City of Grand Forks
Staff Report

Planning & Zoning Commission – July 8, 2026
City Council – July 20, 2026

Item 3-2 (Final) – Ordinance Amendments Impacting Townhouses	
Title: Ordinance to amend Section 18-0204 relating to "Townhouse" definition, Section 18-0209(11) relating to R-2 Semi-Detached Dwelling Special Conditions, and Section 18-0210(11)(A) relating to R-3 Townhouse Special Conditions.	
Applicant: Planning & Community Development Department	
Prepared By: Andrea Edwardson, Planning Manager	**Submitted By:** Ryan Brooks, Director of Planning & Community Development
Purpose: To amend the definition of "townhouse" in 18-0204 Rules and Definitions section of the Chapter 18 Land Development Code to not require lot line separations and to amend special conditions for townhouses found in 18-0209 (11) R-2 district requirements and 18-0210 (11) R-3 districts requirements for added flexibility in townhouse construction.	

Staff Recommendation
Staff recommends approval of the Ordinance to amend the definition of "Townhouse" in 18-0204 of the Land Development Code; to amend special conditions of Semi-Detached twin home requirements found in 18-0209 (11) R-2 districts; to amend special conditions of Townhouses found in 18-0210 (11) in R-3 district requirements; and to schedule and hold a public hearing as required.

Application Status
June 3, 2026 – Planning and Zoning Commission Recommended Action: Motion by Reichert, second by Budke for approval of staff recommendation. Motion carried unanimously.
June 15, 2026 – City Council Action: Motion by Weigel, second by Lunski to give preliminary approval and introduce the ordinance. Motion passed 5-1, with Osowski dissenting.
July 8, 2026 (Public Hearing) - Planning and Zoning Commission Recommended Action: Motion by Reichert, second by Matson for approval of staff recommendation. Motion carried unanimously.
July 20, 2026 (Public Hearing) – City Council Action:

Consistency with 2050 Land Use Plan
The requested change fits multiple housing goals including the following: - Housing Goal 1, Objective A: "Increase a well-maintained mix of housing opportunities to

provide for the full spectrum of existing and potential residents."
- Housing Goal 2, Objective B: "The City will not constrain the housing supply with unnecessary regulation and will ensure regulations allow housing types that families that can buy or rent."
- Housing Goal 2, Objective C: "The City will continue to find creative ways to incentivize developers to supply housing units for low to moderate income families."

Background and Discussion

Update:
Citizen comment submitted for preliminary action of this item is included in attachments. The comment raised concerns over life safety and fire code implications, City Fire Department ISO rating. This individual also expressed concerns with increases in rentals in neighborhoods.

Life safety, Building Codes, Fire Codes and GFFD ISO Rating
The ordinance proposed does not change any building/life safety or fire code requirements. It permits other sections of the building and fire codes to be utilized where they are currently not an option for developers today. Structurally independent fire walls are required should a developer choose to pursue that path through the building and fire codes, or a sprinkler system with appropriately rated walls or required. Either option has explicit requirements that are met prior to a certificate of occupancy being awarded. GFFD has contributed significantly to this review to ensure life safety measures remain at the same standards and that the proposed ordinance does not change their requirements for a safe structure. The ISO rating is not affected or impacted by the proposed changes.

Increased rentals in neighborhoods – this ordinance change does not increase density limits. Zoning districts determine number of units per lot and still prevail. This change impacts how permitted units may be built. The change would allow a developer or owner to choose to build the townhouse either as rentals (multiple townhouse units on one larger lot with shared utilities) as well as the current option of platting each unit on its own lot (with individual utilities) for sale. This change increases the options for how to construct housing within City of Grand Forks.

BACKGROUND (Provided at Preliminary):
This request is coming from a need expressed by multiple builders who are actively trying to build townhouse style units (for rent) throughout the community but are facing the following limitations with code that prohibit them from building in a more affordable manner.

18-0204. - Rules and definitions:
Townhouse. A dwelling unit that does not have a setback from the lot and dwelling unit adjacent to it but, rather, is separated from the dwelling unit adjacent to it only by a common party wall upon the lot line. (underline provided to emphasize issue).

