



**CITY COUNCIL
MEETING AGENDA
MARCH 24, 2025 AT 5:30 PM
HJEMKOMST CENTER AUDITORIUM**

City Council Meeting

Disclaimer: Voting requirements may be subject to changes in the law, parliamentary procedural matters, or other unforeseen issues. The City Attorney provides opinion on questions of voting requirements in accordance with the Moorhead City Code, Minnesota State Statutes, and parliamentary procedure.

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Agenda Amendments
4. Consent Agenda

*All items listed with an asterisk (*) are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in accordance with the "Council Rules of Procedure". In such event, the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.*
5. Recognitions - Presentations
 - A. Presentation: FM Coalition to End Homelessness, Chandler Esslinger, Executive Director
6. Approve Minutes
 - A. March 10, 2025 Meeting Minutes
7. Citizens Addressing the Council (Time Reserved: 15 Minutes)

During "Citizens Addressing the Council", the Mayor will invite residents to share issues, concerns and opportunities. Individuals must limit their comments to three minutes. The Mayor may limit the number of speakers on the same issue in the interest of time and topic. Individuals should not expect the Mayor or Council to respond to their comments tonight.
8. *Mayor and Council Appointments
 - A. *Resolution to Approve Mayoral Appointments of Council Members to Committees, Boards, and Commissions
 - B. *Resolution for Appointments to Boards and Committees
9. Public Hearings (5:45 pm)

During "Public Hearings", the Mayor will ask for public testimony after staff and/or applicants make their presentations. The following guidelines are in place to ensure an efficient, fair, and respectful hearing; limit your testimony to three minutes and to the matter under consideration; the Mayor may modify times, as deemed necessary; avoid repeating remarks or points of view made by previous speakers. The use of signs, clapping, cheering or booing or any other form of verbal or nonverbal communication is not allowed.

 - A. Public Hearing for River Dr S, 18th Ave S, 3rd St S, and Elm St S Underground Utility and Street Improvements (Eng. No. 25-A2-03)
 - B. Resolution to Order Improvement and Declare Official Intent for River Dr S, 18th Ave S, 3rd St

S, and Elm St S Underground Utility and Street Improvements (Eng. No. 25-A2-03)

- C. Resolution to Award Bid for River Dr S, 18th Ave S, 3rd St S, and Elm St S Underground Utility and Street Improvements (Eng. No. 25-A2-03)
- D. Public Hearing for 9th Ave S, 10th Ave S and 16th St S Area Street Improvements (Eng. No. 25-A2-01)
- E. Resolution to Order Improvement and Declare Official Intent for 9th Ave S, 10th Ave S and 16th St S Area Street Improvements (Eng. No. 25-A2-01)
- F. Resolution to Award Bid for 9th Ave S, 10th Ave S and 16th St S Area Street Improvements (Eng. No. 25-A2-01)

10. Engineering Department

- A. *Resolution to Award Bid for the Sanitary Lift Station No. 2 Relocation Project (Eng. No. 18-13-08C)

11. Fire Department

- A. *Resolution to Enter into Joint Powers Agreement with State of Minnesota to Conduct Pre-Hire Background Checks
- B. *Resolution to Accept Grant Award for 2023-2024 Hazardous Materials Emergency Preparedness (HMEP) Grant Program (Budget Adjustment #25-002)

12. Parks and Recreation Department

- A. *Resolution to Accept Grant Funding from Convention and Visitors Bureau for the 2025 Celtic Festival

13. Community Development Department

- A. *Resolution to Approve Grant Agreement with MN Department of Transportation Office of Aeronautics - Moorhead Municipal Airport Florence Klingensmith Field
- B. *Resolution to Approve Assignment of Prairie Parkway 1st Addition Developer's Agreement
- C. *Second Reading of Ordinance 2025-02: An Ordinance to Amend and Reenact Title 10, Chapter 12, Residential, Chapter 13, Commercial, Chapter 14, Industrial, Chapter 15, Mixed Use, Chapter 17E, Gateway Overlay, Chapter 18, Use Regulations, Chapter 19, Site Development Standards of the Moorhead City Code and related Zoning Map Amendments
- D. *Resolution to Approve Title & Summary of Ordinance 2025-02

14. Moorhead Public Service

- A. *Resolution to Approve Change Order No. 3 with Border States Industries, Inc., for Circuit Breakers at Moorhead DOE Substation
- B. *Resolution to Award Bid for 2025 Water Distribution Pipe and Fittings

15. Mayor and Council Reports

16. City Manager Reports
17. Executive Session
 - A. Closed Executive Session pursuant to Minn. Stat. § 13D.05, subdivision 3 (b), for attorney-client consultation with external litigation counsel in the matter of Ames Construction Inc. vs. City of Moorhead
18. New Business
19. Adjourn



**CITY COUNCIL
MEETING MINUTES
MARCH 10, 2025 AT 5:30 PM
HJEMKOMST CENTER AUDITORIUM**

1. Call to Order and Roll Call

Roll call of the members was made as follows:

Present: Council Member: Ryan Nelson
Council Member: Nicole Mattson
Council Member: Heather Nesemeier
Council Member: Emily Moore
Council Member: Lisa Borgen
Council Member: Sebastian McDougall
Council Member: Chuck Hendrickson
Mayor: Shelly Carlson
Absent: Council Member: Deb White

2. Pledge of Allegiance

3. Agenda Amendments

4. Consent Agenda

Motion to Approve made by Chuck Hendrickson and seconded by Heather Nesemeier

Motion Passed

For: 7; Nelson, Mattson, Nesemeier, Moore, Borgen, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; White

5. Recognitions - Presentations

A. MoorHeart Recognition: Roger Erickson

Governmental Affairs Director Lisa Bode and Chief Shannon Monroe presented the MoorHeart Award to Roger Erickson for his work supporting our local law enforcement and specifically the Moorhead Police Department K9 Program.

B. Presentation: Gate City Bank/City of Moorhead Neighborhood Impact Home Improvement Program

Gate City Bank Assistant Vice President Angie Fogel shared information on the Neighborhood Impact Program (NIP) partnership and presented a \$2M check dedicated to fund the housing rehabilitation program in Moorhead.

C. Proclamation: Kurdish Heritage Month

Council member McDougall presented the Kurdish Heritage Month proclamation.

6. Approve Minutes

A. February 24, 2025 Meeting Minutes

Motion to Approve February 24, 2025 Meeting Minutes made by Lisa Borgen and seconded by Sebastian McDougall

Motion Passed

For: 7; Nelson, Mattson, Nesemeier, Moore, Borgen, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; White

7. Citizens Addressing the Council (Time Reserved: 15 Minutes)

8. *Mayor and Council Appointments

9. Public Hearings (5:45 pm)

A. Public Hearing for 14th Ave S, 13th St S, and 18th St S Underground Utility and Street Improvements (Eng. No. 25-A2-02)

Motion to Open Public Hearing for 14th Ave S, 13th St S, and 18th St S Underground Utility and Street Improvements (Eng. No. 25-A2-02) made by Heather Nesemeier and seconded by Ryan Nelson

Motion Passed

For: 7; Nelson, Mattson, Nesemeier, Moore, Borgen, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; White

Assistant City Engineer Clay Lexen presented the proposed work on 14th Ave. S, 13th St. S, and 18th St. S. Underground Utility and Street Improvements. The City of Moorhead and Moorhead Public Service will collaborate on this project along with an Xcel Energy project that will be completed concurrently with this project.

Three Moorhead residents asked clarifying questions regarding the project.

Motion to Close Public Hearing for 14th Ave S, 13th St S, and 18th St S Underground Utility and Street Improvements (Eng. No. 25-A2-02) made by Heather Nesemeier and seconded by Lisa Borgen

Motion Passed

For: 7; Nelson, Mattson, Nesemeier, Moore, Borgen, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; White

B. Resolution to Order Improvement and Declare Official Intent for 14th Ave S, 13th St S, and 18th St S Underground Utility and Street Improvements (Eng. No. 25-A2-02)

Motion to Approve Resolution to Award Bid for 14th Ave S, 13th St S, and 18th St S Underground Utility and Street Improvements (Eng. No. 25-A2-02) made by Heather Nesemeier and seconded by Emily Moore

Motion Passed

For: 7; Nelson, Mattson, Nesemeier, Moore, Borgen, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; White

- C. Resolution to Award Bid for 14th Ave S, 13th St S, and 18th St S Underground Utility and Street Improvements (Eng. No. 25-A2-02)

Motion to Approve Resolution to Award Bid for 14th Ave S, 13th St S, and 18th St S Underground Utility and Street Improvements (Eng. No. 25-A2-02) made by Heather Nesemeier and seconded by Emily Moore

Motion Passed

For: 7; Nelson, Mattson, Nesemeier, Moore, Borgen, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; White

- D. Public Hearing for Country Heritage Area Street Improvements (Eng. No. 24-A2-03)

Motion to Open Public Hearing for Country Heritage Area Street Improvements (Eng. No. 24-A2-03) made by Sebastian McDougall and seconded by Chuck Hendrickson

Motion Passed

For: 7; Nelson, Mattson, Nesemeier, Moore, Borgen, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; White

Assistant City Engineer Clay Lexen presented the proposed Country Heritage Area Street Improvement project.

