOTES).
4. IF STRIPPED MATERIALS CONSISTING OF VEGETATION AND ORGANIC MATERIALS ARE STOCKPILED ON THE SITE, TOPSOIL MAY BE PLACED TO A HEIGHT OF FIVE FEET. SILT FENCE SHALL BE PLACED AROUND THE BASE OF THE STOCKPILE AND THE STOCKPILE SHALL BE SEEDED WITH NATIVE MIX IMMEDIATELY AFTER STRIPPING OPERATIONS ARE COMPLETE. CONTRACTOR SHALL PERIODICALLY WATER THE STOCKPILE TO REDUCE DUST.
5. SPOT ELEVATIONS SHALL TAKE PRECEDENCE OVER CONTOURS AND SLOPES SHOWN. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF SPOT ELEVATIONS THAT DO NOT APPEAR TO BE CONSISTENT WITH THE CONTOURS AND SLOPES. SPOT ELEVATIONS AND SPECIFIC PROFILE DESIGNS SHALL BE USED FOR SETTING ELEVATIONS OF CURB, GUTTER, AND UTILITIES.
6. ALL UTILITIES (MANHOLES, VALVE COVERS, CLEANOUTS, VAULTS, BOXES, ETC.) SHALL BE ADJUSTED TO FINAL GRADE PRIOR TO FINAL LIFT OF PAVEMENT.
7. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING HIS OWN ESTIMATE FOR EARTHWORK QUANTITIES.
8. THE CONTRACTOR SHALL ADHERE TO ALL TERMS & CONDITIONS AS OUTLINED IN THE GENERAL PERMIT FOR STORM WATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITIES.
9. TOPSOIL SHALL BE REMOVED TO FULL DEPTH AND STOCKPILED ON SITE FOR RESPREADING. ALL UNSURFACED AREAS DISTURBED BY GRADING OPERATION SHALL RECEIVE 6 INCHES MINIMUM OF TOPSOIL. CONTRACTOR SHALL APPLY EROSION CONTROL BLANKET TO ALL SLOPES 6H:1V OR STEEPER.
10. NO STOCKPILING OF MATERIAL WILL BE ALLOWED IN THE RIGHT-OF-WAY OR EASEMENTS.

CONCRETE PAVING GENERAL NOTES

1. CONCRETE MIX DESIGN.
 - A. PROPORTIONING NORMAL WEIGHT CONCRETE: COMPLY WITH ACI 211.1 RECOMMENDATIONS.
 - B. CONCRETE STRENGTH: ESTABLISH REQUIRED AVERAGE STRENGTH FOR EACH TYPE OF CONCRETE ON THE BASIS OF FIELD EXPERIENCE OR TRIAL MIXTURES, AS SPECIFIED IN ACI 301.
 - C. ADMIXTURES: ADD ACCEPTABLE ADMIXTURES AS RECOMMENDED IN ACI 211.1 AND AT RATES RECOMMENDED BY MANUFACTURER.
 - D. CONCRETE PROPERTIES:
 1. COMPRESSIVE STRENGTH, WHEN TESTED IN ACCORDANCE WITH ASTM C 39/C 39M AT 28 DAYS: 4500 PSI.
 2. FLY ASH CONTENT: MAXIMUM 20 PERCENT OF CEMENTITIOUS MATERIALS BY WEIGHT.
 - a. FLY ASH CONTENT OF MIXES (COLD WEATHER) WILL BE REDUCED TO ZERO WHEN PLACED AFTER OCTOBER 20TH AND BEFORE APRIL 1ST WITHOUT AN ADEQUATE COLD WEATHER MANAGEMENT PLAN.
 3. CEMENT CONTENT: MINIMUM 611 LB PER CUBIC YARD.
 4. WATER-CEMENT RATIO: MAXIMUM 42 PERCENT BY WEIGHT.
 5. TOTAL AIR CONTENT (EXPOSED SLABS ONLY): 6% (+/- 1 PERCENT), DETERMINED IN ACCORDANCE WITH ASTM C173/C173M.
 6. MAXIMUM SLUMP: 4 INCHES.
 - E. AGGREGATE:
 1. FOR PAVING APPLICATIONS, MIXES SHALL GENERALLY BE PROVIDED WITH GRADATIONS CONSIDERED WELL-GRADED BY SPECIFICATION AS DETERMINED BY THE MOST CURRENT NDDOT SPECIFICATION FOR WELL-GRADED AGGREGATES FOR CONCRETE. OPTIMIZATION TECHNIQUES WILL BE USED TO PREPARE THE FINAL GRADATIONS FOR WORKABILITY AND COARSENESS FACTOR CONSIDERATIONS. FINE AND COARSE AGGREGATES FOR ALL OTHER MIXES SHALL CONFORM TO THE REQUIREMENTS OF ASTM C33-93, CLASS 4S FOR CONCRETE AGGREGATES AND MEET THE FOLLOWING REQUIREMENTS.
 - a. FINE AGGREGATES
 - 1) 3/8 INCH SIEVE: 100 PERCENT PASSING.
 - 2) NO. 4 SIEVE: 95 TO 100 PERCENT PASSING.
 - 3) NO. 16 SIEVE: 45 TO 80 PERCENT PASSING.
 - 4) NO. 50 SIEVE: 10 TO 30 PERCENT PASSING.
 - 5) NO. 100 SIEVE: 0 TO 10 PERCENT PASSING.
 - 6) NO. 200 SIEVE: 0 TO 3 PERCENT PASSING.
 - 7) THE MAXIMUM LIMITS OF DELETERIOUS MATERIAL SHALL NOT EXCEED THE LIMITS STATED IN ASTM C33-93, CLASS 4S. SHALE CONTENT SHALL BE LESS THAN 0.5%.
 - b. COARSE AGGREGATES
 - 1) 1-1/2 INCH SIEVE: 100 PERCENT PASSING.
 - 2) 1 INCH SIEVE: 95 TO 100 PERCENT PASSING.
 - 3) 1/2 INCH SIEVE: 25 TO 65 PERCENT PASSING.

- 4) 3/8 INCH SIEVE: 15 TO 55 PERCENT PASSING.
- 5) NO. 4 SIEVE: 0 TO 10 PERCENT PASSING.
- 6) NO. 8 SIEVE: 5 PERCENT PASSING.
- 7) THE MAXIMUM LIMITS OF DELETERIOUS MATERIAL SHALL NOT EXCEED THE LIMITS STATED IN ASTM C33-93, CLASS 4S; THE TOTAL OF ALL DELETERIOUS SUBSTANCES, EXCLUDING NO. 200 MATERIAL, SHALL NOT EXCEED 2.3% BY WEIGHT. SHALE CONTENT SHALL BE LESS THAN 0.5%. THE AGGREGATE SHALL SHOW A LOSS OF NOT MORE THAN 35% WHEN TESTED IN ACCORDANCE WITH ASTM C131. CRUSHED HYDRAULIC CEMENT CONCRETE WILL NOT BE ALLOWED.

STORM DRAIN GENERAL NOTES

1. ALL STORM DRAIN MANHOLES IN PAVED AREAS SHALL BE FLUSH WITH PAVEMENT, AND SHALL HAVE TRAFFIC BEARING LIDS. ALL STORM DRAIN LIDS SHALL BE LABELED "STORM DRAIN".
2. BEDDING MATERIAL SHALL BE INSTALLED ACCORDING TO THE DETAILS AND SPECIFICATIONS AND SHALL BE INCLUDED IN THE PRICE BID FOR THE RESPECTIVE PIPE OR MANHOLE. BEDDING SHALL MEET ASTM D2321 STANDARDS.
3. HDPE PIPE SHALL CONFORM TO THE STANDARDS OF ASTM F2306 FOR PIPE AND ASTM D3212 FOR FITTINGS.
4. ALL PORTIONS OF THE STORM SEWER SYSTEM LOCATED WITHIN 10 FEET OF A BUILDING OR WATER SERVICE SHALL BE TESTED IN ACCORDANCE WITH THE NORTH DAKOTA PLUMBING CODE.

WATER GENERAL NOTES

1. THRUST BLOCKS SHALL BE USED AT ALL BENDS AND FITTINGS. TIE RODS SHALL BE USED AT ALL BENDS AND FITTINGS WHERE THRUST BLOCKS DO NOT BEAR AGAINST UNDISTURBED SOIL.
2. CONTRACTOR SHALL LOCATE EXISTING VALVES PRIOR TO CONNECTION WITH THE EXISTING SYSTEM, BUT SHALL NOT OPERATE ANY VALVE WITHOUT PERMISSION AND DIRECT SUPERVISION FROM THE CITY OF HORACE.
3. ALL WATER MAINS, VALVES, FIRE HYDRANTS, SERVICES, AND APPURTENANCES SHALL BE INSTALLED, TESTED, AND APPROVED PRIOR TO PAVING.
4. INSULATION SHALL BE PROVIDED FOR ANY PIPE INSTALLED WITH LESS THAN 8.0 FEET OF COVER.
5. PRESSURE TEST SYSTEM TO 125 PSI FORM MINIMUM OF 2 HOURS.
6. INCLUDE TRACER WIRE FOR ALL WATER PIPING.
7. ALL GATE VALVE BOXES, CURB STOP BOXES, AND FIRE HYDRANT BARRELS SHALL BE WRAPPED WITH 8 MIL POLYETHYLENE.
8. DISINFECT & TEST PER NDDOH STANDARDS.

SANITARY SEWER GENERAL NOTES

1. ALL SANITARY SEWER MAIN TESTING SHALL BE IN ACCORDANCE WITH ALL NORTH DAKOTA PLUMBING CODE STANDARDS AND SPECIFICATIONS. COPIES OF ALL TEST RESULTS SHALL BE SUBMITTED TO THE ENGINEER, THE OWNER, AND THE GOVERNING AUTHORITY PRIOR TO THE START OF THE WARRANTY PERIOD.

EROSION AND SEDIMENT CONTROL

1. THE CONSTRUCTION SITE SWPPP EROSION CONTROL (EC) SUPERVISOR FOR THE PROJECT WILL BE PROVIDED BY THE CONTRACTOR DURING CONSTRUCTION ACTIVITIES. THE EC SUPERVISOR WILL BE IDENTIFIED BY NAME AT THE PRECONSTRUCTION CONFERENCE AND A CONTACT CELL PHONE NUMBER WILL BE MADE AVAILABLE. THE CONTRACTOR SHALL SUPPLY A COPY OF THE COMPLETED EC TRAINING PROGRAM. ISSUES THAT ARISE DURING CONSTRUCTION THAT IMPACT THE WATERS OF THE STATE OF NORTH DAKOTA WILL BE ADDRESSED AND THE EC SUPERVISOR WILL NOTIFY THE NORTH DAKOTA POLLUTION CONTROL AGENCY.
2. IT WILL BE THE RESPONSIBILITY OF THE EC SUPERVISOR TO IMPLEMENT THE SWPPP PLAN DURING CONSTRUCTION AND TO MAINTAIN A QUALITY CONTROL PROGRAM. IN ADDITION, THE EC SUPERVISOR WILL: 1) OVERSEE MAINTENANCE PRACTICES IDENTIFIED AS BMP'S IN THE SWPPP; 2) IMPLEMENT AND OVERSEE SWPPP AND BMP TRAINING FOR ALL PARTIES THAT WILL BE CONSTRUCTING THE PROJECT; 3) CONDUCT OR PROVIDE FOR INSPECTION AND MONITORING ACTIVITIES AS NECESSARY; 4) IDENTIFY OTHER POTENTIAL POLLUTANT SOURCES AND MAKE SURE THEY ARE ADDED TO THE PLAN; 5) IDENTIFY ANY DEFICIENCIES IN THE SWPPP AND MAKE SURE THEY ARE CORRECTED; 6) ENSURE THAT ANY CHANGES IN CONSTRUCTION PLANS ARE ADDRESSED IN THE SWPPP; AND 7) TO AID IN THE IMPLEMENTATION OF THE SWPPP PLAN, THE PROJECT WILL HAVE RANDOM SITE VISITS BY THE DESIGN TEAM AS WELL AS A FULL TIME INSPECTOR(S) ONSITE.
3. EXPOSED SOILS MUST BE STABILIZED AS SOON AS POSSIBLE TO LIMIT SOIL EROSION BUT IN NO CASE LATER THAN 14 DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED. CONTRACTOR SHALL PERIODICALLY WATER EXPOSED SOILS TO REDUCE DUST.

4. TEMPORARY OR PERMANENT DRAINAGE DITCHES OR SWALES WITHIN 200 LINEAL FEET FROM THE PROPERTY EDGE, OR FROM THE POINT OF DISCHARGE INTO A SURFACE WATER, SHALL BE STABILIZED WITHIN 24 HOURS OF CONNECTION TO DISCHARGE POINT OR SURFACE WATER.
5. EXPOSED SLOPES ARE TO BE LEFT ROUGH, NOT SMOOTH, UNTIL PERMANENT STABILIZATION IS IMPLEMENTED.
6. EXCAVATIONS AND OTHER SOIL DISTURBING ACTIVITIES SHALL BE KEPT TO PRACTICAL MINIMUMS. NATURAL VEGETATION SHALL BE PRESERVED WHEN POSSIBLE.
7. THE CONTRACTOR SHALL MINIMIZE DUSTY CONDITIONS BY REGULARLY WATERING EXPOSED SOILS.
8. SILT FENCE SHALL BE INSTALLED PRIOR TO CONSTRUCTION AS SHOWN ON EROSION CONTROL (EC) PLAN SHEET. IF SILT FENCE BECOMES DAMAGED IT SHALL BE IMMEDIATELY REPAIRED OR REPLACED. SEDIMENT SHALL BE REMOVED FROM THE SILT FENCE PERIODICALLY AND/OR UPON THE COLLECTION OF SEDIMENT TO A POINT OF 1/3 THE FENCE HEIGHT. SILT FENCE SHALL REMAIN IN PLACE UNTIL FINAL TURF ESTABLISHMENT HAS OCCURRED.
9. TEMPORARY STOCKPILES ARE NOT TO BE PLACED IN STORM WATER CONVEYANCES OR SURFACE WATERS AND THEY ARE TO BE SURROUNDED BY SILT FENCE.
10. ALL STORM SEWER INLETS AND CULVERT INLETS ARE TO BE PROTECTED BY APPROPRIATE APPROVED BMP'S DURING CONSTRUCTION AND UNTIL ALL SOURCES OF POTENTIAL SEDIMENT PRODUCTION ARE STABILIZED. BMP'S MUST BE IN PLACE PRIOR TO BEGINNING ANY CONSTRUCTION ACTIVITIES.

SEED MIXTURE

1. SEED: SHALL BE LABELED IN ACCORDANCE WITH USDA RULES AND REGULATIONS UNDER THE FEDERAL SEED ACT. WET, MOLDY, OR OTHERWISE DAMAGED SEED WILL NOT BE ACCEPTED. WEED SEED NOT TO EXCEED 0.5% OF TOTAL MIXTURE. MIXTURE AND MINIMUM PURITY REQUIREMENTS AS FOLLOWS:
 - PARK KENTUCKY BLUE GRASS: 40% BY WEIGHT.
 - CREeping RED FESCUE: 40% BY WEIGHT.
 - PERENNIAL RYE GRASS: 20% BY WEIGHT.
 - RATE OF SEEDING = 225-250 POUNDS PER ACRE.
2. APPLY FERTILIZER IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS.
3. APPLY AFTER SMOOTH RAKING OF TOPSOIL AND PRIOR TO ROLLER COMPACTION.
4. DO NOT APPLY FERTILIZER AT SAME TIME OR WITH SAME MACHINE AS WILL BE USED TO APPLY SEED.
5. MIX THOROUGHLY INTO UPPER 2 INCHES OF TOPSOIL.
6. LIGHTLY WATER TO AID THE DISSIPATION OF FERTILIZER.
7. SOIL SHALL BE MOIST WHEN SEEDING. SEED SHALL BE MECHANICALLY SOWN WITH A DRILL OR BRILLION TYPE SEEDER. SEED MAY BE BROADCAST SOWN IN SMALL AREAS AND COVERED 1/2 INCH BY A HARROW OR APPROVED DEVICE. APPLY SEED UNIFORMLY AT THE SPECIFIED RATE FOR THE MIX.
8. APPLY MULCH SLURRY AT A RATE OF 45 LBS PER 1000 SQ FT EVENLY IN TWO INTERSECTING DIRECTIONS. THE MULCH SHALL HAVE A TACKING AND BONDING AGENT TO ENSURE LASTING STABILIZATION AND REDUCE EROSION POTENTIAL. THE TACKIFIER SHALL BE INSTALLED PER MANUFACTURER'S RECOMMENDATIONS.
9. DAMAGED OR DEAD SEEDED AREAS SHALL BE REPLACED AT NO EXPENSE TO THE OWNER FOR A PERIOD OF 1 YEAR AFTER FINAL ACCEPTANCE HAS BEEN MADE.
10. COVER SEEDED SLOPES WHERE GRADE IS 4 INCHES PER FOOT OR GREATER WITH EROSION FABRIC. ROLL FABRIC ONTO SLOPES WITHOUT STRETCHING OR PULLING.



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EAGLE RIDGE DEVELOPMENT

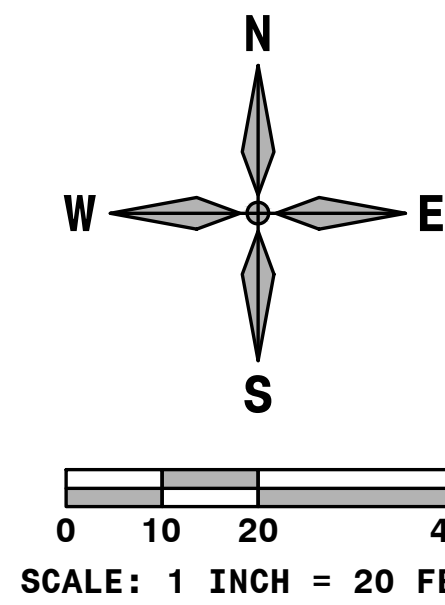
PSV COMMERCIAL BUILDING

HORACE, NORTH DAKOTA



MBN JOB #: 23-234 DATE: 10-13-23

SPECIFICATIONS



SYMBOL LEGEND:

- EXISTING PROPERTY LINE
- EXISTING EASEMENT LINE
- SS --- EXISTING SANITARY SEWER LINE
- SD --- EXISTING STORM SEWER LINE
- W --- EXISTING WATER LINE
- E --- EXISTING ELECTRICAL LINE
- FOC --- EXISTING FIBER OPTIC LINE
- - - EXISTING CONTOUR LINE
- ⊙ --- EXISTING SANITARY MANHOLE
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- ⊕ --- EXISTING WATER GATE VALVE
- △ --- EXISTING FLARED END SECTION
- ⊕ --- EXISTING LIGHT POLE
- ⊕ --- EXISTING TELEPHONE PEDESTAL
- ⊕ --- EXISTING COMMUNICATIONS VAULT

PLAN NOTES:

1. ALL WORK SHALL COMPLY WITH THE MOST RECENT CITY OF HORACE STANDARD SPECIFICATIONS FOR CONSTRUCTION OF PUBLIC UTILITIES.
2. CONTRACTOR SHALL NOTIFY UTILITY COMPANIES FOR UNDERGROUND LOCATIONS 48 HOURS PRIOR TO BEGINNING CONSTRUCTION. NORTH DAKOTA ONE CALL PHONE NUMBER: 1-800-795-0555.
3. CONTRACTOR SHALL PROTECT ALL PROPERTY PINS. PROPERTY PINS DESTROYED OR DISTURBED SHALL BE REPLACED AT CONTRACTORS EXPENSE.
4. IF THE LAND BOUNDARY DENOTED ON THE PLANS ENCOMPASSES MORE THAN ONE (1) ACRE OR IS LESS THAN ONE (1) ACRE, BUT IS PART OF A LARGER DEVELOPMENT PLAN, A NOTICE OF INTENT TO OBTAIN A STORM WATER POLLUTION PERMIT SHALL BE ACQUIRED BY THE CONTRACTOR AND OWNER FROM THE NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY SEVEN (7) DAYS PRIOR TO CONSTRUCTION.
5. CONTRACTOR SHALL MAINTAIN TEMPORARY EROSION CONTROL UNTIL PERMANENT EROSION CONTROL IS ESTABLISHED.
6. CONTRACTOR SHALL ACQUIRE AN EROSION SEDIMENT CONTROL (ESC) PERMIT FROM THE CITY OF HORACE PRIOR TO START OF CONSTRUCTION.
7. ALL PAVEMENT MARKED FOR DEMOLITION SHALL BE FULL DEPTH SAW CUT PRIOR TO REMOVAL.
8. CONTRACTOR SHALL COORDINATE TAPPING OF THE EXISTING WATERMAIN WITH THE CITY OF HORACE MAINS AND HYDRANTS DEPARTMENT.
9. ALL GRASSSED AREAS DISTURBED BY CONSTRUCTION SHALL BE TOPSOILED (6" DEPTH), GRADED, SEEDED, AND HYDRO-MULCHED.

BENCHMARKS:

- BM-1: TOP NUT OF HYDRANT LOCATED ON THE NORTH SIDE OF INDUSTRIAL DRIVE, +/- 360' WEST OF THE INTERSECTION OF INDUSTRIAL DRIVE AND 5TH STREET EAST.
ELEVATION = 915.18 (NAVD88)
- BM-2: TOP NUT OF HYDRANT LOCATED ON SOUTHEAST CORNER OF THE INTERSECTION OF INDUSTRIAL DRIVE & 5TH STREET EAST, +/- 65' EAST OF NORTHEAST CORNER OF THE PROPERTY.
ELEVATION = 915.32 (NAVD88)

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EAGLE RIDGE DEVELOPMENT

PSV COMMERCIAL BUILDING

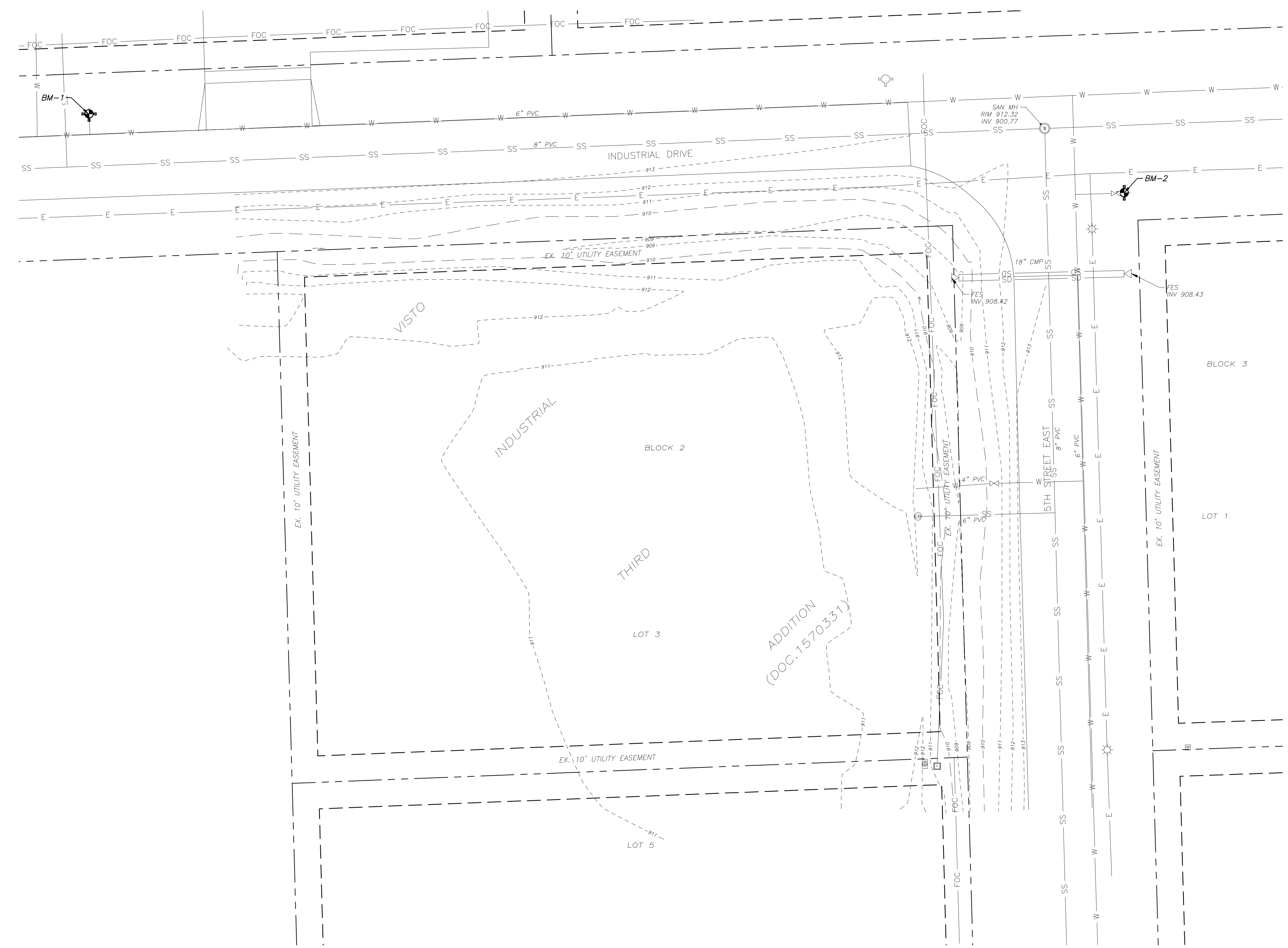
HORACE, NORTH DAKOTA

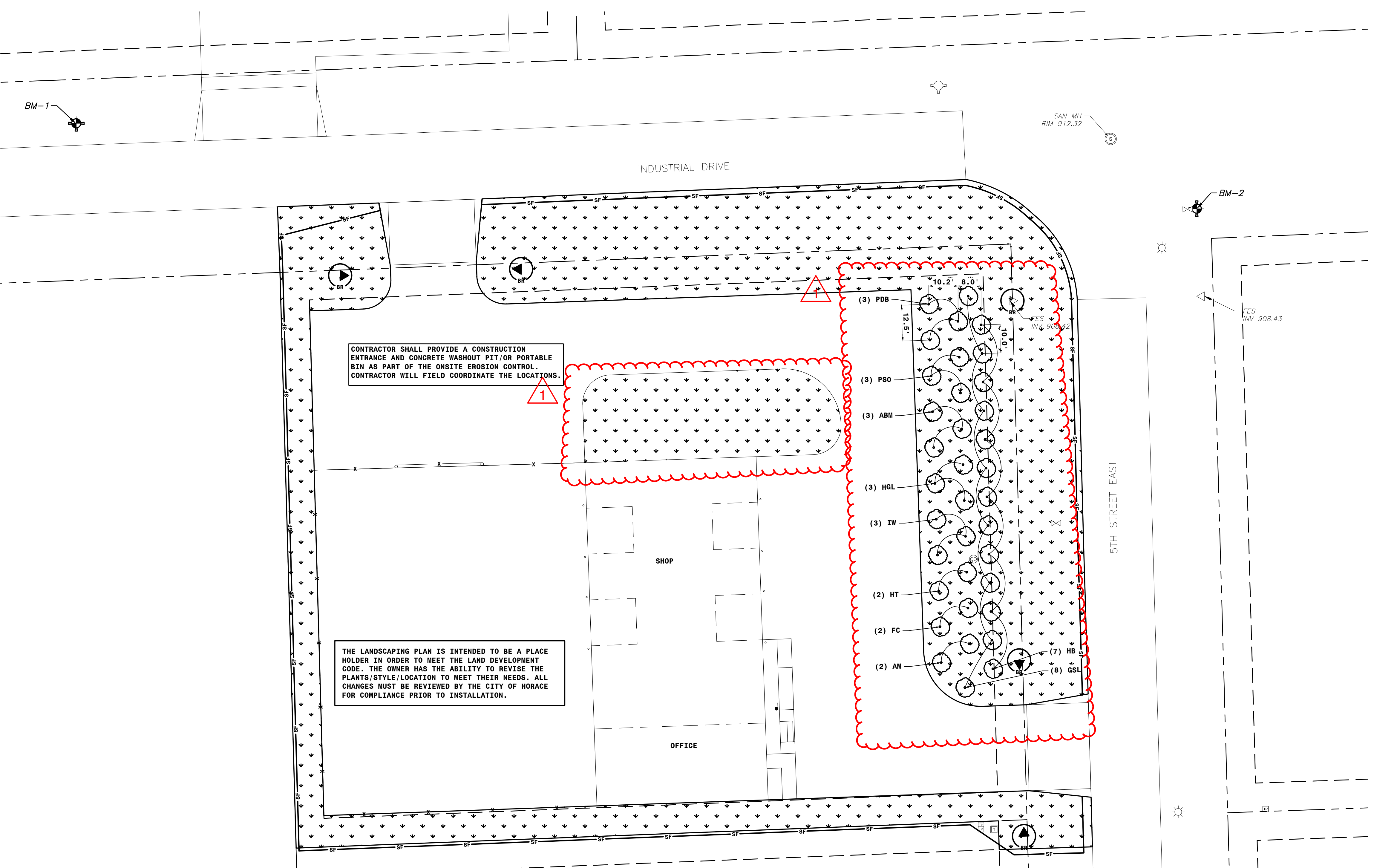
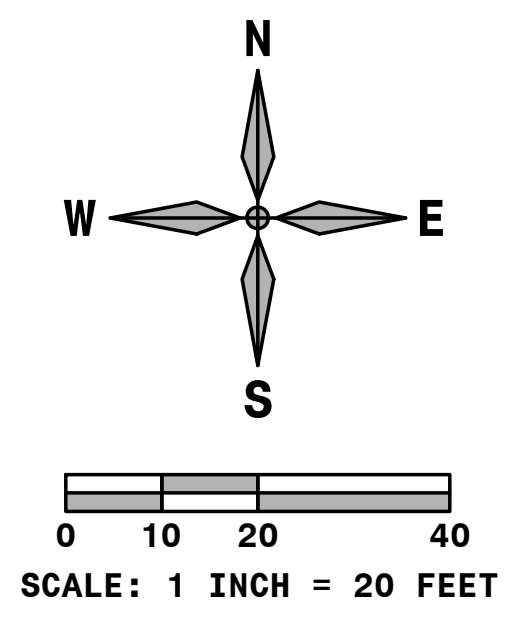