The requirement of the lot line triggers: Platting, mandatory fire wall separation (2 two-hour fire walls built independently but directly next to each other on the lot line so each unit is independent of the other) and individual utility connections which typically require multiple bores or street openings to connect to main lines. Lot lines are necessary in order to sell the individual units independently of one another.

Removing the lot line requirement would still allow an owner to pursue lot lines, fire wall separations, and individual utility connections if they wish to. But removing the lot line requirement opens up the option to have multiple units on one lot if zoning permits (no platting fees), potentially one utility connection under/through the street and private lines to the individual units (typically would be a cost savings), and to choose how to separate the units per fire code (2 two-hour fire wall built independently but directly next to each other allows for units to not be sprinklered per building codes, or to have one two hour fire separation but with a fully sprinklered system like an apartment). This building style can be more challenging to sell the individual units in the future, but it is possible through easements or by creating a condominium association.

Removing the requirement of a lot line provides more flexibility in how units can be designed, all while still maintaining all required and proper life safety standards.

Townhouse type units (units that share a common wall) are permitted in:

- R-2 Single Family as semi-detatched (more commonly known as twin homes or single-family attached units)
- R-3 (low density multi-family (these typically take the form of row houses)
- R-4 High density Multi-family districts (what's permitted in R-3 is permitted in R-4)

Additionally, there are conditions placed on townhouses in the R-2 and R-3 that make building these types of units difficult.

Staff's interpretations are provided after the code in *italics* for ease of reference. Comments have been copied over to the draft ordinance as well.

18-0209 (11) R-2 Special Conditions for Semi-detached units:

(A) Dwelling, semi-detached, subject to the following conditions:

1. The lot adjacent to the common wall side yard must be under the same ownership at the time of initial construction. *(recommend removing to simplify code and this conflicts with the pre-sale of units prior to construction starting.)*
2. The side yard setback for the opposite side yard shall be no less than the minimum required setback for the appropriate district. The two (2) lots shall be combined as a single building lot for the purpose of determining the minimum side yard requirement. *(Staff recommend removing the combined lot as the basis for determining*

width and continue to utilize the one-side yard requirement instead. Combining the lots results in an unrealistically large sideyard, leaves little buildable area, and is something that has been appealed or not enforced for the reasons stated. Enforcement has centered around maintaining consistent side yards throughout the district, not requiring attached units to have double the standard).

3. Lots created for semi-detached dwellings shall contain a minimum of thirty-five hundred (3,500) square feet and have a minimum of twenty-five (25) feet of frontage. *(Recommend reducing frontage by a foot to 24 feet of frontage as increments of 4 feet have been requested by a local small developer to allow for more modular/easier to learn building techniques and reducing total square footage of the lot to 2,800 (24x120 ft lot) to allow for more flexible design opportunities.*

18-0210 (11) R-3 Special Conditions for townhouses:

(A)Townhouses, subject to the following conditions:

1. Covenants or townhouse association agreements shall be recorded with the register of deeds and shall govern the maintenance of the party wall, repainting and other conditions deemed necessary. No building permit shall be issued prior to approval of the covenants or townhouse association agreements or prior to the filing of the same in the office of the register of deeds in and for Grand Forks County. *(Recommend modifying this requirement to only apply for for-sale units, not rentals where all units are managed by a single owner or management company).*
2. Lot shall contain a minimum of three thousand five hundred (3,500) square feet per townhouse unit and have a minimum of twenty-five (25) feet of frontage for each townhouse unit. *(Recommend reducing the lot size to 2000 square feet and a minimum frontage of 16 feet. The middle units of the Promenade Townhomes (700 block of Promenade Court) are 18ft in width which provides a comfortable layout, 16ft would allow for the 4 foot building increment as described above. Staff also anticipate a desire for shallower lot depths to reduce land costs.)*