Motion to Close Public Hearing for Country Heritage Area Street Improvements (Eng. No. 24-A2-03) made by Lisa Borgen and seconded by Sebastian McDougall

Motion Passed

For: 7; Nelson, Mattson, Nesemeier, Moore, Borgen, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; White

- E. Resolution to Order Improvement and Declare Official Intent for Country Heritage Area Street Improvements (Eng. No. 24-A2-03)

Motion to Approve Resolution to Award Bid for Country Heritage Area Street Improvements (Eng. No. 24-A2-03) made by Emily Moore and seconded by Lisa Borgen

Motion Passed

For: 7; Nelson, Mattson, Nesemeier, Moore, Borgen, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; White

- F. Resolution to Award Bid for Country Heritage Area Street Improvements (Eng. No. 24-A2-03)

Motion to Approve Resolution to Award Bid for Country Heritage Area Street Improvements (Eng. No. 24-A2-03) made by Emily Moore and seconded by Lisa Borgen

Motion Passed

For: 7; Nelson, Mattson, Nesemeier, Moore, Borgen, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; White

10. Economic Development

- A. *Resolution to Approve Transfer of City-Owned Property to the Moorhead Economic Development Authority

11. Engineering Department

- A. *Resolution to Authorize Temporary Easement Agreements for the 34th Street (4th Ave S to 3rd Ave N) Rehabilitation Project (Eng. No. 23-02-01)

12. Community Development Department

- A. *First Reading of Ordinance 2025-02: An Ordinance to Amend and Reenact Title 10, Chapter 12, Residential, Chapter 13, Commercial, Chapter 14, Industrial, Chapter 15, Mixed Use, Chapter 17E, Gateway Overlay, Chapter 18, Use Regulations, Chapter 19, Site Development Standards of the Moorhead City Code and related Zoning Map Amendments

13. Administration

- A. Resolution to Approve the Appointment of the Police Chief

Assistant City Manager Mike Rietz presented the recommendation of Christopher Helmick as Police Chief effective April 14, 2025. Mr. Rietz shared an overview of the selection process for this position.

Chief Helmick thanked everyone who supported him during this process. Mr. Helmick congratulated current Police Chief Shannon Monroe on his retirement.

Motion to Approve Resolution to Approve the Appointment of the Police Chief made by Ryan Nelson and seconded by Chuck Hendrickson

Motion Passed

For: 7; Nelson, Mattson, Nesemeier, Moore, Borgen, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; White

- B. *Resolution to Approve the Consumption of Beer on the Premises of the Moorhead Youth Hockey Arena on April 18 & 19, 2025
- C. *Consider Actions Relating to Demolition in and around City Hall
- D. *Resolution to Approve an Agreement with McGough Construction Co., LLC for Construction Manager At Risk Services for the Moorhead Center Mall Demolition
- E. *Resolution to Approve Guaranteed Maximum Price Amendment #1 to the Agreement with McGough Construction Co., LLC for Construction Manager At Risk Services for the Moorhead Center Mall Demolition
- F. *Resolution to Approve Guaranteed Maximum Price Amendment #1 to the Agreement with McGough Construction Co., LLC for Construction Manager At Risk Services for the City Hall Renovation Project

14. Mayor and Council Reports

Council Member Nesemeier attended the quarterly Airport Committee meeting. Ms. Nesemeier shared an opportunity for community members to look to legislation SF1690, authored by Senator Rob Kupec, for development of a stewardship program. Ms. Nesemeier attended the event for International Women's Day on March 8th, 2025, and extends her thanks to those who helped host the event.

Council Member Mattson reported attending International Women's Day. She also attended Foundational training at the League of Minnesota Cities for new City Council Members. Ms. Mattson attended a Clay County collaborative meeting and explained that the application for this year's funding cycle will be out soon.

Council Member Nelson and Borgen shared an update on the Legislative Work Group after attending the Moorhead Area day at the Capital along with Mayor Carlson, the Chamber, Lisa Bode, and Derrick LaPoint. Mr. Nelson and Ms. Borgen expressed their gratitude for those who met with them in Saint Paul. Mr. Nelson and Ms. Borgen also attended the City Day on the Hill, sponsored by the League of Minnesota Cities. Mr. Nelson mentioned that there will be Senate and Housing committees that will be hearing bills regarding future development of our cities.

Council Member Moore extended her thanks to the city for supporting them at the Elected Leaders Institute with League of Minnesota Cities. Ms. Moore also met with the EDA last month along with Council Member Nelson.

Mayor Carlson gave an update on lobbying work in Washington, DC which was in conjunction with the MMUA and AAPA. Ms. Carlson testified at the State Capitol on behalf of the Cultural Mall on February 18th, 2025. Mayor Carlson expressed her gratitude to Shawn Nygaard from Korsmo Funeral Services who signed off on contributing \$25,000 to The Loop as a community sponsor. Mayor Carlson and City Manager Dan Mahli spoke at the Brookdale Baptist Church Community Forum on February 22, 2025. Mayor Carlson sends out congratulations to Class AAA 250 lbs. wrestling title won by Moorhead Spud Billy Ward, the Moorhead boys AA hockey team on their first ever Moorhead hockey championship, Brooks Cullen who was awarded the Brooks award, Mason Kraft who was selected as the 2025 Mr. Hockey of Minnesota, and Coach Jon Ammerman who was selected as the 2025 coach of the year.

15. City Manager Reports
16. Executive Session
17. New Business
18. Adjourn
Meeting adjourned at 6:51pm.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson
Mayor

Christina Rust
City Clerk

The proceedings of this meeting are digitally recorded and are available for public review.

RESOLUTION

Resolution to Approve Mayoral Appointments of Council Members to Committees, Boards, and Commissions

BE IT RESOLVED by the City Council of the City of Moorhead, does hereby accept Mayor Carlson's 2025 appointment of Council Members to various committees, boards, and commissions as noted below.

Emily Moore:

- West Central Initiative – Economic Development

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead

PASSED: March 24, 2025 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk

RESOLUTION

Resolution for Appointments to Boards and Committees

BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that the City council does hereby approve the following committee appointments:

Park Advisory Board

- Mitch Havig, Moorhead resident, is appointed to a term commencing March 25, 2025 and ending January 31, 2026. (Ward 1)

PASSED: March 24, 2025 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

March 24, 2025

SUBJECT:

Public Hearing for River Dr S, 18th Ave S, 3rd St S, and Elm St S Underground Utility and Street Improvements (Eng. No. 25-A2-03)

RECOMMENDATION:

The Mayor and City Council are asked to conduct a Public Hearing to consider proposed improvements for River Dr S, 18th Ave S, 3rd St S, and Elm St S Underground Utility and Street Improvements (Eng. No. 25-A2-03) and, following the Hearing, to consider the following resolutions:

- A. Resolution to Order Improvements and Declare Intent to Assess
- B. Resolution to Award Bid

BACKGROUND/KEY POINTS:

The proposed project area includes the streets of River Dr S, 18th Ave S, 3rd St S, and Elm St S (map attached). These streets are included in the City's 2025-2029 Capital Improvement Plan and are scheduled for construction of improvements in 2025.

On December 9, 2024, the City Council ordered the preparation of the Engineer's Report. The report was completed by City staff under the direction of the City Engineer and presented to Council on February 10, 2025. The report evaluated the existing street and utility systems, considering how they were constructed and maintained, their age and current condition, and information obtained from soil borings and sewer televising. The following street and utility improvements were recommended:

River Dr S – Rehabilitation and watermain replacement from Elm St S to end of cul-de-sac, and from 14th to 16th Ave S
18th Ave S – Rehabilitation from 3rd to 4th St S
3rd St S – Rehabilitation from 12th Ave S to end of cul-de-sac
Elm St S – Rehabilitation from 12th Ave S to River Dr S

A rehabilitation involves the full pavement depth being removed and replaced, typically including the gravel base. Most of the existing curb and gutter and sidewalks will remain in place, and only spot repairs will be made.

Other recommended improvements include making minor sidewalk repairs and replacing the existing pedestrian ramps in order to comply with current Americans with Disabilities Act (ADA) standards; and that Moorhead Public Service (MPS) replace cast iron pipe (CIP) water mains (as part of the City contract). The report finds that the proposed improvements are necessary, cost-effective and feasible. The report further finds that the project is of a sufficient size to achieve a desirable economy of scale and may be constructed as a stand-alone project or in connection with some other improvement. A portion of the project cost will be financed using special assessments applied on an adjusted front foot basis at the standard rates in accordance with the current fee schedule (\$90.00 per foot for rehabilitation projects).



City Council Communication

March 24, 2025

On February 14, 2025, a virtual a public informational presentation on the proposed improvements was made available on the City website. The public informational presentation was intended to solicit resident/owner feedback prior to receiving bids. A letter was mailed to the abutting property owners notifying them of the presentation, and how to contact staff to ask questions or submit comments regarding the proposed design.

Since special assessments will be used to finance a portion of the project cost, and the project has been initiated by Council action rather than by petition of the benefiting property owners, it is necessary to hold a Public Hearing prior to ordering the improvements. In accordance with Minnesota Statutes, Chapter 429, 10 days published notice and 10 days mailed notice of tonight's hearing was provided to the 43 parcels that will be assessed for the proposed improvements. An example of the mailed notice is attached to this communication. At the time this communication was prepared, staff had not received any comments on the proposed improvements in response to the mailed notice. Staff will provide an update on comments received through Monday, March 24, 2025 at the Public Hearing. Staff recommends that, at the close of the Public Hearing, the Council order the improvements and declare the intent to assess. Since the project was initiated by Council action instead of by petition of at least 35% of the benefiting property owners, the improvements may only be ordered by a 4/5 supermajority of the full Council (7 affirmative votes).