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EXISTING CONDITIONS PLAN

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CONTRACTOR SHALL PROVIDE A CONSTRUCTION ENTRANCE AND CONCRETE WASHOUT PIT/ OR PORTABLE BIN AS PART OF THE ONSITE EROSION CONTROL. CONTRACTOR WILL FIELD COORDINATE THE LOCATIONS.

THE LANDSCAPING PLAN IS INTENDED TO BE A PLACE HOLDER IN ORDER TO MEET THE LAND DEVELOPMENT CODE. THE OWNER HAS THE ABILITY TO REVISE THE PLANTS/STYLE/LOCATION TO MEET THEIR NEEDS. ALL CHANGES MUST BE REVIEWED BY THE CITY OF HORACE FOR COMPLIANCE PRIOR TO INSTALLATION.

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- ☀ EXISTING LIGHT POLE
- ⊙ EXISTING TELEPHONE PEDESTAL
- ⊙ EXISTING COMMUNICATIONS VAULT
- NEW SIGN
- ▲ NEW FLARED END SECTION
- X --- NEW FENCE
- SF --- NEW SILT FENCE
- ⊙ NEW BIO ROLL
- ⊙ NEW SEEDING AND HYDROMULCH
- ⊙ NEW TREE

PLAN NOTES:

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8. CONTRACTOR SHALL COORDINATE TAPPING OF THE EXISTING WATERMAIN WITH THE CITY OF HORACE MAINS AND HYDRANTS DEPARTMENT.
9. ALL GRASSED AREAS DISTURBED BY CONSTRUCTION SHALL BE TOPSOILED (6" DEPTH), GRADED, SEEDED, AND HYDRO-MULCHED.

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LANDSCAPING INFORMATION

LANDSCAPING:
4 PU / 1,000 SF.
51100 SF * 4 PU = 204.8 PU = 210 PU
7 DIFFERENT TREE SPECIES REQUIRED (FOR 19-21 TREES)
BOULEVARD TREES 1 PER 35 LF

LANDSCAPING SCHEDULE:

LOCAL STREET TREE UNITS		
CODE	PLANT TYPE	QUANTITY
	LARGE DECIDUOUS TREE, MIN 1 1/2" - 3" CALIPER, MIN 30' MATURE HEIGHT	
GSL	GREENSPIRE LINDEN	8
HB	HACKBERRY	7
	TOTAL	15

OPEN SPACE TREE UNITS			
CODE	PLANT TYPE	QUANTITY	UNITS
	LARGE DECIDUOUS TREE (10 UNITS EA), MIN 1 1/2" - 3" CALIPER, MIN 30' MATURE HEIGHT		
AM	AMUR MAPLE	2	20
FC	FLOWERING CRABAPPLE	2	20
HT	HAWTHORN	2	20
IW	IRONWOOD	3	30
HGL	HARVEST GOLD LINDEN	3	30
ABM	AUTUMN BLAZE MAPLE	3	30
PSO	PRAIRIE STATURE OAK	3	30
PDB	PRAIRIE DREAM BIRCH	3	30
	COMPLETE UNIT TOTAL	21	210

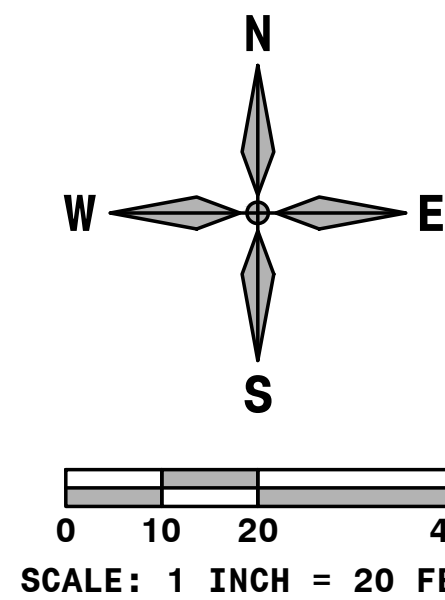
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EROSION CONTROL / LANDSCAPING PLAN

EAGLE RIDGE DEVELOPMENT
PSV COMMERCIAL BUILDING
HORACE, NORTH DAKOTA



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**EAGLE RIDGE
DEVELOPMENT**

**PSV COMMERCIAL
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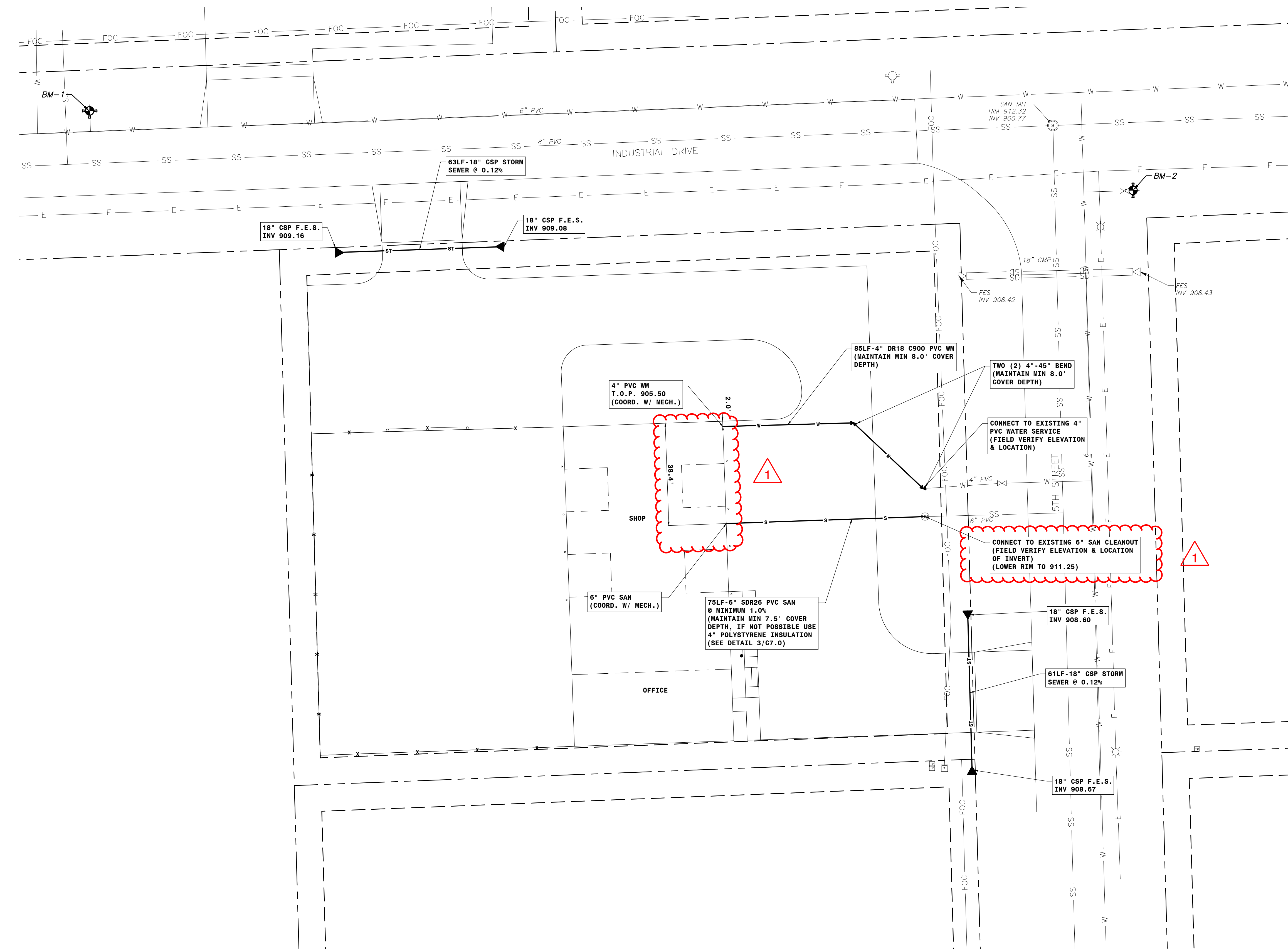
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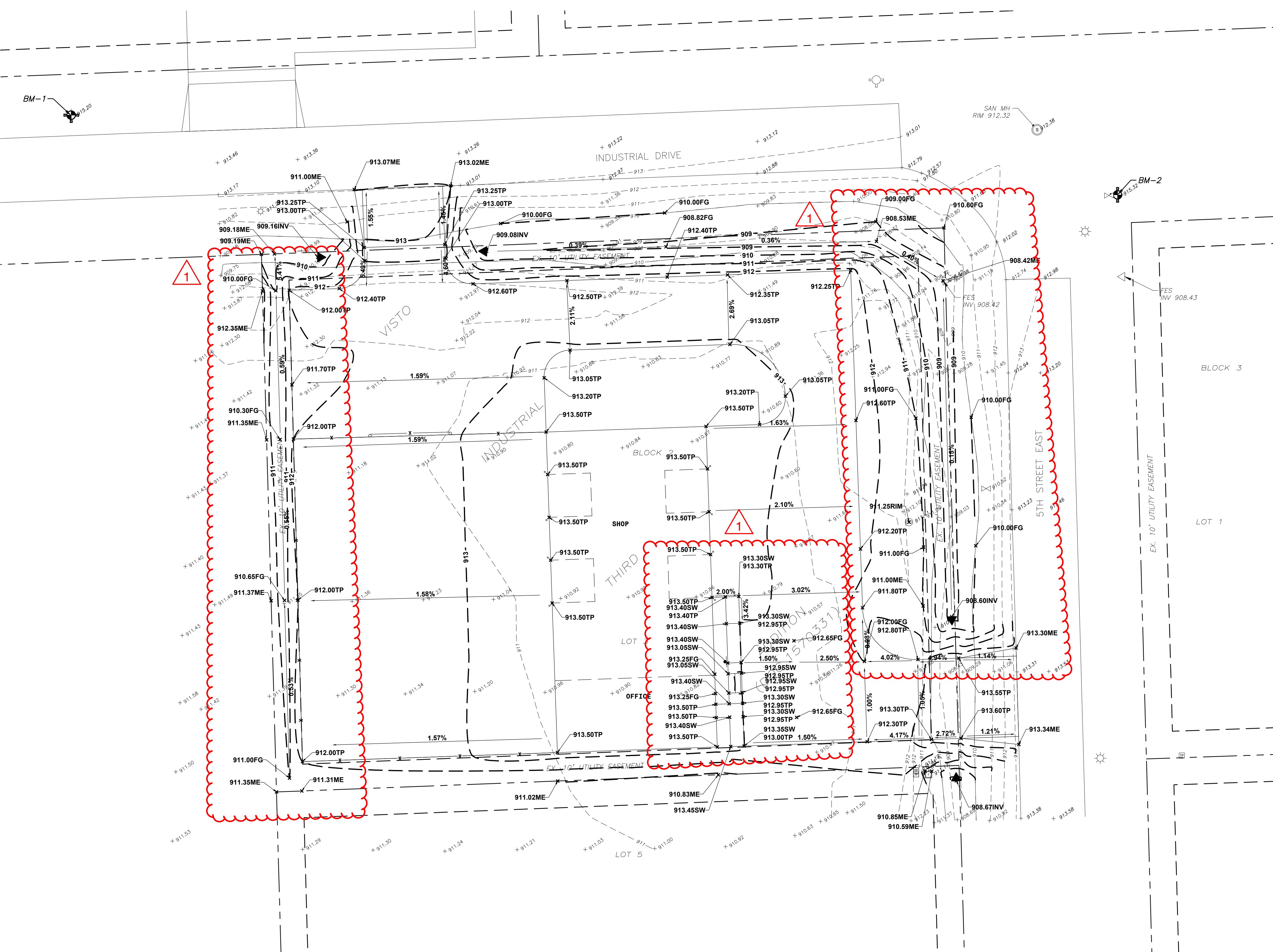
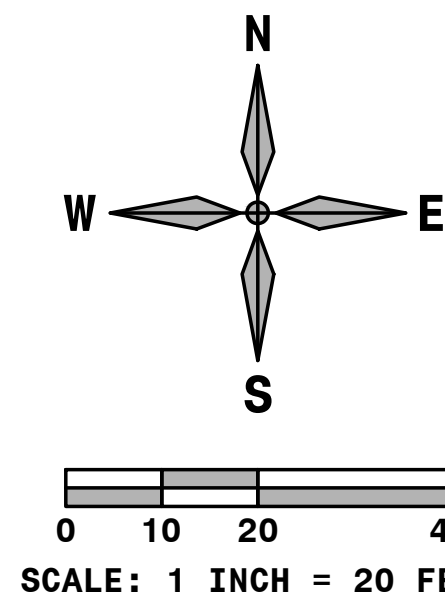


MBN JOB #: 23-234 DATE: 10-13-23

UTILITY PLAN

C3.0





SYMBOL LEGEND:

---	EXISTING PROPERTY LINE
---	EXISTING EASEMENT LINE
- - - -	EXISTING CONTOUR LINE
+ 910.8	EXISTING SPOT ELEVATION
⊙	EXISTING SANITARY MANHOLE
⊕	EXISTING CLEAN OUT
⊗	EXISTING HYDRANT/BENCHMARK
⊗	EXISTING WATER GATE VALVE
△	EXISTING FLARED END SECTION
⊙	EXISTING LIGHT POLE
⊕	EXISTING TELEPHONE PEDESTAL
⊕	EXISTING COMMUNICATIONS VAULT
▲	NEW SIGN
▲	NEW FLARED END SECTION
x	NEW FENCE
913.50INV	NEW INVERT ELEVATION
913.50TP	NEW TOP OF PAVEMENT ELEVATION
913.50TC	NEW TOP OF CURB ELEVATION
913.50FG	NEW FINISHED GRADE ELEVATION
913.50ME	MATCH EXISTING ELEVATION
1.0%	NEW SLOPE & DIRECTION OF FLOW
- - - -	NEW CONTOUR LINE

PLAN NOTES:

- ALL WORK SHALL COMPLY WITH THE MOST RECENT CITY OF HORACE STANDARD SPECIFICATIONS FOR CONSTRUCTION OF PUBLIC UTILITIES.
- CONTRACTOR SHALL NOTIFY UTILITY COMPANIES FOR UNDERGROUND LOCATIONS 48 HOURS PRIOR TO BEGINNING CONSTRUCTION. NORTH DAKOTA ONE CALL PHONE NUMBER: 1-800-795-0555.
- CONTRACTOR SHALL PROTECT ALL PROPERTY PINS. PROPERTY PINS DESTROYED OR DISTURBED SHALL BE REPLACED AT CONTRACTORS EXPENSE.
- IF THE LAND BOUNDARY DENOTED ON THE PLANS ENCOMPASSES MORE THAN ONE (1) ACRE OR IS LESS THAN ONE (1) ACRE, BUT IS PART OF A LARGER DEVELOPMENT PLAN, A NOTICE OF INTENT TO OBTAIN A STORM WATER POLLUTION PERMIT SHALL BE ACQUIRED BY THE CONTRACTOR AND OWNER FROM THE NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY SEVEN (7) DAYS PRIOR TO CONSTRUCTION.
- CONTRACTOR SHALL MAINTAIN TEMPORARY EROSION CONTROL UNTIL PERMANENT EROSION CONTROL IS ESTABLISHED.
- CONTRACTOR SHALL ACQUIRE AN EROSION SEDIMENT CONTROL (ESC) PERMIT FROM THE CITY OF HORACE PRIOR TO START OF CONSTRUCTION.
- ALL PAVEMENT MARKED FOR DEMOLITION SHALL BE FULL DEPTH SAW CUT PRIOR TO REMOVAL.
- CONTRACTOR SHALL COORDINATE TAPPING OF THE EXISTING WATERMAIN WITH THE CITY OF HORACE MAINS AND HYDRANTS DEPARTMENT.
- ALL GRASSSED AREAS DISTURBED BY CONSTRUCTION SHALL BE TOPSOILED (6" DEPTH), GRADED, SEEDED, AND HYDRO-MULCHED.

BENCHMARKS:

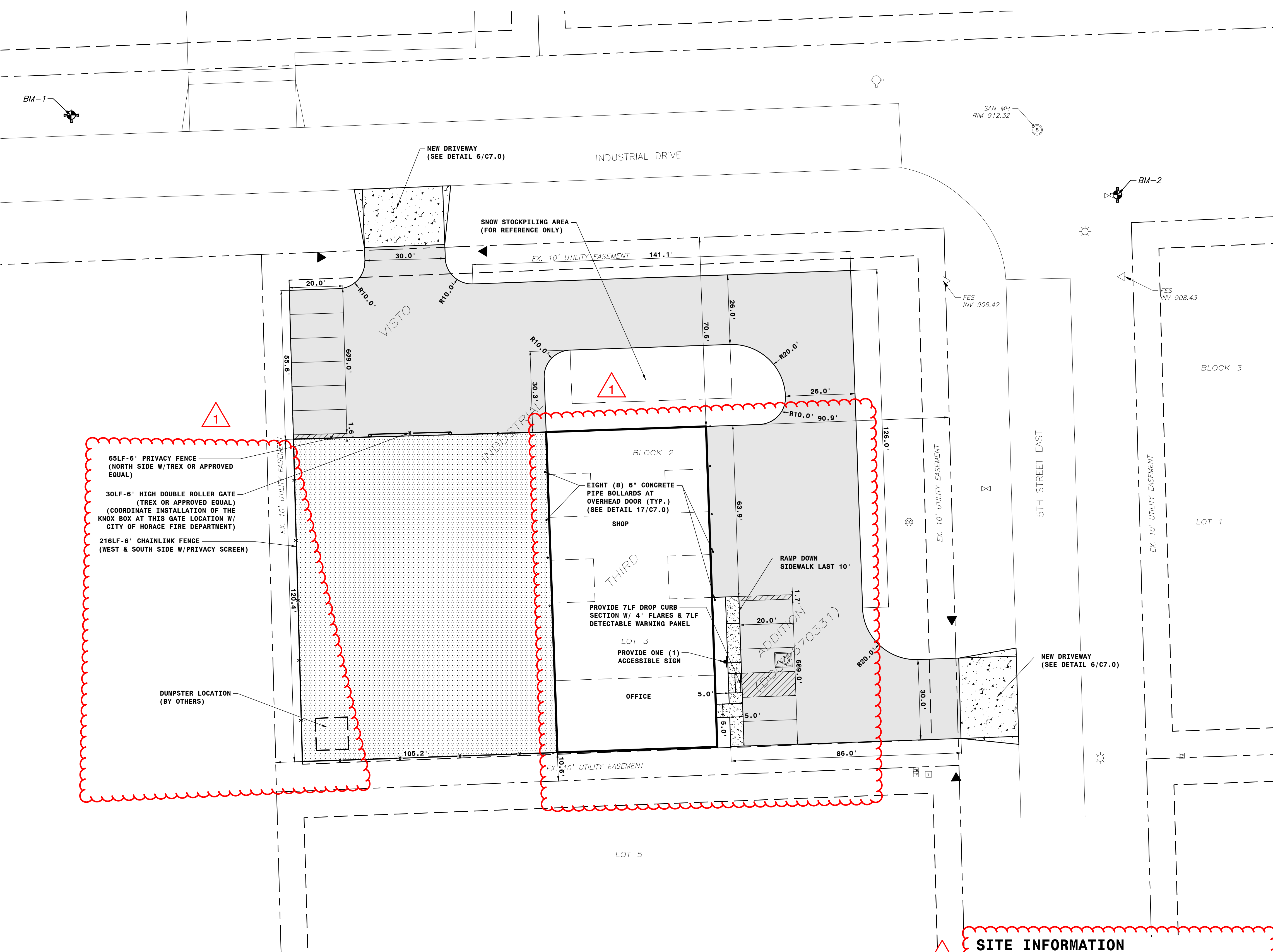
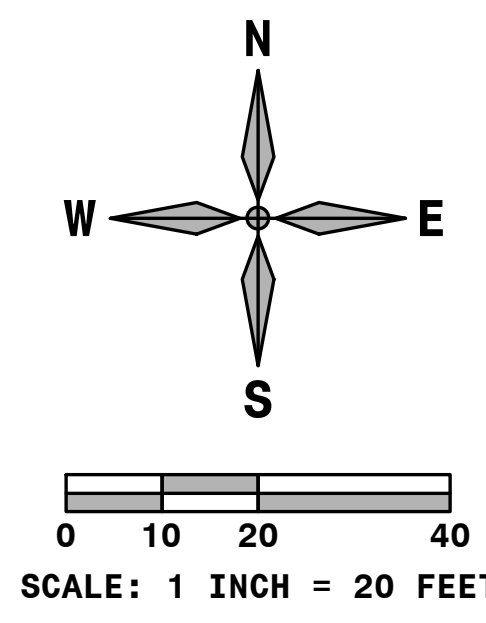
- BM-1: TOP NUT OF HYDRANT LOCATED ON THE NORTH SIDE OF INDUSTRIAL DRIVE, +/-360' WEST OF THE INTERSECTION OF INDUSTRIAL DRIVE AND 5TH STREET EAST.
ELEVATION = 915.18 (NAVD88)
- BM-2: TOP NUT OF HYDRANT LOCATED ON SOUTHEAST CORNER OF THE INTERSECTION OF INDUSTRIAL DRIVE & 5TH STREET EAST, +/-65' EAST OF NORTHEAST CORNER OF THE PROPERTY.
ELEVATION = 915.32 (NAVD88)

REVISIONS:		
NO.	DATE	DESCRIPTION
1	11/28/23	CITY REVIEW

EAGLE RIDGE DEVELOPMENT
PSV COMMERCIAL BUILDING
HORACE, NORTH DAKOTA



GRADING PLAN



SYMBOL LEGEND:

- EXISTING PROPERTY LINE
- EXISTING EASEMENT LINE
- ⊙ EXISTING SANITARY MANHOLE
- ⊕ EXISTING CLEAN OUT
- ⊕ EXISTING HYDRANT/BENCHMARK
- ⊕ EXISTING WATER GATE VALVE
- ⊕ EXISTING FLARED END SECTION
- ⊕ EXISTING LIGHT POLE
- ⊕ EXISTING TELEPHONE PEDESTAL
- ⊕ EXISTING COMMUNICATIONS VAULT
- ▲ NEW SIGN
- ▲ NEW FLARED END SECTION
- NEW FENCE
- ▨ NEW 7" REINFORCED CONCRETE PAVEMENT
- ▨ NEW 6" REINFORCED CONCRETE PAVEMENT
- ▨ NEW 12" GRAVEL PAVEMENT
- ▨ NEW 4" THICKENED EDGE CONCRETE SIDEWALK

