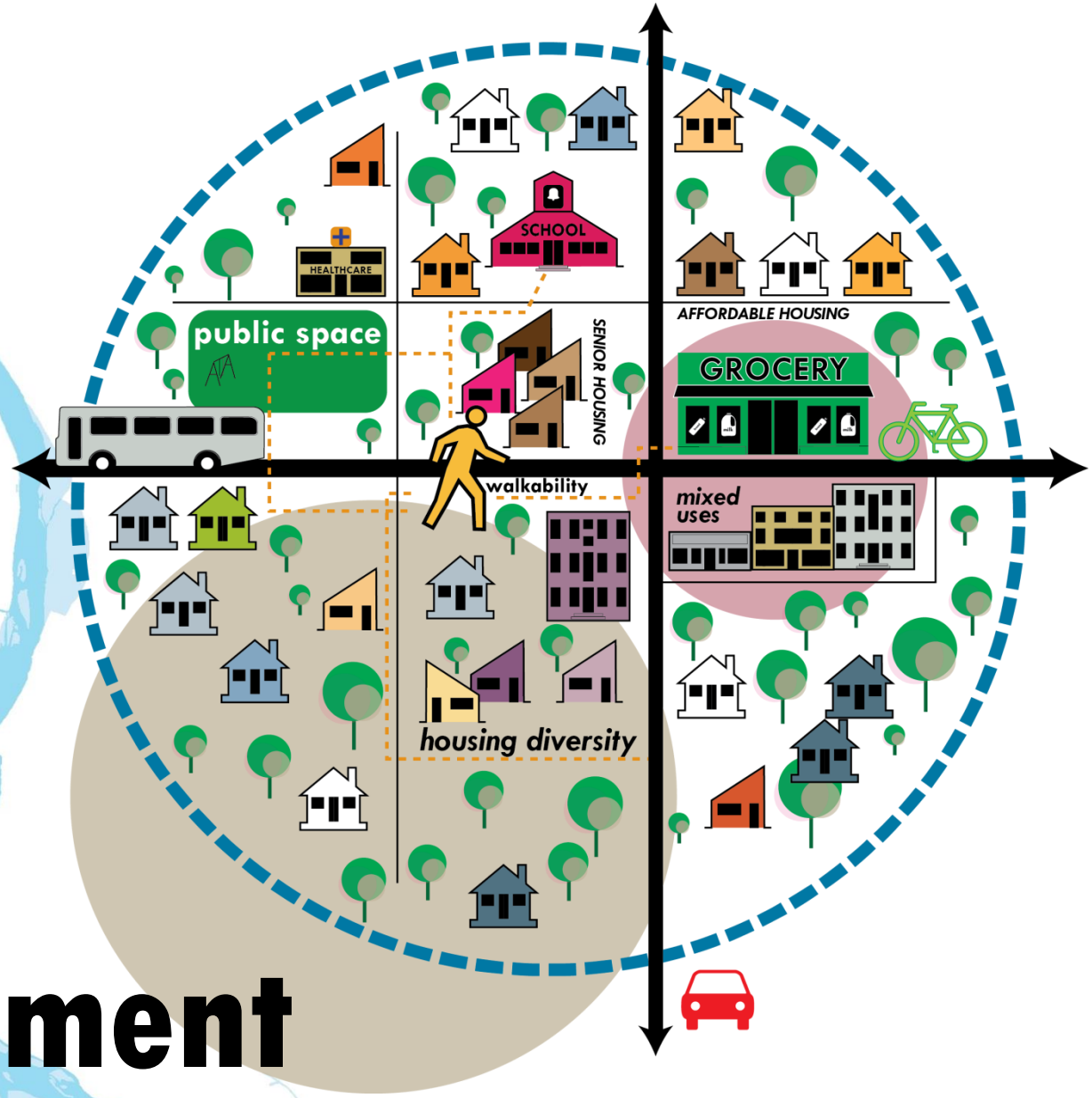
Bismarck



City of Bismarck's

Infill and Redevelopment Plan

11/16/16 DRAFT

Acknowledgements

Bismarck Board of City of Commissioners

Mike Seminary, President

Josh Askvig

Nancy Guy

Steve Marquardt

Shawn Oban

Bismarck Planning and Zoning Commission

Wayne Yeager, Chair (City of Bismarck)

Doug Lee, Vice Chair (City of Bismarck)

Tom Atkinson (City of Bismarck)

Brian Bitner (Burleigh County Commissioner)

Mike Donahue (Burleigh County ETA)

Vernon Laning (Burleigh County ETA)

Gabe Schell (City of Bismarck)

Ken Selzler (Burleigh County ETA)

Mike Schwartz (City of Bismarck)

Mike Seminary (City of Bismarck Commissioner)

Lisa Waldoch (City of Bismarck)

Technical Advisory Committee

Wendy Anderson-Berg, Bismarck Parks and Recreation District

Jackie Andahl, Century 21 Morrison

Jake Axtman, Axtman+Associates, PC

Ben Ehreth, North Dakota Department of Transportation

Kyle Holwagner, Daniel Companies

Dave Patience, Swenson, Hagen & Co.

Blake Preszler, Plainview Designs

Jason Tomanek, City of Bismarck

Earl Torgerson, Bismarck State College

Bruce Whittey, Bismarck Futures

David Witham, Civitecture Studio PLLC

Wayne Yeager, Planning and Zoning Commission

Additional Assistance

Brian Ritter, Bismarck-Mandan Development Association

Nathan Schneider, Bismarck-Mandan Development Association

Roy Rickert, Bisman Transit

Amy Sakariassen, National Trust for Historic Preservation

Lisa Steckler, State Historical Society of North Dakota

Douglas Wiles, City Forester, City of Bismarck

Gabe Schell, City Engineer, City of Bismarck

Jenny Wollmuth, Planner, City of Bismarck

Mark Berg, Traffic Engineer, City of Bismarck

Brady Blaskowski, Building Official, City of Bismarck

Sue Redmond, Planner/HUD Programs, City of Bismarck

Linda Oster, Design and Construction Engineer, City of Bismarck

Michael Greer, Design and Construction Engineer, City of Bismarck

Ron Kunda, Fire Marshall, City of Bismarck

Jeff Heintz, Public Works Service Operations Director, City of Bismarck

Sheila Hillman, Director of Finance, City of Bismarck

Keith Hunke, City Administrator, City of Bismarck

Rachel Drewlow, Bismarck-Mandan Metropolitan Planning Organization

Darin Scherr, Director of Facilities and Transportation, Bismarck Public Schools

Renae Walker, Community Relations Director, Bismarck Public Schools

Michelle Klose, Public Works Utilities Operations Director, City of Bismarck

Charles Whitman, City Attorney, City of Bismarck

City of Bismarck Plan Preparation

Carl Hokenstad, Community Development Director

Kim Lee, Planning Manager

Daniel Nairn, Planner/Project Manager

Will Hutchings, Planner

Design Consultant for Demonstration Projects

David Witham, Civitecture Studio PLLC

DRAFT

Contents

1 INTRODUCTION 1

Area Covered by Plan 1
Purpose of Plan 2
How to Use this Plan 3
Planning Precedent 4
Growth and Development Trend 5
Opportunities and Challenges of Inward Growth 7
Examples from Peer Communities 11

2 DESIGN PRINCIPLES 13

Character Areas 14
1 | Formation and Growth of Complete Neighborhoods 17
2 | Integration of Civic and Open Space into Development 18
3 | Provisions for Mixed-Use Development of Appropriate Scale 19
4 | Preservation and Enhancement of Architectural and Historical Character 20
5 | Building at the Scale of the Pedestrian 21
6 | Fostering a Network of Connected Streets and Paths 22
7 | Mitigation of the Impact of Parking on Public Space 23
8 | Design to Allow Adaptation to Future Conditions 24
Demonstration Scenarios 25
Scenario 1: Bismarck Uptown Center 27
Scenario 2: The New Galleria 29
Scenario 3: Gentle and Lean Infill 31

3 IMPLEMENTATION STRATEGIES 33

1 | Allow Setbacks to Match the Existing Context 34
2 | Increase Exemptions from Expanded Arterial Setbacks 35
3 | Conduct Area-Wide Brownfield Revitalization Study 36
4 | Plan for Transit with New Development/Redevelopment 37
5 | Allow Creation of Historic Design Standards for Neighborhoods 38
6 | Become a Certified Local Government for Historic Preservation 39
7 | Establish Criteria for Modification of Parking Requirements 40
8 | Encourage Shared Parking Arrangements 41
9 | Adapt Stormwater Management Controls to Facilitate Infill 42
10 | Encourage Redevelopment to Result in Net Water Improvement 43
11 | Create a Developer's Handbook and Fact Sheets for Guidance 44
12 | Continue to Support Downtown Revitalization Programs 45
13 | Encourage New Parks in Existing Neighborhoods 46
14 | Create a New Traditional Neighborhood Zoning District 47
15 | Increase Awareness of the Accessory Dwelling Unit Option 48
16 | Provide Landscape Buffer Alternatives in Certain Areas 49
17 | Monitor For and Mitigate Against Housing Displacement 50
18 | Preserve Existing Schools as Anchors for Neighborhoods 51
19 | Encourage Adaptive Reuse within Bounds of Building Code 52
20 | Maintain a Database of Developable Vacant Properties 53
21 | Study Costs and Benefits of a Rental Property Maintenance Code 54
22 | Encourage Continual Reinvestment in Older Homes 55
23 | Promote Cost-Share for Street Tree Planting 56
24 | Create a Fiscal Impact Model to Evaluate Future Development 57

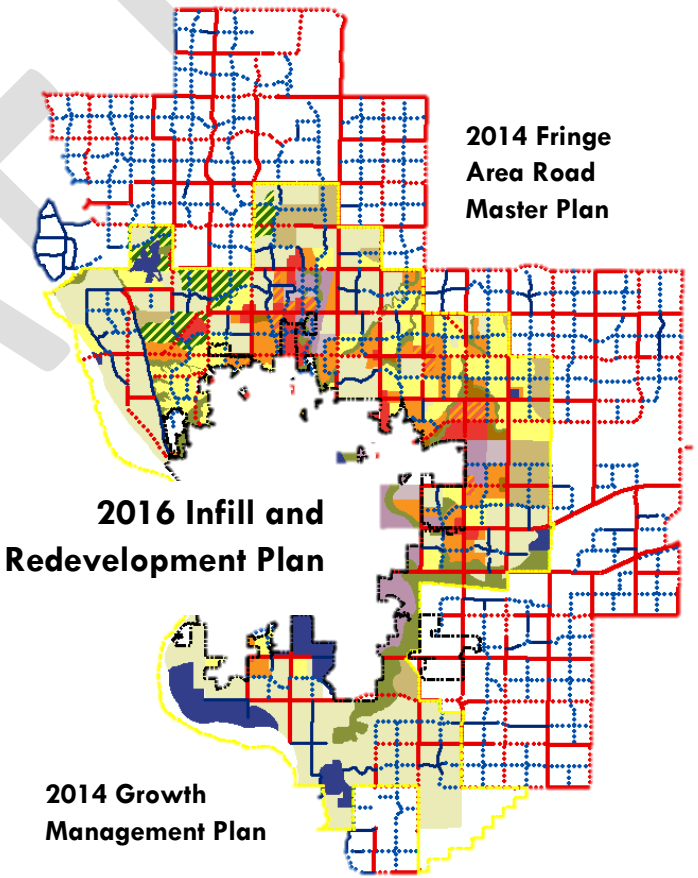
DRAFT

1 Introduction

The **2016 Infill and Redevelopment Plan** is a component of the City of Bismarck's overall Comprehensive Plan for growth and development, pursuant to North Dakota Century Code Section 40-47-03. This Plan addresses growth within the City's existing footprint through either of two means:

Infill: Development of vacant or underutilized remnant lands that have been passed over by previous urban development.

Redevelopment: Replacing, remodeling, or reusing existing structures and land to accommodate new development, often changing their form and function.



Area Covered by Plan

The 2016 Infill and Redevelopment Plan covers areas that are already largely developed within the existing City limits of Bismarck. The 2014 Growth Management Plan and Fringe Area Road Master Plan addressed the outward growth of the City into the rural areas of Burleigh County, and the 2016 Infill and Redevelopment Plan addresses inward growth.

However, this plan recognizes that many of the design principles and strategies could also be applied to new development on the edges, and not all principles are appropriate for every area of the City.

DRAFT

Purpose of Plan

The purpose of this Plan is to **facilitate high-quality infill and redevelopment** in the City of Bismarck that:

1. Protects and enhances the high **quality of life** of existing neighborhoods,
2. Contributes to the **economic vitality** of established business districts,
3. Lessens public costs by **leveraging existing infrastructure** to provide services to more people, and
4. Supports the City's values and goals established in the **City of Bismarck's Strategic Plan**, including but not limited to:
    a. "Enhance revitalization efforts for the downtown area"
    b. "Proactively guide growth through partnerships and programs"
    c. "Become a destination place"
    d. "Promote efforts to beautify, preserve and enhance our aesthetically pleasing community"
    e. "To have a vibrant, lively and attractive destination at the heart of the community"
    f. "Create policies and programs that result in a well-maintained diverse housing stock"
    g. "Our community promotes active, healthy lifestyles"
    h. "Provide adequate, sustainable funding to support the services our customers value."

DRAFT

How to Use this Plan

There are three intended audiences for this plan: 1. planners and other City staff involved in the development review process, 2. land developers and related professionals, and 3. all citizens of Bismarck and future elected and appointed officials. Each group may approach this plan differently. The plan may be used to:

Provide guidance for the development review process

Applications for zoning change, subdivision, special use permit, variance, and design review are all evaluated by staff and receive a hearing with the appropriate board. Although these processes are ultimately discretionary in nature, it is important to adhere closely to an adopted plan and City ordinances to assure consistency and progress toward broader City goals. Planners and developers may use this plan to evaluate applications within the more mature areas of the City.

Provide direction for revisions to the Zoning Ordinance

According to North Dakota state law, all revisions of the Zoning Ordinance must be made according to a Comprehensive Plan. Among other things, this plan complies with state law by establishing a general outline for future revisions to the Zoning Ordinance related to infill and redevelopment. In some cases, revisions may involve removal of certain regulatory obstacles that are already in place. City staff is charged with the task of implementing this plan by initiating Zoning Ordinance text amendments for relevant strategies over the course of time.

Provide inspiration for future infill and redevelopment activity

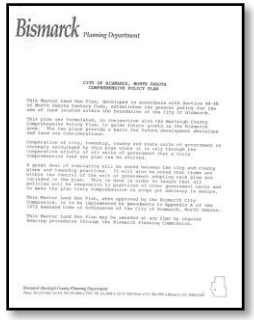
Although one role of government is to regulate through zoning and other means, the intent of this plan is also to cast a coordinated vision for future City growth that may be achieved voluntarily by the private sector in the community working in collaboration with City officials. The intent of this plan is to anticipate and work within the prevailing market forces for land development.

Planning Precedent

This plan builds upon an established history of planning in the City of Bismarck that emphasizes a vital core of the community and a compact development footprint. The following plans and studies directly speak to the subject matter:

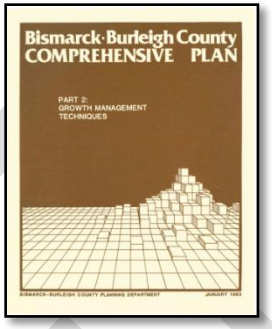
1972 Master Plan '82 Preview

- "If forward looking improvement programs can be coordinated for the central area, the "heart" of the City may once again reflect the vitality of the entire community."



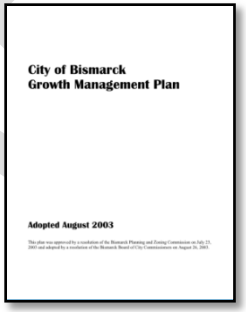
1980 Comprehensive Policy Plan

- "The development of vacant areas within, or near, the City's corporate limits will be encouraged."
- "Encourage the maintenance and rehabilitation of housing, and improve amenities in all residential neighborhoods."
- "Commercial development will be permitted as small-scale convenience centers in residential neighborhoods."
- "Support the continued high-density growth of the central business district."



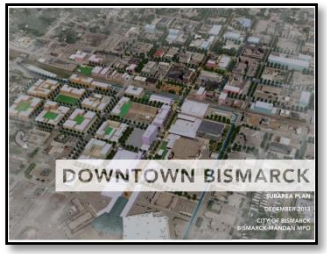
1983 Growth Management Techniques

- "Encourage reinvestment, redevelopment and infill of vacant, bypassed parcels."
- "Reduce fiscal pressure on the City by developing where public facilities and services are already available."