Bids for the project were received on March 12, 2025, and are summarized in the Financial Considerations section of this communication. After ordering the improvements, staff recommends awarding the bid to the apparent lowest responsible bidder. Below is an outline of the proposed project schedule.

PROJECT SCHEDULE	
Activity	Date
Order Preliminary Engineer's Report	December 9, 2024
Receive Engineer's Report, Order Plans & Specs, and Call for a Public Hearing	February 10, 2025
Approve Plans & Specs and Authorize Ad for Bids	February 10, 2025
Receive Bids	March 12, 2025
Hold Public Hearing, Order Improvements, Declare Intent to Assess & Award Bid	March 24, 2025
Anticipated Construction Schedule	May-Sept. 2025
Hold Assessment Hearing	Fall 2025

FINANCIAL CONSIDERATIONS:

Two bids for the project were received on March 12, 2025. The bids are detailed in the attached bid tabulation and summarized below:

Bidder	Bid
Northern Improvement Company	\$1,271,981.03
Sellin Brothers, Inc.	\$1,362,931.25
Engineer's Estimate	\$1,318,582.03



City Council Communication

March 24, 2025

Based on the low bid, the total cost of the improvements including contingencies and fees, is estimated to be approximately \$1,522,000. The City will be reimbursed approximately \$314,000 from MPS for the cost of the water main replacement. The remaining project cost will be financed through the PIR fund. Approximately \$341,500 will be special assessed to the benefiting properties in accordance with the City's Special Assessment Policy. The balance will be paid as a City share with debt service on the City share paid through the general property tax levy.

Voting Requirements: Majority of Quorum

Submitted By:

Dan Mahli, City Manager

Tom Trowbridge, City Engineer

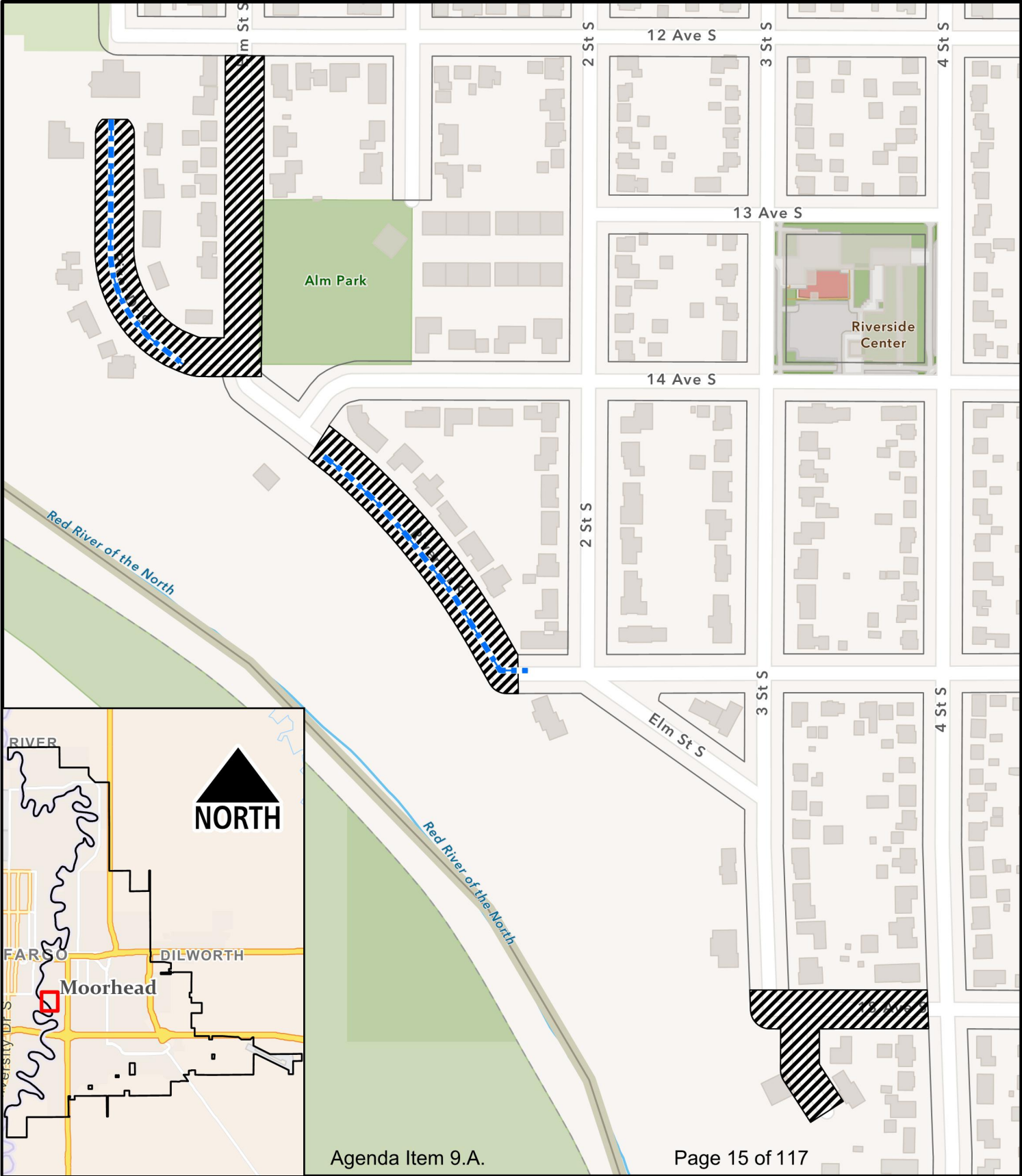
Attachments: Location Map, Public Notice Mailing, Bid Tabulation

LEGEND

- STREET IMPROVEMENTS
- REHABILITATION
 - ADDITIONAL WORK
 - WATERMAIN REPLACEMENT

Project 25-A2-3

Road Rehabilitation on Elm St S between 12 Ave S & River Drive S, and the River Drive S Cul-de-sac west of Elm St as well as River Drive between 14 & 16 Ave S, and 18 Ave S between 3 & 4 St S, and the 1800 block of 3 St S Including Watermain Replacement on River Drive S





**CITY OF MOORHEAD
ENGINEERING DEPT.
PO BOX 779
MOORHEAD, MN 56561-0779**

THIS IS NOT A BILL

This is a notification of the proposed improvement hearing and estimated special assessment. A final assessment hearing will be held at a later date.

March 13, 2025

[REDACTED]
MOORHEAD MN 56560

PARCEL NO. **[REDACTED]**
PARCEL ADDRESS **[REDACTED]** MOORHEAD MN 56560

Project No. 811967

Eng#. 25-A2-3

Project Description & Location: 25-A2-3-REHAB ELM ST S, RIVER DR S, 3RD ST S AND 18TH AVE S

Assessment/Benefiting Area

All properties abutting S River Dr from cul-de-sac to 16 Ave S; Elm St S between 12 and 14 Av S; 18 Av S between 3 and 4 St S and 3 St S from 18 Av S to dead end

Notice is hereby given that the City Council of Moorhead, Minnesota will meet at the Hjemkomst Center, 202 1st Ave. N., Moorhead, MN at **5:45 pm on Monday, March 24, 2025** to consider the making of improvements on the above referenced project.

The estimated total cost that would be assessed against your property for this project is \$7,196.40 and would be assessed over a 20 year period at an estimated interest rate of 5.37 %.

Below is an example of your estimated special assessment cost.

Principal Amount = \$7,196.40 / 20 years =	First year principal	\$359.82
	Plus 5.37% interest	\$386.45
	First Year payment	\$746.27
NOTE: Interest is charged each year on the unpaid balance		