The recommended changes described above coincide with the Missing Middle Code Audit recommendations which suggested a scaled approach to lot sizes with R-1 lot sizes being the starting point (the audit recommended a 5,000 – 6,000 sqft lot size for R-1) and then scaling down sizes in the subsequent residential districts that allow for denser housing types (duplexes/twin homes, tri-plexes, rowhouses). In this instance:

- Current R-1 code requires 7,500 sqft and 50ft in width for new lots, or existing lots to be 6,000 sqft and 45ft in width. *(Not proposing a change to single family at this time, staff will review and potential for change to be brought forward in future).*
- Staff is recommending R-2 townhouses be permitted to be on 2,800 sqft lots. This would be little more than half the size so that the two-townhouse units together take the size of the one single family home permitted in the district as well.
- R-3 is proposed to be reduced to a third of the R-1 lot size to further scale the size where additional units and design types are permitted.

R-4 has requirements of lot width and size requirements that staff will continue to refine and bring forward in a future phase of code review at a future date.

Staff is recommending approval of the described changes.

Findings of Fact
• Ordinance Amendments require preliminary and final action, with public hearings held at final action. • Current townhouse definition found in Chapter 18-0204 requires a lot line in order to build that housing type in the City of Grand Forks.   ○ By removing the lot line requirement from the definition, the owner is able to have flexibility in deciding whether or not to pursue lot lines and for sale options or to construct the units as rentals with all units on one lot. • 18-0209 (11) and 18-0210 (11) modifications proposed would allow for flexible design choices that still allow for the scale of development to be consistent throughout the district.

Attachments
- Draft Ordinance with comments (comments copied and same as described in background above) - Missing Middle Code Audit Report (link) - Citizen Comments –   ○ Tegenu - written comment received for P&Z preliminary action

ORDINANCE No. _____

An ordinance to amend Section 18-0204(2) of the Grand Forks City Code relating to the Rules and Definitions; to amend section 18-0209(11) of the Grand Forks City Code relating R-2 One- and Two-Family Residence District Semi-Detached Housing Types; and, to amend Section 18-0210(11) relating to R-3 Multiple-Family Residence, Medium Density District Townhouse Special Conditions.

Be it hereby ordained by the City Council of the City of Grand Forks, North Dakota, pursuant to the Home Rule Charter of the City of Grand Forks, North Dakota, that:

SECTION I. AMENDING CLAUSE

Section 18-0204 (2) of the Grand Forks City Code relating to the Rules and Definitions is hereby by amended to provide as follows:

18-0204 – Rules and definitions

….

(2) *Definitions.* Certain words and terms are defined as follows:

…

Townhouse. A dwelling unit that does not have a setback from the lot and dwelling unit adjacent to it but, rather, is separated from the dwelling unit adjacent to it only by a common party wall ~~upon the lot line~~.

…

Commented [AE1]: Removal of lot line requirements allows for flexibility of construction and building code options. Lot lines may still be pursued, but not required, allowing rental townhouses to be constructed on one single, larger lot.

SECTION II. AMENDING CLAUSE

Section 18-0209 (11) of the Grand Forks City Code relating to R-2 One and Two family resident district special conditions of semi-detatched housing types is hereby by amended as follows:

18-0209 R-2 One and Two Family resident district

…..

(11) *Special conditions:*

(A) Dwelling, semi-detached, subject to the following conditions:

~~1. The lot adjacent to the common wall side yard must be under the same ownership at the time of initial construction.~~

Commented [AE2]: *Recommend removing to simplify code and this conflicts with the pre-sale of units prior to construction starting.*

~~2~~. **1.** The side yard setback for the opposite side yard shall be no less than the minimum required setback for the appropriate district. ~~The two (2) lots shall be combined as a single building lot for the purpose of determining the minimum side yard requirement.~~

~~3~~. **2.** Lots created for semi-detached dwellings shall contain a minimum of ~~thirty-five~~ **two thousand eight** hundred (~~3,500~~ **2,800**) square feet and have a minimum of twenty-~~five~~ **four** (~~25~~ **24**) feet of frontage.