PLAN NOTES:

1. ALL WORK SHALL COMPLY WITH THE MOST RECENT CITY OF HORACE STANDARD SPECIFICATIONS FOR CONSTRUCTION OF PUBLIC UTILITIES.
2. CONTRACTOR SHALL NOTIFY UTILITY COMPANIES FOR UNDERGROUND LOCATIONS 48 HOURS PRIOR TO BEGINNING CONSTRUCTION. NORTH DAKOTA ONE CALL PHONE NUMBER: 1-800-795-0555.
3. CONTRACTOR SHALL PROTECT ALL PROPERTY PINS. PROPERTY PINS DESTROYED OR DISTURBED SHALL BE REPLACED AT CONTRACTORS EXPENSE.
4. IF THE LAND BOUNDARY DENOTED ON THE PLANS ENCOMPASSES MORE THAN ONE (1) ACRE OR IS LESS THAN ONE (1) ACRE, BUT IS PART OF A LARGER DEVELOPMENT PLAN, A NOTICE OF INTENT TO OBTAIN A STORM WATER POLLUTION PERMIT SHALL BE ACQUIRED BY THE CONTRACTOR AND OWNER FROM THE NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY SEVEN (7) DAYS PRIOR TO CONSTRUCTION.
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ELEVATION = 915.32 (NAVD88)

SITE INFORMATION

ZONING: C-3 (GENERAL COMMERCIAL DISTRICT)

IMPERVIOUS:
ALLOWED 70%
SHOWN: $\frac{3872.4 \text{ SF}}{5748.3 \text{ SF}} = 69.8\%$

PARKING:
INDOOR STORAGE/WAREHOUSE REQ. 1 PER 2500.00 S.F.
 $\frac{5850 \text{ SF}}{2600 \text{ SF}} = 2.22 \text{ STALLS} = 3 \text{ STALLS}$

OFFICE REQ.1 PER 250 S.F.
 $\frac{1693 \text{ SF}}{250 \text{ SF}} = 6.42 = 7 \text{ STALLS}$

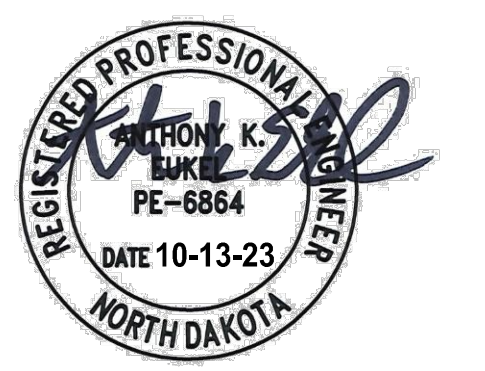
STALLS NEEDED = 10 STALLS (1 ADA)
STALLS SHOWN = 11 STALLS (1 ADA)

REVISIONS:		
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EAGLE RIDGE DEVELOPMENT

PSV COMMERCIAL BUILDING

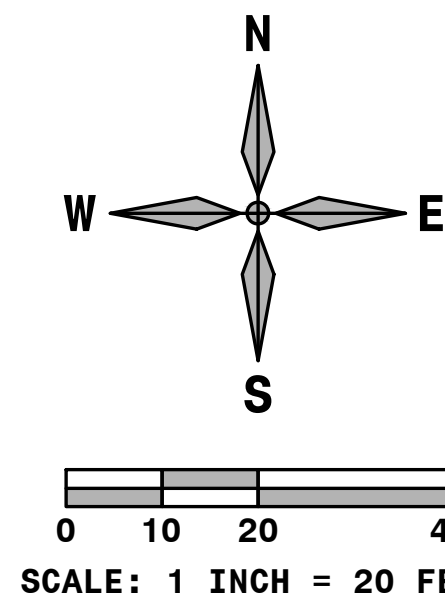
HORACE, NORTH DAKOTA



MBN JOB #: 23-234 DATE: 10-13-23

PAVING PLAN

C5.0



SYMBOL LEGEND:

---	EXISTING PROPERTY LINE
---	EXISTING EASEMENT LINE
⊙	EXISTING SANITARY MANHOLE
⊕	EXISTING CLEAN OUT
⊕	EXISTING HYDRANT/BENCHMARK
⊕	EXISTING WATER GATE VALVE
⊕	EXISTING FLARED END SECTION
⊕	EXISTING LIGHT POLE
⊕	EXISTING TELEPHONE PEDESTAL
⊕	EXISTING COMMUNICATIONS VAULT
⊕	NEW SIGN
⊕	NEW FLARED END SECTION
---	NEW FENCE
C	NEW TIED CONSTRUCTION JOINT
H	NEW CONSTRUCTION JOINT
I	NEW ISOLATION JOINT

PLAN NOTES:

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ELEVATION = 915.32 (NAVD88)

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**EAGLE RIDGE
DEVELOPMENT**

**PSV COMMERCIAL
BUILDING**

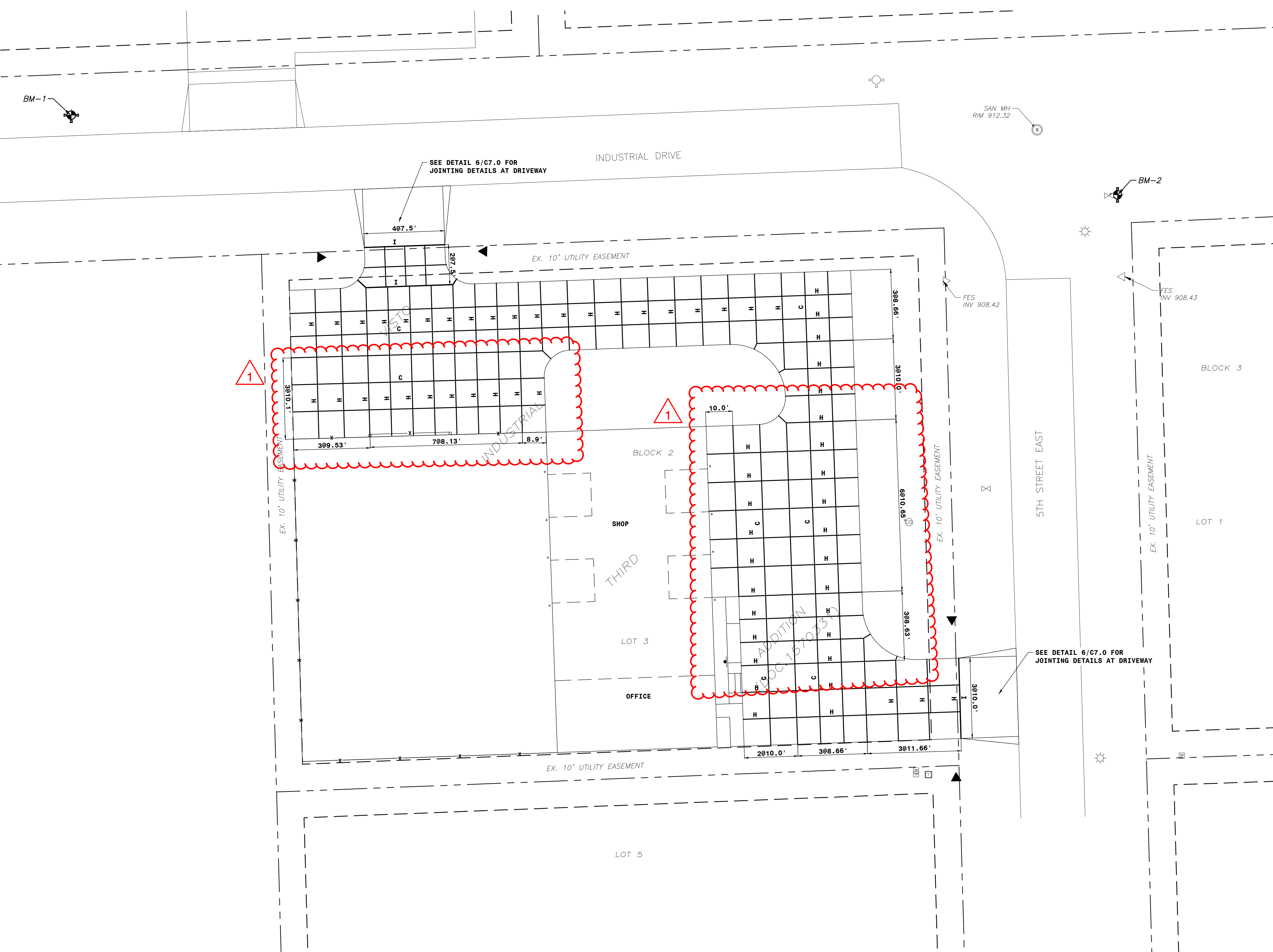
HORACE, NORTH DAKOTA

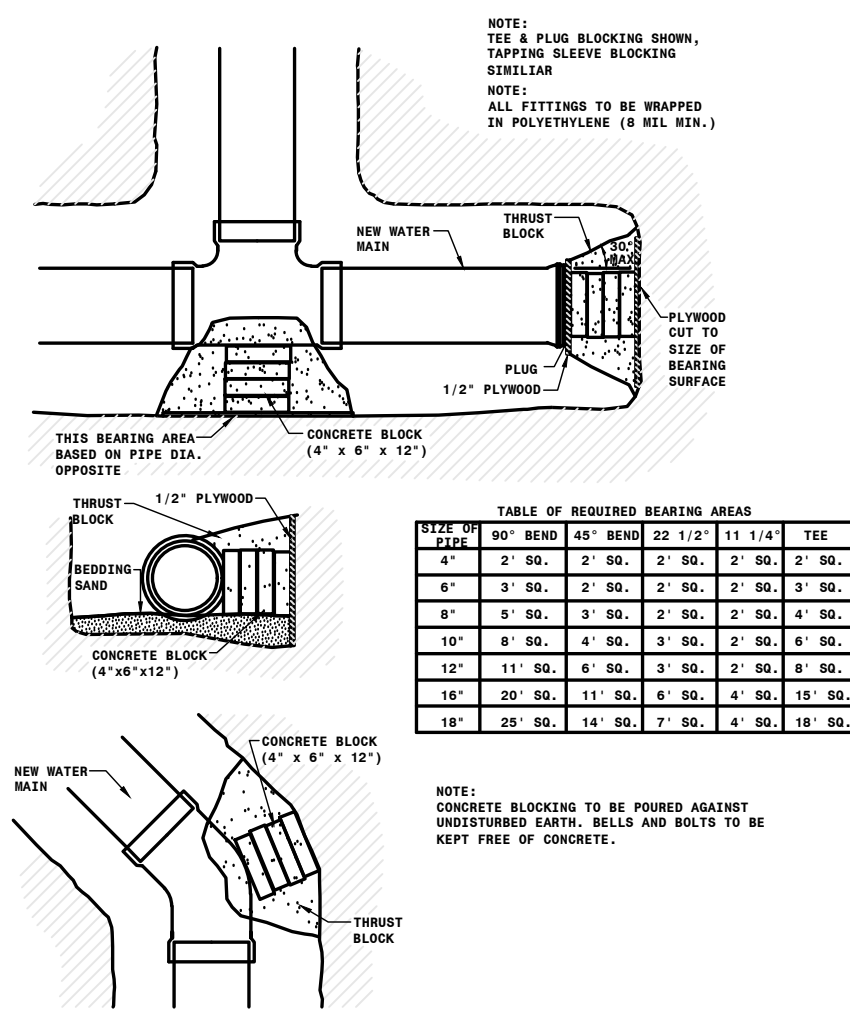


MBN JOB #: 23-234 DATE: 10-13-23

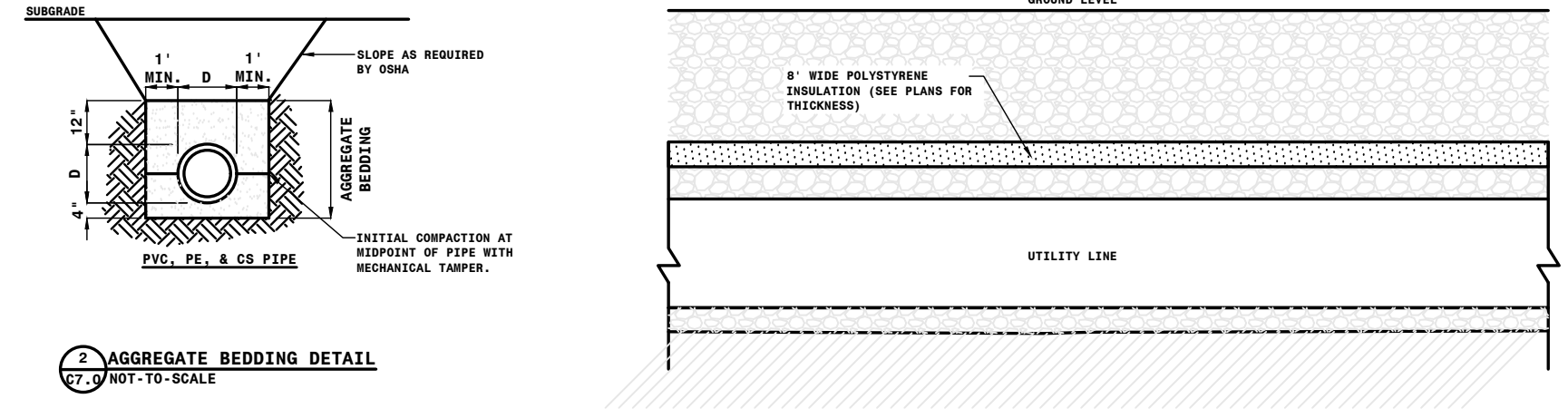
JOINTING PLAN

C6.0

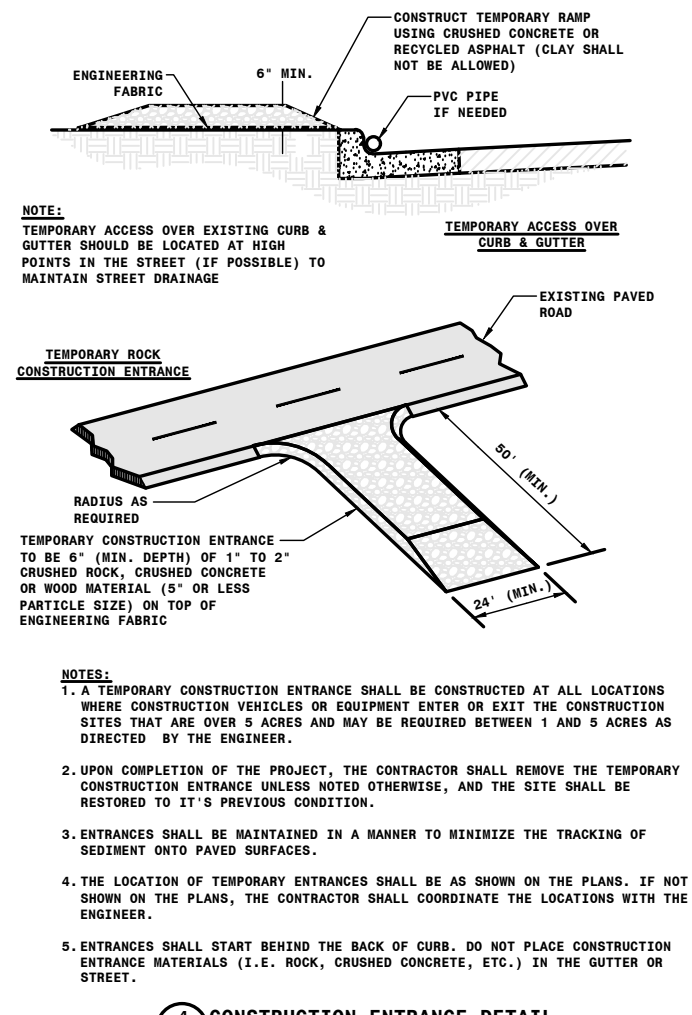




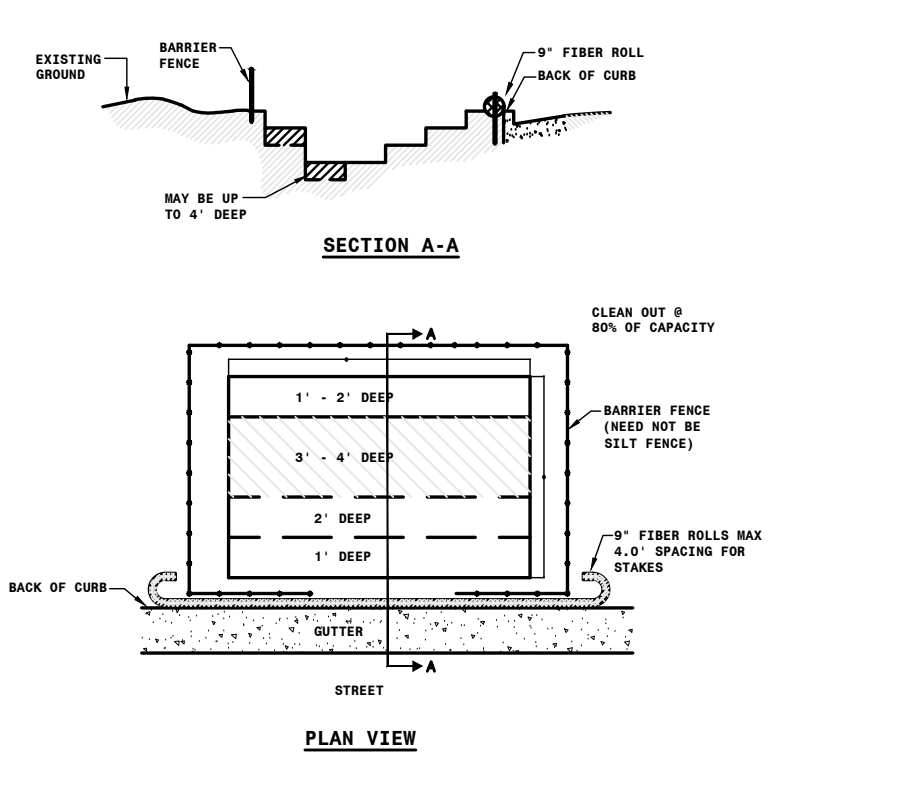
1 WATER MAIN THRUST BLOCKING DETAIL
NOT-TO-SCALE



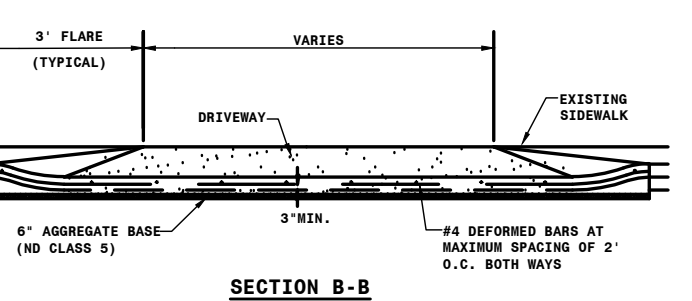
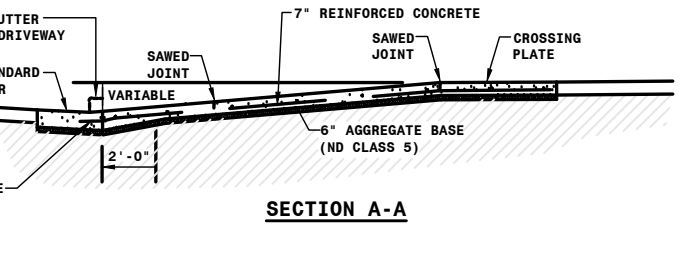
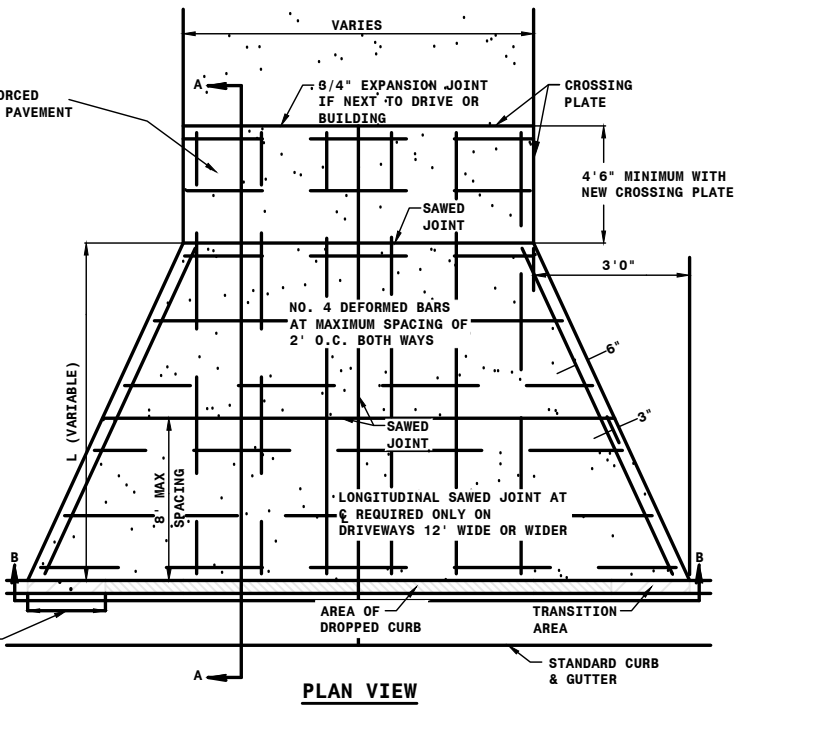
2 POLYSTYRENE INSULATION DETAIL
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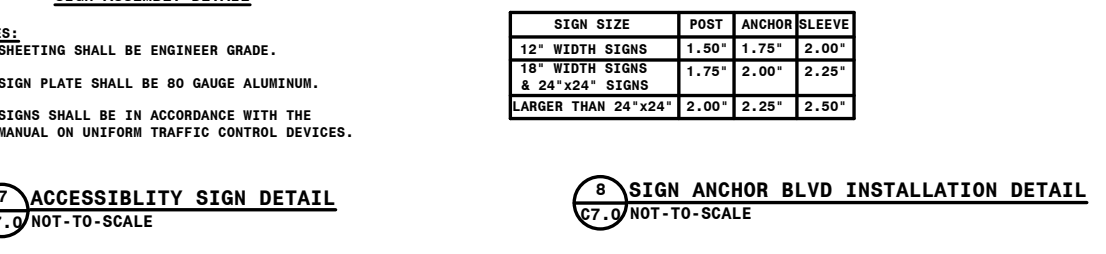
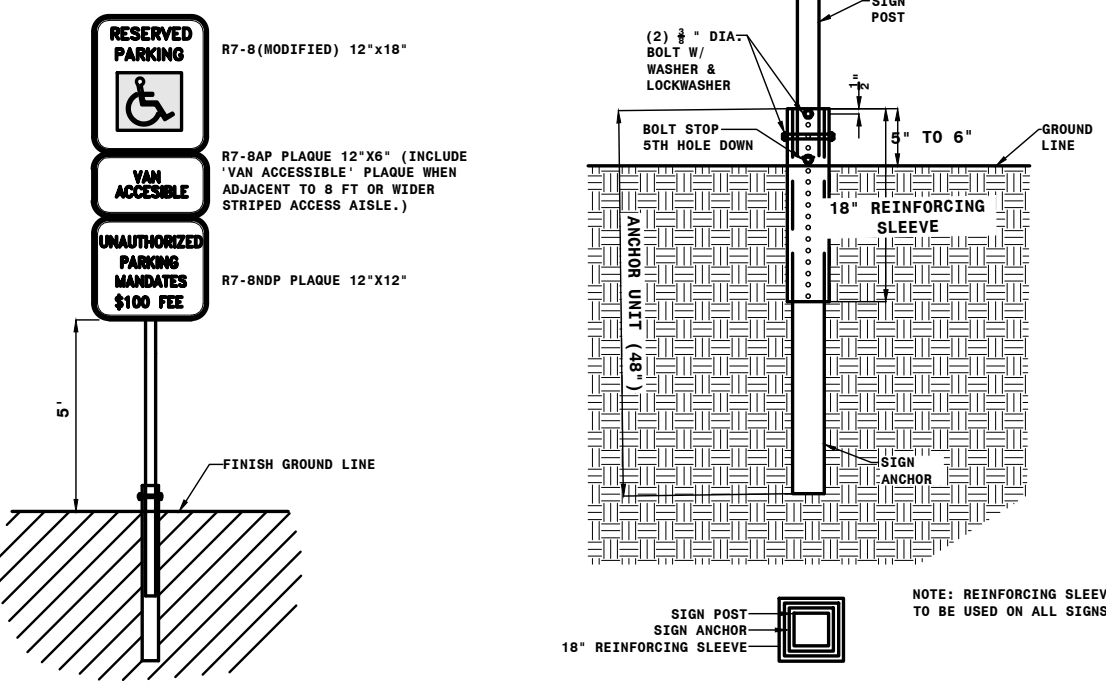
3 CONSTRUCTION ENTRANCE DETAIL
NOT-TO-SCALE