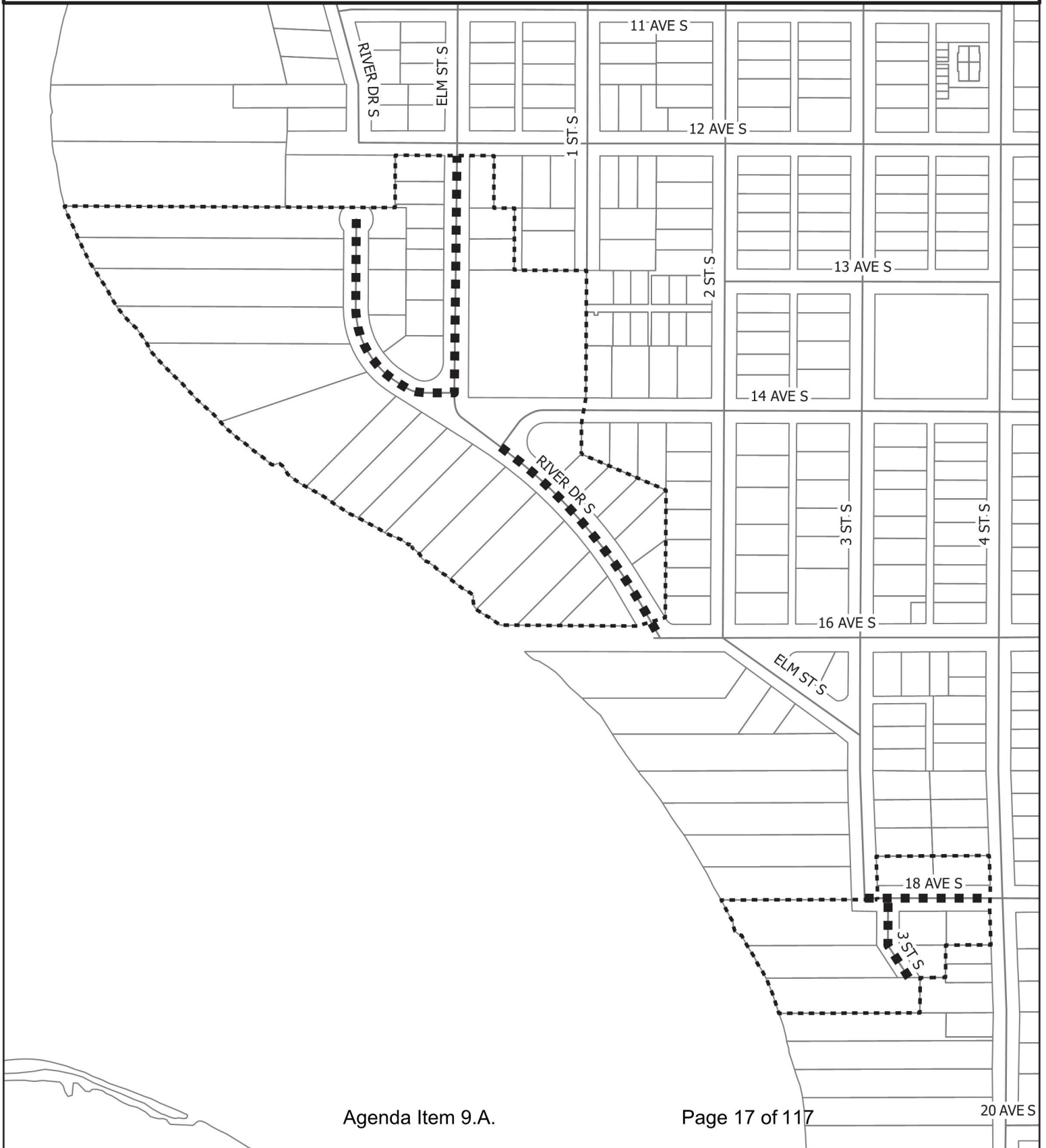
Written or oral objections will be heard and considered at said hearing. If you wish to respond yet cannot attend, please respond in writing to the Engineering Office. Responses must be received prior to the hearing on **March 24, 2025**.

Please contact the City Clerk's Office 218-299-5166 if auxiliary aids or services are required (ten hours notice is required). TDD/TTY (for hearing and speech impaired only) dial 711.

Project 25-A2-3 Mill & Overlay on Elm St S between 12 Ave S & River Drive S,
and the River Drive S Cul-de-sac west of Elm St as well as River Drive
between 14 & 16 Ave S, and 18 Ave S between 3 & 4 St S,
and the 1800 block of 3 St S

■ ■ Road Rehab \$90/FF

▤▤▤▤ Assessment Area



PROPOSED WORK: Rehabilitation –Elm St. S., River Dr. S., 3rd St. S. and 18th Ave. S.

PROJECT ENGINEER: Michael Aamodt, Engineer **Phone:** 218-299-5389 **Email:** michael.aamodt@moorheadmn.gov

STREET CLASSIFICATION: All Streets in the project area are classified as “Local” streets.

Local streets are the street network within a subdivision that is intended to provide access to the directly abutting properties and primarily serves local traffic. Typically, about 1/3 of the cost for local streets is assessed to the directly abutting lots within the subdivision. The city pays the rest of the cost through the general property tax levy.

PROJECT DETAILS: On Dec. 9, 2024, the City Council ordered preparation of an Engineer’s Report, which was completed by City staff under direction of the City Engineer. The report evaluated existing street and utility systems, considering how they were constructed and maintained, their age and current condition, and information obtained from soil borings and sewer televising. The report recommended the following improvements be made:

Rehab on 18th Av S from 3rd to 4th St S; 3rd St S from 12th Av S to end of cul-de-sac and Elm St S from 12th Av S to River Dr S.

Rehab and watermain replacement on River Dr S from Elm St S to end of cul-de-sac, and from 14th to 16th Ave S.

A rehabilitation involves the full pavement depth being removed and replaced, typically including the gravel base, but preserves most of the existing curb and gutter.

As part of this City contract, 1,300 feet of cast iron pipe (CIP) water mains will be replaced on River Dr. S. between Elm St. S. to end of cul-de-sac, and from 14th to 16th Ave. S. Other water mains in the project area are all polyvinyl chloride (PVC) pipe and in good condition. The sanitary sewer mains are vitrified clay pipe (VCP) and are in good condition.

Sidewalk spot repairs and pedestrian ramp improvements necessary to comply with ADA requirements will also be made.

A map showing the proposed improvements and assessment boundaries is included on the back of your notice.

A virtual informational presentation can be viewed by using the QR Code to the right or:

1. Go to City’s website at www.cityofmoorhead.com
2. Click on the **Departments** tab
3. Under City Departments, click on **Engineering**
4. On the left-hand side of the screen, click on the heading **Current & Future Projects**
5. On the left-hand side of the screen, click on **25-A2-03 – River Dr S, Elm St S, 3 St S and 18 Ave S Underground Utility and Street Improvements**.

It will bring you to the project page and you can view the view presentation.

QR Code



PUBLIC HEARING: Monday, March 24, 2025, 5:45pm at the Heritage Hjemkomst Center, 202 1st Av N., Moorhead, MN.

FINANCIAL: Bids for the project were received on March 12. The lowest qualified bid received was from Northern Improvement for \$1,271,981.03.

ASSESSMENT INFO/CALCULATIONS: City assessment policy establishes a flat rate for street repair projects to keep things equitable among all properties in Moorhead. This policy has been in place since 2005. To account for variability in construction costs from year to year, and for the amount of front footage an assessment is based on (side lot footage is not assessed), the City established flat assessment rates per front foot for the various types of projects. Rates are set by the Council in its fee schedule, and is intended, on average, to generate between 30% and 40% of the total project cost. The remaining cost is paid by the City through general tax levy proceeds. The policy provides certainty to residents that their assessment won’t go higher, regardless of the final project cost. If the project cost goes up, the City pays the additional amount. If the project cost goes down, City share is reduced. The current rate for rehabilitation is \$90/Front Foot.

Estimated Cost including Contengencies & Fees \$1,412,000



ASSESSMENT EXAMPLES: A property with 75' of frontage abutting the street to be improved would be assessed \$6,750 (75' x \$90). **Alternate assessment calculation methods are used to determine front footage for irregular shaped, cul-de-sacs and lots on curves, and first 150 feet of side lot footage is exempted from corner lots to keep special assessments equitable.*

ASSESSMENT SCHEDULE: Final assessment notices are sent out in Sept/Oct and are then certified to the County on November 15. If you choose to do so, after final assessment has been adopted by council, you will have an opportunity to pay off, or buy down, the assessment, without interest, before it's certified to County and added to your 2026 property taxes.

This project would be spread over 20-years at an *estimated* interest rate of 5.37%. Actual interest rate will be determined after the City has bonded for the project. Below are two examples of projected amortization of the assessment, if paid over the 20-year duration. **Note: Assessments can be paid off and paid down at any time without penalty.**

EXAMPLE 1							EXAMPLE 2						
SPECIAL ASSESSMENT AMORTIZATION SCHEDULE							SPECIAL ASSESSMENT AMORTIZATION SCHEDULE						
Special Assmt							Special Assmt						
Principal \$ 7,425							Principal \$ 9,200						
Rate 5.37%							Rate 5.37%						
Principal \$ 371							Principal \$ 460						
Total Interest \$ 4,187							Total Interest \$ 5,187						
Years 20							Years 20						
Year	Pymt #	Balance	Principal	Interest	Yearly Total	Monthly Budget	Year	Pymt #	Balance	Principal	Interest	Yearly Total	Monthly Budget
2026	1	7,425.00	371.25	398.72	769.97	64.16	2026	1	9,200.00	460.00	494.04	954.04	79.50
2027	2	7,053.75	371.25	378.79	750.04	62.50	2027	2	8,740.00	460.00	469.34	929.34	77.45
2028	3	6,682.50	371.25	358.85	730.10	60.84	2028	3	8,280.00	460.00	444.64	904.64	75.39
2029	4	6,311.25	371.25	338.91	710.16	59.18	2029	4	7,820.00	460.00	419.93	879.93	73.33
2030	5	5,940.00	371.25	318.98	690.23	57.52	2030	5	7,360.00	460.00	395.23	855.23	71.27
2031	6	5,568.75	371.25	299.04	670.29	55.86	2031	6	6,900.00	460.00	370.53	830.53	69.21
2032	7	5,197.50	371.25	279.11	650.36	54.20	2032	7	6,440.00	460.00	345.83	805.83	67.15
2033	8	4,826.25	371.25	259.17	630.42	52.54	2033	8	5,980.00	460.00	321.13	781.13	65.09
2034	9	4,455.00	371.25	239.23	610.48	50.87	2034	9	5,520.00	460.00	296.42	756.42	63.04
2035	10	4,083.75	371.25	219.30	590.55	49.21	2035	10	5,060.00	460.00	271.72	731.72	60.98
2036	11	3,712.50	371.25	199.36	570.61	47.55	2036	11	4,600.00	460.00	247.02	707.02	58.92
2037	12	3,341.25	371.25	179.43	550.68	45.89	2037	12	4,140.00	460.00	222.32	682.32	56.86
2038	13	2,970.00	371.25	159.49	530.74	44.23	2038	13	3,680.00	460.00	197.62	657.62	54.80
2039	14	2,598.75	371.25	139.55	510.80	42.57	2039	14	3,220.00	460.00	172.91	632.91	52.74
2040	15	2,227.50	371.25	119.62	490.87	40.91	2040	15	2,760.00	460.00	148.21	608.21	50.68
2041	16	1,856.25	371.25	99.68	470.93	39.24	2041	16	2,300.00	460.00	123.51	583.51	48.63
2042	17	1,485.00	371.25	79.74	450.99	37.58	2042	17	1,840.00	460.00	98.81	558.81	46.57
2043	18	1,113.75	371.25	59.81	431.06	35.92	2043	18	1,380.00	460.00	74.11	534.11	44.51
2044	19	742.50	371.25	39.87	411.12	34.26	2044	19	920.00	460.00	49.40	509.40	42.45
2045	20	371.25	371.25	19.94	391.19	32.60	2045	20	460.00	460.00	24.70	484.70	40.39
			7,425.00	4,186.59	11,611.59				9,200.00		5,187.42	14,387.42	