~~(B) Reserved.~~

SECTION III. AMENDING CLAUSE

Section 18-0210 (11) of the Grand Forks City Code relating to R-3 multiple family residence district, medium density special conditions for Townhouses is hereby by amended as follows:

18-0210. - R-3 multiple-family residence, medium density district

….

(11) *Special conditions:*

(A) Townhouses, subject to the following conditions:

1. **When townhouses are platted on individual lots for sale, C**covenants or townhouse association agreements shall be recorded with the register of deeds and shall govern the maintenance of the party wall, repainting and other conditions deemed necessary. No building permit shall be issued prior to approval of the covenants or townhouse association agreements or prior to the filing of the same in the office of the register of deeds in and for Grand Forks County.

2. Lots shall contain a minimum of ~~three thousand five hundred~~ **two thousand** (~~3,500~~ **2,000**) square feet per townhouse unit and have a minimum of ~~twenty-five~~ **sixteen** (~~25~~ **16**) feet of frontage for each townhouse unit.

….

SECTION V. EFFECTIVITY

This ordinance shall be in full force and effective after its passage and approval as provided by law.

Commented [AE3]: *Staff recommend removing the combined lot as the basis for determining width and continue to utilize the one-side yard requirement instead. Combining the lots results in an unrealistically large sideyard, leaves little buildable area, and is something that has been appealed or not enforced for the reasons stated. Enforcement has centered around maintaining consistent side yards throughout the district, not requiring attached units to have double the standard.*

Commented [AE4]: *Recommend reducing frontage by a foot to 24 feet of frontage as increments of 4 feet have been requested by a local small developer to allow for more modular/easier to learn building techniques and reducing total square footage of the lot to 2,800 (24x120 ft lot) to allow for more flexible design opportunities.*

Commented [AE5]: Removing as its unnecessary to keep.

Commented [AE6]: *Recommend modifying this requirement to only apply for for-sale units, not rentals where all units are managed by a single owner or management company.*

Commented [AE7]: *Recommend reducing the lot size to 2000 square feet and a minimum frontage of 16 feet. The middle units of the Promenade Townhomes (700 block of Promenade Court) are 18ft in width which provides a comfortable layout, 16ft would allow for the 4 foot building increment as described above. Staff also anticipate a desire for shallower lot depths to reduce land costs*

Brandon Bochenski, Mayor

ATTEST:

Maureen Storstad, City Auditor

Introduction and first reading:
Public Hearing:
Second Reading and final passage:
Approved:
Published: Not required by law.