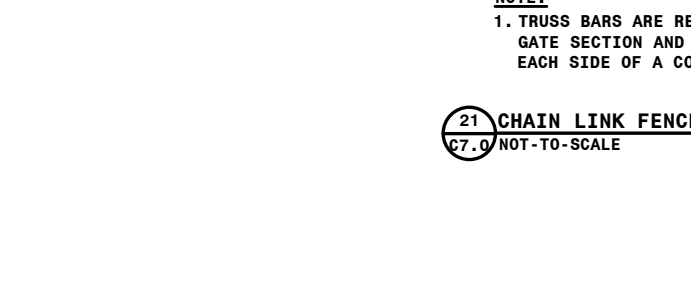
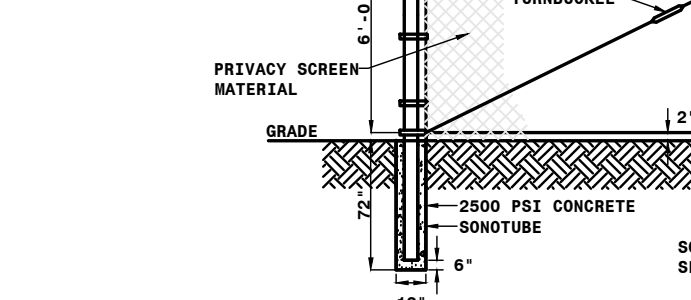
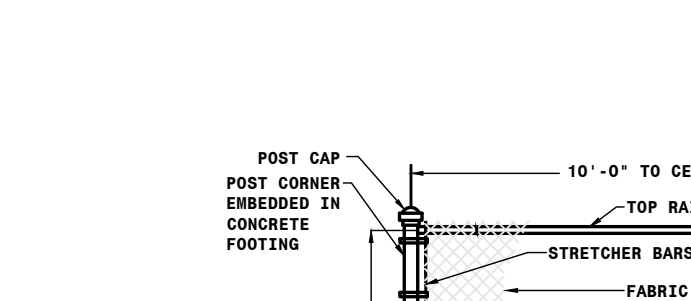
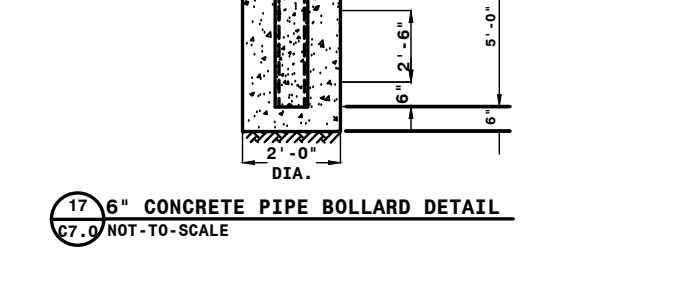
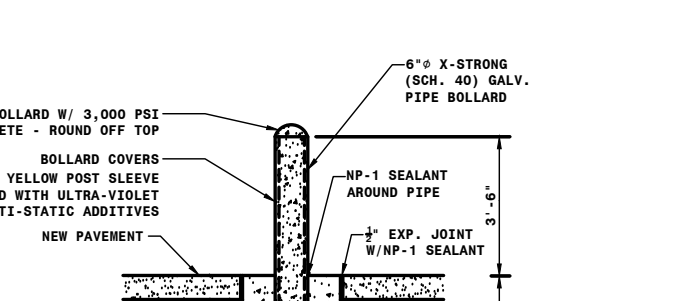
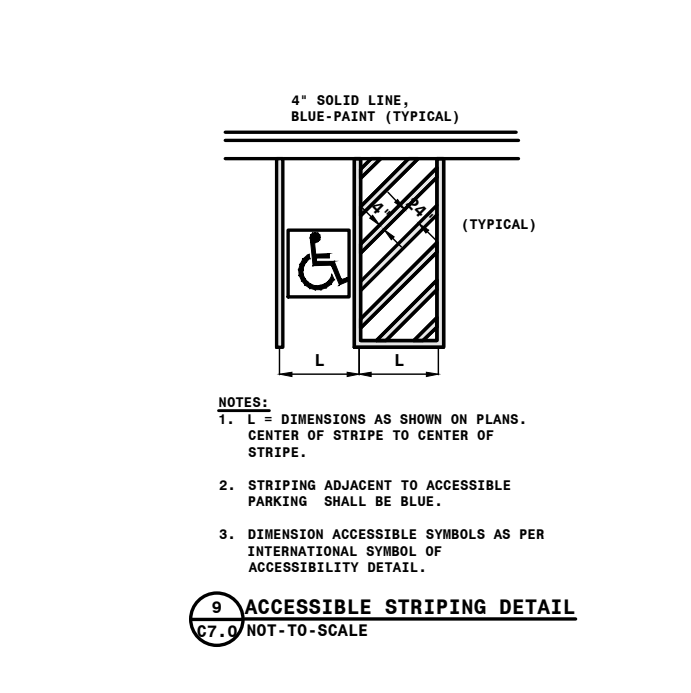
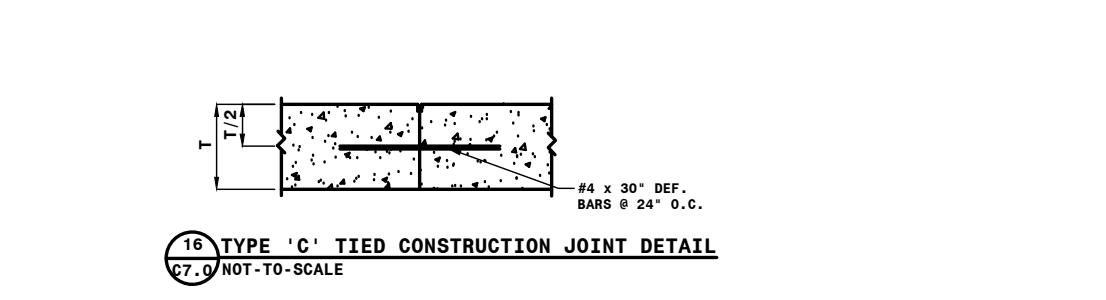
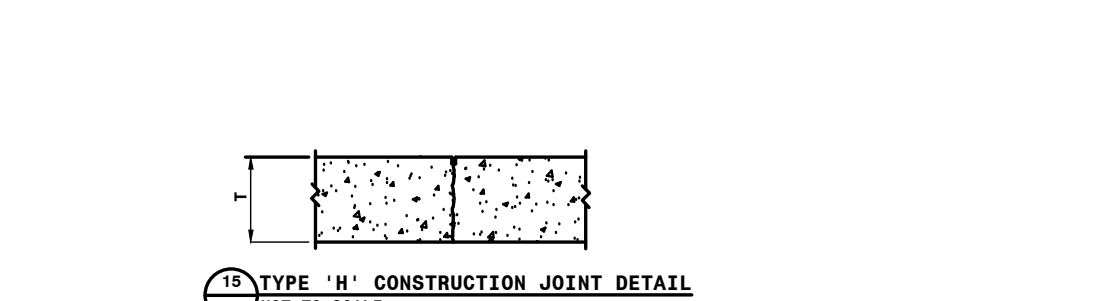
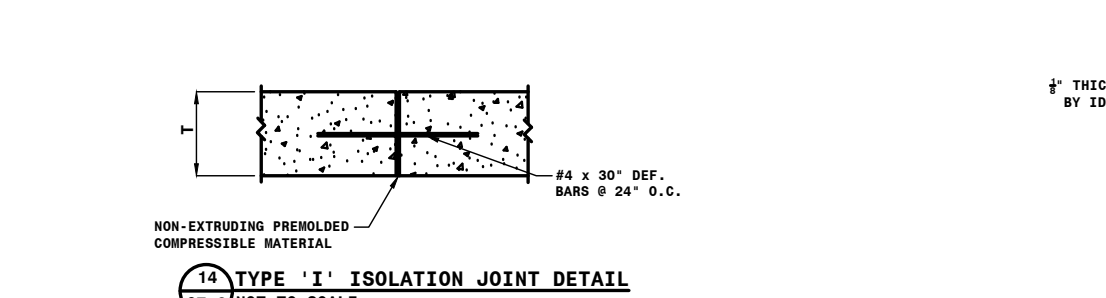
4 CONCRETE WASHOUT DETAIL
NOT-TO-SCALE



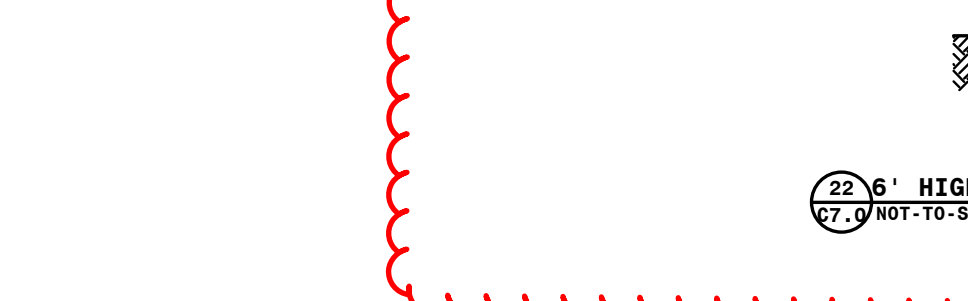
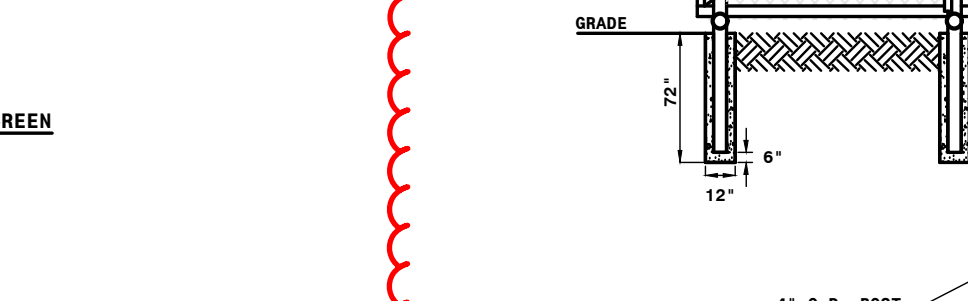
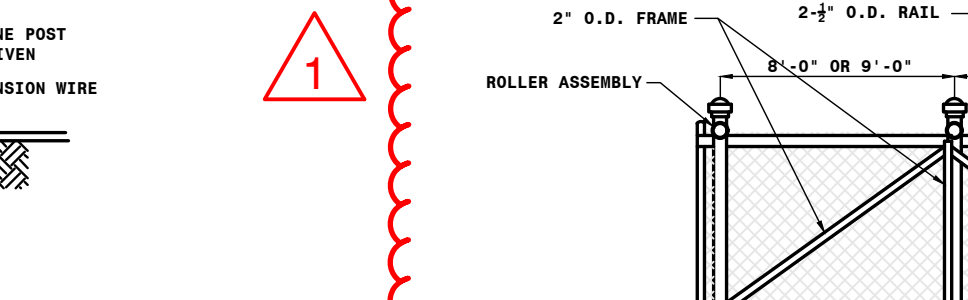
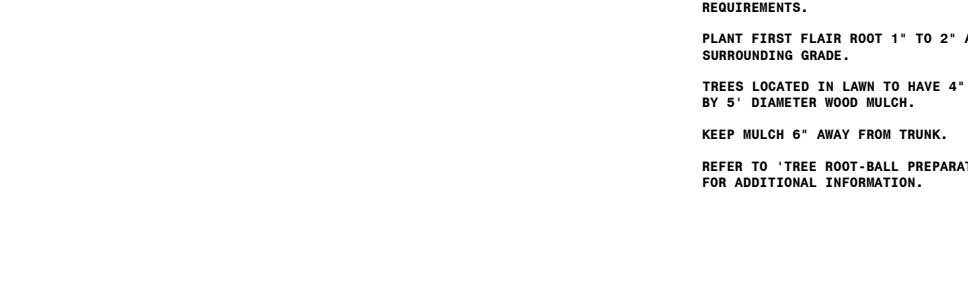
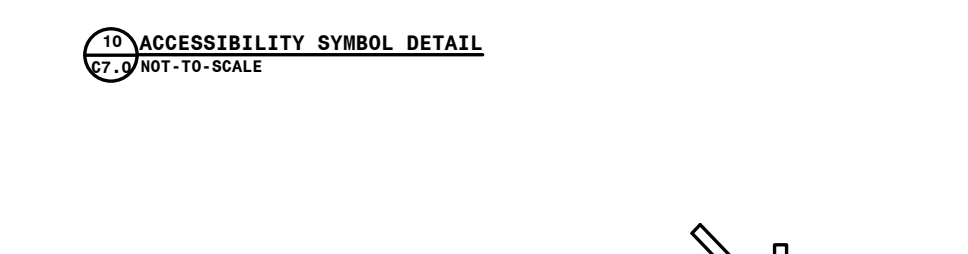
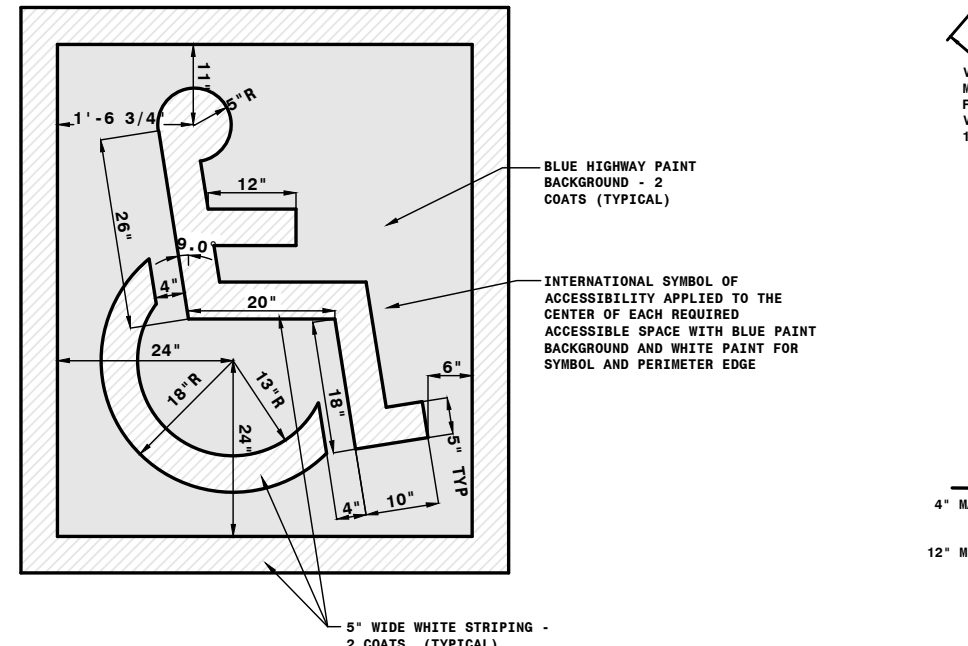
7 7" REINFORCED CONCRETE DRIVEWAY
NOT-TO-SCALE



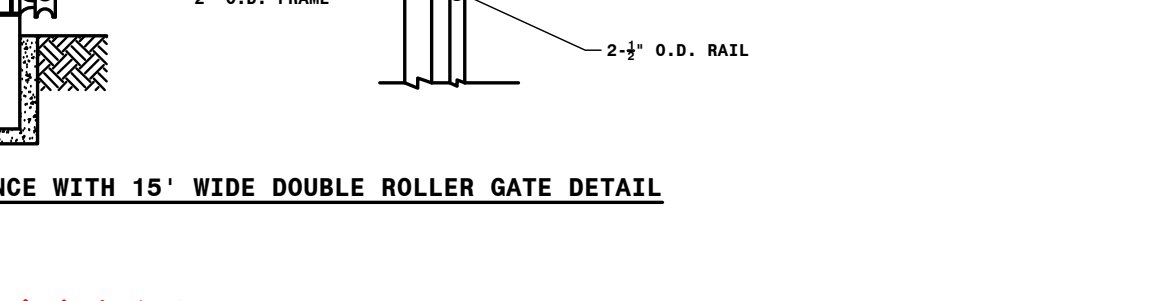
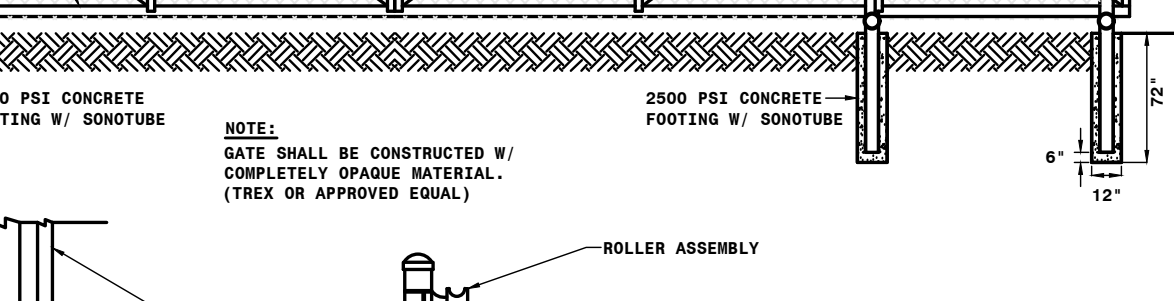
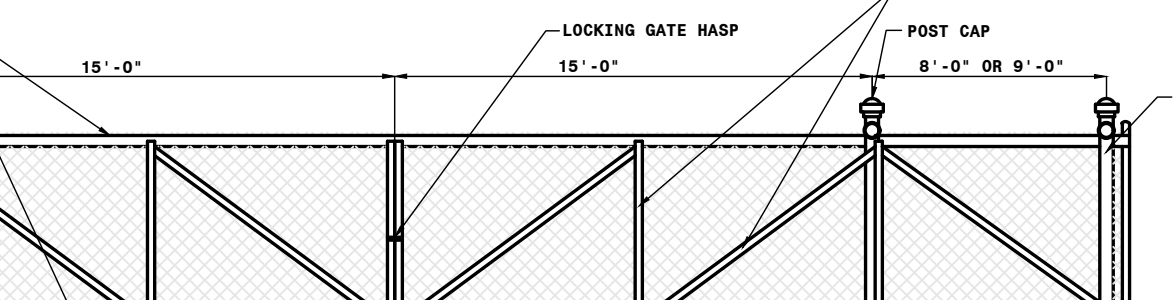
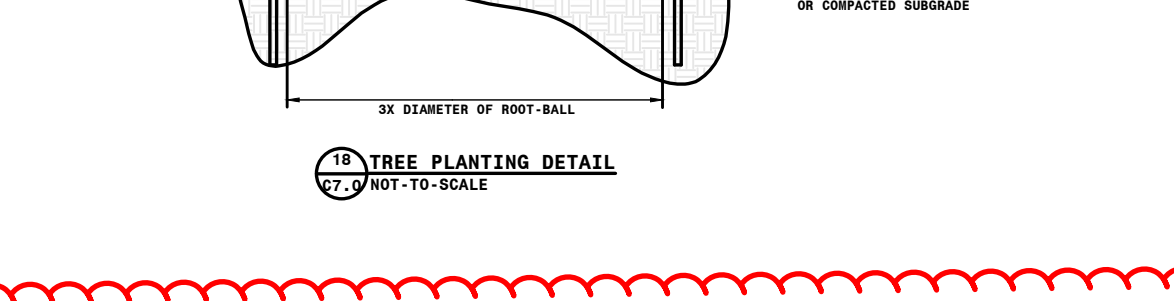
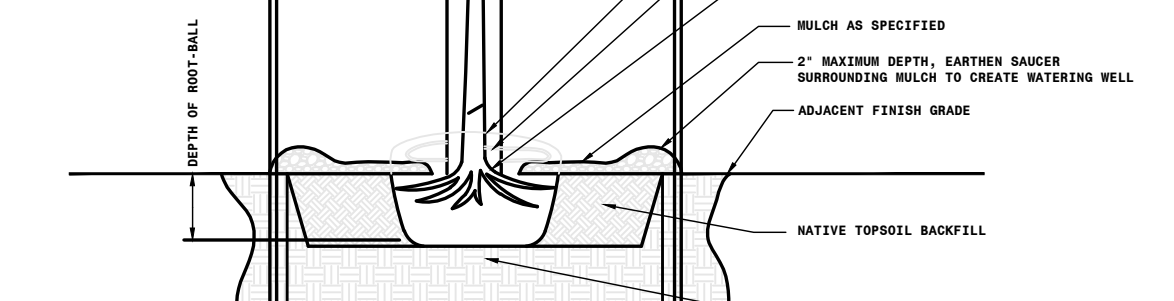
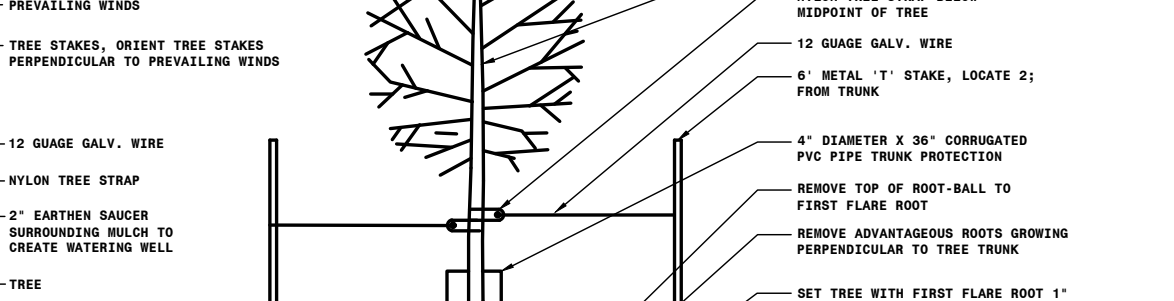
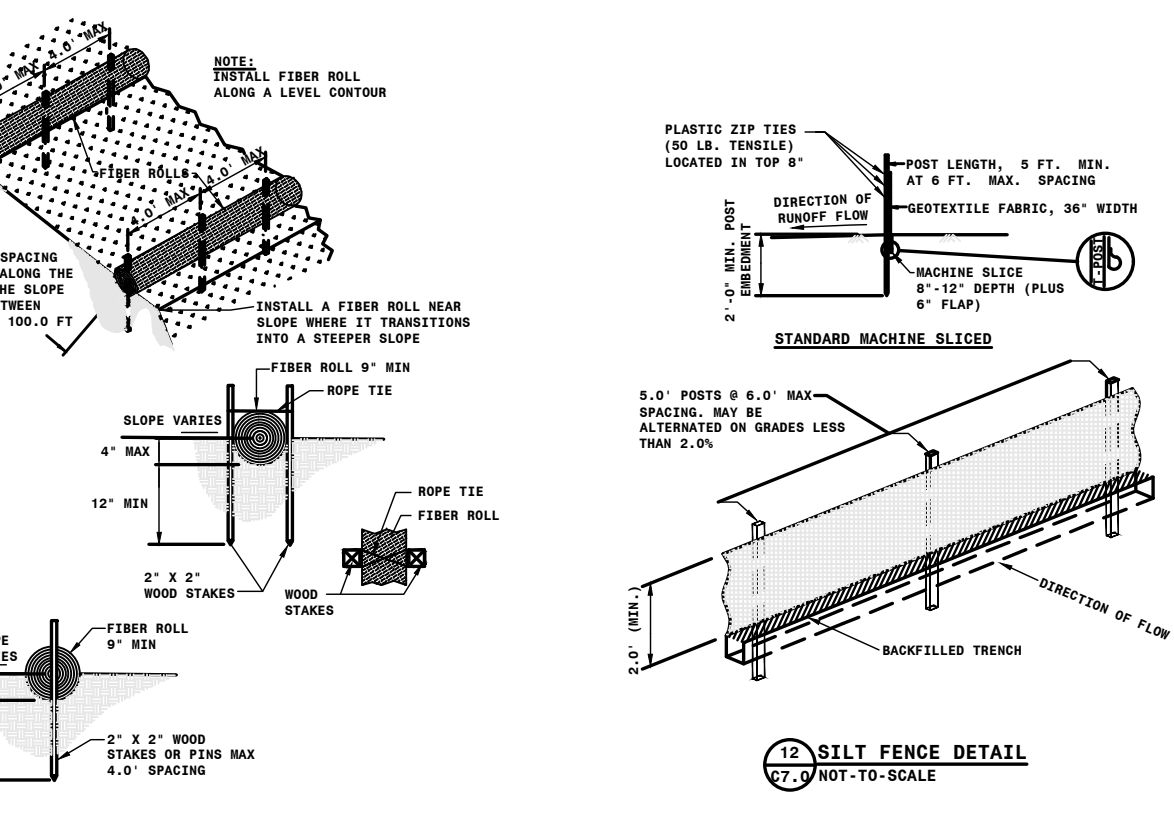
8 SIGN ASSEMBLY DETAIL
NOT-TO-SCALE