2003 Growth Management Plan

- "Maintain a compact and orderly pattern of urban growth and development that will promote an efficient use of present and future public investments in roadways, utilities, and other services."
- "Provide incentives for revitalizing neighborhoods in the core of the City."



2013 Downtown Bismarck Plan

- "Downtown Bismarck has the capacity to absorb a significant amount of growth. Most new development is located on underdeveloped, vacant, and underutilized sites."

DRAFT

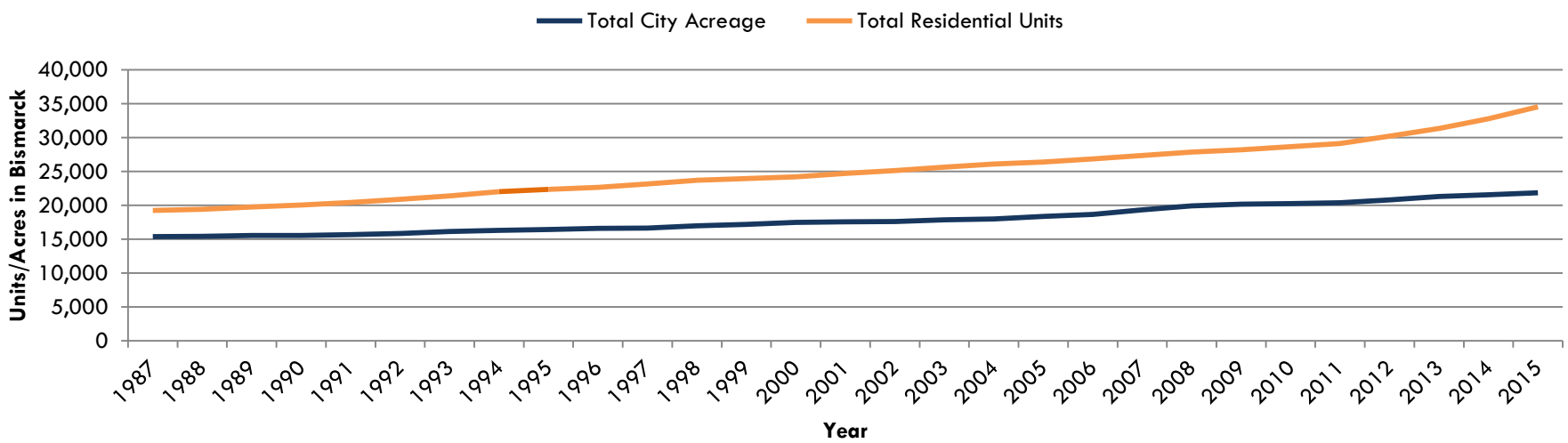
Growth and Development Trend

Bismarck is a growing City. The U.S Census Bureau estimates that the City population increased from 61,327 to 71,167 between 2010 and 2015, for an average growth rate of 3.02% per year. The Bismarck-Mandan Metropolitan Area has been among the most rapidly growing regions in the United States in recent years, and Bismarck is the fastest growing portion of the metropolitan area.

Overall, the City has become denser over the last several decades. In 1987, there were 1.25 housing units for every acre in the City limits. This density increased to1.58 units/acre by 2015. The average newly-platted lot size for a single-family home has remained around 14,000 square feet during this period, so the primary driver for increased density has been the construction of multi-family housing in newly annexed subdivisions.

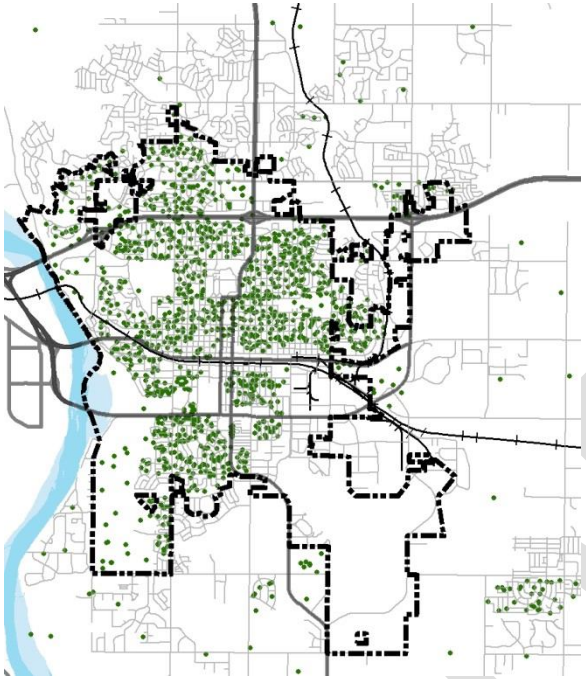
However, at the same time, the core of the City has become less dense. The historic core of the City, defined as the area that was developed prior to 1940, has steadily declined in population since the 1940s. The area once housed approximately fifteen thousand people, but the population decreased to around ten thousand by the year 2000, and then dropped an additional 12% between 2000 and 2010. Historically, most of the growth and development of the City has occurred through outward expansion of the City limits rather than infill and redevelopment. Only in the last several years has notable residential infill been developed.

The one exception has been commercial and office development in the downtown, as well as some multifamily residential buildings southwest of downtown developed in the 1980s. The construction of new downtown buildings began in the 1960s, even while the traditional retail uses were leaving the downtown. These trends accelerated in the early 1980s shortly after the adoption of the original Urban Renewal Plan and subsequent public investments. Downtown redevelopment continues to present day, with a more recent emphasis on entertainment uses and specialty retail, along with continued office development and renovation. Interest in redevelopment outside of downtown has increased in recent years, but the amount of actual investment has been comparatively light.

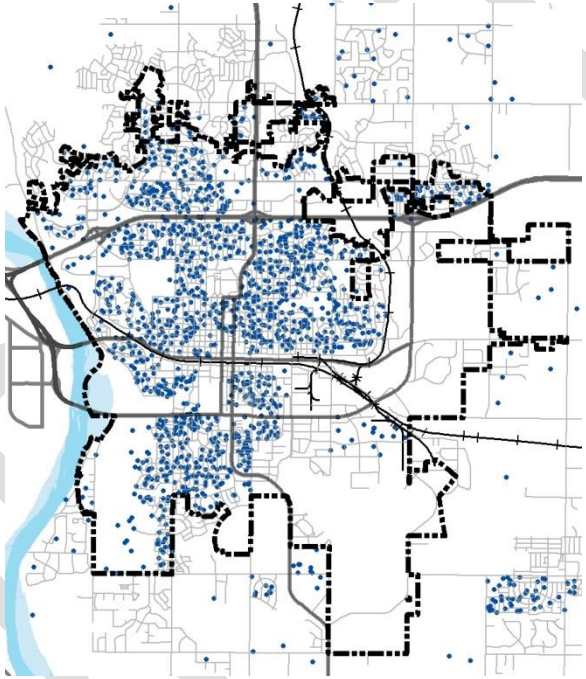


Changes in City of Bismarck Population Distribution

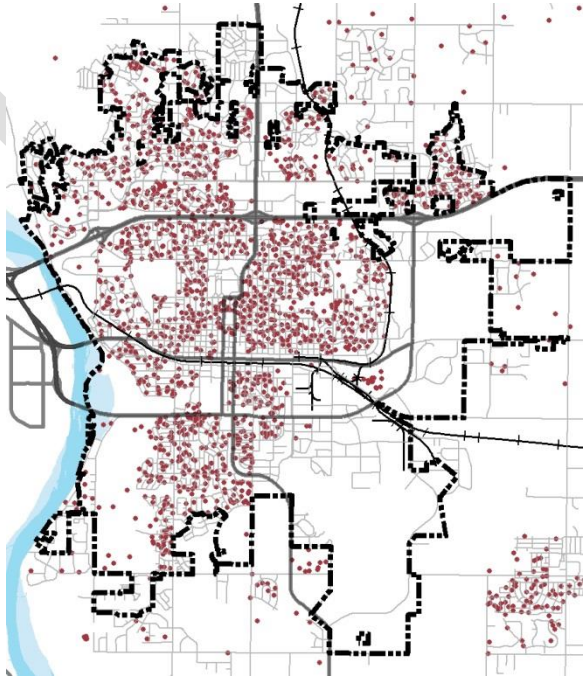
1990



2000



2010



Each dot represents 20 people

Opportunities and Challenges of Inward Growth

The conventional pattern of urban growth in the United States has typically involved the expansion of the City limits into rural areas and the conversion of agricultural land into new residential or commercial subdivisions. The City of Bismarck supports this type of growth, and the 2014 Growth Management Plan creates a framework for orderly development of the extraterritorial areas on the periphery of the City. This will most likely remain the prevalent pattern of growth in Bismarck.

Over the last several decades, the City of Bismarck has also experienced a different kind of growth. The development community has reevaluated those parcels of land that were overlooked during initial phases of development, and then began to propose infill projects on these sites. Existing buildings that had become dilapidated or near the end of their functional lifespan have been redeveloped, either through rehabilitation of older buildings or demolition and reconstruction. This is a natural phase in City growth that all localities experience.

Infill and redevelopment represents many opportunities to improve quality of life, as well as economic growth and public finances. However, there are also unique challenges that should be addressed and mitigated to the greatest extent possible.

Opportunities

Costs of Infrastructure and Services

Outward growth requires the expansion of roadways, sanitary sewer mains, water mains, stormwater capacity, and the service areas for basic public and municipal functions such as school busing, paratransit for people with disabilities, police protection, and fire protection. This essential infrastructure requires a large upfront investment. The chart on the right shows how costs are typically distributed in Bismarck. Costs are shared by the private sector, through developer improvements and

Costs Influenced by Development Patterns in the City of Bismarck

Increases in density have the potential to reduce each of the following public and private costs on a per capita basis.

	Public Costs *(including general utility fees)*	***Private Costs*** *(including special assessments)*
Roads	Up-front financing for local road construction (repaid by special assessments)	New construction of local roads
	Portion of costs of new construction of major roads	Portion of costs of new construction of major roads
	Routine maintenance of all public roads	Routine Maintenance of private roads/driveways
Water/ Wastewater	Costs of installation of major lines and facilities	Costs of installation of minor lines
	Routine maintenance of all water/sewer lines	Major maintenance of minor water/sewer lines
Stormwater	Purchase of land and operation of regional detention areas	Dedication of land and operation of local detention areas
	Costs of installation of major trunklines	Costs of installation of minor lines
		Stormwater management planning
Transit	Vehicles, facilities, and general operations	User fees to cover a portion of operations
Snow Removal/ Street Cleaning	All Costs	
School Busing	All Costs	
Fire/Police Protection	All Costs	
Solid Waste	All Costs	

DRAFT

special assessments on new lots, and by the broader public sector, through federal and state grants, utility rates, and general municipal funds. Beyond the initial investment, there are costs for maintenance and operations, which are borne almost entirely by City residents through various taxes and assessments.

A full life cycle cost-benefit analysis of growth considers both the initial planning and construction costs as well as the ongoing maintenance and operations costs of infrastructure and municipal services. Older cities that have failed to account for these ongoing costs have encountered financial difficulties as their infrastructure ages, often requiring deferred maintenance and sometimes resulting in unsafe conditions. It is important to anticipate and properly plan for this eventuality to ensure that Bismarck remains a rapidly growing and prosperous community.

A distinct advantage of inward growth is that the infrastructure necessary to service the development is typically already in place. Although capacity expansions may be necessary in some cases, much of the existing City infrastructure has been built to handle more use than it currently supports. The inward growth creates an increase in the tax base without the typical increase in public costs associated with growth, which can translate to cost savings for the City of Bismarck and its residents.

Funding new infrastructure is an ongoing discussion in the City of Bismarck, and there are several available options, previously outlined in the 2014 Growth Management Plan, for raising the revenue necessary to facilitate new growth. While the City considers how to fund new public assets, such as streets, pipelines, and other facilities, it's also important to consider how to use the City's existing assets as efficiently as possible.

Marketability of Neighborhoods

The demand for housing is as diverse as the people living in a region. Some residents prefer a rural lifestyle with acreage for hobby farming, while others prefer a single-family home in a suburban setting with a pleasant lawn and shopping a short drive away. One segment of the housing market that has grown in demand in recent years is what has become known as walkable neighborhoods. Housing preference surveys have consistently identified a growing number of homebuyers, especially among millennials, that prefer the design of more traditional neighborhoods and the ability to walk or bike to nearby amenities and parks.

> "**52%** of all Americans (and 63% of Millennials) would like to live in a place where they do not need to use a car very often."
>
> Urban Land Institute, 2015

> "**51%** of all Millennials prefer living in attached housing (townhouse, condo) where they can walk to shops and have a shorter commute."
>
> National Association of Realtors, 2015

As the City of Bismarck grows, all different types of housing will be necessary to meet market demands. By its very nature, walkable urban development will naturally occur near the heart of the community where multiple transportation options are feasible. As long as the demand for these neighborhoods persists, there will be a need for the City to engage thoughtfully with infill and redevelopment.

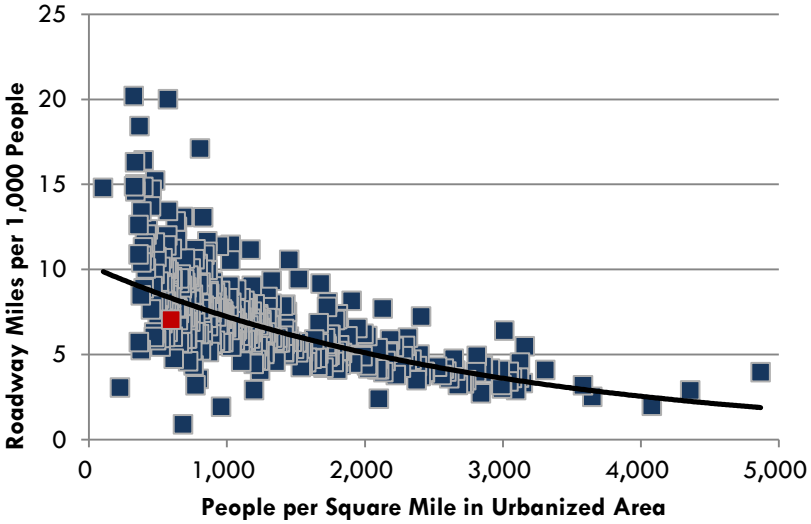
Transportation Efficiency and Affordability

One relative advantage of inward development is that the transportation network is utilized more efficiently. There are two distinct reasons for this. First, more compact development results in shorter distances between destinations. The typical household can commute, buy groceries, and meet basic needs by driving fewer miles than they would in a more sparsely

DRAFT

populated region. Second, alternative travel options to driving become available in more compact areas. Walking can be an attractive option for trips under a half mile, and bicycling is considered viable for trips less than two miles. Transit also becomes more feasible at greater neighborhood densities.

Greater transportation efficiency is especially advantageous for households with income constraints. Transportation costs are typically the second largest portion of a household budget. The creation of new housing that is close to jobs and services provides affordable living options for a fuller range of citizens.



In 2014, the City of Bismarck (the red dot above) had 595 people per square mile and 7.1 miles of roadway per 1,000 people. The blue dots are all other cities in the United States above 50,000 population. Denser cities tend to require fewer miles of roadway to serve the same population.

FHWA Table HM-72, 2015

Reduction of Blight

The condition of a property can exert either a positive or a negative effect on the values of nearby properties. The redevelopment of a property that is dilapidated or contains incompatible uses can represent a double benefit to the surrounding area. The negative effect may be removed and replaced by a positive effect.

There are many opportunities in blight abatement, but decades of experience in urban renewal from our community and many others present a cautionary tale. Properties that are modest and affordable can be misclassified as blighted, and blight removal can justify the demolition of irreplaceable historic buildings.

Challenges

Respect for Existing Residents

One major difference between inward and outward growth is that the former occurs in locations where residents and businesses are already in place to a much greater extent. Any neighborhood change can be difficult because existing residents are financially and emotionally invested in the places they live and work, and often chose the location for its existing character.

Many residents will desire to be aware of changes occurring around them and have the ability to petition their appointed or elected representatives with input. It is important to create a fair and consistent process for hearing and responding to local ideas, and in many cases a final design can be refined and improved through listening to the vision residents have for their own neighborhood. A primary purpose of this plan is to set policies that balance the desire to protect neighborhoods with the equally important goal of encouraging quality infill and redevelopment.