CGF Meeting Feedback Form

City of Grand Forks

Submitted On: Jun 3, 2026, 02:56PM CDT

Meeting Type:	Planning & Zoning
Full Name	**First Name:** Liv **Last Name:** Tegenu
Full Address	**Street Address:** 111 **City:** Grand Forks **State:** ND **Zip:** 58201
Agenda Item Number / Topic:	Opposition to Item 4-2: Ordinance to amend Section 18-0204 (Townhouse definition), Section 18-0209(11) (R-2 Semi-Detached Special Conditions), and Section 18-0210(11)(A) (R-3 Townhouse Special Conditions)
Comments:	RE: Opposition to Item 4-2: Ordinance to amend Section 18-0204 (Townhouse definition), Section 18-0209(11) (R-2 Semi-Detached Special Conditions), and Section 18-0210(11)(A) (R-3 Townhouse Special Conditions). Dear Chairman and Members of the Planning & Zoning Commission, Please accept this formal written testimony regarding Item 4-2 on tonight's agenda. I am writing to express serious reservations about modifying definitions and loosening special conditions for high-density attached housing without simultaneously mandating enhanced structural fire protection. We must look at the real-world economic and physical fallout of loose regulations on high-density wood structures. The catastrophic five-story, 325-unit Canton Apartment fire in Oklahoma City serves as a stark warning. Because it was an incredibly massive wood-frame structure with continuous horizontal areas, it burned for days and resulted in a total loss. Beyond the immediate danger, the total destruction of that massive volume of building materials created localized supply chain shocks, drawing away lumber, specialized equipment, and construction supplies that impacted other regional developers and local small contractors. Grand Forks currently maintains an elite Class 1 ISO (Insurance Services Office) fire protection rating. This rating directly protects our homeowners, small businesses, and developers by keeping property insurance premiums affordable city-wide. When a municipality alters townhouse definitions to allow structures to be built closer together or reduce setbacks, the systemic risk changes. If a major multi-family loss occurs here due to weak firewall requirements, the insurance payout causes actuaries to re-price the geographical risk pool, driving up insurance premiums for every property owner in Grand Forks. Furthermore, localized supply shortages from rebuilding a total-loss complex will halt other ongoing local projects. I support responsible housing growth. However, increased density must require increased safety. I ask that the Commission delay preliminary approval of Item 4-2 until the text explicitly includes provisions mandating: 1. True, structurally independent, non-combustible fire walls extending fully from the foundation through the roof deck to prevent horizontal fire spread. 2. Rigid perimeter access requirements so fire apparatus are never obstructed by reduced setbacks. 3. Explicit confirmation from the Grand Forks Fire Department that these changes will not jeopardize our Class 1 ISO rating. RE: Opposition to Item 4-2: Ordinance to amend Section 18-0204 (Townhouse definition), Section 18-0209(11) (R-2 Semi-Detached Special Conditions), and Section 18-0210(11)(A) (R-3 Townhouse Special Conditions). Dear Chairman and Members of the Planning & Zoning Commission, Please accept this formal written testimony regarding Item 4-2 on tonight's agenda. I am writing to express serious reservations about modifying definitions and loosening special conditions for high-density attached housing without simultaneously mandating enhanced structural fire protection. We must look at the real-world economic and physical fallout of loose regulations on high-density wood structures. The catastrophic five-story, 325-unit Canton Apartment fire in Oklahoma City serves as a stark warning. Because it was an incredibly massive wood-frame structure with continuous horizontal areas, it burned for days and resulted in a total loss. Beyond the immediate danger, the total destruction of that

massive volume of building materials created localized supply chain shocks, drawing away lumber, specialized equipment, and construction supplies that impacted other regional developers and local small contractors.

Grand Forks currently maintains an elite Class 1 ISO (Insurance Services Office) fire protection rating. This rating directly protects our homeowners, small businesses, and developers by keeping property insurance premiums affordable city-wide. When a municipality alters townhouse definitions to allow structures to be built closer together or reduce setbacks, the systemic risk changes. If a major multi-family loss occurs here due to weak firewall requirements, the insurance payout causes actuaries to re-price the geographical risk pool, driving up insurance premiums for every property owner in Grand Forks. Furthermore, localized supply shortages from rebuilding a total-loss complex will halt other ongoing local projects.

I support responsible housing growth. However, increased density must require increased safety. I ask that the Commission delay preliminary approval of Item 4-2 until the text explicitly includes provisions mandating:
1. True, structurally independent, non-combustible fire walls extending fully from the foundation through the roof deck to prevent horizontal fire spread.
2. Rigid perimeter access requirements so fire apparatus are never obstructed by reduced setbacks.
3. Explicit confirmation from the Grand Forks Fire Department that these changes will not jeopardize our Class 1 ISO rating.

If a high-density, wood-framed structure built under these relaxed definitions suffers a total-loss fire, what is the city's contingency plan for the localized economic impact, material shortages, and insurance premium hikes that local Grand Forks builders and businesses will face?

Respectfully submitted,
[Your Name]
[Your Grand Forks Address]
Respectfully submitted,
Liv Tegenu

CGF Meeting Feedback Form

City of Grand Forks

Submitted On: Jun 3, 2026, 02:53PM CDT

Meeting Type:	Planning & Zoning
Full Name	**First Name:** Liv **Last Name:** Tegenu
Full Address	**Street Address:** 111 **City:** Grand Forks **State:** ND **Zip:** 58201
Agenda Item Number / Topic:	Opposition to Item 4-2: Ordinance to amend Section 18-0204 (Townhouse definition), Section 18-0209(11) (R-2 Semi-Detached Special Conditions), and Section 18-0210(11)(A) (R-3 Townhouse Special Conditions)
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