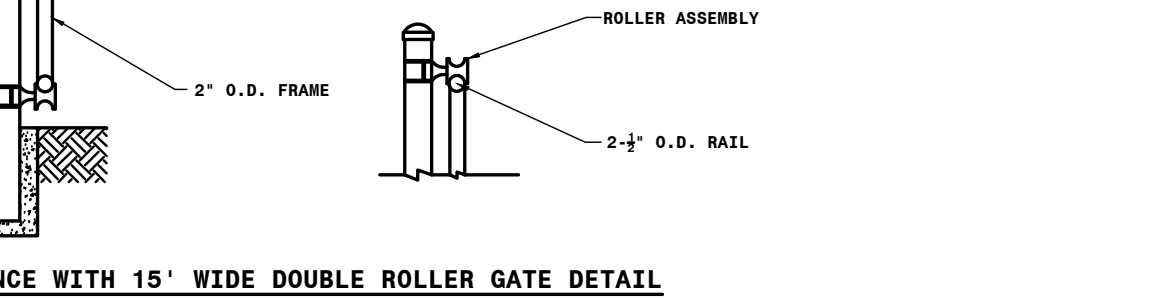
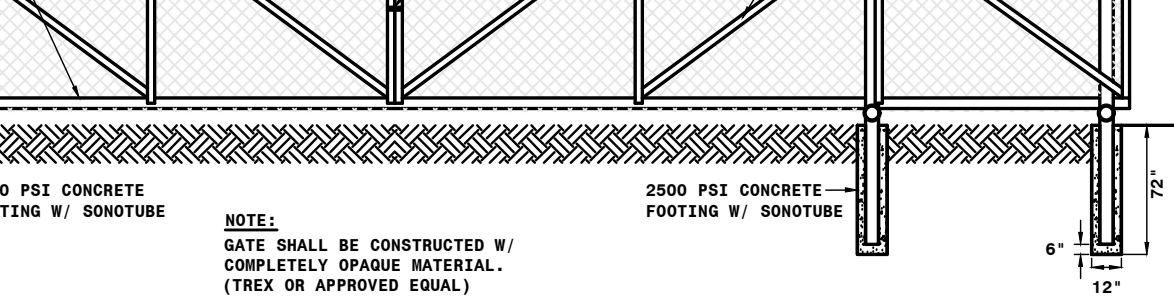
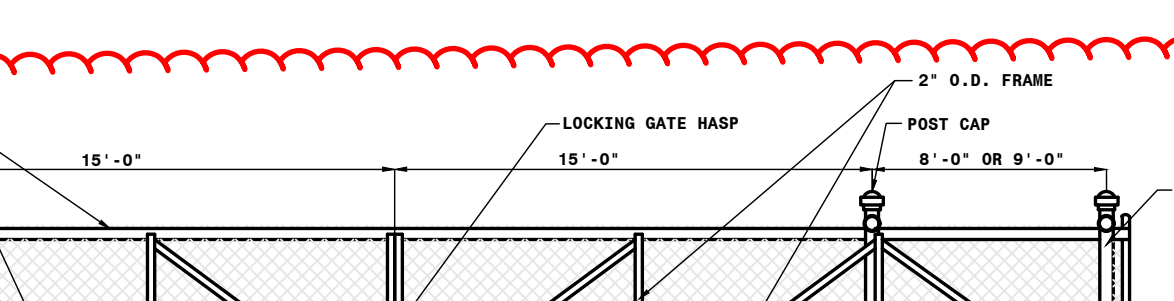
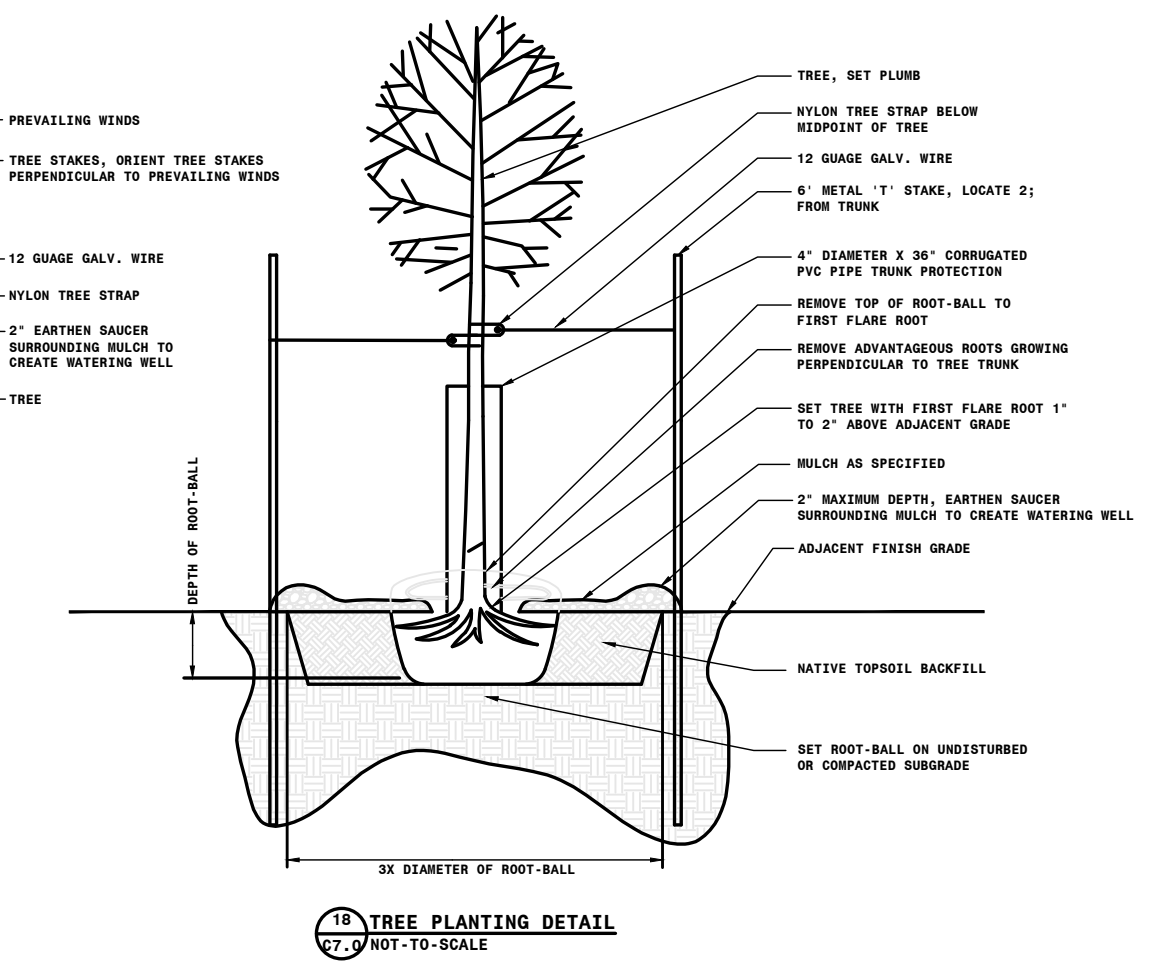
9 ACCESSIBILITY SYMBOL DETAIL
NOT-TO-SCALE



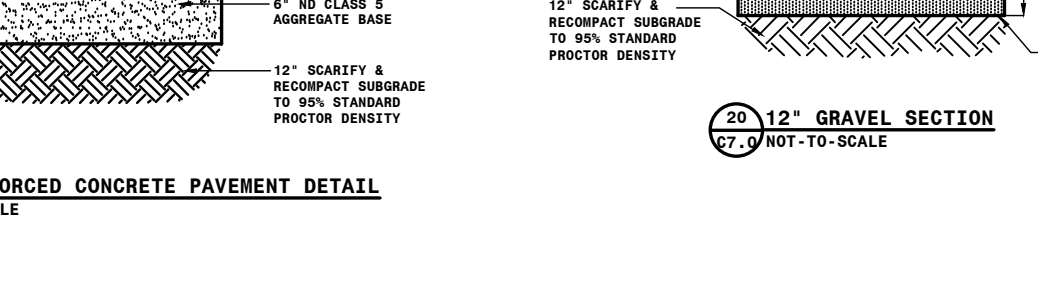
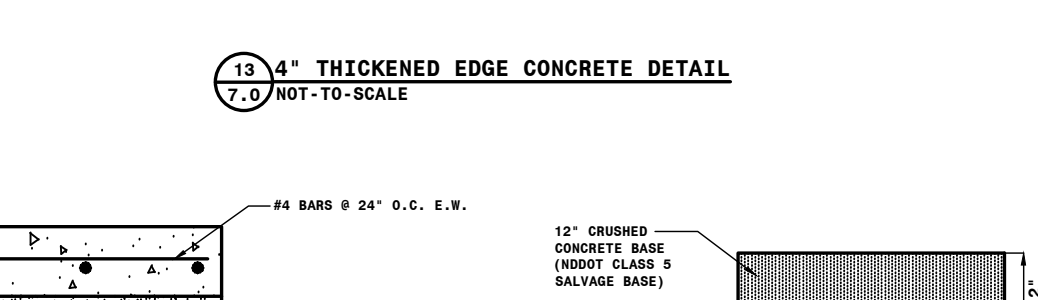
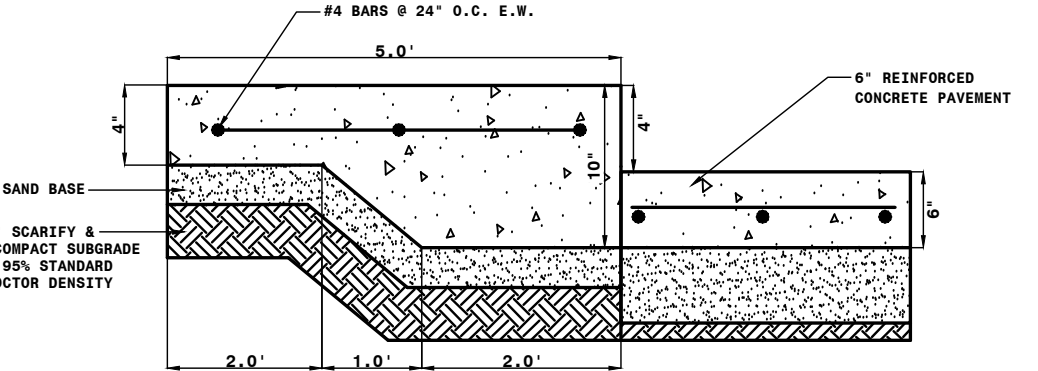
10 ACCESSIBILITY SYMBOL DETAIL
NOT-TO-SCALE



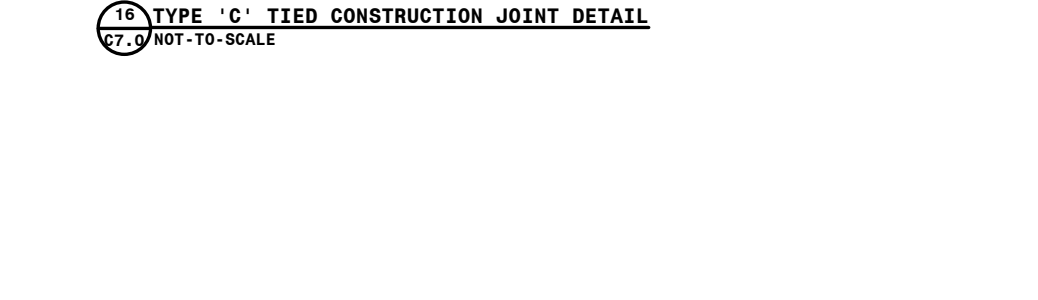
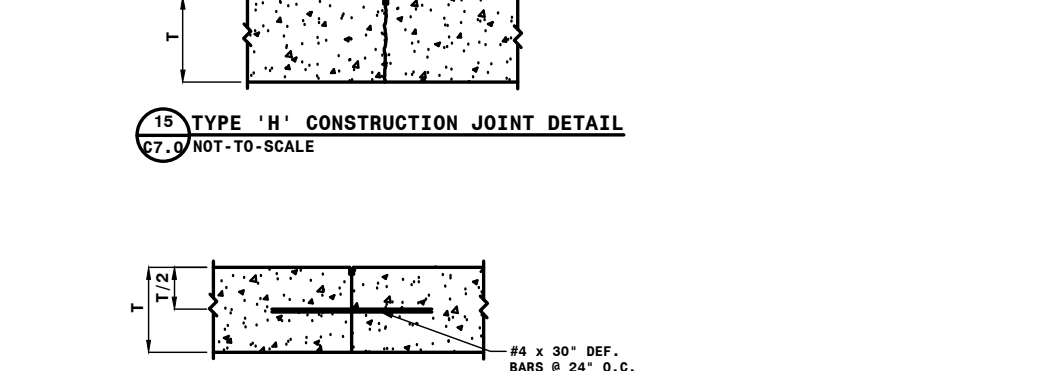
11 BIOROLL DETAIL
NOT-TO-SCALE



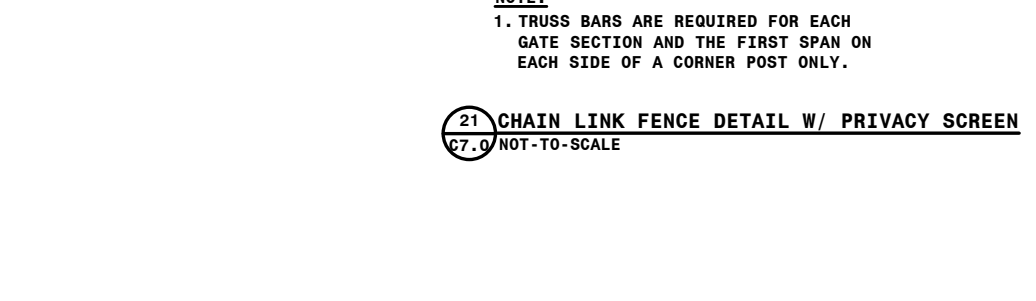
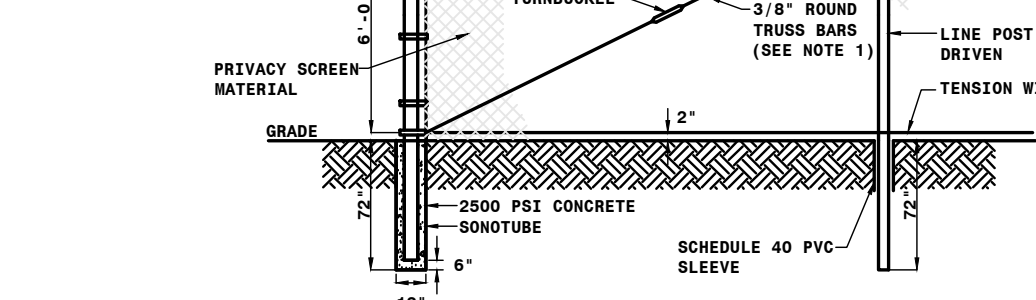
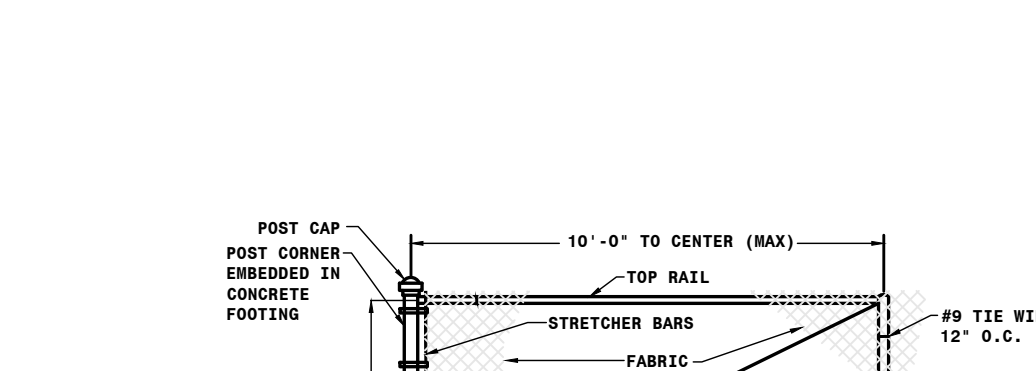
12 TREE PLANTING DETAIL
NOT-TO-SCALE



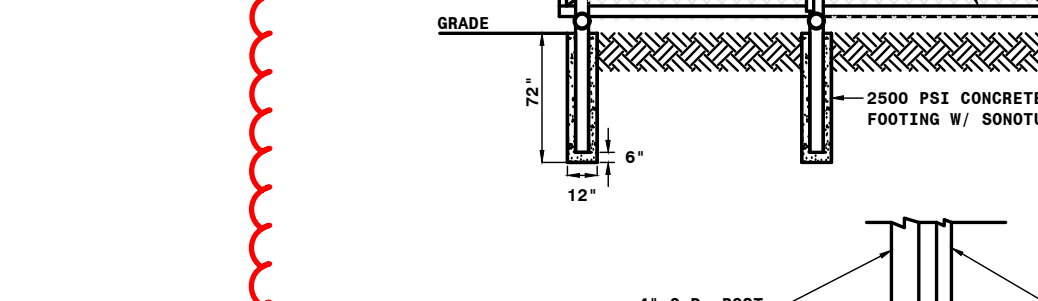
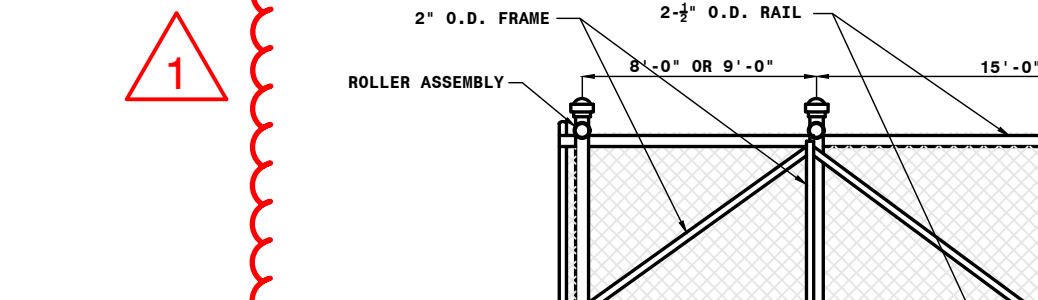
13 4" THICKENED EDGE CONCRETE DETAIL
NOT-TO-SCALE



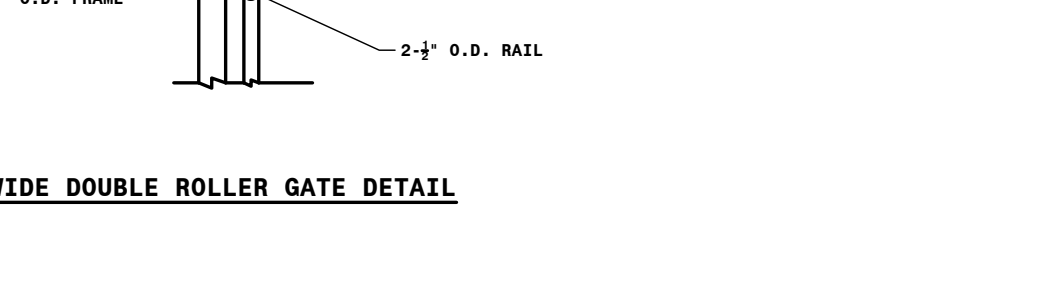
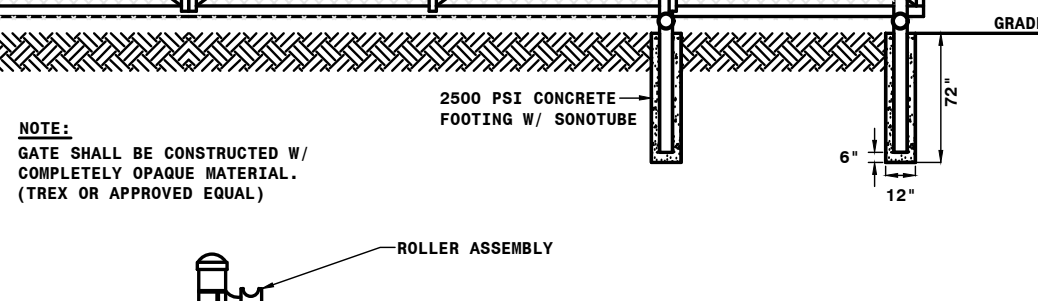
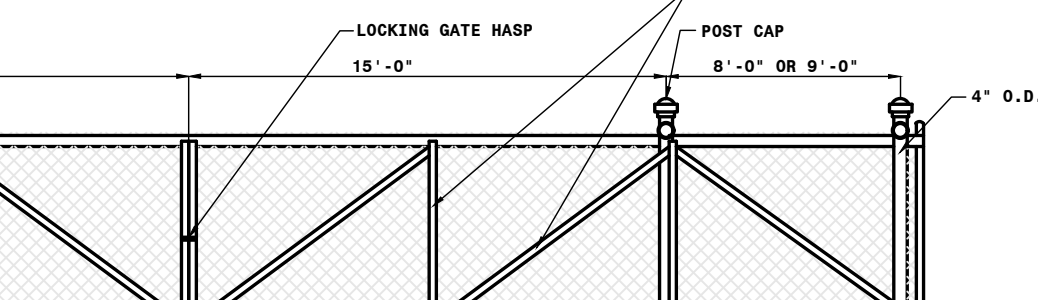
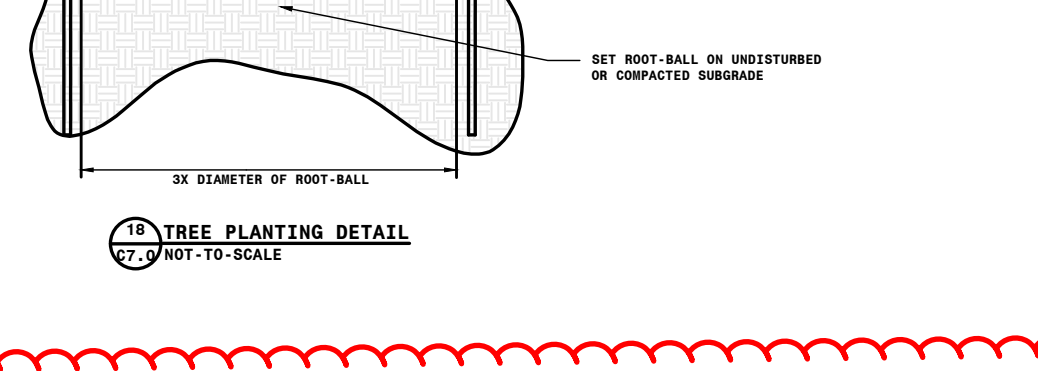
14 REINFORCED CONCRETE PAVEMENT DETAIL
NOT-TO-SCALE



15 6" CONCRETE PIPE BOLLARD DETAIL
NOT-TO-SCALE



16 CHAIN LINK FENCE DETAIL W/ PRIVACY SCREEN
NOT-TO-SCALE



17 HIGH FENCE WITH 15' WIDE DOUBLE ROLLER GATE DETAIL
NOT-TO-SCALE

REVISIONS:

NO.	DATE	DESCRIPTION
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EAGLE RIDGE DEVELOPMENT
PSV COMMERCIAL BUILDING
HORACE, NORTH DAKOTA



POLE BUILDING 60' x 120' x 18'

EAGLERIDGE

HORACE, NORTH DAKOTA

KEYNOTES:

BUILDING NOTES:

- SLAB ON GRADE WOOD POLE BUILDING CONSTRUCTION WITH METAL SIDING AND ROOF. BUILDING WILL BE USED FOR STORAGE S-1 OCCUPANCY
- BUILDING IS NOT SPRINKLED
- BUILDING DOES NOT HAVE FIRE ALARM
- BUILDING SIZE IN S.F. = 7,200 S.F.
- 2021 INTERNATIONAL BUILDING CODE
- OCCUPANCY - S-1 (CHAPTER 3)
- CONSTRUCTION TYPE VB (TABLE 606.2)
- ALLOWABLE SQUARE FOOTAGE - 9,000 S.F. (TABLE 506.2)
- INCREASE FOR OPEN AREA - NOT USED
- OCCUPANTS = 70
- NO TRAVEL DISTANCE OVER 100'-0"

PLUMBING FIXTURE REQUIREMENTS:

TOILETS REQUIRED - 2
TOILETS PROVIDED - 2

LAVS REQUIRED - 2
LAVS PROVIDED - 2

SERVICE SINKS PROVIDED - 1

DRINKING FOUNTAINS - BOTTLED WATER WILL BE PROVIDED

- DRAFT STOPS AT NO MORE THAN 3,000 S.F. HORIZONTAL
- MECHANICAL AND ELECTRICAL ARE DESIGN BUILD

CONTRACTOR OPTION:

- PROVIDE 3-HOUR WALL AT WALL BETWEEN SHOP AREAS
- PROVIDE FIRE SPRINKLER PROTECTION IN ENTIRE BUILDING

GENERAL NOTES

NOTE 1 - PROVIDE ROOM SIGNAGE AT ALL TOILET ROOMS AND MECHANICAL ROOM

I hereby certify that this drawing, specification or report was prepared by me or under my direct supervision and that I am a duly registered Architect under the laws of the State of North Dakota.

Dated: OCTOBER 2023 Regt. No. 1423

Signed: *[Signature]*



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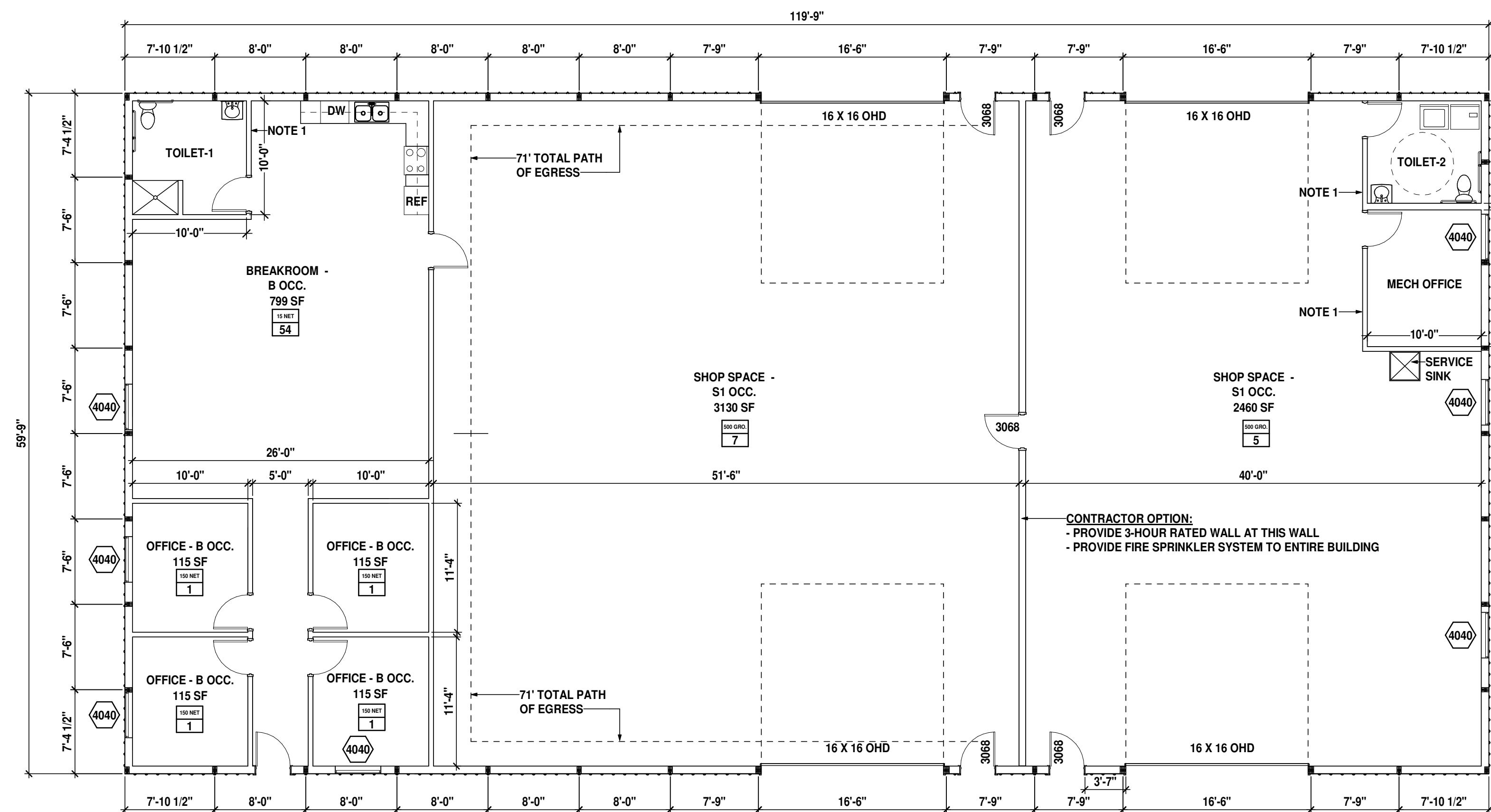
PROJECT NUMBER: 201811-22