CONSTRUCTION SCHEDULE: Anticipated work schedule is between May–Oct. 2025. During construction, City will maintain project info on its website through an interactive map, which you can find by doing the following.

1. Go to www.cityofmoorhead.com and click on  button.
 2. Below the map, click on “[click here to enlarge the map](#)”
 3. Click on the project on the map you are interested in, and an information box will pop up.
- Note: On the left-hand side of the screen, you can also click on the link to your project 25-A2-3 for additional project information.

- E-Notifications:** You can sign up for electronic notifications to receive periodic updates regarding this specific project.
1. Go to www.cityofmoorhead.com
 2. Click on the **e-Notifications** at the top of the page then fill in the required information
 3. Scroll to the News section of the page and check the project **25-A2-03 – River Dr S, Elm St S, 3 St S and 18 Ave S Underground Utility and Street Improvements**
 4. Enter the verification code in the Code box and hit submit.

 **Door Hangers:** Occasionally we may distribute printed door hangers to communicate important project information to you such as temporary parking restrictions or driveway access limitations. Please check your front doors periodically once construction begins.

 **Mobility Concerns:** If mobility is a concern within your home, an individual is disabled, etc., please contact us ASAP so we can work to accommodate your needs during construction. The road and/or sidewalk will be removed in some areas. Please reach out if this is a concern.

To request this information in a different language, please contact: 218.299.5427
 Para solicitar esta información en otro idioma, comuníquese con: 218.299.5427
 Ji bo daxwaza vê agahdariyê bi zimanekî din, ji kerema xwe re têkiliyê pêve bikin: 218.299.5427
 218.299.5427: ٢١٨٠٢٩٩٠٥٤٢٧ ، یرجی الاتصال بـ
 Si aad u codsato macluumaadkan oo ku qoran luqad kale, fadlan la xiriir: 218.299.5427



BID TABULATION FOR ENG. NO. 25-A2-03

River Dr S, 18th Ave S, 3rd St S, and Elm St S Underground Utility and Street Improvements (#9531395)

Bid Opening 03/12/2025 10:00 AM CDT

Bid Opening 03/12/2025 10:00 AM CDT					Engineer Estimate		Northern Improvement		Sellin Brothers, Inc.	
No.	Item Code	Item Description	Units	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
SECTION I - STREET IMPROVEMENTS										
1	2021.501	MOBILIZATION	LS	1	\$55,000.00	\$55,000.00	\$88,000.00	\$88,000.00	\$113,250.00	\$113,250.00
2	2101.502	CLEARING	EA	1	\$1,560.00	\$1,560.00	\$825.00	\$825.00	\$1,200.00	\$1,200.00
3	2101.502	GRUBBING	EA	1	\$1,560.00	\$1,560.00	\$825.00	\$825.00	\$1,200.00	\$1,200.00
4	2104.502	REMOVE SIGN TYPE C	EA	26	\$15.80	\$410.80	\$15.75	\$409.50	\$16.00	\$416.00
5	2104.502	REMOVE SIGN TYPE D	EA	20	\$15.80	\$316.00	\$26.25	\$525.00	\$26.00	\$520.00
6	2104.503	REMOVE CURB AND GUTTER	LF	2555	\$8.50	\$21,717.50	\$6.00	\$15,330.00	\$8.75	\$22,356.25
7	2104.503	SAWING CONCRETE PAVEMENT (FULL DEPTH)	LF	89	\$14.00	\$1,246.00	\$5.25	\$467.25	\$5.75	\$511.75
8	2104.503	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LF	341	\$5.50	\$1,875.50	\$3.75	\$1,278.75	\$2.25	\$767.25
9	2104.504	REMOVE CONCRETE DRIVEWAY PAVEMENT	SY	174	\$25.00	\$4,350.00	\$11.50	\$2,001.00	\$29.00	\$5,046.00
10	2104.504	REMOVE BITUMINOUS PAVEMENT	SY	8329	\$6.00	\$49,974.00	\$6.00	\$49,974.00	\$6.00	\$49,974.00
11	2104.518	REMOVE CONCRETE SIDEWALK	SF	1350	\$2.50	\$3,375.00	\$2.50	\$3,375.00	\$4.00	\$5,400.00
12	2106.507	EXCAVATION - COMMON (EV) (P)	CY	1600	\$21.00	\$33,600.00	\$25.00	\$40,000.00	\$21.00	\$33,600.00
13	2108.504	GEOTEXTILE FABRIC TYPE V - MODIFIED	SY	11559	\$5.00	\$57,795.00	\$3.35	\$38,722.65	\$3.75	\$43,346.25
14	2112.604	SUBGRADE PREPARATION	SY	8329	\$3.00	\$24,987.00	\$2.75	\$22,904.75	\$3.00	\$24,987.00
15	2123.61	MACHINE TIME	HR	25	\$200.00	\$5,000.00	\$300.00	\$7,500.00	\$640.00	\$16,000.00
16	2211.507	CRUSHED CONCRETE BASE (CV)	CY	1388	\$55.00	\$76,340.00	\$53.00	\$73,564.00	\$80.00	\$111,040.00
17	2232.604	MILL BITUMINOUS PAVEMENT (SPECIAL)	SY	204	\$12.00	\$2,448.00	\$10.50	\$2,142.00	\$21.00	\$4,284.00
18	2360.509	TYPE SP 12.5 WEARING COURSE MIX (3,B)	TON	1301	\$80.00	\$104,080.00	\$82.00	\$106,682.00	\$74.00	\$96,274.00
19	2360.509	TYPE SP 12.5 NON WEAR COURSE MIX (3,B)	TON	1822	\$80.00	\$145,760.00	\$82.00	\$149,404.00	\$74.00	\$134,828.00
20	2521.618	4" CONCRETE COLORED WALK - STAMPED - BRICK RED	SF	200	\$20.00	\$4,000.00	\$17.35	\$3,470.00	\$30.00	\$6,000.00
21	2521.518	4" CONCRETE WALK	SF	804	\$15.00	\$12,060.00	\$12.00	\$9,648.00	\$13.00	\$10,452.00
22	2531.504	7" CONCRETE DRIVEWAY PAVEMENT	SY	186	\$100.00	\$18,600.00	\$95.00	\$17,670.00	\$104.00	\$19,344.00
23	2531.602	PEDESTRIAN CURB RAMP - 5' WIDE	EA	8	\$2,200.00	\$17,600.00	\$1,975.00	\$15,800.00	\$794.00	\$6,352.00
24	2531.603	CONCRETE CURB AND GUTTER DESIGN B624	LF	2555	\$50.00	\$127,750.00	\$38.00	\$97,090.00	\$42.00	\$107,310.00
25	2531.603	CONCRETE CURB AND GUTTER DESIGN V6	LF	70	\$80.00	\$5,600.00	\$60.00	\$4,200.00	\$79.00	\$5,530.00
26	2563.601	TRAFFIC CONTROL	LS	1	\$5,000.00	\$5,000.00	\$5,670.00	\$5,670.00	\$24,700.00	\$24,700.00
27	2564.602	FURNISH AND INSTALL SIGN TYPE C	EA	93.25	\$57.80	\$5,389.85	\$63.80	\$5,949.35	\$64.00	\$5,968.00
28	2564.602	FURNISH AND INSTALL SIGN TYPE D	EA	41.25	\$63.10	\$2,602.88	\$43.70	\$1,802.63	\$44.00	\$1,815.00
29	2573.501	STABILIZED CONSTRUCTION EXIT	LS	1	\$3,350.00	\$3,350.00	\$1,075.00	\$1,075.00	\$1.00	\$1.00
30	2573.502	STORM DRAIN INLET PROTECTION	EA	19	\$200.00	\$3,800.00	\$210.00	\$3,990.00	\$211.00	\$4,009.00
31	2574.507	SELECT TOPSOIL BORROW (LV)	CY	100	\$60.00	\$6,000.00	\$45.00	\$4,500.00	\$65.00	\$6,500.00
32	2575.505	TURF ESTABLISHMENT - GRASS SEEDING WITH TYPE 5 HYDROMULCH	SY	1117	\$3.50	\$3,909.50	\$4.75	\$5,305.75	\$4.75	\$5,305.75
33	2575.523	WATER FOR TURF ESTABLISHMENT	MGAL	50	\$75.00	\$3,750.00	\$47.25	\$2,362.50	\$48.00	\$2,400.00
34	2582.503	6" SOLID WHITE-EPOXY GROUND IN (WR)	LF	55	\$15.00	\$825.00	\$16.80	\$924.00	\$17.00	\$935.00
35	2582.503	24" STOP LINE SOLID WHITE-EPOXY GROUND IN (WR)	LF	14	\$40.00	\$560.00	\$23.10	\$323.40	\$23.25	\$325.50
36	2582.503	PAVEMENT MESSAGE BIKE SHARROW-EPOXY GROUND IN (WR)	EA	8	\$450.00	\$3,600.00	\$152.25	\$1,218.00	\$153.00	\$1,224.00
37	SPEC PROV	CRUSHED CONCRETE BASE (CV)	CY	300	\$55.00	\$16,500.00	\$53.00	\$15,900.00	\$80.00	\$24,000.00
38	SPEC PROV	MUD JACKING CURB & GUTTER	LF	90	\$25.00	\$2,250.00	\$23.10	\$2,079.00	\$23.25	\$2,092.50