Space Constraints

Many potential infill properties were passed over during earlier phases of development for legitimate reasons. The size or shape of the parcel may restrict how it is developed, and there may be additional obstacles due to topography and means of access. The space necessary to provide adequate parking is typically the primary obstacle, at least as long as on-site vehicle parking remains an essential feature of our transportation system. Space constraints can also be a factor in meeting the City's landscaping and drainage requirements.

Other Unique Development Challenges

Developers of existing sites face many unknown variables and unique circumstances that are not typically faced by developers of greenfield locations (i.e. farmland or undeveloped natural area). Property acquisition may involve assembling numerous parcels owned by multiple parties. The site may be contaminated from previous uses, or perceived to be. There may be unclear title, existing tax delinquencies, or liens on certain properties. Financing may be more challenging to obtain if projects are complex or not easily evaluated by standard formulas.

In some cases, the obstacles to development may be insurmountable and the highest and best use of a site is simply to remain as open space. However, there may be other cases in which creative solutions are available, and one of the purposes of this Plan is explore how the City can partner with private entities in such problem-solving exercises.

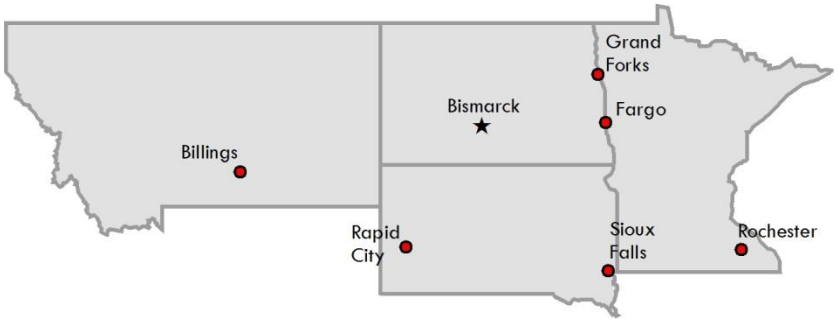
Potential for Displacement

Significant investment in properties and new construction can lead to revitalization of distressed neighborhoods. This is a beneficial outcome overall. An unintentional consequence of this success can be the displacement of existing long-term residents. Property values and rents tend to rise with the reinvestment, and low-income households, particularly those on a fixed income, may be priced out and forced to move.

This is typically a condition experienced by larger cities, and it's not clear that notable displacement has occurred in Bismarck. However, it may become an issue in the future if infill and redevelopment occurs on a widespread basis.

DRAFT

Examples from Peer Communities



Bismarck is a unique community with our own character. Nevertheless, there are practical lessons to learn from the experiences of other cities with similar characteristics that have engaged with infill and redevelopment in recent years. The metropolitan area population of Bismarck in 2015 was 129,517, with an average annual growth rate of 2.5% over the last five years.

Fargo, North Dakota (metro population: 233,836; growth rate: 2.3%)

- The Fargo 2030 Comprehensive Plan includes the strategy to "develop policies to promote infill and density within areas that are already developed and are protected by a flood resiliency strategy."
- Fargo's Renaissance Zone program and other tax incentive programs have aided significant renovation and new construction in the downtown area.
- The City has established a task force to revise the Land Development Code to create design standards for infill and redevelopment of largely single-family neighborhoods close to downtown.

Sioux Falls, South Dakota (metro pop: 251,854; growth rate: 2.0%)

- The City of Sioux Falls has purchased a 10 acre downtown site of a former rail yard. The area will be redeveloped through a public design process.
- The Neighborhood Revitalization Program uses local and federal funds to acquire and develop affordable housing within the core areas of the city.
- Façade Improvement Easements are purchased by the City to encourage and protect investments to properties in the core of the community.
- Tax Increment Financing is used strategically to enhance and improve the downtown and surrounding areas.

Grand Forks, North Dakota (metro pop: 102,449; growth rate: 0.8%)

- The Grand Forks Land Use Plan sets a goal to "provide development systems (including streamlined review process, fees, etc.) and infrastructure that incentivizes infill development and revitalization of existing urban neighborhoods before building on the urban fringe."
- The City is entering into a public-private partnership to redevelop a city-owned downtown parcel with the goal of providing housing and a vibrant street level experience.

Rochester, Minnesota (metro pop: 213,873; growth rate: 0.6%)

- Destination Medical Center is an approximately $6 Billion public-private partnership to redevelop the downtown, including major public space and transit investments.
- An Urban Village Overlay Zone and accompanying design guidelines were adopted to "promote development of a compact

DRAFT

pedestrian-oriented urban village" in the central areas of the city.

- The City has established a goal of reducing single-occupancy vehicle trips to the downtown and the medical employment centers by 30% over 20 years by enhancing transit, encouraging downtown housing, and improving a park and ride system.
- The City is creating a primary transit network, and intends to allow greater density along the transit corridors as they are established.

Billings, Montana (metro pop: 168,283; growth rate: 1.1%)

- The City adopted a Growth Policy Statement that encourages infill development as the most cost-effective form of growth.
- The East Billings Urban Renewal District Code reformed land use regulations for the area to support mixed-use and residential development.
- The City provides economic incentives for investments in downtown, with an emphasis on mixed-use development and housing.

Rapid City, South Dakota (metro pop: 144,134; growth rate: 1.3%)

- The Comprehensive Plan states that the City will "increase its efforts to stimulate infill development on undeveloped lands that are already within the City limits, as well as promote reinvestment in underutilized properties." The plan also states that investment in "infrastructure is used as a tool to help manage growth."
- Tax Increment Financing is used regularly to assemble, clean up, and redevelop areas deemed to be blighted.
- The creation of major downtown public spaces, Main Street Square and Memorial Park Promenade, has driven reinvestments in the core of the community. A Downtown Master Plan has been adopted to secure continued revitalization.

DRAFT

2 Design Principles

High quality design is especially important in the more central and compact areas of the City of Bismarck, where the placement and architectural features of buildings, as well as public spaces and infrastructure, greatly influence the quality of life of the community. The simple fact that there is a higher concentration of pedestrians means there are more people focusing their attention on the aesthetics of the community, rather than passing through at a higher speed. This was understood by the early residents and business owners of Bismarck who often took great care to adorn the public sides of their properties with craftsmanship that contributed to the character of the public realm. The same need exists today for new infill and redevelopment.

The purpose of this chapter is to establish general design principles that may be employed through infill and redevelopment projects that would enhance and protect the surrounding neighborhoods and district. Furthermore, these principles are illustrated through three separate demonstration case studies that apply the principles to specific locations in Bismarck.

These principles are not intended to be prescriptive in any way, or to create detailed preferences for styles that would detract from individual creativity and add undue costs to development. Outside of the Downtown Core and Downtown Fringe zoning districts, where design standards are already in place, this plan does not create or recommend any specific regulatory design standards or review process. Any new standards based on these principles would require a public hearing and approval process.

Urban Core	Urban Fringe	Traditional Districts	Low-Density Districts	Rural Areas

more compact development	< >	more dispersed development
more pedestrian-oriented	< >	more automobile-oriented
greater mixture of uses	< >	greater separation of uses

The design principles are also not intended to apply uniformly throughout the city. Necessarily, the more intensive development and activity will be found in or near the core of the City, with lessening intensity in areas further from the center.

Infill and Redevelopment Plan Design Principles

1	Formation and Growth of Complete Neighborhoods
2	Integration of Civic and Open Space into Development
3	Provisions for Mixed-Use Development of Appropriate Scale
4	Preservation and Enhancement of Architectural and Historical Character
5	Building at the Scale of the Pedestrian
6	Fostering a Network of Connected Streets and Paths
7	Mitigation of the Impact of Parking on Public Space
8	Design to Allow Adaptation to Future Conditions

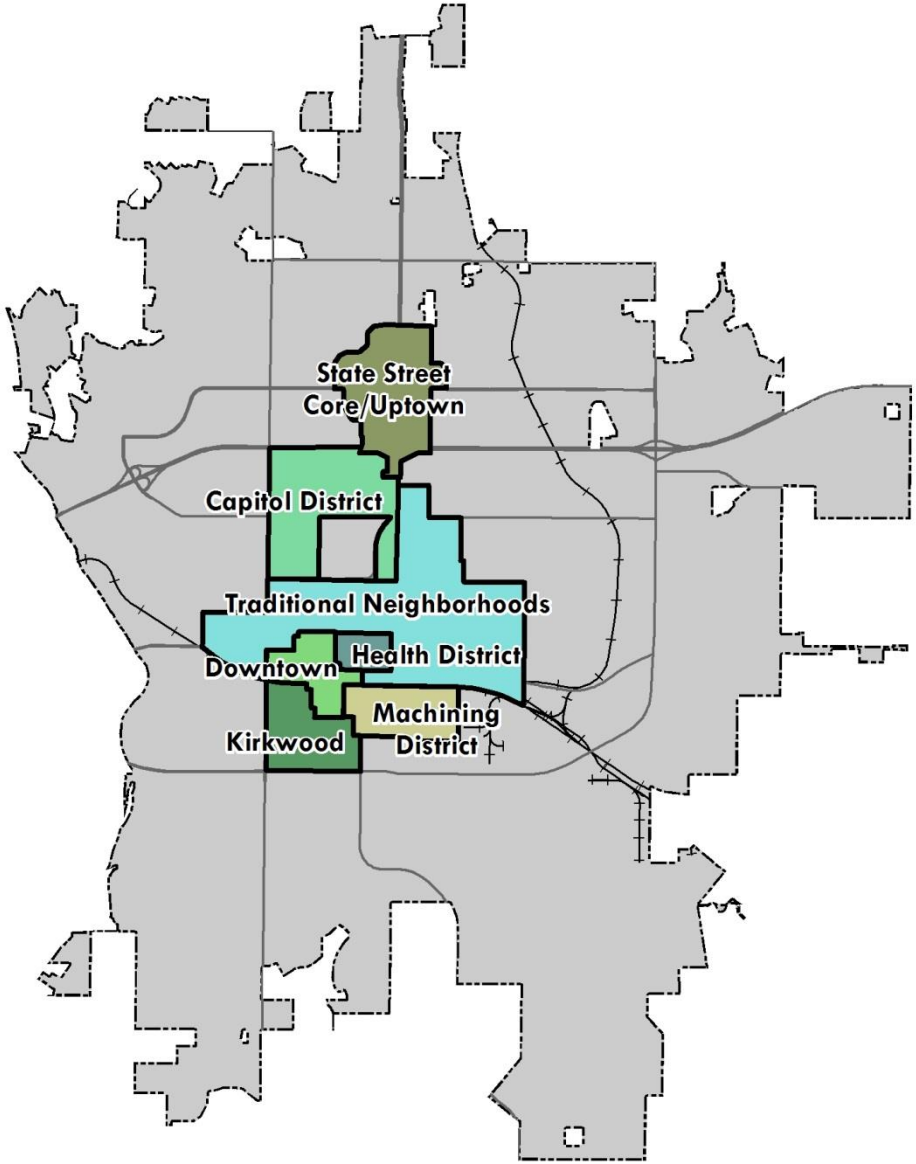
DRAFT

Character Areas

Every neighborhood and business district in Bismarck has distinctive qualities, and nurturing this broad variety enhances the city as a whole. This plan is not intended to apply a one-size-fits-all set of standards to the entirety of Bismarck. The character of each neighborhood is rooted in its past, and should shape the unique trajectory of its future.

The following seven *Character Areas* are identified as important for future infill and redevelopment in Bismarck. As the geographic and historic core of the community, this area has many attractive features. The residents and businesses within each area should carefully consider how to engage with change in beneficial ways.

The selection of these *Character Areas* is not intended to limit infill and redevelopment to these areas. The principles and strategies of this plan apply to the whole city.



Downtown

Downtown is the historic and cultural heart of the community, and is the only area of Bismarck to have experienced significant levels of reinvestment over the last forty years. Downtown is the center of civic life for the community, housing offices for local and federal government administration. It is also a center for entrepreneurship, hosting and incubating a disproportionate share of the region's startups. The 2013 Downtown Subarea Study provides detailed recommendations for further improvement of the downtown, and the ongoing implementation of this plan will spur its continued revitalization and enhance the image of the city as a whole.

State Street Core/Uptown

State Street Core/Uptown had its birth in the late 1960s, shortly after the installation of the Interstate 94 interchange. The primary design interest was convenience for the motoring public, which was typical across the nation for development from this era. While some of the buildings may be reaching the latter stages of their intended lifecycle, the area remains highly valuable as the crossroads of the two entrance corridors into the city, Interstate 94 and US Highway 83. This suggests significant potential for redevelopment in the near future.

Kirkwood

Southside is anchored by the Kirkwood Mall, which is the city's first regional mall and remains its largest. Plans to integrate the mall into the downtown through improvements to South 5th street will secure its position as a retail center into the future. The relaxation of parking requirements has already led to infill development of pad sites in the mall parking lot, and further potential for this remains. The 3rd Street corridor is among the most sought after for national chains seeking locations to do business. The northern portion of the area is slated for high-density residential and mixed-use development as recommended in the 2013 Downtown Bismarck Subarea study.

Traditional Neighborhoods

The traditional neighborhoods are located on the original grid, which was platted between 1877 and the 1940s. The street layout creates a repeating pattern of 300x300 foot blocks, which is an ideal environment for safe and pleasant walking and biking. The proximity to downtown and the State Capitol complex offers a high level of convenience to job centers and institutional amenities. The wide historic range and style of architecture and the abundance of mature trees are distinct amenities. Any infill and redevelopment of this area should be modest in scale and aligned with the general form of its surroundings.

The Machining District

The Machining District is also a historic section of Bismarck, with certain homes and businesses in the northern portions dating back to the early 20th century. The northern portion near the main BNSF railroad tracks is predominantly industrial, with a residential neighborhood in close proximity, and sometimes directly adjacent to the industrial yards. A few older industrial buildings have been redeveloped as restaurants and offices. The close proximity to downtown and major infill projects occurring there suggests that market demand for growth in this area will continue. As with traditional neighborhoods above, changes to the residential portions should be compatible with the surroundings.

The Health District

As a regional center, health care is the single largest component of the private sector of Bismarck. Both major health care providers are located in this district, as well as several other clinics and supporting uses. The primary potential for development in the Health District would be through the conversion of surface parking to structured parking, and the

DRAFT

construction of new health care facilities. Currently, some conflict exists between the ongoing parking needs for the medical uses and the integrity of neighborhoods to the east.

The Capitol District

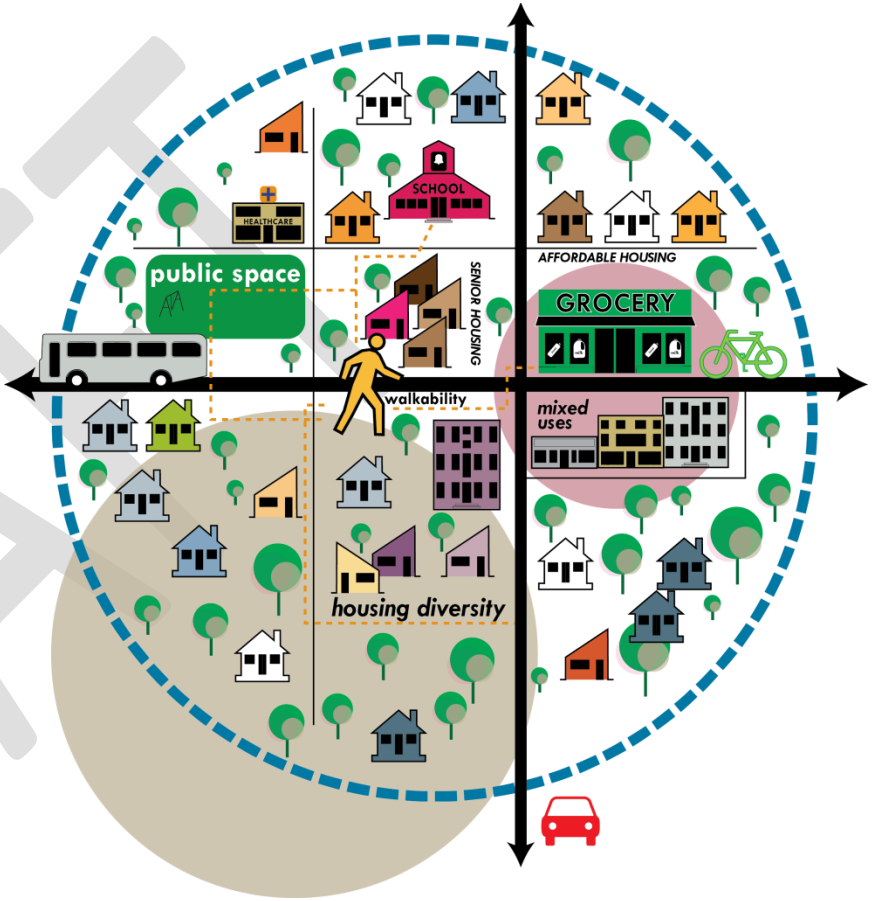
The Capitol District, which lies due west and north of the State Capitol grounds, started to be developed in the 1950s primarily as a residential area. A unique feature of this district is the presence of two early suburban shopping centers, Arrowhead Plaza and Northbrook Mall. Arrowhead Plaza continues to thrive as a neighborhood shopping destination, providing a walkable option for groceries, a restaurant, and other convenience goods. Potential exists for Northbrook Mall to restore its status as a neighborhood retail and social center.