11/29/2023

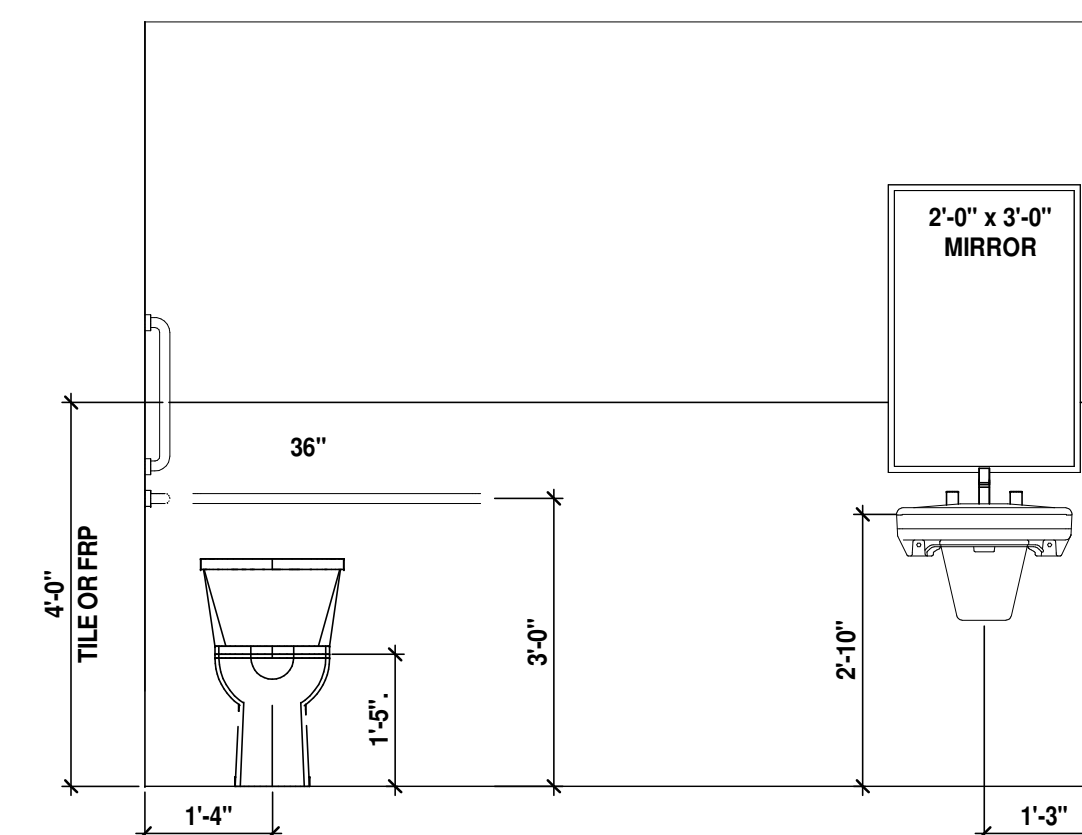
FIRST FLOOR PLAN

A120

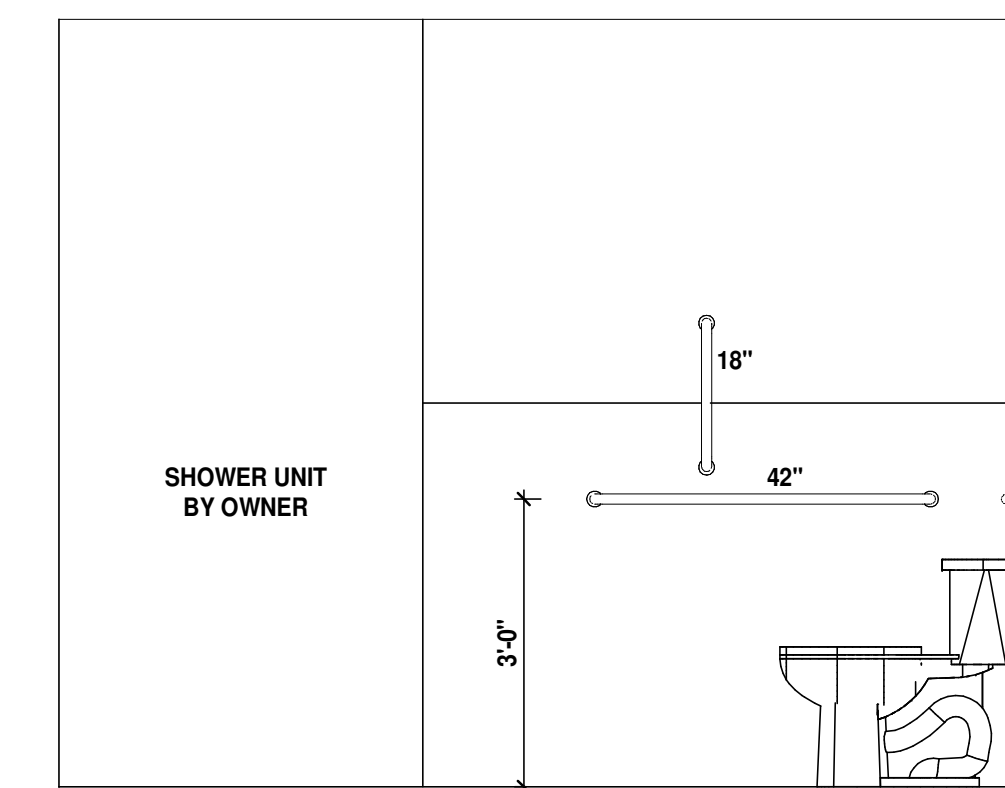
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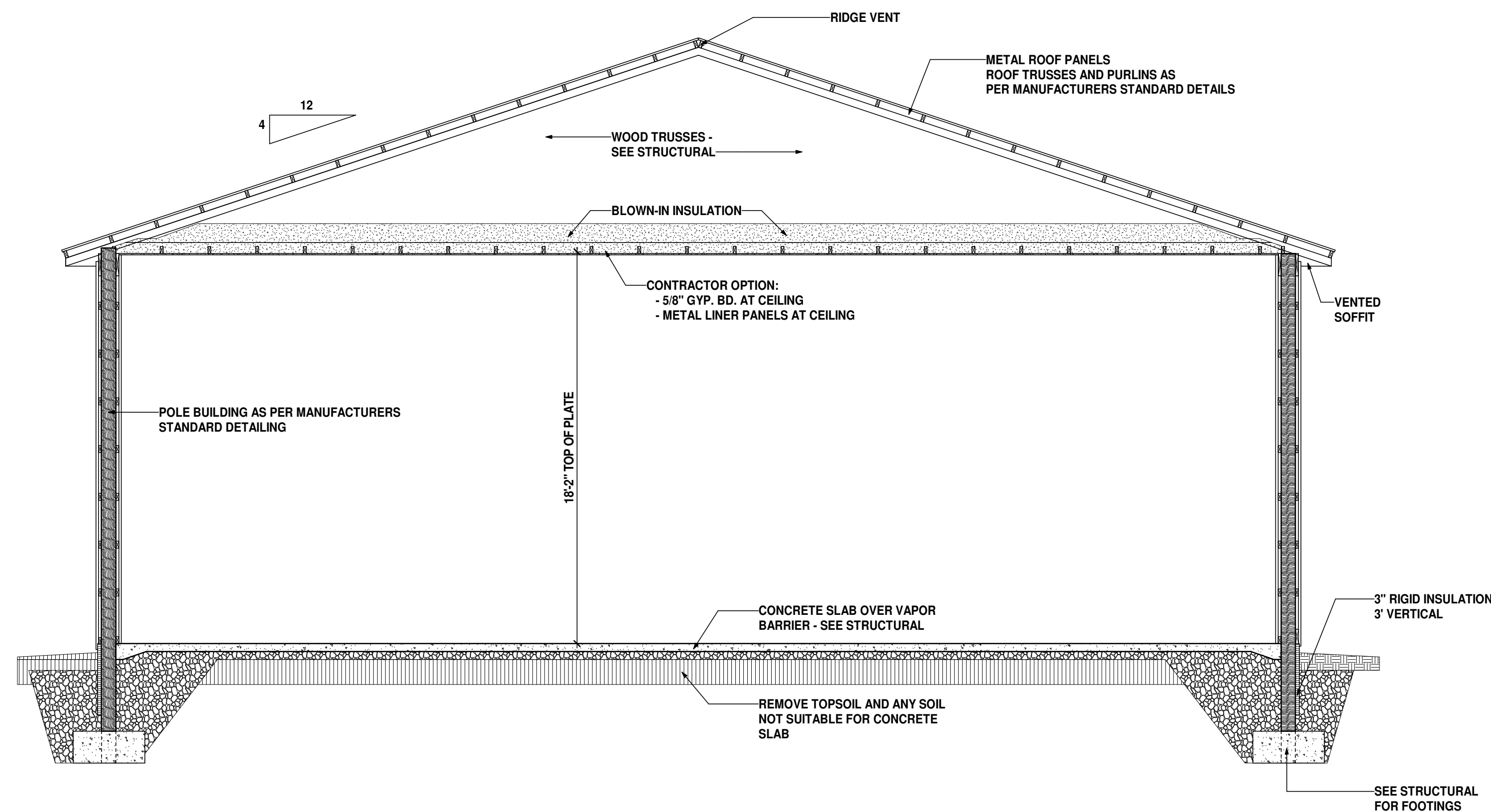
F2 FLOOR PLAN
1/8" = 1'-0"



TOILET-1 FRONT VIEW
1/2" = 1'-0"



TOILET-1 SIDE VIEW
1/2" = 1'-0"



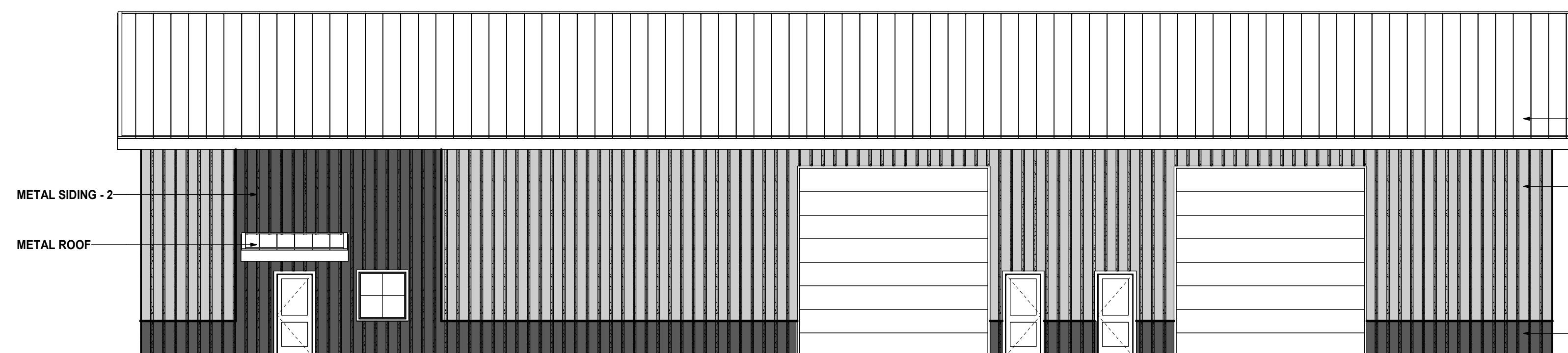
A2 BUILDING SECTION
1/4" = 1'-0"

POLE BUILDING 60' x 120' x 18'

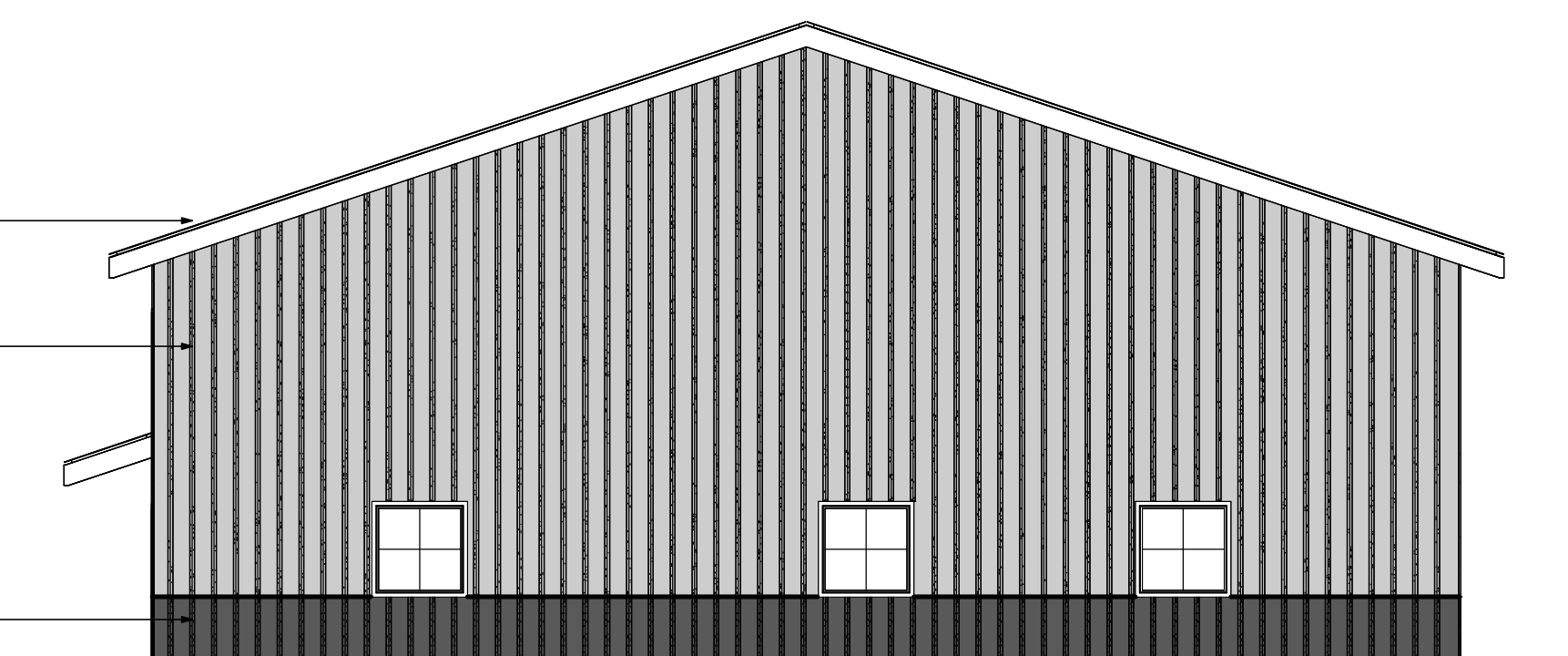
EAGLERIDGE

HORACE, NORTH DAKOTA

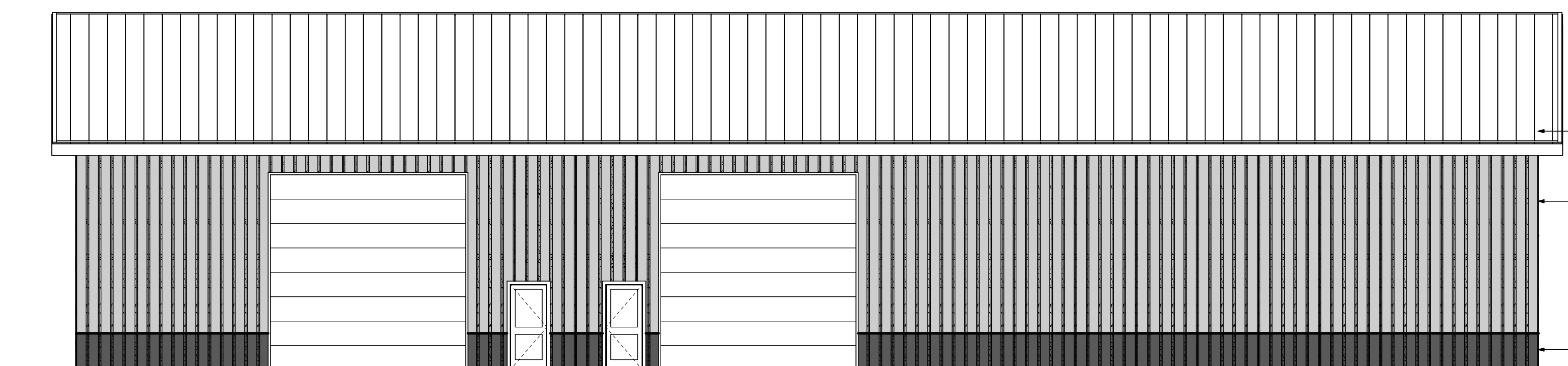
KEYNOTES:



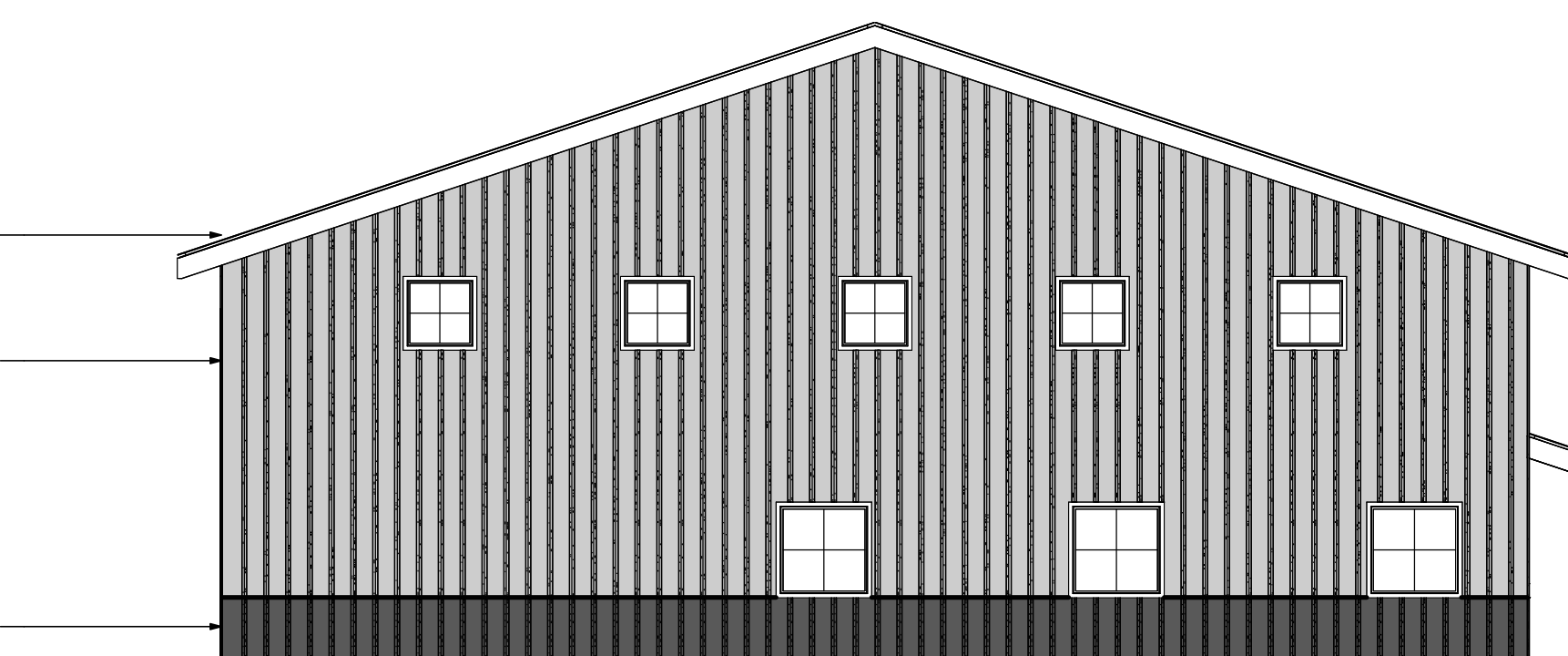
C1
A200 WEST ELEVATION
1/8" = 1'-0"



C10
A200 NORTH ELEVATION
1/8" = 1'-0"



C1
A200 EAST ELEVATION
1/8" = 1'-0"



C10
A200 SOUTH ELEVATION
1/8" = 1'-0"

GENERAL NOTES

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Dated: OCTOBER 2023 Regt. No. 1423

Signed: *[Signature]*



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BUILDING ELEVATIONS

A200

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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

L
K
J
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

POLE BUILDING 60' x 120' x 18'

EAGLERIDGE

HORACE, NORTH DAKOTA

KEYNOTES:

GENERAL NOTES

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ENLARGED PLANS

A300

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GENERAL STRUCTURAL NOTES:

- THE GOVERNING BUILDING CODE IS THE INTERNATIONAL BUILDING CODE (IBC) 2021 EDITION AS APPROVED AND AMENDED BY THE CITY OF HORACE, ND.
- CONTRACT DOCUMENTS INCLUDE THE STRUCTURAL DRAWINGS AND SPECIFICATIONS. BUT DO NOT INCLUDE SHOP DRAWINGS, VENDOR DRAWINGS, OR OTHER SUBMITTALS BY THE CONTRACTOR.
- CONTRACTOR SHALL CROSS VERIFY ALL CONTRACT DOCUMENTS, ELEVATIONS, DIMENSIONS, AND EXISTING CONDITIONS PRIOR TO STARTING WORK. DISCREPANCIES OR CONFLICTS SHALL BE NOTED TO THE EOR IMMEDIATELY FOR REMEDIATION. SPECIFIC NOTES AND DETAILS SHALL PRESEIDE OVER GENERAL NOTES AND SPECIFICATIONS.
- THE DIMENSIONS, LOCATIONS, AND DETAILS SHOWN ON THE DRAWINGS ARE BASED ON THE BEST AVAILABLE INFORMATION AT THE TIME OF THE DRAWINGS BEING ISSUED. DEVIATIONS WHICH ARE NECESSARY OR WHICH CONFLICT SHALL BE REPORTED TO THE EOR. CONTRACTOR SHALL HAVE FULL RESPONSIBILITY FOR DEVIATIONS NOT APPROVED BY THE EOR.
- COSTS OF ADDITIONAL DESIGN WORK DUE TO THE SELECTION OF AN OPTION OR DUE TO ERRORS OR OMISSION IN CONSTRUCTION SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- THE CONTRACTOR HAS SOLE RESPONSIBILITY FOR THE MEANS, METHODS, TECHNIQUES, SEQUENCES, AND PROCEDURES OF CONSTRUCTION. THE STRUCTURAL DRAWINGS REFLECT THE COMPLETED STRUCTURE. BRACING, SHORING, AND PROTECTION DURING CONSTRUCTION IS THE RESPONSIBILITY OF THE CONTRACTOR. THE STRUCTURE SHALL NOT BE LOADED WITH CONSTRUCTION MATERIALS AND EQUIPMENT THAT EXCEEDS THE DESIGN LOADS.
- PENETRATIONS NOT SHOWN ON THE DRAWINGS MUST BE APPROVED BY THE EOR BEFORE PLACING THROUGH STRUCTURAL ELEMENTS. CONTRACTOR SHALL PROVIDE A CAST-IN SLEEVE FOR ALL HORIZONTAL ELEMENTS THAT EXTEND THROUGH FOOTING AND FOUNDATION WALL. SUCH AS DRAIN TILE, CONDUIT, PIPING, ETC. COORDINATE SLEEVES WITH EOR. SEE MECHANICAL, ELECTRICAL, AND ARCHITECTURAL DRAWINGS FOR ALL PENETRATIONS AND EMBEDDED ITEMS NOT SHOWN ON THE STRUCTURAL DRAWINGS.
- CONTRACTOR TO VERIFY ALL WEIGHTS, LOCATIONS & DIMENSIONS OF MECH. EQUIPMENT SHOWN AND NOTIFY THE EOR OF ANY DISCREPANCIES. COORDINATE THIS INFORMATION WITH ALL NECESSARY INDIVIDUALS.
- PERIODIC SITE OBSERVATION BY REPRESENTATIVES OF SANDMAN STRUCTURAL ENGINEERS IS SOLELY FOR THE PURPOSE OF DETERMINING IF THE WORK OF THE CONTRACTOR IS PROCEEDING IN GENERAL ACCORDANCE WITH THE STRUCTURAL CONTRACT DRAWINGS. A LIMITED SITE OBSERVATION SHOULD NOT BE CONSTRUED AS AN EXHAUSTIVE CHECK THE QUALITY OR QUANTITY OF THE WORK, BUT RATHER PERIODIC IN AN EFFORT TO GUARD THE OWNER AGAINST DEFECTS OR DEFICIENCIES IN THE WORK OF THE CONTRACTOR. ALL MATERIALS AND WORKMANSHIP ARE SUBJECT TO THE REVIEW OF THE EOR.
- SEE THE FOLLOWING DETAILS FOR STANDARD DETAILS:
CIP CONCRETE & FOUNDATION: 11S301
WOOD FRAMING: 15401

SHOP DRAWING & DEFERRED DESIGN SUBMITTAL NOTES:

- CONTRACTOR TO FURNISH COMPLETE AND DETAILED SHOP DRAWINGS & SUBMITTALS FOR REVIEW AND APPROVAL BY THE EOR. THE FOLLOWING ARE REQUIRED FOR THIS PROJECT.

SHOP DRAWING OR SUBMITTAL	NOTES/COMMENTS
CONCRETE MIX DESIGNS	BY 3RD PARTY TESTING AGENCY
CONCRETE REINFORCEMENT	-
LUMBER MATERIAL GRADE & DOWEL-TYPE FASTENERS	-
METAL PLATE CONNECTED WOOD TRUSSES	DEFERRED SUBMITTAL. SEE NOTE #4

- CONTRACT DRAWINGS SHALL NOT BE REPRODUCED FOR USE AS SHOP DRAWINGS. ALL SHOP DRAWINGS MUST BEAR THE REVIEW STAMP OF THE CONTRACTOR BEFORE THEY ARE REVIEWED BY THE EOR.
- SHOP DRAWINGS SHALL SHOW ALL FIELD DETAILS AND ADDITIONAL INFORMATION NEEDED FOR THE CONTRACTOR TO CONSTRUCT THE BUILDING PER THE CONTRACT DOCUMENTS.
- STRUCTURAL COMPONENTS/SYSTEMS DESIGNATED AS A "DEFERRED SUBMITTAL" OR AS "DELEGATED DESIGN," "DESIGNED BY OTHERS," OR "PRE-ENGINEERED" MUST INCLUDE A CALCULATION PACKAGE THAT IS STAMPED AND SIGNED BY A REGISTERED PROFESSIONAL ENGINEER, LICENSED IN THE STATE THE PROJECT WILL BE CONSTRUCTED, PRIOR TO SUBMITTAL FOR APPROVAL TO THE EOR.
- SHOP DRAWINGS SHALL BE AVAILABLE ON THE JOB SITE DURING TIMES OF INSPECTION AND SHALL BE CLEARLY INDICATED THAT THEY HAVE BEEN REVIEWED AND APPROVED BY THE EOR.
- REVIEW OF SUBMITTALS AND SHOP DRAWINGS BY THE EOR DOES NOT RELIEVE THE CONTRACTOR OF THE SOLE RESPONSIBILITY TO REVIEW AND CHECK ALL SUBMITTALS AND SHOP DRAWINGS BEFORE SUBMITTING TO THE STRUCTURAL ENGINEER. THE CONTRACTOR REMAINS SOLELY RESPONSIBLE FOR THE ERRORS AND OMISSIONS ASSOCIATED WITH THE PREPARATION OF SHOP DRAWINGS AS THEY PERTAIN TO MEMBER SIZES, DETAILS, AND DIMENSIONS SPECIFIED IN THE CONTRACT DOCUMENTS.