39	SPEC PROV	MUD JACKING FLATWORK	SF	560	\$10.00	\$5,600.00	\$8.40	\$4,704.00	\$8.50	\$4,760.00	
					SECTION I - TOTAL		\$840,142.03		\$807,611.53		\$904,024.25
SECTION II - SANITARY SEWER											
40	SPEC PROV	FURNISH AND INSTALL NEW CASTING	EA	11	\$2,800.00	\$30,800.00	\$3,245.00	\$35,695.00	\$2,025.00	\$22,275.00	
41	SPEC PROV	RECONSTRUCT DRAINAGE STRUCTURE/BRICK MANHOLE	EA	4	\$1,600.00	\$6,400.00	\$2,825.00	\$11,300.00	\$2,690.00	\$10,760.00	
					SECTION II - TOTAL		\$37,200.00		\$46,995.00		\$33,035.00
SECTION III - WATERMAIN											
42	2104.502	REMOVE HYDRANT	EA	2	\$1,000.00	\$2,000.00	\$1,200.00	\$2,400.00	\$1,135.00	\$2,270.00	
43	2104.603	ABANDON WATERMAIN	LS	2	\$1,000.00	\$2,000.00	\$1.00	\$2.00	\$1.00	\$2.00	
44	2503.602	DUCTILE IRON FITTINGS	EA	9	\$1,800.00	\$16,200.00	\$1,050.00	\$9,450.00	\$1,000.00	\$9,000.00	
45	2504.601	TEMPORARY WATER SERVICE	LS	1	\$70,000.00	\$70,000.00	\$19,950.00	\$19,950.00	\$19,000.00	\$19,000.00	
46	2504.602	HYDRANT	EA	2	\$10,000.00	\$20,000.00	\$10,450.00	\$20,900.00	\$9,950.00	\$19,900.00	
47	2504.602	ADJUST GATE VALVE AND BOX	EA	5	\$1,800.00	\$9,000.00	\$1,680.00	\$8,400.00	\$1,030.00	\$5,150.00	
48	2504.602	CONNECT TO EXISTING WATER SERVICE	EA	14	\$2,500.00	\$35,000.00	\$2,600.00	\$36,400.00	\$2,475.00	\$34,650.00	
49	2504.602	6" GATE VALVE AND BOX	EA	5	\$3,800.00	\$19,000.00	\$2,825.00	\$14,125.00	\$4,575.00	\$22,875.00	
50	2504.602	3/4" CURB STOP AND BOX	EA	3	\$2,000.00	\$6,000.00	\$3,305.00	\$9,915.00	\$3,150.00	\$9,450.00	
51	2504.602	CONNECT NEW 1" WATER SERVICE	EA	3	\$1,500.00	\$4,500.00	\$1,995.00	\$5,985.00	\$1,900.00	\$5,700.00	
52	2504.602	1" WATER SERVICE PIPE	LF	100	\$90.00	\$9,000.00	\$68.25	\$6,825.00	\$65.00	\$6,500.00	
53	2504.602	6" PVC C900 WATERMAIN	LF	1310	\$80.00	\$104,800.00	\$80.00	\$104,800.00	\$76.00	\$99,560.00	
54	2504.603	WATER SERVICE PIPE INSULATION	LF	125	\$40.00	\$5,000.00	\$29.50	\$3,687.50	\$28.00	\$3,500.00	
55	2504.604	4" POLYSTYRENE INSULATION	SY	35	\$50.00	\$1,750.00	\$60.00	\$2,100.00	\$57.00	\$1,995.00	
					SECTION III - TOTAL		\$304,250.00		\$244,939.50		\$239,552.00
SECTION IV - STORM SEWER											
56	2104.502	REMOVE CATCH BASIN	EA	6	\$800.00	\$4,800.00	\$1,400.00	\$8,400.00	\$1,325.00	\$7,950.00	
57	2104.503	REMOVE SEWER PIPE (STORM) 12" RCP	LF	50	\$15.00	\$750.00	\$40.00	\$2,000.00	\$38.00	\$1,900.00	
58	2502.503	4" PERF PVC PIPE DRAIN	LF	4420	\$12.00	\$53,040.00	\$11.50	\$50,830.00	\$13.00	\$57,460.00	
59	2503.503	12" RC PIPE SEWER DESIGN 3006 CL III	LF	50	\$90.00	\$4,500.00	\$147.00	\$7,350.00	\$140.00	\$7,000.00	
60	2503.603	CLEAN AND VIDEO TAPE PIPE SEWER	LF	50	\$30.00	\$1,500.00	\$10.50	\$525.00	\$10.00	\$500.00	
61	2506.502	CONSTRUCT DRAINAGE STRUCTURE DESIGN G OR H	EA	6	\$3,000.00	\$18,000.00	\$5,450.00	\$32,700.00	\$5,195.00	\$31,170.00	
62	2506.602	CONNECT INTO EXISTING STORM SEWER	EA	9	\$1,000.00	\$9,000.00	\$2,495.00	\$22,455.00	\$2,375.00	\$21,375.00	
63	2506.602	CONNECT INTO EXISTING DRAINAGE STRUCTURE	EA	15	\$400.00	\$6,000.00	\$385.00	\$5,775.00	\$560.00	\$8,400.00	
64	SPEC PROV	FURNISH AND INSTALL NEW CASTING	EA	21	\$1,800.00	\$37,800.00	\$1,800.00	\$37,800.00	\$2,200.00	\$46,200.00	
65	SPEC PROV	RECONSTRUCT DRAINAGE STRUCTURE/BRICK MANHOLE	EA	1	\$1,600.00	\$1,600.00	\$4,600.00	\$4,600.00	\$4,365.00	\$4,365.00	
					SECTION IV - TOTAL		\$136,990.00		\$172,435.00		\$186,320.00
					BID TOTAL		\$1,318,582.03		\$1,271,981.03		\$1,362,931.25

RESOLUTION

Resolution to Order Improvement and Declare Official Intent for River Dr S, 18th Ave S, 3rd St S, and Elm St S Underground Utility and Street Improvements (Eng. No. 25-A2-03)

WHEREAS, pursuant to a resolution of the City Council adopted on December 9, 2024, a Preliminary Engineering Report has been prepared by City staff under the direction of the City Engineer with reference to proposed River Dr S, 18th Ave S, 3rd St S, and Elm St S Underground Utility and Street Improvements (Eng. No. 25-A2-03); and

WHEREAS, pursuant to a resolution of the City Council adopted February 10, 2025, the City Council received the report from the City Engineer and fixed a date of March 24, 2025 for a Public Hearing on the proposed improvements; and

WHEREAS, the City Planning Commission reviewed the proposed improvement December 2, 2024, and found them to be in compliance with the City's Comprehensive Plan; and

WHEREAS, ten days' mailed notice and ten days' published notice of the hearing was given, and the hearing was held thereon on the 24th day of March, 2025, at which all persons desiring to be heard were given an opportunity to be heard thereon.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota:

1. Such improvements are necessary, cost-effective, and feasible, and should best be combined into a single project for optimal bidding and construction management purposes as detailed in the Preliminary Engineering Report.
2. The City's Planning Commission has reviewed the proposed capital improvement and reported in writing to the Council its findings as to compliance of the proposed improvement with the Comprehensive Municipal Plan.
3. Such improvements are hereby ordered as proposed in the Council resolution adopted February 10, 2025.
4. The City Council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of tax-exempt bonds.