DRAFT

1 | Formation and Growth of Complete Neighborhoods

The quality of life for residents living in any neighborhood is influenced by access to amenities within a reasonable distance from their home. A complete neighborhood provides benefits to Bismarck citizens across the age spectrum. Children can venture into independence by walking to school or meeting friends at a park without being driven by adults. Young adults increasingly value walkable neighborhoods and are factoring this expectation into their housing and employment decisions. Finally, Bismarck's growing population of seniors has the ability to age in place when basic services are convenient and accessible.

Many neighborhoods that were developed before widespread adoption of automobile travel naturally formed as complete neighborhoods. After World War II, single-use land use patterns began to predominate in Bismarck and virtually all other cities of similar character. Today, complete neighborhoods are recognized as one important component of overall city development, along with options for more rural and suburban lifestyles.



Design Objectives:

- Basic amenities, especially healthy foods, are within walking distance of residences in urban neighborhoods.
- Schools and health care facilities are easily accessible and safety measures are employed to protect students and clients from vehicle traffic.
- A diversity of housing types leads to socioeconomic diversity of neighborhoods.
- Parks and open space create an essential natural refuge from the surroundings of the city.

DRAFT

2 | Integration of Civic and Open Space into Development

Integrating civic and open spaces into private development projects is a positive way to promote a healthy, thriving street life and sense of community. When designed appropriately, these spaces can provide areas for cultural and social activities and offer green and open spaces as community density increases. Additionally they contribute to community pride and strengthen neighborhood identity.

Design Objectives:

- A neighborhood park is within a ½ mile walking distance of all residences in the city.
- Civic spaces are located in desirable areas with adequate natural light and adequate size for the intended activity.
- Healthy lifestyles are supported and encouraged through outdoor recreation amenities.
- Public spaces are secure with high visibility from the street and no hidden spaces within.
- There are ample opportunities for rest and relaxation and varied visual interest in busy areas of the city.
- Public art adds interest to spaces and creates an identifiable attraction (ex. Eagle at Custer Park).
- Responsibilities for ongoing maintenance and operations are clearly defined and upheld.

Urban Plaza

Lubert Plaza – Philadelphia, PA. Photo Credit: Andropogon

Examples include public space in front of civic structures or private businesses, shared courtyard space between adjacent residential, commercial and office uses, urban gathering spots for entertainment venues, and outdoor eating areas.

Pocket Park

Franklin Street Park Cambridge, MA. Photo credit: Landscape Architects Network

Small intimate spaces that utilize vacant, irregular, or undevelopable land. Due to their small size, they are suited for activities such as a seating areas, playgrounds, dog play areas, community gardens, water features, and green areas.

Parklet

East Superior Street in Duluth, MN

Part of the right of way is used seasonally as public space in urban areas, allowing rest and seating. Barriers enhance safety, and openings allow water flow. Installation is low-cost and portable.

Bulb Outs

Bulb out with Bio-Swale, Transit Stop and Bike Rack - Portland, OR. Photo Credit: National association of City Transportation Officials

Bulb outs are extensions of the sidewalk at road intersections that reduce the distance of the pedestrian crossings and contribute to traffic calming. Space may be used for benches, transit shelters, bike racks, and stormwater bioswales.

DRAFT

3 | Provisions for Mixed-Use Development of Appropriate Scale

Mixed-use development refers to the combination of two or more compatible uses into one development, building or block. This type of development is appropriate for certain areas of Bismarck, such as downtown, small neighborhood commercial centers, and along corridors served by transit. It is not appropriate for lower-density residential areas and would necessarily be very limited in industrial areas.

Creation of more mixed-use development in urban environments provides more localized access to goods and services within walking distances, and promotes economic development through high-quality infill.

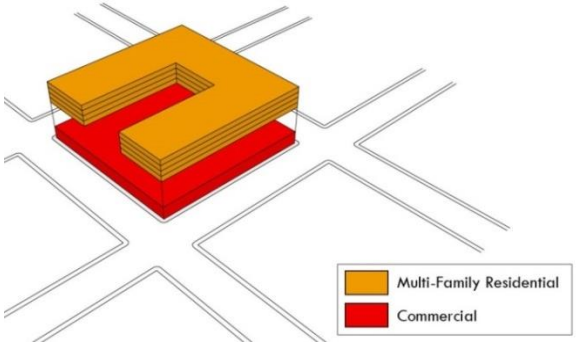
The scale is important to the success of mixed-use development. A small neighborhood grocery and a large supermarket may be classified as the same type of use, but the former could be appropriate for a neighborhood commercial corner while the latter would clearly not be. Traffic generation and parking are critical concerns. Architectural design and form can also improve (or detract from) compatibility.

Design Objectives:

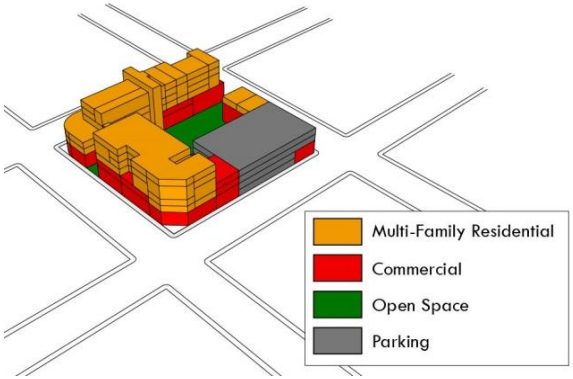
- Higher-activity public uses are located on ground floors and at intersection corners. Lower-activity private uses are in upper floors and between blocks.
- Safe and pedestrian-friendly access is provided in and around all mixed-use sites.
- Mixed-use buildings may share amenities such as parking, common areas, HVAC, and maintenance.
- Security from crime is enhanced by human presence all hours of the day and night.
- Design of spaces encourages interaction among occupants which strengthens the community.

Horizontal Mixed Use

Vertical Mixed Use



Combination of Horizontal and Vertical Mixed Use



DRAFT

4 | Preservation and Enhancement of Architectural and Historical Character

The buildings, trees, and public spaces that have been built, planted, and installed over the years in Bismarck contribute to the uniqueness of the community, remind us of our past, and represent significant investments of resources. There is a strong case for protecting these assets. At the same time, Bismarck has been evolving since it was founded and neighborhoods have always been dynamic and open to new ideas.

Infill and redevelopment should strike a balance between preserving the character of the past while remaining open to the possibility of the future. The style and character of any Bismarck neighborhood is greater than the sum of its parts. Everything from the street width to the layout of buildings and architectural details of individual buildings contributes to the overall character of the area. Infill and redevelopment should respect the people who already live and work in that place, and contribute to its character rather than detract from it.

Design Objectives:

- Rehabilitation of buildings attempts to restore, repair or replace elements as necessary (in that order). Elements that are not compatible are removed.
- The character of the existing neighborhood is respected with use of complementary:
  - Shape, Form and Height
  - Texture / Materials
  - Open Space / Setbacks
  - Color Palette (in some cases).
- New trees and shrubs of similar species are planted in anticipation of the death of aging vegetation.
- Whenever feasible, existing overhead utility lines are removed and replaced by underground facilities.

DRAFT

5 | Building at the Scale of the Pedestrian

Humans experience the world in a specific way that is related to the proportions of the human body. Creating neighborhoods and districts with an appropriate scale for human perception and interaction enhances the comfort and convenience of living, working, and playing in that location.

Streets and sidewalks that are designed to favor pedestrians and not strictly designed to allow for the free flow of automobiles leads to a safety, security, and a sense of welcome. However, a balance between the needs to create safe neighborhoods and provide access into and out of a region must still be maintained.

Design Objectives:

- Improvements in the right-of-way, such as wide sidewalks, and along the street edge contribute to the safety and comfort of pedestrian movement.
- Patterns, textures, and signs are designed to be appreciated and understood at slow speeds.
- Height and proportions of buildings and architectural features are within appropriate scale to humans and neighboring buildings.
- Buildings, vegetation and streetscape elements create a sense of enclosure for people in public spaces.
- Ample visual interest exists at the ground floor level along the sidewalk in higher-intensity areas.

DRAFT

6 | Fostering a Network of Connected Streets and Paths

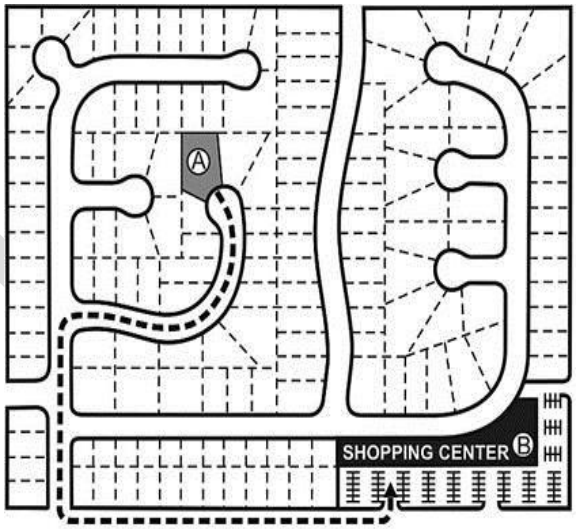
A street and pathway network that is well-connected and dense, with multiple options for routes between destinations, provides many benefits. Traffic is distributed resulting in less congestion, and emergency routes are available in case any particular roadway is blocked. Pedestrians and cyclists, in particular, enjoy more efficient routes and the ability to choose safer, lower-volume streets.

Our early transportation system in Bismarck consisted of streets that bound gridded blocks of mostly uniform square sizes. These blocks still function well in terms of walkability and traffic flow. By the 1950's, developers started to favor long winding roads with limited access and fewer route options. There are certain advantages to this newer system in terms of cost and prevention of cut-through traffic, but a connected network is more appropriate for the more urban portions of the city.

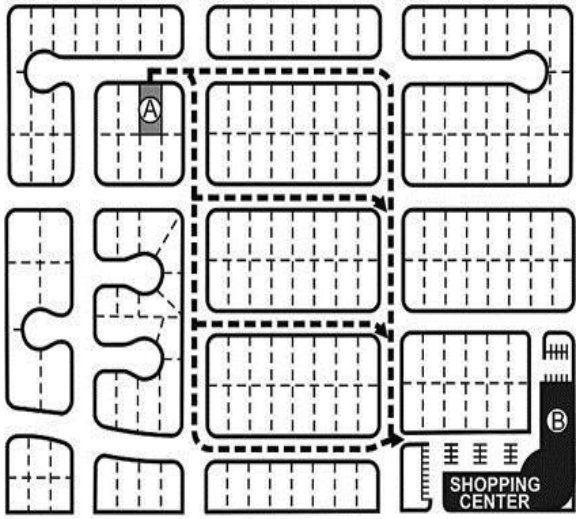
Design Objectives:

- Streets allow multiple travel routes and maintain short block lengths, which include numerous three and four-way intersections and minimal dead-ends.
- Existing rights of way that provide any potential transportation function should not be vacated.
- Multiuse paths provide direct links to common transportation destinations and should be included in all larger-scale development proposals.
- Site plans for new development show sufficient street or pathway connections to the existing network, while still limiting the number of access points to major streets.

Conventional suburban hierarchical network



Traditional Urban Connected Network



Source: Institute of Transportation Engineers

DRAFT

7 | Mitigation of the Impact of Parking on Public Space

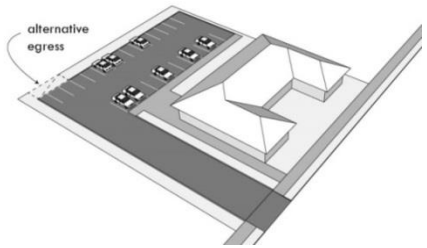
Parking needs can place a heavy burden on infill and redevelopment. Parking areas must meet city regulations, be conveniently located, and be cost-effective for the developer. Sometimes meeting these realities results in large uninterrupted paved surfaces in front of buildings. However, if surface parking is located in the front of a building or a garage is a prominent feature on the front of a home, the visual appeal and function of the public realm is deteriorated. Whenever possible, this situation should be avoided during initial construction, although strategies can also be employed to mitigate the effects of existing parking lots.

Design Objectives:

- Structures, fencing or vegetation are used to reduce the view of a parking lot from public streets.
- Buildings are sited against the front lot line, or as close as possible, in urban areas to allow room for parking behind the building.
- Alleys and side streets are utilized for access whenever possible, and the number of access points on high-volume roadways is reduced.
- Only enough parking to serve reasonable needs is created. Existing parking lots with demonstrable lack of use are considered for future redevelopment.
- In the most urban areas, shared structured parking is used to the greatest extent possible.

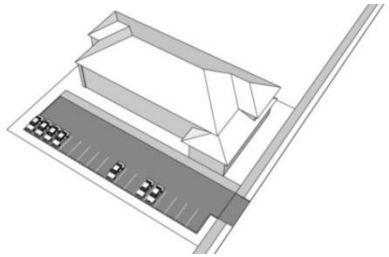
Rear Parking

Parking lot is screened by building



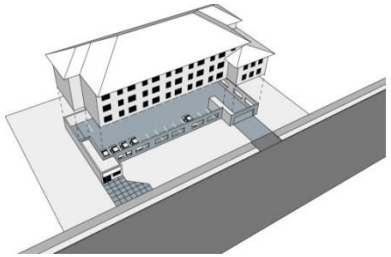
Parking on the Side

The width of the parking area is shallow, and less landscape screening is necessary



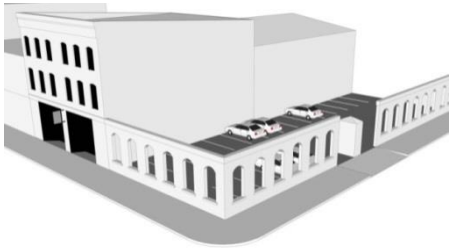
Parking Underneath

Parking is integrated as part or all of the first floor of the building or placed underground.



Screening

Vegetation or constructed screening complements adjacent styles



DRAFT

8 | Design to Allow Adaptation to Future Conditions

The future is unknown. Changes in technology, the economy, culture, or even the physical environment may radically alter the way buildings and public spaces are used. Making design choices early in the planning stage to make future adaptation easier can help reduce life-cycle costs of development and provide the flexibility necessary to adapt to an ever-changing world.

Planning for future adaptation allows the city to be both resilient, able to persevere through shocks to the system, and opportunistic, able to quickly shift to take advantage of new opportunities.

Design Objectives:

- Design buildings and infrastructure to allow future adaptation to conditions.
- Anticipate potential future natural hazards, through use of the best available scientific data, and militate against the hazard by avoiding sensitive areas or engineering protections.
- Review and update plans, ordinances, and policies on a regular basis, with significant input from the public.

Examples of Designing for Future Adaptation

Possible Scenario	Adaptation Strategy
The population of seniors in Bismarck increases by almost 85% between 2014 and 2029, as projected by North Dakota Housing Finance Agency.	Increase the supply of housing units that are suitable homes, or at least visitable, for people with mobility impairments.
Property values of a well-located commercial site increase and the owner considers expansion	Design buildings with ability to accommodate excess structural load to allow additional floors to be added in the future as demand arises.
A widespread shift to autonomous vehicles decreases the need for on-site parking and taxi services lead to reductions in vehicle ownership levels.	Design surface parking lots, parking structures, and residential garages with an intended future use or expansion in mind if parking is no longer needed.
The size or structure of families in the region changes, or different office space configurations are desired.	Separate structural and non-structural elements of buildings to allow future users the ability to quickly and easily reconfigure spaces to suit changing needs.
More energy-efficient building materials become available, or the market demands a change in building style.	Design with modular building components to provide the flexibility necessary to easily replace and adapt to changing aesthetics and technological advances.