POST INSTALLED ANCHOR NOTES:

- POST INSTALLED ANCHORS NOTED ON PLAN AND/OR DETAILS NOTED SHALL BE AS FOLLOWS (UNO). IF ALTERNATIVE ANCHORS ARE DESIRED, CONTRACTOR MUST SUBMIT PRODUCT DATA FOR APPROVAL BY THE STRUCTURAL ENGINEER PRIOR TO ORDERING OF MATERIALS. ANCHORS USED TO TRANSFER STRUCTURAL LOADS MUST HAVE BEEN APPROVED BY METHODS OF ACI 318 APPENDIX D FOR MECHANICAL ANCHORS AND ICC-ES AC308 FOR ADHESIVE AND TORQUE-CONTROLLED ANCHORS. ADHESIVES USED IN COLD WEATHER MUST MEET ALL WEATHER REQUIREMENTS AND CODE REQUIREMENTS STATED ABOVE.

INJECTION ADHESIVE ANCHORS	SIMPSON SET-3G ADHESIVE. THREADED RODS TO BE A193 GRADE B7 WITH EMBEDDED END CUT @ 45° ANGLE.
EXPANSION ANCHORS:	SIMPSON STRONG BOLT 2
SCREW ANCHORS:	SIMPSON TITEN HD
POWDER ACTUATED FASTENERS (PAF):	Ø 157"Ø STEEL-TO-STEEL, THRU BASE METAL, 1/2" MIN. EDGE DISTANCE. Ø 157"Øx114" STEEL TO CONCRETE & MASONRY, 3" MIN. CONCRETE EDGE DISTANCE (LNO).
- POST INSTALLED ANCHORS SHALL ONLY BE USED WHERE SPECIFIED ON THE DRAWINGS. THE CONTRACTOR SHALL OBTAIN APPROVAL FROM THE STRUCTURAL ENGINEER PRIOR TO USING POST INSTALLED ANCHORS FOR MISSING OR MISPLACED CIP ANCHORS. CARE SHALL BE TAKEN TO AVOID CONFLICTS WITH EXISTING REINFORCING BARS. HOLES SHALL BE DRILLED AND CLEANED PER ANCHOR MANUFACTURER'S SPECIFICATIONS. ANCHORS AND ADHESIVE TO BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS.

DESIGN CRITERIA/DESIGN LOADS:

SNOW LOAD DESIGN CRITERIA			
GROUND SNOW LOAD	Pg	50 PSF	-
SNOW IMPORTANCE FACTOR	Is	1.0	-
EXPOSURE FACTOR	Ce	1.0	-
THERMAL FACTOR	Ct	1.2	TYPICAL (UNHEATED)
SLOPED ROOF FACTOR	Cs	1.0	TYPICAL
ROOF DESIGN LOADS			
LOAD TYPE	NOTATION	LOAD	NOTES
SNOW LOAD	S	42 PSF	TYPICAL (P1 or P3)
RAIN LOAD	R	N/A	-
LIVE LOAD	LL	20 PSF	-
DEAD LOAD	D	10 PSF	D TO = 5 PSF D BC = 5 PSF
NOTES: ALL ROOF COMPONENTS SHALL BE DESIGNED FOR DRAFT LOADS AND BALANCED & UNBALANCED SNOW LOADING PER ASCE 7. SEE PLAN FOR SNOW DRAFT LOADS			
WIND LOAD DESIGN CRITERIA			
ULT. DESIGN WIND SPEED	V-ult	111 MPH	-
NOMINAL DESIGN WIND SPEED	V-asd	86 MPH	-
RISK CATEGORY	-	II	-
EXPOSURE CATEGORY	-	C	-
INTERNAL PRESSURE COEF.	Gcpi	+/- 0.18	-
C & C BASE PRESSURE	qh - ult	24.9 PSF	-
END ZONE WIDTH	a	6 FT	-
SEISMIC DESIGN CRITERIA			
RISK CATEGORY	II	-	-
IMPORTANCE FACTOR (Ie)	1	-	-
SITE CLASS	D	(ASSUMED)	-
MAPPED SPECTRAL RESPONSE (Ss)	0.06	-	-
MAPPED SPECTRAL RESPONSE (S1)	0.019	-	-
SPECTRAL RESPONSE COEFFICIENT (SDS)	0.064	-	-
SPECTRAL RESPONSE COEFFICIENT (SD1)	0.031	-	-
SEISMIC DESIGN CATEGORY	A	-	-
BASIC SEISMIC FORCE-RESISTING SYSTEM	R=1.5	(TIMBER FRAMES)	-
DESIGN BASE SHEAR (V)	0.043 W	-	-
SEISMIC RESPONSE COEFFICIENT (Cs)	0.043	-	-
ANALYSIS PROCEDURE USED	-	-	EQUIVALENT LATERAL FORCE

FOUNDATION NOTES:

- FOOTINGS ARE DESIGNED FOR AN ASSUMED NET ALLOWABLE SOIL BEARING PRESSURE OF 1500PSF FOR STRIP FOOTINGS AND 1600 PSF FOR PAD FOOTINGS. THE ASSUMED ALLOWABLE SOIL BEARING PRESSURE SHALL BE VERIFIED BY A LICENSED GEOTECHNICAL ENGINEER AT TIME OF CONSTRUCTION.
- PROTECT FOOTING EXCAVATIONS FROM WATER, MOISTURE, OR FROST INFILTRATION. PRIOR TO PLACEMENT OF FOOTING CONCRETE, CLEAN FOOTING EXCAVATIONS OF SNOW, WATER, MUD, DIRT, AND DEBRIS. DO NOT PLACE FOOTINGS OR BACKFILL ON FROZEN SUB GRADE.
- FROST COVER FOR FOOTINGS SHALL BE PER RECOMMENDATIONS OF THE GEOTECHNICAL REPORT. SEE PLAN FOR TOP OF FOOTING ELEVATIONS AND DETAILS FOR FOOTING STEP REQUIREMENTS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE EOR IMMEDIATELY OF ANY SPECIAL SOIL OR WATER CONDITIONS THAT EXIST ON SITE.
- BACKFILL & COMPACTION SHALL BE INSPECTED AND TESTED BY A LICENSED GEOTECHNICAL ENGINEER OR QUALIFIED FIELD TECH. THE SUBMITTAL OF TESTING REPORTS SHALL BE PER SPECIAL INSPECTION REQUIREMENTS.
- BACKFILL SHALL BE COMPACTED BY MECHANICAL MEANS. WATER INFILTRATION SHALL NOT BE ALLOWED. BACKFILL SHALL BE PLACED IN ALTERNATING LIFTS ON EACH SIDE OF THE FDN WALLS FOR STABILITY.
- UNLESS SPECIFICALLY PRESCRIBED IN A GEOTECHNICAL REPORT, BACKFILL SHALL BE PLACED AND COMPACTED IN LOOSE LIFTS WITH THICKNESS OF 6" OR LESS. MOISTURE CONTENT AT THE TIME OF COMPACTION SHOULD BE +/- 3% OF OPTIMUM MOISTURE AND IT IS RECOMMENDED ALL ENGINEERED FILL BELOW FOOTINGS BE COMPACTED TO A MINIMUM OF 95% OF THE STANDARD PROCTOR MAX DENSITY (ASTM D698-00a).
- WALL FOOTINGS ARE TO BE CENTERED ON WALLS UNO PAD FOOTINGS ARE TO BE CENTERED ON COLUMNS UNO.
- CONTRACTOR TO COORDINATE INTERIOR & EXTERIOR TOP OF FOOTINGS WITH MEP CONTRACTORS. PRIOR TO START OF CONSTRUCTION. PLUMBING TO BE ROUTED ABOVE FOOTINGS UNLESS APPROVED BY EOR. FOOTINGS MAY NEED TO BE LOCALLY LOWERED TO ACCOUNT FOR ADJACENT PLUMBING LINES OR BASINS THAT COULD UNDERMINE SUPPORTING SOIL ALONGSIDE OR BELOW FOOTINGS.
- IF SHOWN ON FOUNDATION PLAN, DRAIN TILE IS FOR GRAPHICAL REPRESENTATION ONLY. SIZE AND LAYOUT TO BE CONFIRMED WITH MEP CONTRACTOR AND CIVIL DRAWINGS.

CONCRETE AND STEEL REINFORCEMENT NOTES:

- CONCRETE AND STEEL REINFORCEMENT SHALL CONFORM TO AMERICAN CONCRETE INSTITUTION (ACI) CODES AND SPECIFICATIONS, LATEST EDITION.
 ACI 301 "SPECIFICATIONS FOR STRUCTURAL CONCRETE"
 ACI 318 "DETAILS & DETAILING OF CONCRETE REINFORCEMENT"
 ACI 318 "BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE"
 ACI 308R "COLD WEATHER CONCRETING"
- CAST-IN-PLACE CONCRETE COMPRESSIVE STRENGTHS REQUIRED (28 DAY):
 FOOTINGS 4000 PSI PIERS / COLUMNS 4000 PSI
 EXTERIOR SLABS 4500 PSI INTERIOR SLABS 4000 PSI
 (AIR ENTRAINED 5%-7% / SEE SPECS)
- SUBMIT CONCRETE MIX DESIGN & STRENGTH DATA TO EOR FOR APPROVAL. ALL ADMIXTURES ARE THE RESPONSIBILITY OF THE CONCRETE SUPPLIER'S ENGINEER.
- CAST-IN-PLACE CONCRETE SHALL BE SUBJECT TO TESTING BY AN INDEPENDENT TESTING LABORATORY, SEE SPECS AND SPECIAL INSPECTION REQUIREMENTS.
- ALL CONCRETE SHALL BE PLACED PER ACI & THOROUGHLY CONSOLIDATED BY MEANS OF A VIBRATOR, PARTICULARLY AROUND REINFORCEMENT STEEL AND CORNERS OF FORM WORK.
- REINFORCING STEEL SHALL BE GRADE 60 DEFORMED, BILLET-STEEL, ASTM A615, UNO.
- WELDED REINFORCING STEEL SHALL BE GRADE 60, LOW CARBON, ASTM A706, WHICH IS SPECIALLY MANUFACTURED TO BE WELDABLE.
- WELDED WIRE FABRIC SHALL COMPLY WITH ASTM A82 AND A186 STANDARDS AND SHALL BE PLACED IN THE CENTER OF THE SLAB, UNO. LAP JOINTS A MINIMUM OF 6". EXTEND FABRIC TO BE WITHIN 1" OF SLAB EDGES.
- PROVIDE ADEQUATE BOLSTERS, HIGH CHAIRS, SUPPORT BARS, ETC TO MAINTAIN THE SPECIFIED CLEARANCES FOR THE ENTIRE LENGTH OF ALL REINFORCING STEEL AND WELDED WIRE FABRIC.
- PROVIDE EXTRA REINFORCEMENT AROUND ALL OPENINGS GREATER THAN 8" SQUARE OR ROUND. PROVIDE (2) #5 BARS @ 3" OC FOR EACH MAT OF BARS, AT EACH SIDE AND CORNER OF OPENING EXTENDING MINIMUM 16" PAST CORNER OF THE OPENING. PLACE 2" CLEAR FROM OPENING.
- SEE DETAILS FOR REINFORCING LAP SPLICE SCHEDULE, UNO ON PLAN OR DETAILS.
- CAST DOWELS, WITH STD 90 DEGREE HOOK, IN FOOTINGS FOR CONCRETE PIERS AND WALLS ABOVE. DOWELS SHALL BE THE SAME SIZE AND QTY AS THE VERTICAL REINFORCING (UNO)
- SUPPLY 50 FEET EXTRA OF #5 REBAR FOR MISC. PLACEMENT AS DIRECTED BY THE ENGINEER. CONTRACTOR SHALL INCLUDE LABOR ALLOWANCE FOR PLACEMENT.
- EXTERIOR SLABS SHALL DRAIN FREELY AWAY FROM THE BUILDING. SEE CIVIL AND ARCH. DRAWINGS FOR ELEVATIONS AND SLOPES.
- CONTROL SAWCUT JOINTS ARE TO BE EXECUTED AS SOON AS CONCRETE HAS HARDENED SUFFICIENTLY TO PREVENT AGGREGATE FROM DISLODGING BY SAW AND PRIOR TO SHRINKAGE STRESS CRACKING. SEE DETAIL 11S301 FOR SLAB CONSTRUCTION JOINTS (CJ) AND FOR SLAB CONTROL JOINTS (CJ). CONTRACTOR SHALL SUBMIT A PROPOSED JOINT LAYOUT TO ARCH/ENG FOR APPROVAL PRIOR TO SLAB PLACEMENT.
 A. CONTROL JOINTS SHALL BE ON COLUMN LINES AND @ RE-ENTRANT CORNERS TO THE GREATEST EXTENT POSSIBLE WITH SPACING LESS THAN 15'-0" OC BETWEEN.
 B. CONSTRUCTION JOINTS SHALL BE LOCATED SO AS NOT TO ALLOW A SINGLE SLAB POUR TO EXCEED 4000 SQUARE FEET UNLESS ALTERNATE MEASURES ARE TAKEN TO CONTROL SLAB CURLING & SHRINKAGE.
 C. PROVIDE CJ OR CCJ JOINTS SO AS NOT TO EXCEED A SLAB UNIT ASPECT RATIO OF 1.5:1.

- SYNTHETIC FIBERS, WHERE SPECIFIED ON PLAN FOR SLAB-ON-GRADE APPLICATIONS, TO BE MICROFIBER TYPE AND COMPLY WITH ASTM D7508 FOR USE IN PRODUCING TYPE III SYNTHETIC FIBER-REINFORCED CONCRETE MEETING THE REQUIREMENTS OF ASTM C1116 & ACI 544. MICROFIBER PERFORMANCE INTENT IS FOR REDUCTION OF PLASTIC SHRINKAGE CRACKS ONLY. MICROFIBERS ARE NOT INTENDED TO PROVIDE SECONDARY REINFORCEMENT FOR HARDENED CONCRETE CRACK CONTROL, HARDENED CONCRETE CRACK CONTROL TO BE ACCOMPLISHED BY USING ACI RECOMMENDED PRACTICES FOR MIX-DESIGN, PLACEMENT, CURING, AND CONTROL JOINT PLACEMENT. DOSAGE OF MICROFIBER TO BE DETERMINED BY CONCRETE MIX DESIGNER FOR THE SPECIFIC PROJECT APPLICATIONS. MINIMUM DOSAGE TO BE 1.5 LB/CUBIC YARD. FIBER SELECTION AND CONCRETE PLACEMENT TO COMPLY WITH REQUIRED SLAB FINISHES IN PROJECT SPECIFICATIONS.
- SEE ARCH DRAWINGS FOR DIMENSIONS OF STOOPS, FOUNDATION WALL HOLDOUTS, SLAB RECESSES, SLOPED SLABS & FOUNDATION WALL INSULATION. REFER TO ARCH DRAWINGS FOR BELOW GRADE VAPOR BARRIER REQUIREMENTS.
- FASTENERS IN CONTACT WITH PRESERVATIVE-TREATED WOOD SHALL BE OF HOT-DIPPED ZINC-COATED GALVANIZED STEEL OR STAINLESS STEEL. THIS INCLUDES NAILS, TIMBER RIVETS, SILL ANCHORS, WOOD SCREWS, THRU BOLTS, AND LAG SCREWS.
- STRUCTURAL LOAD BEARING OR LATERAL LOAD RESISTING WALLS ARE SHOWN ON THE PLAN. SEE ARCH DRAWINGS FOR PARTITION WALLS. PROVIDE NECESSARY CONNECTION ALLOWANCE OF PARTITION WALLS TO UNDERSIDE OF FLOOR AND ROOF FRAMING TO ACCOUNT FOR FRAMING DEFLECTION.
- DRILL BOLT/ANCHOR HOLES IN WOOD 1/16" LARGER THAN THE NOMINAL DIAMETER OF THE BOLT. REPAIR OVERSIZED HOLES WITH BEARING PLATE WASHERS.
- ALL JOISTS, TRUSSES, HEADERS, AND BEAMS SHALL HAVE FULL BEARING UNO NOTED ON THE DETAILS.

WOOD FRAMING NOTES:

- WOOD AND TIMBER CONSTRUCTION SHALL COMPLY WITH THE AMERICAN INSTITUTE OF TIMBER CONSTRUCTION (AITC) STANDARD SPECIFICATIONS.
- WOOD CONSTRUCTION SHALL CONFORM TO CHAPTER 23 (SECTIONS 2301, 2302, 2303, 2304, 2305, & 2306) OF THE 2021 IBC FOR MINIMUM REQUIREMENTS UNLESS OTHERWISE SPECIFIED ON THE DRAWINGS. FOR MINIMUM FASTENING REFER TO TABLE IBC 2304.9.1. PER SECTION 2301.2, THE STRUCTURAL DESIGN OF THIS STRUCTURE HAS BEEN IN ACCORDANCE WITH THE "ALLOWABLE STRESS DESIGN" METHOD. PROVISIONS WITHIN SECTION 2308 "CONVENTIONAL LIGHT-FRAME CONSTRUCTION" DO NOT APPLY TO THIS STRUCTURE.
- ALL FRAMING LUMBER SHALL BE INSTALLED WITH MOISTURE CONTENT OF 19% OR LESS INDICATING "S-DRY" ON THE GRADE STAMP.
- ALL LUMBER IN CONTACT WITH CONCRETE, MASONRY OR EXPOSED TO WEATHER SHALL BE PRESSURE TREATED WITH WATERPROOFING TREATMENT, 28% MAX. MOISTURE CONTENT.
- ALL SIMPSON STRONG-TIE CONNECTORS USED WITH PRESSURE TREATED LUMBER SHALL BE "Z-MAX" COATED AS A MINIMUM OR REQUIRED COATING TO PROTECT CONNECTORS FROM SURFACE CHEMICALS. PROVIDE A PRESERVATIVE-TREATED BARRIER BETWEEN TREATED PLATES AND HOLD-DOWNS.
- LUMBER SHALL COMPLY WITH NATIONAL DESIGN SPECIFICATION (NDS), LATEST EDITION SUPPLEMENT FOR MINIMUM ALLOWABLE DESIGN STRESS VALUES FOR LUMBER GRADES SHOWN BELOW. ALL LUMBER FRAMING SHALL BE MARKED WITH A GRADE STAMP.

MINIMUM LUMBER DESIGN VALUES UNO ON PLAN OR DETAILS (PSI) DESIGN VALUES TAKEN FROM NDS SUPPLEMENT, TABLES 4A, 4B, & 4D						
SPECIES & GRADE	Fb	Ft	Fv	FcP	Fc	E
SPP #1#2	875	450	135	425	1150	1,400,000
HEADERS/BEAMS/JOISTS						
HEM FIR #2	850	525	150	405	1300	1,300,000
TREATED BEAMS/JOISTS						
SOUTHERN PINE #1	1000	650	175	565	1400	1,600,000
TOP PL/HEADER PL/ABOVE GROUND SILL PL						
SPP #1#2	875	450	135	425	1150	1,400,000
TREATED SILL PL						
SOUTHERN PINE #2	1000	600	175	565	1400	1,400,000
TREATED POSTS (KDAT)						
SOUTHERN PINE #2	850	550	165	375	525	1,200,000
NON-TREATED POSTS						
DOUG FIR #2	750	475	170	625	700	1,300,000
FLOOR TRUSS END RIBBONS						
SPP #1#2	875	450	135	425	1150	1,400,000

- IF ALTERNATIVE GRADE OR SPECIES OF LUMBER IS DESIRED THAT IS EQUAL OR GREATER THAN THE ABOVE REQUIREMENTS, CONTRACTOR TO SUBMIT REQUEST TO ENGINEER FOR APPROVAL PRIOR TO ORDERING OF MATERIAL. SPP-S #2 IS SPRUCE-PINE-FIR SOUTH & IS NOT EQUIVALENT TO SPP #1#2
- ANCHOR TREATED SILL PLATES TO CONCRETE/MASONRY WITH 1/2" GALV A.R S 4"-0" OC MINIMUM, UNO ON PLAN. HOOKED ROD WITH MINIMUM EMBED = 7". SEE STANDARD DETAILS. THERE SHALL BE A MINIMUM OF (2) ANCHORS PER PIECE OF SILL PLATE W/ (1) BOLT LOCATED NO MORE THAN 12" OR LESS THAN 4" FROM END OF EACH SILL PLATE PIECE.
 A. 1/2"x5" SIMPSON TITEN HD (GALV) MAY BE DIRECTLY SUBSTITUTED FOR CIP SILL PLATE ANCHORS.
- DIMENSIONAL LUMBER USED FOR HEADERS SHALL HAVE NO SPLITS OR CHECKS.
- PROVIDE STD CUT WASHERS PER STRUCTURAL DETAILS FOR ALL BOLTS IN WOOD MEMBERS. RE-TORQUE NUTS 48 HOURS AFTER FIRST TIGHTENING. SEE DRAWINGS FOR LOCATIONS OF SQ. PLATE WASHERS.
- NOTCHING OR CUTTING OF STRUCTURAL WOOD MEMBERS IS PROHIBITED WITHOUT PRIOR APPROVAL FROM ENGINEER. HOLES BORED IN WALL STUDS OR JOISTS SHOULD BE IN THE CENTER HALF OF THE MEMBER AND SHALL NOT BE LARGER THAN 1/4 OF THE DEPTH OF THE MEMBER. ALLOWABLE CUTTING, NOTCHING, AND BORED HOLE PROVISIONS OF IBC SECTION 2308 DO NOT APPLY TO THIS STRUCTURE.
- LOAD BEARING STUD WALLS TO BE 2x6 @ 1'-4" OC UNO. SEE TABLE ABOVE FOR SPECIES & GRADE.
- EXTERIOR WALLS AND LOAD BEARING WALLS SHALL BE GAPPED WITH DOUBLE TOP PLATES. THE PLATES SHALL OVERLAP AT CORNERS AND AT INTERSECTIONS WITH OTHER LOAD BEARING WALLS. SEE STANDARD DETAILS.
- POSTS AND BEARING STUDS (JACKSKINGS) FOR BEAMS AND HEADERS SHALL BE CONTINUOUS TO THE FOUNDATION LEVEL. PROVIDE SQUASH BLOCKING BETWEEN FLOOR LEVELS TO MATCH THE WIDTH OF THE POST/STUD ASSEMBLY FROM ABOVE.
- TOP FLANGE OF ALL RAFTERS, JOISTS AND BEAMS TO BE Laterally SUPPORTED @ 24" OC MIN. PROVIDE BRIDGING FOR TOP FLANGE AS REQUIRED TO NEAREST FRAMING MEMBER OR PROVIDE ADEQUATELY SUPPORTED PLYWOOD DECKING.
- PROVIDE SOLID BLOCKING AT BEARING POINTS OF ALL 2x JOISTS.
- METAL FRAMING ANCHORS AND HARDWARE SHOULD BE AS NOTED IN DETAILS. ALTERNATIVE HARDWARE THAT IS EQUAL OR GREATER IN CAPACITY MUST BE SUBMITTED TO ENGINEER FOR APPROVAL PRIOR TO INSTALLATION. INSTALL PER MANUFACTURER'S SPECIFICATIONS.
- FASTENERS IN CONTACT WITH PRESERVATIVE-TREATED WOOD SHALL BE OF HOT-DIPPED ZINC-COATED GALVANIZED STEEL OR STAINLESS STEEL. THIS INCLUDES NAILS, TIMBER RIVETS, SILL ANCHORS, WOOD SCREWS, THRU BOLTS, AND LAG SCREWS.
- STRUCTURAL LOAD BEARING OR LATERAL LOAD RESISTING WALLS ARE SHOWN ON THE PLAN. SEE ARCH DRAWINGS FOR PARTITION WALLS. PROVIDE NECESSARY CONNECTION ALLOWANCE OF PARTITION WALLS TO UNDERSIDE OF FLOOR AND ROOF FRAMING TO ACCOUNT FOR FRAMING DEFLECTION.
- DRILL BOLT/ANCHOR HOLES IN WOOD 1/16" LARGER THAN THE NOMINAL DIAMETER OF THE BOLT. REPAIR OVERSIZED HOLES WITH BEARING PLATE WASHERS.
- ALL JOISTS, TRUSSES, HEADERS, AND BEAMS SHALL HAVE FULL BEARING UNO NOTED ON THE DETAILS.