PASSED: March 24, 2025 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk

RESOLUTION

Resolution to Award Bid for River Dr S, 18th Ave S, 3rd St S, and Elm St S Underground Utility and Street Improvements (Eng. No. 25-A2-03)

WHEREAS, bids were received, opened and tabulated according to law, and the following bids were received:

<u>Bidder</u>	<u>Bid</u>
Northern Improvement Company	\$1,271,981.03
Sellin Brothers, Inc.	\$1,362,931.25
Engineer's Estimate	\$1,318,582.03

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that:

1. It is found, determined and declared that the lowest responsive, responsible bid with respect to the proposed improvement was received from Northern Improvement Company, of Fargo, North Dakota in the amount of \$1,271,981.03. Said bid is in all respects in accordance with the plans and specifications heretofore approved by the City Council. Thus, said bid is hereby in all things approved and accepted.
2. The project will be financed through the PIR fund with a portion of the cost to be assessed to the benefiting properties in accordance with the City's Special Assessment Policy. MPS will pay a share of infrastructure costs, and the remaining balance will be paid as a City share with debt service on the City share paid through the general property tax levy.
3. The Mayor and City Manager are hereby authorized and directed to enter into a Contract with Northern Improvement Company, of Fargo, North Dakota, for River Dr S, 18th Ave S, 3rd St S, and Elm St S Underground Utility and Street Improvements (Eng. No. 25-A2-03), according to the plans and specifications therefore approved by the City Council and on file in the office of the City Engineer.
4. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bid, except the deposits of the successful bidder and the next lowest bid shall be retained until a contract has been signed.
5. The City Manager is hereby authorized to approve minor extra work orders and change orders as necessary to satisfactorily complete the work up to a cumulative total not-to-exceed 5% (\$63,599.05) of the total contract amount

PASSED: March 24, 2025 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

March 24, 2025

SUBJECT:

Public Hearing for 9th Ave S, 10th Ave S and 16th St S Area Street Improvements (Eng. No. 25-A2-01)

RECOMMENDATION:

The Mayor and City Council are asked to conduct a Public Hearing to consider proposed improvements for 9th Ave S, 10th Ave S and 16th St S Area Street Improvements (Eng. No. 25-A2-01) and, following the Hearing, to consider the following resolutions:

- A. Resolution to Order Improvements and Declare Intent to Assess
- B. Resolution to Award Bid

BACKGROUND/KEY POINTS:

The proposed project area includes the streets of 9 Ave S from 14 St to 17 St, 10 Ave S from 14 St to 16 St, and 16 St S from 9 Ave S to 12 Ave S (see attached location map). These streets are included in the City's 2025-2029 Capital Improvement Plan and are scheduled for construction of improvements in 2025.

On December 9, 2024, the City Council ordered the preparation of the Engineer's Report. The report was completed by City staff under the direction of the City Engineer and presented to Council on January 27, 2025. The report evaluated the existing street and utility systems, considering how they were constructed and maintained, their age and current condition, and information obtained from soil borings and sewer televising. The following street improvements were recommended:

- 9 Ave S – Rehab from 14 St to 17 St S
- 10 Ave S – Rehab from 14 St S to 16 St S
- 16 St S – Rehab from 9 Ave S to 12 Ave S

A rehabilitation involves the full pavement depth being removed and replaced, typically including the gravel base. Most of the existing curb and gutter and sidewalks will remain in place, and only spot repairs will be made.

Other recommended improvements include making minor sidewalk repairs and replacing the existing pedestrian ramps in order to comply with current Americans with Disabilities Act (ADA) standards; and that Moorhead Public Service (MPS) should replace their cast iron pipe (CIP) water mains and lead water services in advance of the project. The report finds that the proposed improvements are necessary, cost-effective and feasible. The report further finds that the project is of a sufficient size to achieve a desirable economy of scale and may be constructed as a stand-alone project or in connection with some other improvement. A portion of the project cost will be financed using special assessments applied on an adjusted front foot basis at the standard rates in accordance with the current fee schedule (\$90.00 per foot for rehabilitation projects).



City Council Communication

March 24, 2025

On February 14, 2025, a virtual a public informational presentation on the proposed improvements was made available on the City website. The public informational presentation was intended to solicit resident/owner feedback prior to receiving bids. A letter was mailed to the abutting property owners notifying them of the presentation, and how to contact staff to ask questions or submit comments regarding the proposed design.

Since special assessments will be used to finance a portion of the project cost, and the project has been initiated by Council action rather than by petition of the benefiting property owners, it is necessary to hold a Public Hearing prior to ordering the improvements. In accordance with Minnesota Statutes, Chapter 429, 10 days published notice and 10 days mailed notice of tonight's hearing was provided to the 39 parcels that will be assessed for the proposed improvements. An example of the mailed notice is attached to this communication. At the time this communication was prepared, staff had not received any comments on the proposed improvements in response to the mailed Public Hearing notice. Staff will provide an update on comments received through Monday, March 24, 2025 at the Public Hearing. Staff recommends that, at the close of the Public Hearing, the Council order the improvements and declare the intent to assess. Since the project was initiated by Council action instead of by petition of at least 35% of the benefiting property owners, the improvements may only be ordered by a 4/5 supermajority of the full Council (7 affirmative votes).

Bids for the project were received on March 19, 2025, and are summarized in the Financial Considerations section of this communication. After ordering the improvements, staff recommends awarding the bid to the apparent lowest responsible bidder. Below is an outline of the proposed project schedule.

PROJECT SCHEDULE	
Activity	Date
Order Preliminary Engineer's Report	December 9, 2024
Receive Engineer's Report, Order Plans & Specs, and Call for a Public Hearing	January 27, 2025
Approve Plans & Specs and Authorize Ad for Bids	February 24, 2025
Receive Bids	March 19, 2025
Hold Public Hearing, Order Improvements, Declare Intent to Assess & Award Bid	March 24, 2025
Anticipated Construction Schedule	May – Sept, 2025
Hold Assessment Hearing	Fall 2025

FINANCIAL CONSIDERATIONS:

Three bids for the project were received on March 19, 2025. The bids are detailed in the attached bid tabulation and summarized below:

Bidder	Bid
Central Specialties Incorporated	\$1,080,844.56
Northern Improvement Company	\$1,086,544.30
Border States Paving, Inc.	\$1,123,728.19
Engineer's Estimate	\$1,147,091.50



City Council Communication

March 24, 2025

Based on the low bid, the total cost of the improvements, including contingencies and fees is estimated to be approximately \$1,293,260. The project will be financed through the PIR fund. Of this amount, approximately \$370,620 will be special assessed to the benefiting properties in accordance with the City's Special Assessment Policy. The balance will be paid as a City share with debt service on the City share paid through the general property tax levy.

Voting Requirements: Majority of Quorum

Submitted By:

Dan Mahli, City Manager

Tom Trowbridge, City Engineer

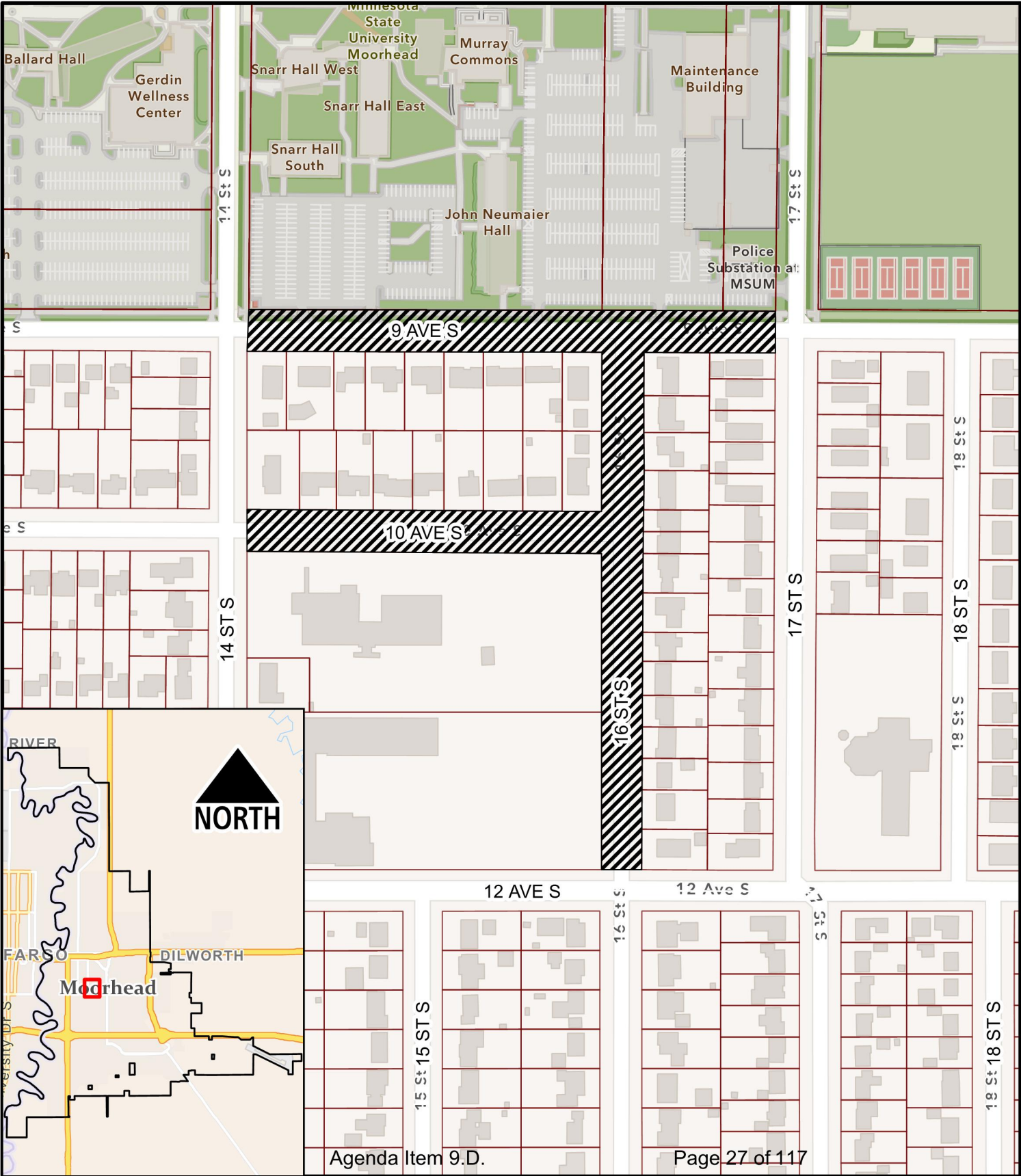
Attachments: Location Map, Public Notice Mailing, Bid Tabulation