DRAFT

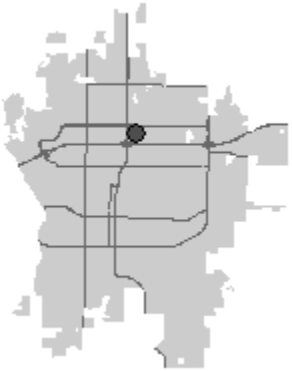
Demonstration Scenarios

The application of the design principles of this Infill and Redevelopment Plan will inevitably take on a different form every time they are applied. There simply are too many detailed factors that must be considered with the existing conditions of specific sites, market feasibility, and interests of the local citizens to expect broad conformity to any set of standards.

Three demonstration scenarios are presented to illustrate how the design principles may be applied to specific sites in the City of Bismarck. These designs are purely hypothetical and for the purpose of illustration only. The inclusion of these sites does not imply any endorsement by the property owners, nor does it imply any expectation on behalf of the City that infill and redevelopment will occur on these sites according to the designs of this plan. They are presented as an example of how various types of places may be developed in ways that will benefit the City as a whole, as well as a study of the potential that exists given realistic constraints.

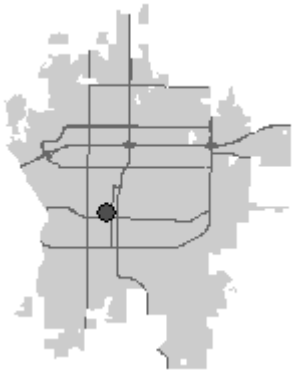
Scenario 1: Bismarck Uptown Center

"Uptown center" is a large-scale and high-intensity redevelopment project.



Location is a fifteen acre site along the east side of State Street north of Interstate 94. The site is currently owned by two separate property owners. The primary use on the site is a 107,000 square foot single-story retail building that was built in 1971, but the majority of the area is a surface parking lot or undeveloped land behind the shopping building. The land is relatively flat with one access point onto State Street, and four access points onto the lower-volume Interstate Avenue.

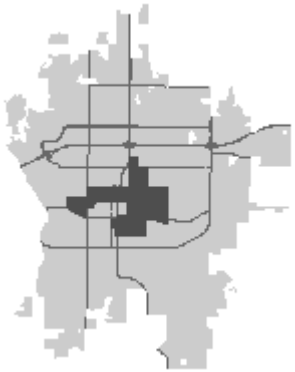
Scenario 2: The New Galleria



"The New Galleria" is a medium-scale urban infill and redevelopment project.

Location is a vacant site and existing Galleria parking ramp at the corner of Main Avenue and North 7th Street in downtown Bismarck. Currently owned and operated by the Bismarck Parking Authority, the undeveloped site is being used temporarily as a surface parking lot. The Galleria parking ramp was built several decades ago, and ongoing maintenance expenses are high. The ramp provides 282 parking spots, and the temporary lot an additional approximately 50 spots.

Scenario 3: Gentle and Lean Infill

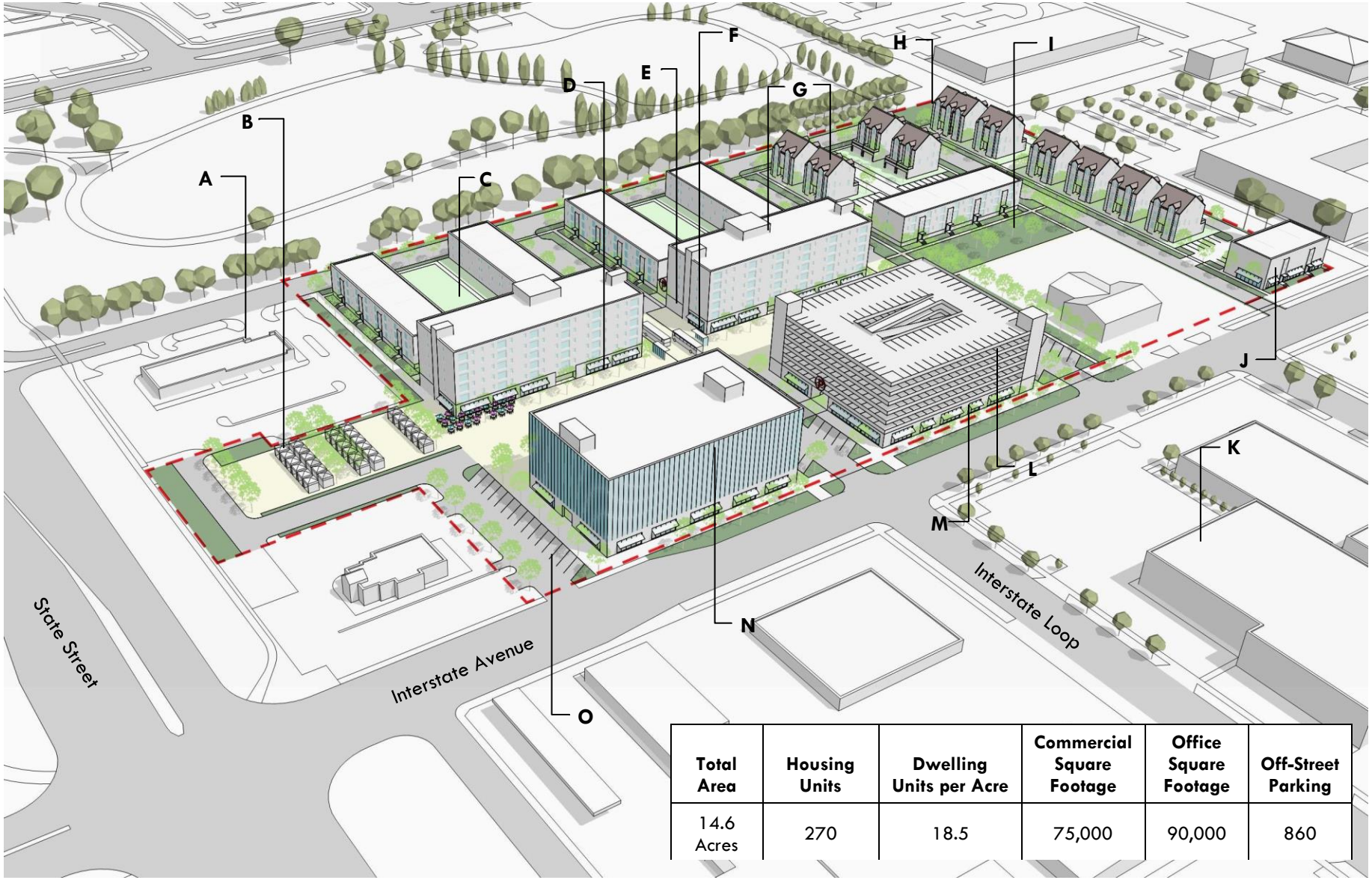


"Gentle and Lean Infill" is a small-scale residential infill project.

It is intended to be applied incrementally within the traditional grid of the City of Bismarck that was continued by most plats until around 1940. The blocks are uniformly 300 feet by 300 feet, and individual lots are typically either 50 or 35 feet wide. Alleys may or may not be present. Most of these neighborhoods are filled in to a high degree, although there remain a few vacant lots or opportunities to redevelop through "gentle infill" that fits the character of the neighborhood.

Scenario 1: Bismarck Uptown Center

CONCEPT FOR ILLUSTRATION PURPOSES



Total Area	Housing Units	Dwelling Units per Acre	Commercial Square Footage	Office Square Footage	Off-Street Parking
14.6 Acres	270	18.5	75,000	90,000	860

A The existing pad retail sites (McDonald and Arby's, currently) remain intact with the same access points to State Street and Interstate Avenue. There is future potential for redevelopment on these sites as an extension of the proposed design, with the current tenants potentially occupying ground-floor space.

B The west end of the pedestrian plaza provides an open plaza space for events and functions, with landscaping in planters. The farmer's market that currently meets in the Kmart parking lot could continue using this location.

C Semi-private courtyards are surrounded on three sides by the housing that they serve. Vistas of the Sunset Memorial Gardens cemetery are presented on the north side.

D A wide pedestrian plaza, 90-120 feet wide, is a central feature of the development. The plaza is lined with retail and service-oriented uses on the ground floor and is landscaped with street trees and various streetscape elements such as outdoor seating, lights, and benches.

E Entrances to underground parking for the housing units are located along the public streets. Each building contains one-and-half stories of parking beneath the surface, with a total of 180 spaces.

F The designated transit stop is centrally-located at the intersection of a public street and the pedestrian plaza. Transit connections to downtown are direct and high frequency.

G The townhomes are spacious and upscale. Apartments or condominiums are available as well. As a whole, the site includes a broad range of housing options of various price points and size.

H A green strip of land is left open for a possible future roadway connection to uses to the northeast.

I The eastern end of the pedestrian plaza features a small park that is an appropriate front yard for the housing on the north side. A shared yard creates more usable space than individual private yards would.

J A mixed-use building directly fronting Interstate Avenue allows professionals and business owners to live above their place of work. Surface parking is located behind the building.

K The existing movie theater is conveniently located across the street from the parking structure, and could potentially enter into a shared parking arrangement. The theater may need parking at times when office workers do not need parking, and theater-goers could park once and also patronize restaurants. Up to 300 spaces could be available for the theater. The redevelopment provides positive benefits to existing neighbors.

L The parking ramp includes 500 spaces for use by the adjoining office building and, to some degree, commercial uses. It is centrally-located to allow only a short walking distance to the activities it serves. The ramp is designed with speedways and level floors to facilitate adaptive reuse if as much parking is no longer necessary in the future.

M The majority of the ground floor of the parking ramp is dedicated to commercial uses. This provides activity and security to the street, ensuring that pedestrians do not need to walk along a blank wall.

N The mixed-use building includes 90,000 square feet of office space and 22,000 gross square feet of ground-floor commercial. The prominent location near State Street allows sufficient exposure and signage opportunities. The existing tenant could utilize this space.

O The internal street network is well-connected, aligned with existing intersections and access points, and dedicated to the public. A total of 60 diagonal on-street parking spaces are available, which are especially critical for ground-floor retail or entertainment uses.

Scenario 2: The New Galleria

CONCEPT FOR ILLUSTRATION PURPOSES

Total Area	Housing Units	Dwelling Units per Acre	Commercial Square Footage	Office Square Footage	Off-Street Parking
1.3 Acres	75	58	32,500	0	440

A Ground-floor retail, entertainment, and service uses create a high level of activity on Main Avenue, extending the existing vibrancy of the 500 block of East Main Avenue one block further to the east. Streetscape elements such as street trees and lights are provided as amenities.

B A vegetative roof on top of a waterproof membrane creates a unique landscape feature in the heart of downtown. The green roof helps to retain water, which results in a net reduction of stormwater runoff from this site after development. It also reduces the urban heat island effect.

C The upper five floors of the building are residential in nature, a total of 75-80 housing units in a highly convenient location. The presence of people with windows facing Main Avenue provides around-the-clock security and vitality to the block.

D The mixed-use building and parking ramp are connected by a ground floor enclosed walkway, allowing direct access between the two during inclement weather or cold temperatures.

E A small pocket park is tucked into an enclave between the buildings. It is shown with outdoor seating but could be programmed in a variety of ways.

F The new parking ramp replaces the Galleria parking ramp. The ramp has 440 spaces, which is 155 additional spaces beyond the existing structure (enough to serve the new housing units and replace existing capacity). The ramp services the Radisson hotel, commercial uses, and residential apartments.

G The ground floor of the parking ramp is lined with active commercial uses on the North 7th Street side. Because this street is a high-volume roadway with no on-street parking a five foot landscaped area provides a buffer. If more pedestrian space is necessary, the ground-floor could be inset a few feet with an overhang above the storefronts.

H Adjacent parcels to the south and east are underutilized with extensive surface parking lots. These areas may be potential candidates for future redevelopment, if market demand for further extension of downtown persists in the future.

Scenario 3: Gentle and Lean Infill

CONCEPT FOR ILLUSTRATION PURPOSES

A Each lot is 50 feet wide and 150 in length, which are typical proportions found throughout the gridded portions of Bismarck. Some blocks include alley access, and others do not have an improved alley.

B The live-work building type includes four or five residential units with one small commercial space on the ground floor. These uses are ideal for situations such as law offices, music studios, or artist galleries – any occupation that may need a public interface periodically along with a more private workspace.

C The commercial space of the live-work units is tucked behind the primary residential street on a side street to avoid interrupting the character of the primary neighborhood street. A small patio area allows access from the sidewalk. There should be on-street parking available for use by clients and customers.

D Abundant street trees in the boulevards reinforce the residential character of the neighborhood and provide visual screening and protection from the street.

E Each new building is accompanied by a small parking area in the rear. Blocks that contain existing alleys should use the alley for parking access.

F The multifamily building contains four or five housing units. The size of this structure is easier to finance than a larger building, and it could reasonably be undertaken by a local entrepreneur without large cash reserves. The small scale offers interesting variations for each building on a street and often allows the builder to work within existing constraints more readily than would be possible with a larger project.

G The main entrance and front stoop match the residential character of the street and fit in well amongst single-family homes. Although parking is accessed from the rear, the building obviously faces the primary street.

H Where alley access is unavailable, parking lots are accessed directly from a side street or via a driveway from the front. Parking in all cases is behind the public-facing front of the building.

I New buildings match the setbacks of existing adjacent buildings. Some variation in height is acceptable; the new buildings are within one story of the height of the adjacent buildings.

3 Implementation Strategies

The overall vision for this Plan, as stated in the Introduction, is to **facilitate high-quality infill and redevelopment** in the City of Bismarck that:

1. Protects and enhances the high **quality of life**
2. existing neighborhoods,
3. Contributes to the **economic vitality** of established business districts,
4. Increases the tax base through **efficient utilization of City infrastructure and services**, and
5. Supports the City's values and goals established in the City **of Bismarck's Strategic Plan**.

This section of the plan contains a number of recommended strategies that are intended to support this vision statement:

Infill and Redevelopment Plan Implementation Strategies

1	Allow Setbacks to Match the Existing Context
2	Increase Exemptions from Expanded Arterial Setbacks
3	Conduct Area-Wide Brownfield Revitalization Study
4	Plan for Transit with New Development
5	Allow Creation of Historic Design Standards for Neighborhoods
6	Become a Certified Local Government for Historic Preservation
7	Establish Criteria for Modification of Parking Requirements
8	Encourage Shared Parking Arrangements
9	Adapt Stormwater Management Controls to Facilitate Infill
10	Encourage Redevelopment to Result in Net Water Quality and Stormwater Runoff Improvement
11	Create a Developer's Handbook and Fact Sheets for Guidance
12	Continue to Support Downtown Revitalization Programs
13	Encourage New Small Parks in Existing Neighborhoods
14	Create a New Traditional Neighborhood Zoning District
15	Increase Awareness of the Accessory Dwelling Unit Option
16	Provide Landscape Buffer Alternatives in Certain Areas
17	Monitor For and Mitigate Against Housing Displacement
18	Preserve Existing Schools as Anchors for Neighborhoods
19	Encourage Adaptive Reuse within Bounds of Building Code
20	Maintain a Database of Developable Vacant Properties
21	Study Costs and Benefits of a Rental Property Maintenance Code
22	Encourage Continual Reinvestment in Older Homes
23	Promote Cost-Share for Street Tree Planting
24	Create a Fiscal Impact Model to Evaluate Future Development

DRAFT

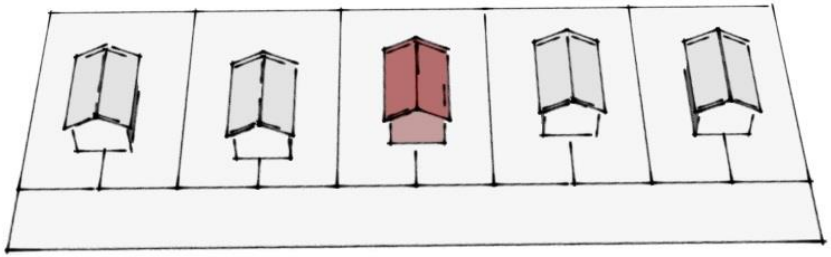
1 | Allow Setbacks to Match the Existing Context

The traditional purpose of a front setback is to provide for visually pleasing front yards and uniformity of building lines, in order to prevent any one building from interrupting the view from others. Currently, the zoning ordinance establishes a single front yard minimum setback requirement for each zone, such as 25 feet for all buildings in the R5 – Residential Zoning District.

Many existing neighborhoods in Bismarck may not conform to this standard, requiring all new construction or additions to be built out of alignment. In reality, property owners who wish to modify their homes or businesses from current regulations must seek a variance from the setback to do so, which increases costs, time, and unpredictability of all projects.

