

Comprehensive Policy Plan
"Working Spaces"

Policy Letter 123: Special Use Permits

BACKGROUND:

Two trends appear to be causing a loss of commercial activity in the Central Business District. One is the trend towards regional and strip commercial centers and the other is consolidation of businesses, either through acquisition or transfer of functions. The out-migration of businesses from the Central Business District or development of new strip commercial centers may be discouraged by improving the process for granting Special Use Permits.

The Special Use Permit Ordinance specifies that these permits may be issued for petitions based on hardships caused by regulations of existing zoning as they relate to the configuration of the property. In actuality, these permits may not always be based on a hardship. These two trends could be reversed by applying a more critical review of the requests for Special Use Permits and through promoting and encouraging commercial development in the Central Business District.

POLICY STATEMENT:

The City of Fargo should evaluate requests for Special Use Permits based on written standards. Requests not meeting these standards should be denied and the applicants should be encouraged to seek space in the Central Business District. The Zoning Ordinance should be amended to replace the hardship requirements and replace with the standard requirements.

CONCLUSION:

Issues such as this need to be addressed and acted on quickly to reduce the vacancy rate of the Central Business District and to reduce the number of commercial centers that are intruding into residential neighborhoods. As increased numbers of requests for Special Use Permits are denied, a system to assist commercial developers in finding space is needed. Proper utilization of the Special Use Permit process is just one example of how existing programs can guide the development of the community with minimal change or disruption to the City's program of land use development.