MINIMUM DESIGN VALUES FOR ENGINEERED WOOD MATERIALS UNO ON PLAN OR DETAILS (PSI)						
MATERIAL AND FUNCTION	Fb	Ft	Fv	Ec	E	
LVL BEAMS	2600	N/A	2,000,000			
LSL BEAMS	2325	N/A	1,550,000			
PSL BEAMS	2900	N/A	2,000,000			
PSL COLUMNS	N/A	2500	1,800,000			

MINIMUM DIMENSIONS OF FASTENERS, UNO (NDS APPENDIX L) UNITS = INCHES								
FASTENER TYPE	L	D	H	FASTENER TYPE	L	D	H	
NAIL: 6d	2	0.113	0.266	NAIL: 16d	3 1/2	0.162	0.344	
NAIL: 8d	2 1/2	0.131	0.281	NAIL: 30d	4 1/2	0.207	0.438	
NAIL: 10d	3	0.148	0.312	#6 TYPE S OR W DRYWALL SCREW	1.78"	N/A	N/A	

L = LENGTH, D = DIAMETER, H = HEAD DIAMETER

METAL PLATE CONNECTED WOOD TRUSS NOTES:

- METAL PLATE CONNECTED WOOD TRUSSES SHALL BE ENGINEERED BY A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF THE PROJECT. A SEALED COVER SHEET SHALL BE SUBMITTED WITH THE SHOP DRAWINGS AT THE TIME OF SUBMITTAL. SHOP DRAWING DESIGN SUBMITTAL TO COMPLY WITH IBC SECTION 2303.4.
- WOOD TRUSSES SHALL BE DESIGNED IN ACCORDANCE WITH NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION, AFPA, AND NATIONAL DESIGN STANDARD FOR METAL PLATE CONNECTED WOOD TRUSS CONSTRUCTION.
- TRUSSES TO BE DESIGNED TO SATISFY THE FOLLOWING DEFLECTION REQUIREMENTS. TRUSS SUPPLIER TO PROVIDE CAMBER AS NECESSARY TO COUNTER DEFLECTIONS.
 ROOF TL = L/360
 ROOF LL = L/480
 PER TPI DEFLECTION TOTAL LOAD (TL) = Kx(L+LL
 NOTE: "LL" TO BE EITHER SNOW, RAIN, WIND, OR LIVE)
 PER TPI CREEP FACTOR (K) TO BE 1.0 (FOR WOOD FRAMING), 1.5 (SOLID SAWN OR SCL WOOD, DRY USE), OR 2.0 (METAL PLATE CONNECTED WOOD TRUSSES, DRY USE). PARTITION WALLS BELOW TRUSSES TO BE FRAMED TO ALLOW FOR THIS EXPECTED DEFLECTION.
- TRUSS SUPPLIER TO MAKE EVERY EFFORT TO FOLLOW FRAMING SCHEME AS THE LOADS HAVE BEEN DISTRIBUTED TO THE FOUNDATION ACCORDINGLY. IF REVERSE FRAMING DIRECTIONS ARE DESIRED BY SUPPLIER, PLAN MUST BE SUBMITTED FOR APPROVAL PRIOR TO FOUNDATION CONSTRUCTION.
- UNO ON DRAWINGS, EOR HAS NOT PROVIDED STRUCTURAL SHEATHING BENEATH THE BOTTOM CHORD OF ROOF OR FLOOR TRUSSES FOR BRACING.
- ALL HARDWARE (BOLTS, HANGERS, STRAPS, ETC) REQUIRED FOR CONNECTIONS BETWEEN TRUSSES SHALL BE DESIGNED AND SUPPLIED BY THE TRUSS ENGINEER AND SUPPLIER.
- UNO, ROOF TRUSSES SHALL BE ATTACHED TO THE TOP PLATE AT ALL BEARING CONDITIONS WITH SIMPSON H2 ST CLIPS OR SDWC15600 TRUSS SCREWS INSTALLED PER MANUFACTURER'S INSTRUCTIONS. GIRDEES AND ROOF BEAMS SHOULD BE ATTACHED TO BEARING SUPPORTS WITH (2) H2 ST CLIPS. TRUSS SUPPLIER TO PROVIDE BEARING BLOCKS AS REQUIRED BY DESIGN.
- DO NOT CUT OR REMOVE TRUSS MEMBERS OR MAKE FIELD ALTERATIONS TO THE TRUSSES.
- LAYOUT AND SPACING GUIDELINES ON PLAN ARE FOR REFERENCE ONLY UNLESS SPECIFICALLY DIMENSIONED OR DETAILED.
- GIRDER TRUSSES SHALL BE SUPPORTED BY SAME NUMBER OF STUDS AS TRUSS PLIES (MIN OF 2 STUDS) WITH CONTINUOUS SOLID BEARING TO THE FOUNDATION. AVOID BEARING GIRDER TRUSSES OVER WALL OPENINGS, UNLESS OTHERWISE DIMENSIONED ON PLAN.
- THE GUIDELINES SET FORTH BY THE TRUSS PLATE INSTITUTE (TPI) & SCBA PUBLICATION BSCI "GUIDE TO GOOD PRACTICE FOR HANDLING, INSTALLING, RESTRAINING, AND BRACING OF METAL PLATE CONNECTED WOOD TRUSSES" SHALL BE FOLLOWED BY THE TRUSS INSTALLER.
- THE METAL PLATE CONNECTED WOOD TRUSS SUPPLIER SHALL SUPPLY THE CURRENT BCSI B-SERIES SUMMARY SHEETS WITH THE TRUSS ERECTION DRAWINGS OUTLINING THE PROPER HANDLING, ERECTING, AND BRACING OF TRUSSES.
- ERECTION BRACING OF WOOD TRUSSES IS THE RESPONSIBILITY OF THE TRUSS INSTALLER. THE TRUSS INSTALLER SHALL PROVIDE TEMPORARY DIAGONAL, LATERAL, & CROSS BRACING (PER BCSI GUIDE) UNTIL ROOF SHEATHING, CEILING & PERMANENT BRACING CAN BE APPLIED & SHEARWALLS COMPLETED.
- PERMANENT BRACING OF WOOD TRUSSES SHALL BE INSTALLED BY THE TRUSS INSTALLER, WHERE INDICATED BY THE TRUSS ERECTION DRAWINGS. MINIMUM BRACING REQUIREMENTS FOR TOP CHORD, BOTTOM CHORD, & WEB MEMBER PLANES SHALL BE IN ACCORDANCE WITH BCSI GUIDE UNLESS REQUIREMENTS NOTED ON THE PLAN ARE MORE STRICT.
- SEE METAL PLATE CONNECTED WOOD TRUSS SHOP DRAWINGS FOR PERMANENT WEB AND CHORD BRACING LOCATIONS AND REQUIREMENTS.

ABBREVIATIONS AND SYMBOLS:

ALT	ALTERNATE	LSV	LONG SIDE VERTICAL
ALUM	ALUMINUM	LONG	LONGITUDINAL
AR	ANCHOR ROD	MAX	MAXIMUM
ARCH	ARCHITECT	MECH	MECHANICAL
BLDG	BUILDING	MEP	MECHANICAL/ELECTRICAL/PLUMBING
BO	BOTTOM OF BEARING	MIN	MINIMUM
BRG	BRACING	MISC	MISCELLANEOUS
CCI	CONSTRUCTION CONTROL JOINT	NTS	NOT TO SCALE
CIP	CAST IN PLACE	NS	NON-SHRINK
CJ	CONTROL JOINT	OC	ON CENTER
CJ	COMPLETE JOINT PENETRATION	OD	OUTSIDE DIAMETER
CL	CENTER LINE	OF	OF
CLR	CLEAR	OH	OVERHEAD
CMU	CONCRETE MASONRY UNIT	OPP	OPPOSITE
CONC	CONCRETE	PAF	POWDER ACTUATED FASTENER
CONN	CONNECTION	PIC	PRECAST
CONT	CONTINUOUS	PEMB	PRE-ENGINEERED METAL FOOTING
CONC	CONSTRUCTION	PL	PLATE
COORD	COORDINATION	PLF	POUNDS PER LINEAR FOOT
DBE	DECK BEARING ELEVATION	PSF	POUNDS PER SQUARE FOOT
DBL	DOUBLE	PSI	POUNDS PER SQUARE INCH
DEG	DEGREE	QTY	QUANTITY / QUANTITIES
DET	DETAIL	RAD	RADIUS
DIAG	DIAGONAL	REF	REFERENCE
DIM	DIMENSION	REINF	REINFORCING / REINFORCE
DL	DEAD LOAD	RET	RETURN
DT	DOUBLE TEE	RTU	ROOF TOP UNIT
DWG	DRAWING	RW	REINFORCE WITH
DWL	DOWEL	SC	SCHEDULE
EA	EACH	SCHED	SCHEDULE
EF	EACH FACE	SD	SEE DETAIL
ELEVATION	ELEVATION	SF	SQUARE FOOTAGE
EOR	ENGINEER OF RECORD	SIM	SIMILAR
EQ	EQUAL	SOG	SLAB ON GRADE
(E)	EXISTING	SPECS	SPECIFICATIONS
EXP	EXPANSION	SQ	SQUARE
EXT	EXTERIOR</		

SPECIAL INSTRUCTIONS AND TESTING:

THIS PROJECT REQUIRES SPECIAL INSPECTION AND TESTING IN ACCORDANCE WITH CHAPTER 17 OF THE INTERNATIONAL BUILDING CODE, 2021 EDITION. THESE NOTES AND THE STATEMENT OF SPECIAL INSPECTIONS PREPARED FOR THE PROJECT OWNER ARE INTENDED TO INFORM THE CONTRACTOR OF THE QUALITY ASSURANCE PROGRAM AND THE EXTENT OF THE CONTRACTOR'S RESPONSIBILITIES.

GENERAL NOTES:

- 1. THE SPECIAL INSPECTION AND TESTING PROGRAM IS A QUALITY ASSURANCE PROGRAM INTENDED TO ENSURE THAT THE WORK IS PERFORMED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
2. THE SPECIAL INSPECTION PROGRAM DOES NOT RELIEVE THE CONTRACTOR OF HIS OR HER RESPONSIBILITY TO COMPLY WITH THE OFFICIAL CONTRACT DOCUMENTS. THE CONTRACTOR HAS THE SOLE RESPONSIBILITY FOR ANY DEVIATIONS FROM THE OFFICIAL CONTRACT DRAWINGS. THE SPECIAL INSPECTOR DOES NOT REPLACE THE DUTIES OF THE BUILDING OFFICIAL, NOR THE QUALITY CONTROL RESPONSIBILITIES AND PERSONNEL OF THE CONTRACTOR. JOB SITE SAFETY AND MEANS AND METHODS OF CONSTRUCTION ARE SOLELY THE RESPONSIBILITY OF THE CONTRACTOR.
3. THESE INSPECTIONS ARE IN ADDITION TO THE INSPECTIONS SPECIFIED IN THE IBC SECTION 110 AND SPECIFIC STRUCTURAL OBSERVATION AS MAY BE REQUIRED BY THE CODE.
4. THOUGH NOT REQUIRED BY CODE, SPECIAL INSPECTORS AND/OR INSPECTION AGENCIES CAN DOCUMENT ACCEPTANCE OF THEIR RESPONSIBILITIES AND SCOPE OF WORK FOR A PROJECT BY SIGNING AN AGREEMENT THAT INCLUDES A DETAILED SCHEDULE OF SERVICES, COMMONLY KNOWN AS THE SPECIAL INSPECTION AND TESTING AGREEMENT AND THE SPECIAL INSPECTION AND TESTING SCHEDULE. THIS DOCUMENT MAY REFERENCE THIS SHEET AS THE "STATEMENT OF SPECIAL INSPECTIONS," (SSI).
5. THE STRUCTURAL DESIGN METHODS AND/OR ASSUMPTIONS UTILIZED ARE BASED UPON THE SPECIAL INSPECTIONS REQUIRED WITHIN THE CONTRACT DOCUMENTS.

CONTRACTOR RESPONSIBILITIES AND DUTIES:

- 1. THE CONTRACTOR IS RESPONSIBLE FOR SCHEDULING AND PROVIDING ADEQUATE NOTICE TO THE SPECIAL INSPECTORS FOR ALL INSPECTIONS. THE CONTRACTOR SHALL REQUEST SPECIAL INSPECTION OF THE REQUIRED ITEMS PRIOR TO THOSE ITEMS BECOMING INACCESSIBLE AND UNOBSERVABLE DUE TO PROGRESSION OF WORK.
2. THE CONTRACTOR SHALL PROVIDE THE SPECIAL INSPECTOR ACCESS TO THE APPROVED CONTRACT DOCUMENTS. THESE DOCUMENTS INCLUDE SEALED DRAWINGS AND SPECIFICATIONS, ADDENDA, CHANGE ORDERS, APPROVED SHOP DRAWINGS, ISSUED SKETCHES AND REVISION DRAWINGS, AND ALL DIRECTIVES ISSUED BY THE ARCHITECT/ENGINEER. THIS CURRENT SET OF DOCUMENTS SHALL BE AVAILABLE AT THE JOB SITE.
3. THE CONTRACTOR IS TO CORRECT DISCREPANCIES AND DEVIATIONS AS DETERMINED BY SPECIAL INSPECTOR. ALL DISCREPANCIES AND DEVIATIONS OBSERVED SHALL BE RE-INSPECTED UNTIL THE SPECIAL INSPECTOR DEEMS CONSTRUCTION TO BE IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
4. THE CONTRACTOR IS TO RETAIN SPECIAL INSPECTION RECORDS COMPLETED BY THE SPECIAL INSPECTORS AT THE JOB SITE.

SPECIAL INSPECTOR QUALIFICATIONS AND RESPONSIBILITIES:

- 1. THE SPECIAL INSPECTOR SHALL BE A QUALIFIED PERSON WHO SHALL DEMONSTRATE COMPETENCE, TO THE SATISFACTION OF THE BUILDING OFFICIAL, FOR INSPECTION OF THE PARTICULAR TYPE OF CONSTRUCTION OR OPERATION REQUIRING SPECIAL INSPECTION.
2. SPECIAL INSPECTORS SHALL NOTIFY CONTRACTOR PERSONNEL OF THEIR PRESENCE AND RESPONSIBILITIES AT THE JOBSITE.
3. THE SPECIAL INSPECTOR/TESTING AGENCY SHALL BE INDEPENDENT OF THE CONTRACTOR TO AVOID CONFLICT OF INTEREST.
4. THE SPECIAL INSPECTOR IS OBLIGATED TO BOTH THE OWNER AND THE BUILDING OFFICIAL FOR OBSERVING THAT THE WORK IS EXECUTED IN ACCORDANCE WITH THE OFFICIAL CONTRACT DOCUMENTS. THESE DOCUMENTS INCLUDE SEALED DRAWINGS AND SPECIFICATIONS, ADDENDA, CHANGE ORDERS, APPROVED SHOP DRAWINGS, ISSUED SKETCHES AND REVISION DRAWINGS, AND ALL DIRECTIVES ISSUED BY THE ARCHITECT/ENGINEER.
5. SPECIAL INSPECTORS SHALL KEEP ORGANIZED RECORDS OF INSPECTIONS AND SUBMIT INSPECTION REPORTS WITH A MINIMUM WEEKLY FREQUENCY TO THE CONTRACTOR, BUILDING OFFICIAL, ENGINEERS, AND ARCHITECTS INDIVIDUALLY. REPORTS SHOULD INDICATE THAT WORK INSPECTED WAS DONE IN CONFORMANCE TO APPROVED CONSTRUCTION DOCUMENTS. DISCREPANCIES SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION TO THE CONTRACTOR FOR CORRECTION. IF THE DISCREPANCIES ARE NOT CORRECTED, THEY SHOULD BE REPORTED TO THE BUILDING OFFICIAL AND TO THE ENGINEER OF RECORD.
6. A FINAL SIGNED REPORT IS TO BE SUBMITTED AT THE END OF THE PROJECT DOCUMENTING REQUIRED SPECIAL INSPECTIONS AND CORRECTION OF ANY DISCREPANCIES. THIS REPORT SHOULD STATE THAT ALL ITEMS REQUIRING SPECIAL INSPECTION AND TESTING WERE FULFILLED AND REPORTED TO THE BEST OF THEIR KNOWLEDGE IN CONFORMANCE WITH THE APPROVED PLANS, SPECIFICATIONS, AND THE APPLICABLE PROVISIONS OF THE IBC. ITEMS NOT IN CONFORMANCE, UNRESOLVED ITEMS, OR ANY DISCREPANCIES IN INSPECTION COVERAGE SHOULD BE SPECIFICALLY ITEMIZED.
7. THE FOLLOWING ARE THE QUALIFICATIONS FOR INDIVIDUALS PERFORMING SPECIFIC INSPECTIONS OR TESTS INCLUDING IN THIS PROJECT'S SSI.
A. AMERICAN CONCRETE INSTITUTE (ACI):
CONCRETE FIELD TESTING TECHNICIAN - GRADE 1 (ACI-CFTT)
CONCRETE CONSTRUCTION INSPECTOR (ACI-CCI)
LABORATORY TESTING TECHNICIAN - GRADE 1 OR 2 (ACI-LTT)
STRENGTH TESTING TECHNICIAN (ACI-STT)
B. AMERICAN WELDING SOCIETY (AWS):
CERTIFIED WELDING INSPECTOR (AWS-CWI)
CERTIFIED STRUCTURAL STEEL INSPECTION (AWS/AISC-SSI)
C. AMERICAN SOCIETY OF NON-DESTRUCTIVE TESTING (ASNT)
NON-DESTRUCTIVE TESTING TECHNICIAN - LEVEL II OR III (ASNT)
D. INTERNATIONAL CODE COUNCIL (ICC):
STRUCTURAL MASONRY SPECIAL INSPECTOR (ICC-SMSI)
STRUCTURAL STEEL AND BOLTING SPECIAL INSPECTOR (ICC-SSSI)
STRUCTURAL WELDING SPECIAL INSPECTOR (ICC-SWI)
PRESTRESSED CONCRETE SPECIAL INSPECTOR (ICC-PCSI)
REINFORCED CONCRETE SPECIAL INSPECTOR (ICC-RCSSI)
SOILS SPECIAL INSPECTOR (ICC-SSI)
E. PROFESSIONAL STATE LICENSING:
PROFESSIONAL ENGINEER (PE)

STATEMENT OF SPECIAL INSPECTIONS (SSI):

THE FOLLOWING TABLES INDICATED THE MINIMUM SPECIFIC SPECIAL INSPECTION AND TESTING TO BE PERFORMED ON THIS PROJECT AND THE QUALIFICATIONS OF THE INDIVIDUAL INSPECTORS AND TESTING TECHNICIANS.

DEFINITIONS:

- 1. CONTINUOUS SPECIAL INSPECTION: THE FULL-TIME OBSERVATION OF WORK REQUIRING SPECIAL INSPECTION BY AN APPROVED SPECIAL INSPECTOR WHO IS PRESENT IN THE AREA WHERE THE WORK IS BEING PERFORMED. 100% OF THE WORK MUST BE INSPECTED AND IT MUST BE INSPECTED AS THE WORK IS BEING PERFORMED.
2. PERIODIC SPECIAL INSPECTION: THE PART-TIME OR INTERMITTENT OBSERVATION OF WORK REQUIRING SPECIAL INSPECTION BY AN APPROVED SPECIAL INSPECTOR WHO IS PRESENT IN THE AREA WHERE THE WORK HAS BEEN, OR IS BEING, PERFORMED AND AT THE COMPLETION OF WORK.
3. YES: THIS INSPECTION AND/OR TESTING IS REQUIRED BY THE BUILDING CODE AND MUST BE PERFORMED.
4. NO: THIS INSPECTION AND/OR TESTING IS NOT APPLICABLE TO THE PROJECT, AND NEED NOT BE PERFORMED.
5. SUGGESTED: THIS INSPECTION AND/OR TESTING IS NOT REQUIRED BY THE BUILDING CODE. HOWEVER, THE ENGINEER OF RECORD RECOMMENDS IMPLEMENTING THEM FOR QUALITY ASSURANCE. A POTENTIAL EXISTS FOR THESE MEASURES TO BE A VALUE ADDED SERVICE FOR THE OWNER TO ENSURE PROPER PROJECT COMPLETION.

Table with 6 columns: Verification and Inspection, Agency Qualification, Scope, Referenced Standard, Frequency of Inspection, Required on Project. Rows include Shallow Foundations, Controlled Structural Fill, Deep Foundation: Driven Piles, and Deep Foundations: Drilled Pier Foundations.

Table with 6 columns: Verification and Inspection, Agency Qualification, Scope, Referenced Standard, Frequency of Inspection, Required on Project. Rows include Fabricator Certification/ Quality Control Procedures, Material Grading, Connections, Framing and Details, Diaphragms and Shearwalls, and Prefabricated Wood Trusses & J-joists.



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Proj. Engineer: SP
Drawn by: SH
Date Issued: 09/21/2023

Table with 2 columns: Revisions #, COMMENTS. Includes a DATE column for tracking changes.



SPACE FOR ENGINEER'S SEAL

EAGLERIDGE POLE BUILDING
HORACE, ND

SHEET CONTENTS: SPECIAL INSPECTIONS

SHEET NO.

S002

23199-10



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Revisions #	DATE	COMMENTS



SPACE FOR ENGINEER'S SEAL

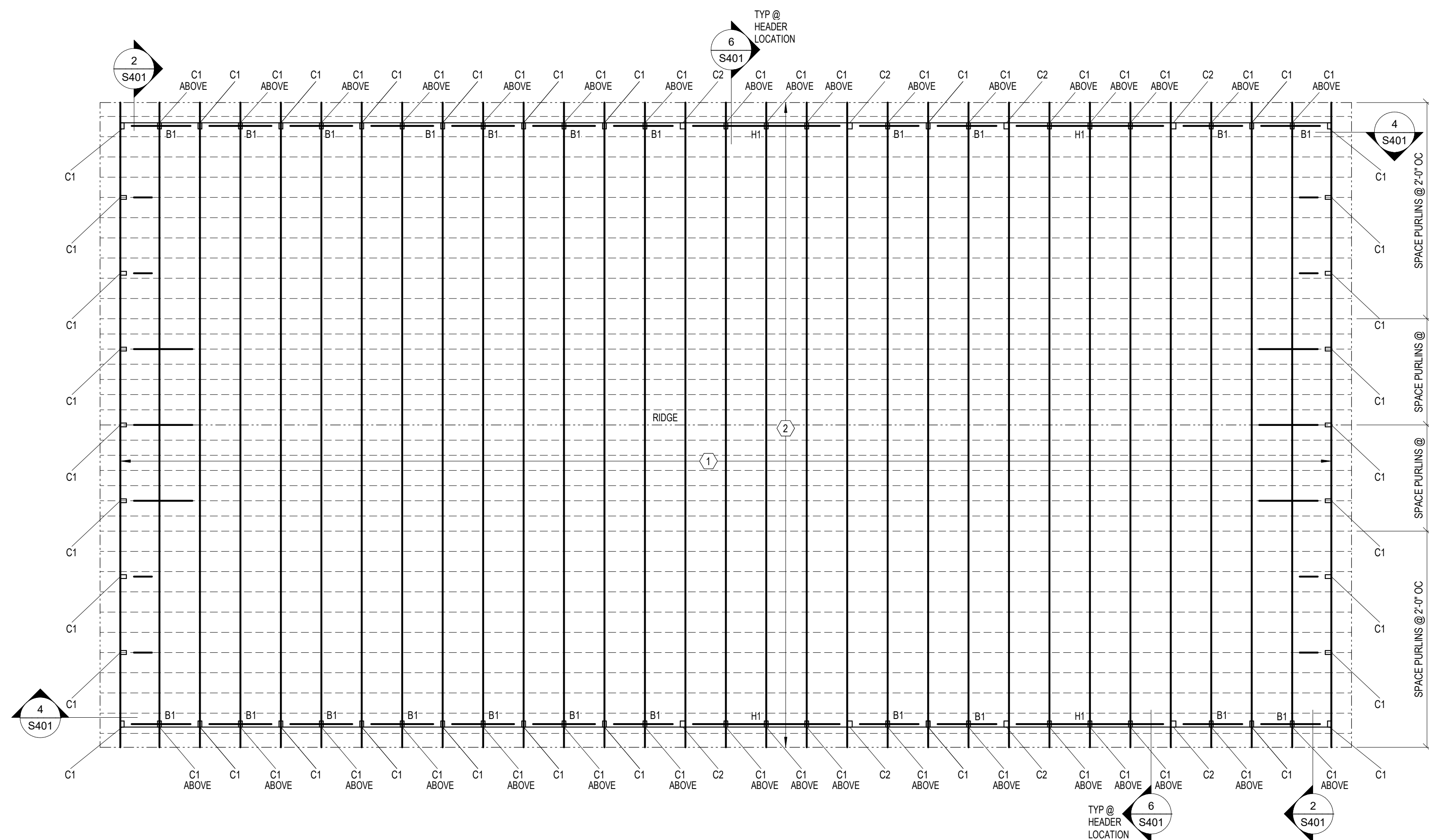
EAGLERIDGE POLE BUILDING
HORACE, ND

SHEET CONTENTS:
ROOF FRAMING PLAN

SHEET NO.

S201

23199-10



1 ROOF FRAMING PLAN
S201 / 1/8" = 1'-0"

ROOF FRAMING PLAN NOTES:

- ROOF TRUSS BEARING ELEVATION = 118'-0"
- WALL GIRTS ARE TO BE 2X6 SPF #2 OR BETTER SPACED @ 2'-6" OC UNO FASTEN W/ (2) #14 X 4" LONG WOOD SCREWS. WALL GIRTS TO BE 2-SPAN MIN
- ROOF AND WALL PANEL TO BE 26 GA PRO-PANEL II.
-ROOF PANEL TO BE FASTENED TO ROOF PURLINS W/ #10 SCREWS LOCATED IN THE FLATS @ 12" OC IN THE FIELD AND 6" OC ON END.
-WALL PANEL FASTENERS TO BE 1" LONG WOODGRIP SCREWS PLACED ON THE FLATS NEXT TO MAJOR RIBS @ EVERY WALL GIRT AND SPLASH PLANK
-THE RIDGE CAP TO BE FASTENED TO THE PURLINS W/ 2" LONG WOODGRIP SCREWS THOROUGH EVERY MAJOR RIB.
- TREATED 2X8 SPLASH PLANKING SHALL BE FASTENED TO EA COLUMN W/ (3) 1/4" X 3 1/2" SCREWS
- SEE S001 SHEATHING NOTES FOR GENERAL REQUIREMENTS
- ALL FASTENERS AND METAL HARDWARE IN CONTACT WITH TREATED LUMBER TO HAVE REQUIRED COATING TO PROTECT FOR CORROSION
- PROVIDE TYPICAL 2X6 INFILL FRAMING @ DOORS & WINDOWS
- ROOF SLOPE TO BE 4:12 SLOPE. SEE ARCH FOR TRUSS PROFILE
- POLES WERE NOT DESIGNED FOR FUTURE MEZZANINE

KEYNOTES

LABEL	NOTE
1	ROOF TRUSSES @ 4'-0" OC BY TRUSS SUPPLIER
2	2X4 FLAT ROOF PURLINS TO BE SPF #2 OR BTR. SEE PLAN FOR SPACING. SEE DETAIL S/S401 FOR CONNECTION. PURLINS TO BE 2-SPAN MIN.

HEADER SCHEDULE

MARK	SIZE	JACK STUD	KING STUDS	COMMENTS
H1	(2) 1 3/4" X 24" LVL	SD 7/S401	SD 7/S401	-

COLUMN SCHEDULE

COLUMNS TO BE 2400Fb - 1.8E MSR				
MARK	SIZE	POST BASE	POST CAP	COMMENTS
C1	(3) 2X8	-	-	-
C2	(4) 2X8	-	-	-

BEAM SCHEDULE

MARK	SIZE	COMMENTS
B1	(2) 2X12	2400Fb - 1.8E MSR