Setback requirements should be modified to allow development in existing neighborhoods to match the surroundings, based on actual measurements taken from adjacent structures. A simple formula for calculating the allowable setback based on the existing structures on the street should be included in the zoning ordinance to allow a quick administrative review before the building permit is issued. The setback should also include a maximum setback to prevent any new construction from being located substantially behind existing buildings. Likewise, structures should be required to match the existing context even if a lesser setback is allowed within the zoning district.

The following example shows how a setback may be calculated with a simple formula for an infill residence on a street with some variation in the existing buildings:



Existing Structure	Existing Structure	**New Structure**	Existing Structure	Existing Structure
15 Foot Setback	15 Foot Setback	**Between 15 and 20 Foot Setback**	18 Foot Setback	20 Foot Setback

Furthermore, additions to buildings that are already nonconforming should be allowed without a variance as long as the extension does not further infringe into this setback.

Strategy: Amend the Zoning Ordinance to allow front, side, and rear yard setbacks for new infill construction and additions, to match the existing setbacks of neighboring buildings on the street based on a formula stipulated in the Zoning Ordinance.

DRAFT

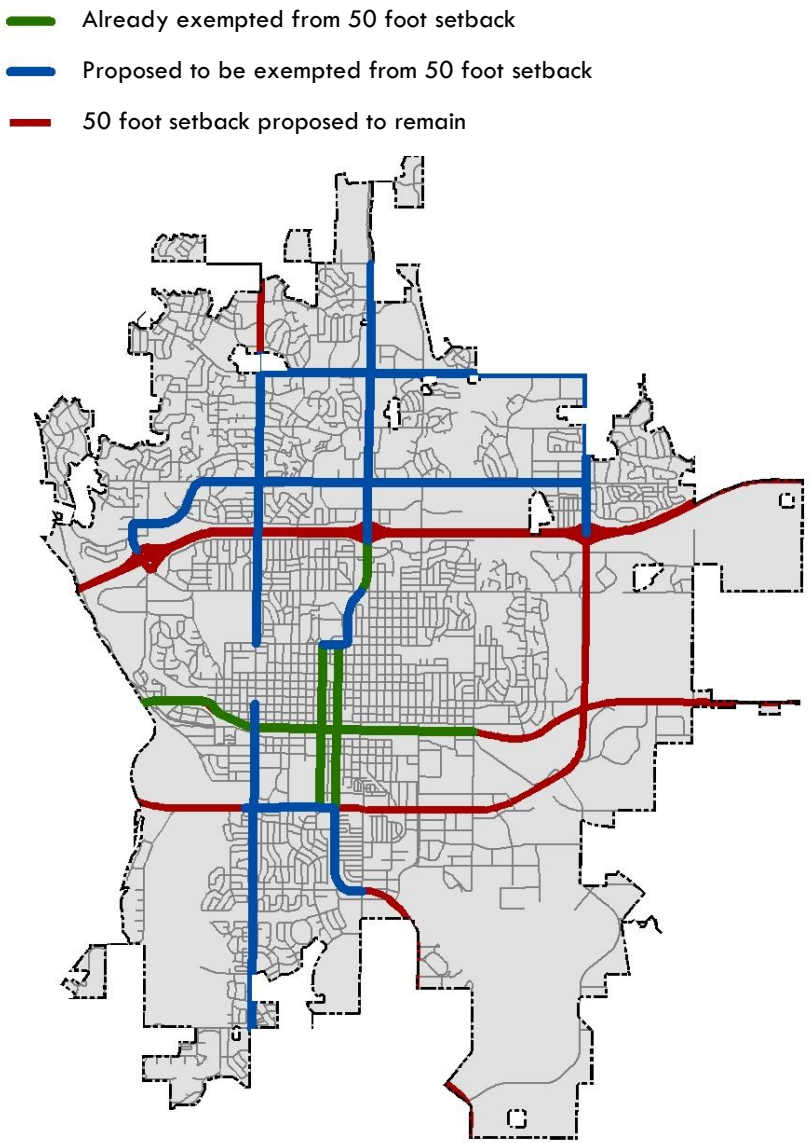
2 | Increase Exemptions from Expanded Arterial Setbacks

The zoning ordinance currently imposes expanded setbacks from all major roadways in the community. All structures must be setback from the property lines adjacent to "principal arterials" at least fifty feet. Arterial roadways typically have a right-of-way of at least 150 feet, and the setbacks create an additional separation beyond the right of way.

When this ordinance was adopted, a few exemptions were included for areas that are more urban in character. The setbacks in this area revert to the underlying zoning district. For example, buildings in most commercial districts must be set back at least 15 feet from the property line. On the other hand, downtown buildings must be built on the property line.

Exempting additional arterial roadways helps property owners design according to the principles in this plan. Sight triangle requirements would remain to prevent buildings from blocking views from intersections, and US Highway 83 Safety Study recommendations should be followed.

Strategy: Amend the Zoning Ordinance to increase the number of corridors that are exempted from the 50 foot arterial setback requirement, which will revert the setback to the requirement of the underlying zoning district.



DRAFT

3 | Conduct Area-Wide Brownfield Revitalization Study

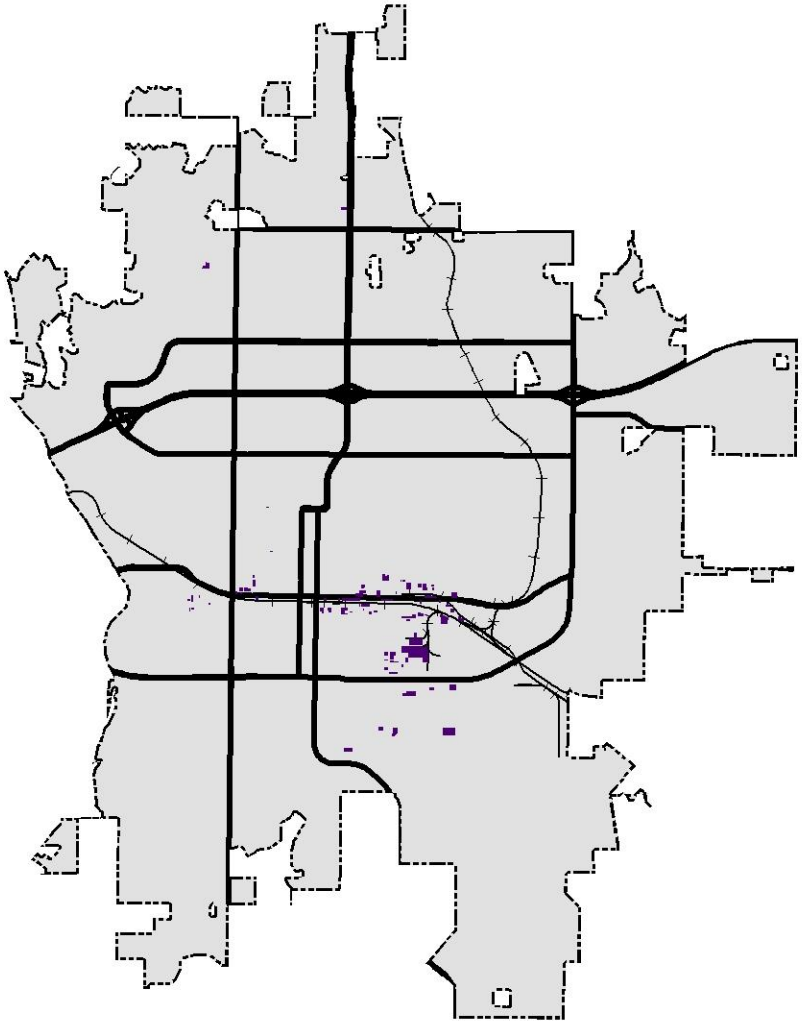
Brownfield sites are lands that were previously used for industrial or certain commercial uses that may be contaminated from the accumulation of past hazardous waste or pollution. Importantly, even the perception of hazards can create a stigma that impedes the reuse of the land.

Of the approximately sixty brownfield sites that have been assessed and cleaned up through the North Dakota Department of Health, very few have been located in Bismarck. The majority of brownfield sites in the state are created for asbestos or lead remediation of abandoned retail sites or removal of petroleum and other fluids from former gas station properties.

An opportunity exists to identify eligible sites in the City of Bismarck and create preliminary plans for remediation, taking advantage of available federal and state grants.

Strategy: Utilize available state and federal funds to conduct an area-wide brownfield assessment to identify cleanup opportunities in areas with high potential for redevelopment.

Industrial, automotive, or laundromat buildings over 50 years old



DRAFT

4 | Plan for Transit with New Development/Redevelopment

As any City reaches a certain threshold in population, transit becomes an essential component of the overall transportation system, both for riders with mobility impairments and also those who ride by choice. Bismarck is reaching this level, and realistically the vision for this plan cannot be fully supported without enhancements to the public transit system.

As our student population grows, our downtown develops, and more new citizens are moving to Bismarck from communities where public transportation was a suitable option for commuting - our transit system can evolve to meet these needs. Another role of the City of Bismarck is to consider the use of transit during the development review process and land use decision-making to develop a system that is efficient for all members of the community.

Maintaining constant feedback between transit planners and land use planners will enable the fixed-route system to develop where ridership would be optimized, while also enabling development to occur in locations where any negative impact on roadways will be minimized.

There are currently no designated stops along the fixed-route transit system, but designating stops will be an important step in the system's development, especially if shelters can be provided. Pedestrian access to these future stations should become a component of the site planning process for nearby developments. Encouraging development to work well with a transit system can start before the transit system actually develops, a practice known as "transit-ready development."

Large-scale commercial or multifamily developments within the transit service area should be strongly encouraged to include transit amenities in the development. Bus shelters are a particular need, given Bismarck's cold winters and current infrequency on many routes.

Strategy: Enhance coordination between the City of Bismarck and public transit operators for all development review and site plans within existing or planned transit service areas.

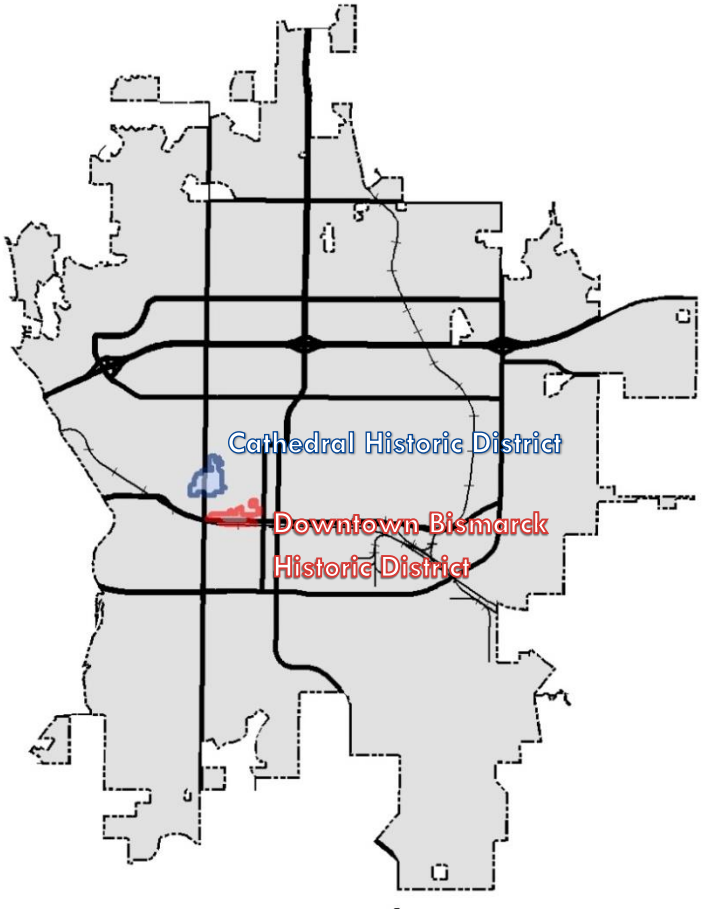
DRAFT

5 | Allow Creation of Historic Design Standards for Neighborhoods

Districts in the National Register of Historic Places are federally recognized as worthy of preservation. There are currently two historic districts in Bismarck, the Downtown Bismarck Historic District and the Cathedral Area Historic District, although others may be eligible upon application and approval.

Special design standards are in place for downtown that assist with the preservation of historic structures, but no other historic preservation standards currently exist outside of downtown, either through City ordinance or private covenant. There is a broad spectrum of possible historic preservation provisions that may be utilized, from simple prohibitions on demolitions of contributing structures to precise regulations for all building alterations to maintain historical accuracy.

There are costs and benefits to imposing historic preservation standards, and primarily these costs are incurred by and the benefits accrued to the residents of these districts. Therefore, this plan does not make a recommendation regarding further extension of historic standards, but rather sets a posture of openness and assistance if the majority of the property owners of any recognized neighborhood wish to impose rules upon themselves.



Strategy: Allow and assist with the creation of district-specific historic preservation design standards for any area listed on the National Register of Historic Places upon petition from at least half of all property owners in the district.

DRAFT

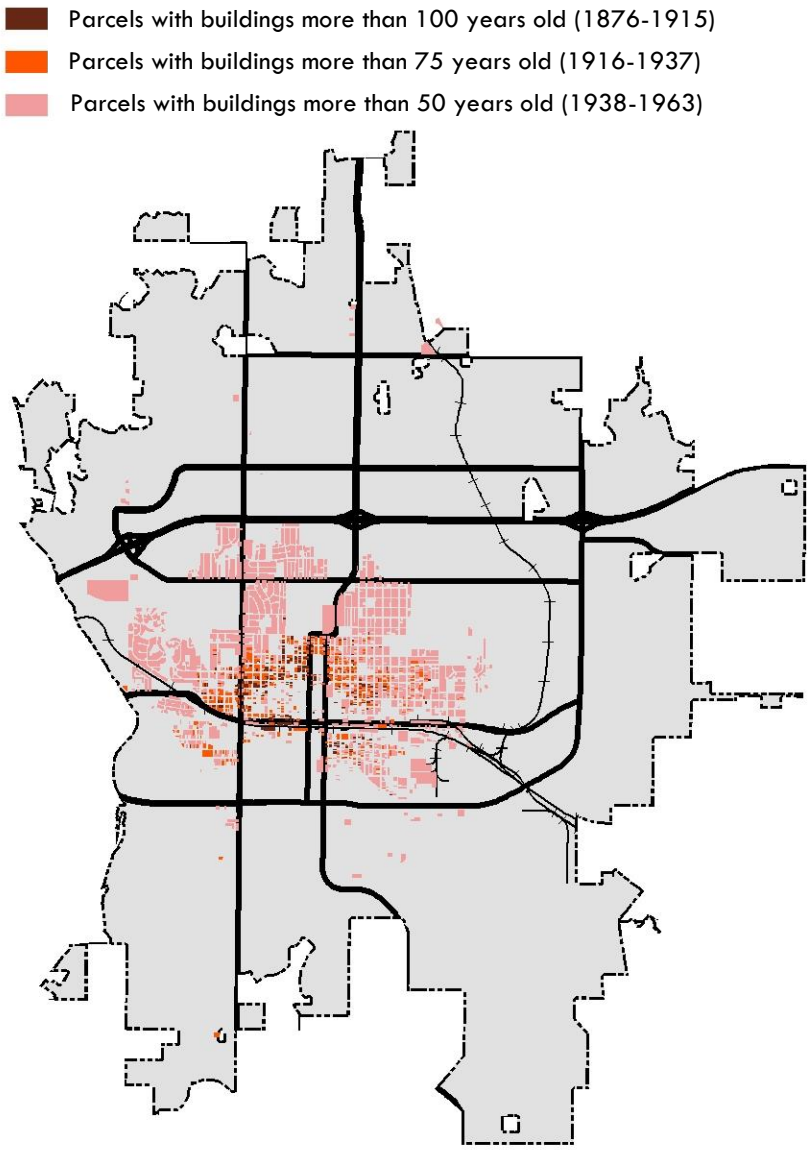
6 | Become a Certified Local Government for Historic Preservation

The State Historical Society of North Dakota administers a Certified Local Government (CLG) program. The purpose of the program is to establish a partnership between a local government, the state government and the federal government to encourage historic preservation at the local level.

Local governments that participate as a CLG gain greater control over local preservation issues, as well as access to special sources of federal funding and technical assistance. Currently, seven local governments in North Dakota participate, including the cities of Fargo, Grand Forks, and Dickinson. The City of Bismarck does not participate at this time.

The two requirements for becoming a CLG are to adopt a historic-preservation ordinance and appoint a Historic Preservation Commission to implement the ordinance and advise on preservation matters. The Commission would be constituted of local citizens with an interest and knowledge of historic preservation, and appointed by the Board of City Commissioners most likely in an advisory, rather than regulatory, role.

Strategy: Take necessary steps to become a Certified Local Government, including the adoption of an historic preservation ordinance and the creation of a Historic Preservation Commission as an advisory body.



DRAFT

7 | Establish Criteria for Modification of Parking Requirements

Providing off-street parking for new or changed uses is likely the single greatest barrier for infill and redevelopment, because low-cost surface parking requires significant amounts of space and available sites tend be space-constrained. Outside of the existing Downtown Parking District in the downtown area, all development must comply with the minimum parking standards for that particular use in the ordinance.

Sufficient parking is necessary for the function of any use, whether commercial or residential, and the City of Bismarck has a public interest in assuring the provision of parking on-site to prevent spillover into adjoining properties or overtaxing on-street parking resources.

Currently, parking requirements are based exclusively on the proposed land use, and unusual situations are determined by the Zoning Administrator, sometimes with guidance from the Board of Adjustment. However, the use of a site is not the only factor in determining parking demand, and the ordinance should create a consistent process that allows additional factors to be considered.

Other factors that influence demand for off-street parking are the availability of on-street parking, the prevalence of alternative modes of transportation such as carpooling, transit, or walking, and uses that cater to special populations that have lower vehicle ownership rates. Furthermore, property owners may be able to enter into shared parking arrangements with nearby uses that have different peak use times for their resources.

Possible Modifications to Required Parking:

Condition	Suggested Reduction Allowed
On-Street Parking Available	1 space per legal on-street spot directly adjacent to property
Shared Parking Arrangement	Number of shared spaces included in approved shared parking plan
Proximity to Transit Route or Stop	20% reduction if adjacent to transit and shelter is provided. 10% reduction if within 500 feet and no facilities provided
Modified Parking Zone	Parking reductions allowed for areas near, but not within, the existing parking exempt zone, on the grounds that pedestrian access is available
Bicycle Racks	May substitute up to 10% of vehicle spaces for bicycle spaces at a 5-to-1 ratio
Parking Demand Management	Administrative discretion to provide reductions if applicant shows special users or private programs to reduce demand

Strategy: Amend the Zoning Ordinance to allow certain modifications to the required off-street parking based on site conditions, location, special users or programs, to be implemented through the site plan review process

DRAFT

8 | Encourage Shared Parking Arrangements

In many cases different types of uses that are nearby or adjacent can share parking resources, which can provide significant cost savings and open up possibilities for new infill development.

For example, a church may generate heavy parking demand on Sunday mornings and moderate demand on Saturday and Wednesday evenings, while an adjacent office only requires parking during business hours on weekdays. Peak demand periods for these uses are almost entirely offset from each other, and permitting a shared parking arrangement, as opposed to independent minimum requirements, would allow both the office and church to significantly reduce their need.

Currently, the Zoning Ordinance does allow shared parking arrangements in certain circumstances. Much of downtown is essentially a large shared parking district, with parking provided in public structures and on-street with all off-street parking minimums waived. Furthermore, multiple uses within a shopping center under common ownership may be able to share parking between them. The Board of Adjustment may also approve unusual situations.

An ordinance allowing shared parking arrangements should include several provisions:

- Requirement to submit an analysis of estimated peak parking times for all uses proposed to share facilities.
- A maximum distance from the parking lot, estimating how far people would be willing to walk.
- A signed agreement between property owners stipulating continuation of use, liability, and maintenance responsibilities that is recorded to run with the land.

Example of default use proportions, to be modified by local study:

Uses	M-F 8am-5pm	M-F 6pm-12am	M-F 12am-6am	Sat. & Sun. 8am-5pm	Sat. & Sun. 6pm-12am	Sat. & Sun. 12am-6am
Residential	60%	100%	100%	80%	100%	100%
Office/Industrial	100%	20%	5%	5%	5%	5%
Commercial	90%	80%	5%	100%	70%	5%
Hotel	70%	100%	100%	70%	100%	100%
Restaurant	70%	100%	10%	70%	100%	20%
Movie Theater	40%	80%	10%	80%	100%	10%
Entertainment	40%	100%	10%	80%	100%	50%
Conference	100%	100%	5%	100%	100%	5%
Institutional (non-church)	100%	20%	5%	10%	10%	5%
Institutional (church)	10%	20%	5%	100%	50%	5%

Strategy: Amend the Zoning Ordinance to establish criteria for shared parking arrangements between compatible sites, and encourage shared parking during the site plan process.

DRAFT

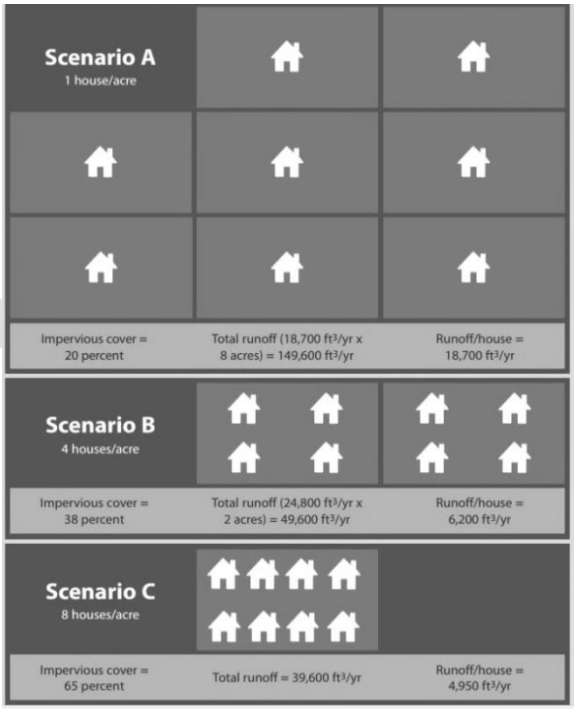
9 | Adapt Stormwater Management Controls to Facilitate Infill

The City of Bismarck requires developed sites to include stormwater detention best management practices to prevent flooding and protect water quality of streams and rivers. Generally, the amount of water leaving the developed site after rain events must be no greater than it was prior to the development occurring.

Infill and redevelopment, and more compact forms of growth more generally, vary greatly in stormwater impact depending on the scale from which they are viewed. At a site-specific level, the greater density of rooftops, parking lots, and roadways of a multifamily apartment near downtown will clearly generate greater post-construction runoff volumes than a rural development of single-family homes. However from a regional scale, the concentration of development into urban areas will result in less overall impervious surface and a greater proportion of land left in a natural or agricultural state, which may result in a lesser impact on the overall watersheds.

For this reason, the Environmental Protection Agency (EPA), the agency that oversees administration of the federal Clean Water Act, considers infill itself a form of stormwater management. The EPA legislation for communities like Bismarck includes the following non-structural best management practice:

"Policies and ordinances that encourage infill development in higher density urban areas, and areas with existing infrastructure"



Source: EPA Using Smart Growth Techniques as Stormwater Management Practices

Stormwater management standards can be differentiated between new development, infill of undeveloped sites, and redevelopment, ensuring that any requirements to mimic natural systems do not inadvertently incentivize low-density development on the fringes of the community, where natural systems already exist but the overall impact of development on the watersheds of the region is greater.

Strategy: Consider the regional impact of various forms of development on water quality and runoff volumes, and adapt regulations for stormwater management to incentivize infill and redevelopment.

DRAFT

10 | Encourage Redevelopment to Result in Net Water Quality and Stormwater Runoff Improvement

The City of Bismarck did not require stormwater management plans to control runoff generated by new developments until the late 1990's. Many areas of the City developed before the effects of interfering with natural water filtration were fully understood or actively regulated. In older areas of the City, especially with high levels of impervious surface, the existing stormwater system may be taxed by heavy rain events, resulting in periodic flooding.

In areas with known stormwater capacity constraints, redevelopment of a site should be encouraged to result in a net improvement to the water quality and runoff. There are various ways to achieve this benefit in more urban locations that face space constraints. Some techniques may be more feasible or cost-effective than others, depending on a particular site. Each of the following practices have been successfully used in cold climates:

Bioswale/Rain Garden

Source: EPA

Use landscape elements to filter pollution and reduce the rate of runoff from the site

Porous Pavement

Source: Oregon State

Replace asphalt or concrete surfaces with a permeable material that allows water to filter through and reduces the volume of runoff

Green Roof

Source: Cold Climate Housing Research Center

Install soil and vegetation on rooftops to create a turf of garden area that retains water.

Underground Storage

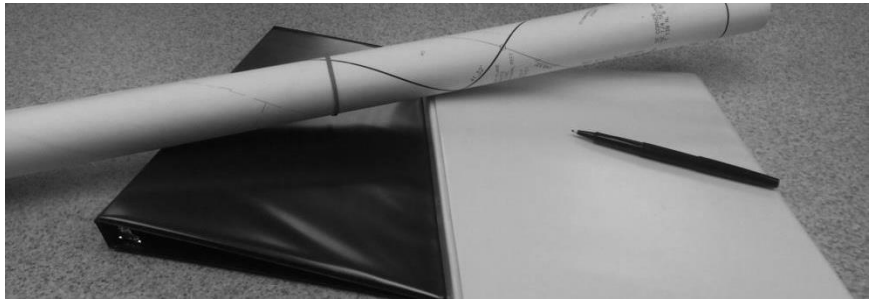
Source: City of Duluth

Capture and store water underground and either release gradually through outlet or filter water back into the water table.

Strategy: Encourage property owners who redevelop impervious surfaces in areas with known stormwater capacity issues to create a net reduction in runoff volume and rate and improve water quality of all runoff.

DRAFT

11 | Create a Developer's Handbook and Fact Sheets for Guidance



Strategies:

- Create a Developers' Handbook including relevant ordinance requirements, policies, and practices for navigating the development review process.
- Create fact sheets for projects that are commonly undertaken by the general public.

The City of Bismarck development review process is guided by the Code of Ordinances, as well as a series of adopted policies and plans. Applicants work with different departments during the course of any project, typically beginning with Planning and Zoning Commission hearings and then proceeding to the final engineering and construction phases. Informational guidance documents with all relevant laws and policies would benefit both the City and applicants by raising the level of compliance and avoiding time-consuming errors.

There are two different types of applicants for development review: developers and the general public. Different guidance documents may be tailored to each specifically. Developers and professional consultants often propose more complex developments, but also possess a basic level of understanding of the process. A full handbook would allow this group to research their projects in advance and anticipate any City response to their proposals.

The general public may deal with the Community Development Department or the Engineering Department only once for a specific project, such as the construction of a retaining wall or shed. This group would receive the greatest benefit from individual flyers addressing common projects, written in easy-to-understand language with visualizations as needed.

DRAFT

12 | Continue to Support Downtown Revitalization Programs

The City of Bismarck has utilized the Renaissance Zone and CORE Incentive Grant programs to achieve measurable success in revitalizing the downtown area over the last decade.

The Renaissance Zone is a statewide enabling program that offers property and state income tax exemptions to property owners who rehabilitate buildings or construct new buildings in an area designated by the locality.

In July of 2016, the Renaissance Zone Authority conducted a needs assessment of the existing Renaissance Zone boundaries to determine how much need currently exists for future revitalization. The assessment determined that the program could realistically continue for ten to fifteen additional years, at its current rates of participation, to meet all identified high-impact needs, particularly on the west side of downtown.

Insufficient housing remains a significant issue in the downtown area, and the Renaissance Zone Development Plan has been updated to focus attention on the goal of providing more housing opportunities. Mixing residential with the predominant commercial uses provides more vitality and security for all hours of the day, and meets a niche housing market demand.

The CORE Incentive Grant Program is a suite of potential grants that support revitalization efforts that are outlined in the City's Urban Renewal Plan, as revised. The completion of "quiet rail" improvements to the Burlington-Northern railroad tracks adjacent to downtown is expected to encourage more housing near the tracks, where a loud horn is no longer likely to be a nuisance.

Strategy: Continue to support the Renaissance Zone and CORE Incentive Grant Programs in their present form and promote the programs to potential participants with an emphasis on housing development.

DRAFT

13 | Encourage New Parks in Existing Neighborhoods

Providing access to a neighborhood park within reasonable walking distance of all citizens is a quality of life benchmark that the City of Bismarck and the Bismarck Parks and Recreation District have already established. In 2013, these two organizations worked together to draft a policy to assure that a neighborhood park is designed each time a new urban residential subdivision is created. This policy has been successfully implemented, and the first parks created under it are starting to open.

There remain a few areas of the City that do not meet these standards, and residents must walk more than a ½ mile to reach a park. If infill and redevelopment occurs as anticipated by this plan, the need for small-scale urban parks to serve these neighborhoods will grow. Access to public green space is even more important in areas where yards are smaller, and there are fewer opportunities for natural recreation and relaxation on private property.

The 2014 Bismarck Parks and Recreation Comprehensive Plan identifies the area just north of downtown as a proposed location for a new park, and the 2013 Downtown Bismarck Subarea Study recommended a small park south-west of downtown to support additional residential development proposed for this area.

Realistically, any infill park may have to be small, but there several design strategies available to create a functional and naturally-immersive environment nevertheless.

Strategy: Encourage and support the creation of new parks and green spaces, especially in areas of the City that lack adequate access to open space.

DRAFT

14 | Create a New Traditional Neighborhood Zoning District

The areas of Bismarck that were built prior to World War II have a distinct character. Often the lots are somewhat smaller, and the buildings are set back a moderate distance from the street. The front doors of the homes and businesses clearly face the public street, and garages are either oriented toward an alley or recessed behind the homes. The streets are relatively narrow, with ample room for trees and sidewalks. Commercial and residential uses are not strictly separated from each other and are mixed to some degree but at a reasonable scale. The neighborhoods are comfortable for pedestrians, and there are many destinations within walking distance.

The current zoning classifications available for new development would not allow a neighborhood to be built exactly this way today. The exceptions that exist, such as portions of the Sonnet Heights subdivision that resemble a traditional neighborhood, were created through the Planned Unit Development (PUD) process. The creation of a new Traditional Neighborhood zoning district would streamline the development process for such neighborhoods by providing a template for developers to use.

All of the existing zoning districts would still be available for new developments. The addition of a Traditional Neighborhood district to the zoning ordinance would simply create an additional option.

A Traditional Neighborhood zoning district would essentially be a less-intensive version of the Downtown Core (DC) and Downtown Fringe (DF) zoning districts that were created in 2006. The emphasis of these zoning districts is placed on the form of the buildings and how they engage the street, and much more flexibility is offered regarding the use of those buildings.

Other features of a Traditional Neighborhood district would be:

- Allowance for smaller lot sizes
- Lesser setback requirements
- Greater options for different housing types.

Furthermore, after the zoning district is created and available for use in future rezonings, older areas of the City that already match the Traditional Neighborhood provisions could be rezoned to this zoning district by a City-initiated action. All public hearing requirements would be followed, and residents who wish to keep the zoning as is would be able to voice this opinion during a public hearing. The advantage of having a zoning district that closely matches current conditions is that variances and other special approvals are less likely to be necessary for improvements, as long as they are consistent with the character of the neighborhood.

Strategy: Add a new Traditional Neighborhood (TN) zoning district to the zoning ordinance with provisions that match existing older neighborhoods in Bismarck. Allow new development to utilize this district, and propose the rezoning of certain existing neighborhoods to the Traditional Neighborhood (TN) district.

DRAFT

15 | Increase Awareness of the Accessory Dwelling Unit Option

The City of Bismarck allows owners of single-family homes to install a second dwelling unit on their property, either inside an existing home or in a separate building on the lot, under certain conditions. This is known as an accessory dwelling unit (ADU). The ordinance to allow ADUs as a special use, with a number of restrictions to ensure compatibility with the surrounding residential neighborhood, was adopted in the summer of 2016.

There are a few recognized benefits to ADUs. They offer an alternative housing option for smaller households, including for older citizens and people with special needs. They provide options for affordability, both for a person renting an ADU and for a homeowner who can use additional rental income to cover costs of living. Finally, if implemented carefully, increased density can be achieved while maintaining the traditional character of single-family neighborhoods.

From the perspective of the City as a whole, the use of ADUs increases the housing stock of the region with very minimal additional need for infrastructure. This housing type, if constructed according to the ordinance, adds increased density with very minimal impact on neighborhoods, in many cases being invisible from the public realm.

City staff should proactively make homeowners aware of this housing opportunity. The applicants for a Special Use Permit to create an ADU are not typically seasoned developers or consultants who understand City permitting processes well, and they may require assistance with the administrative procedures.

Strategy: Increase the awareness of Accessory Dwelling Units as an option for homeowners.

DRAFT

16 | Provide Landscape Buffer Alternatives in Certain Areas

The City of Bismarck requires landscaping for all new commercial, institutional, and multifamily buildings, and vegetative buffer yards are required between single and two family residential uses and multifamily or commercial uses. These provisions are important for improving the aesthetics of the community, mitigating stormwater, and creating a screen of privacy for residents impacted by nearby development.

In the Downtown Core, the Downtown Fringe, and many of the surrounding traditional neighborhoods, different types of uses exist side-by-side and a buffer yard has historically not been present. The current zoning ordinance requires a 15 foot vegetative buffer between buildings with 1-2 housing units and buildings with 3+ housing units, but implementing this buffer in the above described areas would be out of character and possibly prohibitive for any infill or redevelopment. In practice, these areas have typically been exempted, but the ordinance could be clarified on this point. Likewise, certain appropriately-scaled neighborhood commercial uses may be acceptable adjacent to homes without a 20 foot vegetative buffer, as required by the ordinance.

On the other hand, some components of the landscaping ordinance do still apply to the downtown and surrounding areas. Requirements to screen parking areas from pubic rights of way have value, and developers currently have the option of installing a wall and only consuming 4 feet of space. This requirement encourages the placement of parking areas behind buildings and outside of public view. The street trees are an important component of the streetscape and requirements to plant and maintain them should remain.

Strategy: Modify the Zoning Ordinance to reduce or remove landscape buffer yard requirements in the downtown and surrounding areas, while maintaining all requirements for perimeter screening of parking lots and street trees.

DRAFT

17 | Monitor For and Mitigate Against Housing Displacement

The 2015 Bismarck-Mandan Housing Demand Analysis identified difficulties with housing affordability for residents in Bismarck, especially the elderly and workforce demographics, and set the goal of increasing the total number of housing units in the community. This plan also encourages infill as a viable affordable housing option and recommends creating incentives for additional housing in the downtown.

These findings were also reinforced by the North Dakota Statewide Housing Needs Assessment that was released in September of 2016. Between 2014 and 2029, the North Dakota Housing Finance Agency projected a need for a 31.1% increase in housing units, with an even greater need for low-income and elderly households.

A possible unintended consequence of neighborhood revitalization is that rising property values and rents may lead to the displacement of existing residents. This is a prevalent and controversial issue in other cities, but Bismarck has not yet experienced high enough levels of neighborhood change to warrant concern. City staff should monitor neighborhood change and report to the Board of City of Commissioners their findings to determine if any protections for existing residents become necessary in the future.

Evidence of potential displacement can be obtained from various data sources, such as census data, property values and rents collected by realtors and apartment associations, and tax assessment values. Collecting and reporting this data periodically will provide a valuable resource to decision-makers.

Preparing in advance for this possibility allows the City to effectively target state and federal housing funds to areas where they may be needed most, as well as weigh the future need for additional policies to facilitate affordable housing. Any new affordable housing should also be fully accessible for people with disabilities.

Strategy: Monitor for and mitigate against housing displacement by using existing sources of federal and state funds for affordable housing in areas where displacement is most likely to occur.

DRAFT

18 | Preserve Existing Schools as Anchors for Neighborhoods

Schools, particularly elementary schools, have traditionally functioned as important centers for residential neighborhoods. An influential planner in the early 20th century, Clarence Stein, argued that carefully designing distinct "neighborhood units" would allow residents to maintain what they cherished about small towns in an urbanizing era. These neighborhoods of mostly single-family homes would be traversed by quiet streets, contain small parks, and in the center would be an elementary school, flanked by a small neighborhood shopping center. This ensured that the school would be within easy walking distance for all students, and also would function as a social and civic space for the neighborhood.

When the Bismarck Veterans Homeowners Cooperative Association developed Highland Acres in 1946, many of these principles were evident in the design. A prominent site in the center of the neighborhood was reserved for a "school and playground" with two commercial lots adjacent to it (which never developed as planned). As with most other planned neighborhoods, the school and neighborhood share the same name and create a cohesive identity.

Neighborhood schools in Bismarck face new pressures that are common in cities around the country. As the median age of residents in the older neighborhoods increases, the number of school-aged families may decrease leading to a decline in enrollment. At the same time, there exists a perception that efficiencies in administration and facilities can be achieved by consolidation and siting of schools on lower-cost land at the fringes of the community.

Nevertheless, existing neighborhood schools should be preserved. If upgrades or improvements are necessary, renovations of existing sites should be the heavily favored alternative. This allows the schools to continue to function as neighborhood centers. It also provides students greater options for walking and bicycling to the school, which may reduce busing costs. Neighborhood schools allow neighboring families to get to know each other better, leading to safer and stronger communities. Over time, the preservation and enhancement of high-quality neighborhood schools will become a driving force for attracting new families to existing neighborhoods, in some cases through the construction of infill housing, which would result in growing or stable enrollment for these schools.

Strategy: Preserve existing schools. If upgrades or improvements are necessary, renovations of existing sites should be the heavily favored alternative.

DRAFT

19 | Encourage Adaptive Reuse within Bounds of Building Code

Adaptive reuse is the conversion of an existing building to a new use. In the early years of Bismarck, land near the railroad tracks downtown would have been a perfect location for a warehouse to store goods unloaded at the depot. However, as economic conditions change, the highest and best use of properties change. Similar examples can be found throughout the City.

Adaptive reuse preserves the historic character of an area, reduces waste by reuse of building materials, and provides opportunities for unique architecture that reinforces a sense of place in Bismarck. As long as the new use is appropriate for the location, there are clear benefits to allowing and encouraging buildings to be restored rather than replaced.

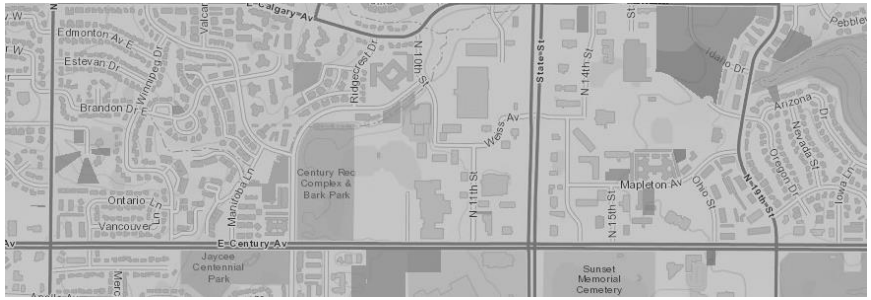
The City should not compromise on core fire and life safety provisions of the building code. Older buildings often require updates to meet modern standards, which may involve the replacement and installation of interior building systems and possibly structural stabilization. Safety is a primary public interest.

The North Dakota State Building Code, which the City of Bismarck has adopted and enforces, does create some distinction between new and existing buildings that allows the City Building Inspections Division to consider unique circumstances and pre-existing conditions. Typically, the requirements become stricter as the extent of any rehabilitation grows in size. The building code establishes sound health and safety standards, while still allowing the utilization of the historic and unique building stock citizens of Bismarck have inherited from our predecessors.

Strategy: Utilize provisions in the adopted North Dakota State Building Code to encourage the adaptive reuse of older buildings in new ways.

DRAFT

20 | Maintain a Database of Developable Vacant Properties



Accurate and timely information about the number of properties currently available for development can benefit both the private sector and government alike. Information about the current inventory can help prospective businesses identify suitable locations, help developers decide when to initiate new subdivisions, and help the City plan for the pace of growth. It also identifies opportunities for infill that are available throughout the City.

The City of Bismarck already collects the necessary information, and the GIS Department has created a public interface for viewing vacant properties online. The Bismarck-Mandan Development Association promotes the availability of this information to the business community.

The City should create a procedure for regularly updating the database, and it should contain the following information:

- The zoning district of all vacant properties
- Properties that are legally unbuildable should be removed
- Properties should only be included in the database if they are verified to have City water, sanitary sewer, and stormwater management infrastructure already in place and available for use
- Properties that are owned by the City and available for sale should be highlighted and linked to from the vacant properties map.

The City does not have access to information about long-term vacancy of buildings. Some larger cities with a high volume of vacant buildings require property owners to register their vacancy in order to track the data. However, Bismarck does not have this problem, and the benefits of such a registry would be outweighed by the costs of administering it.

Strategy: Maintain a database and map of vacant properties that are ready for development, and regularly publish updates of the information for the public.

DRAFT

21 | Study Costs and Benefits of a Rental Property Maintenance Code

There are now over ten thousand rental housing units in the City of Bismarck, comprising over a third of the City's housing stock. Approximately three thousand of these rental units were built prior to 1970, and this older housing stock may vary widely in condition and standards of living for the occupants. Housing that is not adequately maintained not only creates health and safety issues for the renters of the building, which they may or may not be aware of, it also exerts a negative effect on the surrounding neighborhood.

The City of Bismarck enforces the State of North Dakota Building Code, which requires all new construction or major alterations of structures to conform to the standards of the adopted code. The International Code Council also produces a Property Maintenance Code that regulates the minimum maintenance requirements for existing buildings and also requires that buildings are occupied and used as intended. The City of Bismarck has not adopted the Property Maintenance Code.

While an adopted maintenance code would apply to all buildings, whether residential or commercial, the nature of rental housing may warrant more proactive inspection. For example, the City of Fargo requires inspections of rental units starting fifteen years after construction. The inspections occur on an annual basis or up to every five years, depending on circumstances.

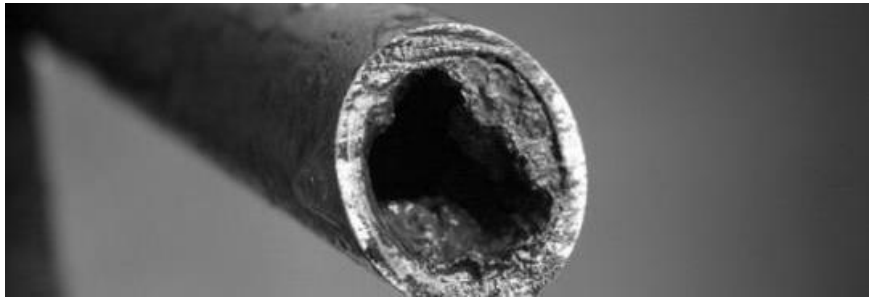
The Bismarck-Mandan Apartment Association and any other groups or individuals that would be directly impacted by a property maintenance code should be consulted and provided the opportunity to comment on any draft ordinance. This is essential to truly identify any costs or benefits to the proposal.

The City of Bismarck should not adopt any maintenance code unless the staff capacity exists to effectively administer and enforce the code. Implementing an inspection regime for rental properties will also require registration from all landlords. The City does not currently keep a database of housing that distinguishes between owner-occupied and rental units.

Strategy: Study the costs and benefits of adopting the International Property Maintenance Code and implementing inspections for rental properties, including groups or individuals directly impacted by such a program.

DRAFT

22 | Encourage Continual Reinvestment in Older Homes



Most older homes are located in core neighborhoods of the city, and ongoing investments in these properties not only improve the safety and value of the individual homes but also contributes to the health of its entire neighborhood.

One way the City encourages homeowners to reinvest in their properties is through a three-year tax exemption for remodeling. A property owner may exempt from property taxation the incremental increase in value created by a remodel of or addition to a building that is at least 30 years old.

Older homes that are equipped with lead service lines for water pose a potential health risk to the occupants. The practice of using lead pipes was largely discontinued by the middle of the 20th Century, but homes built prior to this are more likely to be equipped with lead service lines. The City of Bismarck tests homes for lead exposure on an ongoing basis, and the City is currently in compliance with the Safe Drinking Water Act. However, it is possible that compliance levels and monitoring requirements of the state and federal agencies will become more stringent in the future.

Homeowners own the water service line from their home to the point it connects to the publically-owned water main, usually under the street. Any maintenance or replacement of this line is the owners' responsibility, and any line should be replaced in full. Replacing portions of a line, such as only the portion under the roadway, could jostle free lead in the remaining portion of the line and exacerbate the problem.

Allowing homeowners to special assess costs of service line replacement, thereby essentially financing the project over time, could facilitate more homeowners to make the investment. Furthermore, the existing curb stop repair fee could be used to pay for replacing the portion of the line underneath the roadway, from the curb stop to the water main.

Strategy:

- Promote the availability of the 3-year property tax exemption for remodeling.
- Assist homeowners with lead service line replacement by allowing special assessment and use of City funds for the portion of the replacement costs underneath the roadway.

DRAFT

23 | Promote Cost-Share for Street Tree Planting

Trees in urban areas, especially those lining public streets, provide benefits that typically far outweigh their costs. Street trees reduce traffic speeds and provide a sense of security for pedestrians, offer shade in the summer and protection from wind and rain, improve respiratory health by absorbing particulates from vehicle exhaust, reduce stormwater volumes, lower air temperatures emanating from asphalt and concrete surfaces, and provide aesthetic value and a connection to nature in the middle of a city. For these reasons and others, the presence of street trees has been correlated with increased residential property values and higher sales in urban business districts.

The City of Bismarck has invested heavily in street trees over the years and residents have enjoyed these benefits. There are an estimated 22,000 trees lining 350 miles of public streets that are maintained by the Forestry Division. New street trees are currently required with all new commercial or multifamily residential development.

The maintenance and enhancement of Bismarck's urban tree canopy requires active management and ongoing investment. Over time, trees may need to be removed due to damage, disease, or age. Replacement is not required by law, and there areas within downtown and some surrounding areas that have fewer trees.

The City operates a program called Partners in Planting, partially funded with private donations, that offers to split the cost of planting replacement or new street trees with the property owner.

Strategy: Promote the use of the Partners in Planting Program, especially in areas with insufficient tree coverage, to encourage property owners to plant new and replacement street trees.

DRAFT

24 | Create a Fiscal Impact Model to Evaluate Future Development

Slow	Annual	($217,028.27)	($186,705.11)	($156,381.94)	($126,058.78)	($95,735.62)	($65,412.46)
Growth	Cumulative	($217,028.27)	($403,733.38)	($560,115.32)	($686,174.10)	($781,909.72)	($847,322.17)
Expected	Annual	($217,028.27)	($186,705.11)	($156,381.94)	($126,058.78)	($95,735.62)	($65,412.46)
Growth	Cumulative	($217,028.27)	($403,733.38)	($560,115.32)	($686,174.10)	($781,909.72)	($847,322.17)
High	Annual	($217,028.27)	($186,705.11)	($156,381.94)	($126,058.78)	($95,735.62)	($65,412.46)
Growth	Cumulative	($217,028.27)	($403,733.38)	($560,115.32)	($686,174.10)	($781,909.72)	($847,322.17)
Slow	Annual	($217,028.27)	($186,705.11)	($156,381.94)	($126,058.78)	($95,735.62)	($65,412.46)
Growth	Cumulative	($217,028.27)	($403,733.38)	($560,115.32)	($686,174.10)	($781,909.72)	($847,322.17)
Expected	Annual	($217,028.27)	($61,052.04)	$94,924.19	$250,900.43	$406,876.66	$562,852.89
Growth	Cumulative	($217,028.27)	($278,080.31)	($183,156.11)	$67,744.31	$474,620.97	$1,037,473.86
High	Annual	($217,028.27)	($7,617.12)	$201,794.02	$411,205.17	$620,616.31	$830,027.46
Growth	Cumulative	($217,028.27)	($224,645.39)	($22,851.37)	$388,353.79	$1,008,970.10	$1,838,997.56

Strategy: Analyze expected costs and revenues associated with various types of development and create a model to evaluate future development proposals.

Bismarck is a rapidly growing community, and the fiscal costs and benefits of this growth to the public continues to be a topic of discussion. A basic premise of this plan is that infill and redevelopment will incur less public costs than new growth on the fringes of the City, because it would leverage existing infrastructure and services to a great extent. This is intuitive and borne out by studies that have been conducted in other cities. However, the extent of any such costs savings in Bismarck is not known at this time.

A fiscal impact analysis envisions several different development scenarios and then estimates public costs of each. Such an analysis compares estimated costs of infrastructure and city services that are needed, based on actual costs of previous projects of a similar nature, with any increases in public revenues expected to be generated based on the development.

Under current City of Bismarck policies most costs associated with development are paid by the developer or special assessed to benefitted property owners in the area. However, a portion of upfront costs and significant maintenance responsibilities are still passed on to a broader segment of the public. Performing this analysis would provide greater understanding of these costs and benefits, and assist the City in future decision-making regarding development proposals.

DRAFT