LEGEND

 STREET IMPROVEMENTS

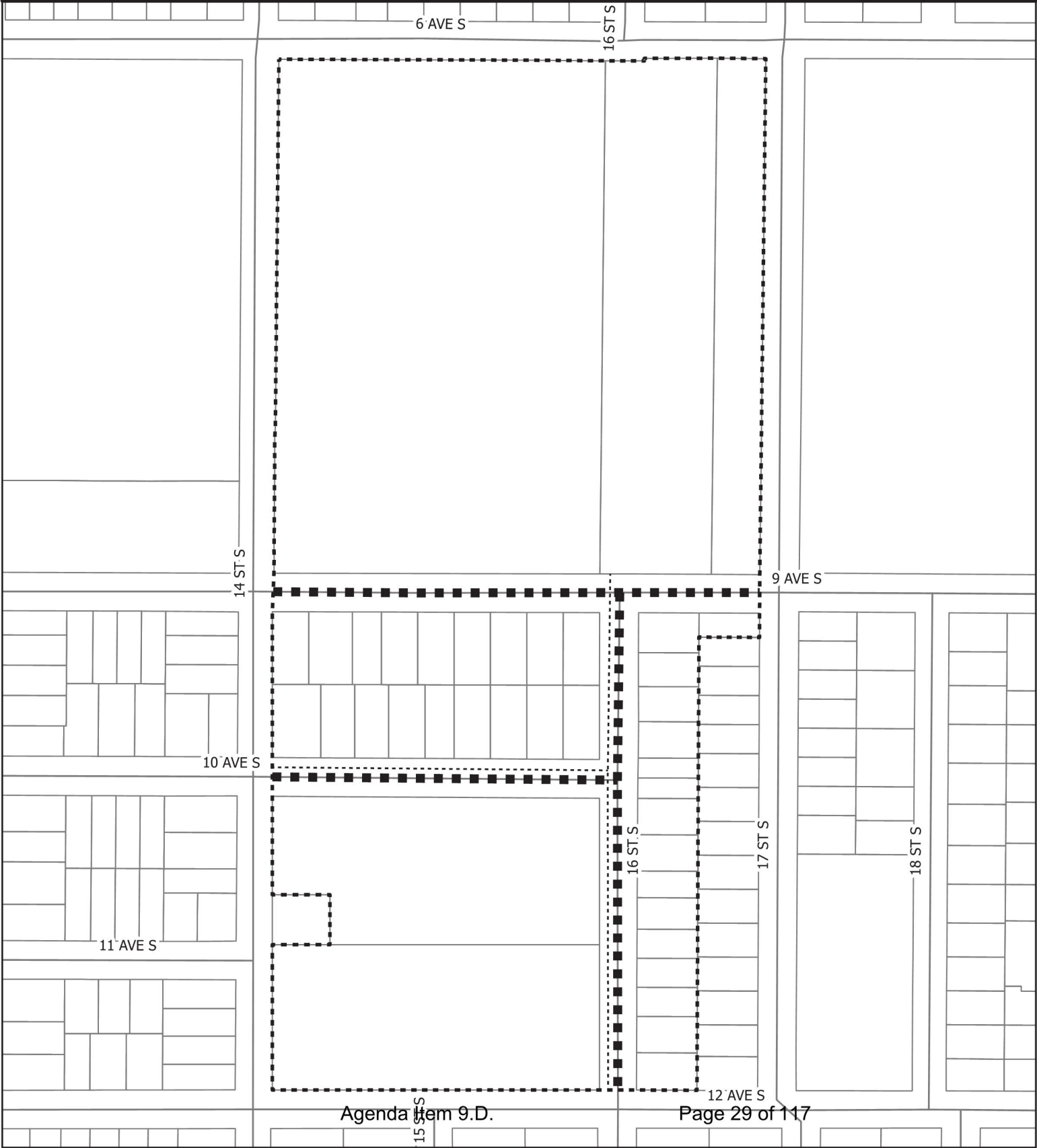
Project 25-A2-1

Street Improvements on 9 Ave S,
10 Ave S, and 16 ST S in Borstad's First Addition.



Project 25-A2-1 Road Rehab on 9 Ave S between 14 & 17 St S,
10 Ave S between 14 & 16 St S, and 16 St S between 9 & 12 Ave S

- ■ Road Rehab \$90/FF
- Watermain Replacement (Not Assessed)
- □ □ Assessment Area



PROPOSED WORK: Rehabilitation –16th St S between 9th & 12th Ave S; 9th Ave S between 15th & 17th St S and 10th Ave S between 15th & 16th St S

PROJECT ENGINEER: Jim Schulz, Sr.Engineer **Phone:** 218-299-5379 **Email:** jim.schulz@moorheadmn.gov

STREET CLASSIFICATION: All streets in this project area are classified as “Local” streets.

Local streets are the street network within a subdivision that is intended to provide access to the directly abutting properties and primarily serves local traffic. Typically, about 1/3 of the cost for local streets is assessed to the directly abutting lots within the subdivision. The city pays the rest of the cost through the general property tax levy.

PROJECT DETAILS: On December 9, 2024, the City Council ordered the preparation of the Engineer’s Report, which was completed by City staff under direction of the City Engineer. The report evaluated the existing street and utility systems, considering how they were constructed and maintained, their age and current condition, and information obtained from soil borings and sewer televising.

The report recommended a full pavement rehabilitation of 9th Ave S between 14th and 17th St S; 10 Ave S between 14th and 16th St S and 16th St S between 9th and 12th Ave S. A rehabilitation involves the full pavement depth being removed and replaced, typically including the gravel base, but preserves most of the existing curb and gutter. Typically, this repair will extend the life of the street approximately 20 to 30 years.

As part of this City Contract Moorhead Public Service will replace cast iron water mains in advance of the street construction.

A map showing the proposed improvements and assessment boundaries is included on the back of your notice.

A virtual informational presentation can be viewed by using the QR Code to the right or:

1. Go to City’s website at www.cityofmoorhead.com
2. Click on the ***Departments*** tab
3. Under City Departments, click on ***Engineering***
4. On the left-hand side of the screen, click on the heading ***Current & Future Projects***
5. On the left-hand side of the screen, click on ***25-A2-01 – 9 Ave S, 10 Ave S, and 16 St S Underground Utility and Street Improvements.***

It will bring you to the project page and you can view the view presentation.

QR Code

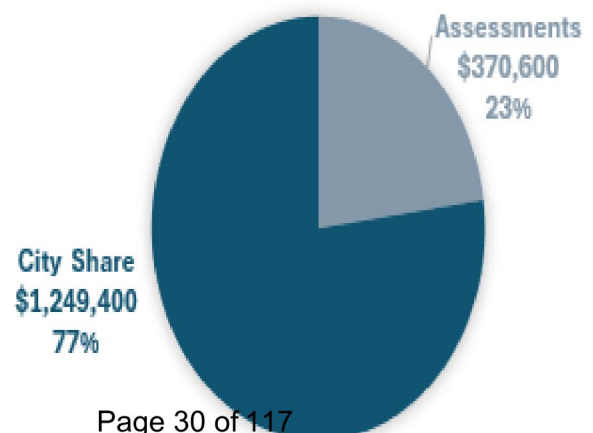


PUBLIC HEARING: Monday, March 24, 2025, 5:45pm at the Heritage Hjemkomst Center, 202 1st Av N., Moorhead, MN.

FINANCIAL: Bids for the project will be received on March 19. The total estimated project cost including contingencies and fees is estimated to be \$1,620,000.

ASSESSMENT INFO/CALCULATIONS: City assessment policy establishes a flat rate for street repair projects to keep things equitable among all properties in Moorhead. This policy has been in place since 2005. To account for variability in construction costs from year to year, and for the amount of front footage an assessment is based on (side lot footage is not assessed), the City established flat assessment rates per front foot for the various types of projects. Rates are set by the Council in its fee schedule, and is intended, on average, to generate between 30% and 40% of the total project cost. The remaining cost is paid by the City through general tax levy proceeds. The policy provides certainty to residents that their assessment won’t go higher, regardless of the final project cost. If the project cost goes up, the City pays the additional cost, if it goes down, City share is reduced.

ESTIMATED COST INCLUDING CONTINGENCIES & FEES \$1,620,000



ASSESSMENT EXAMPLES: A property with 75' of frontage abutting the street to be improved would be assessed \$6,750 (60' x \$90). **Alternate assessment calculation methods are used to determine front footage for irregular shaped, cul-de-sacs and lots on curves, and first 150 feet of side lot footage is exempted from corner lots to keep special assessments equitable.*

ASSESSMENT SCHEDULE: Final assessment notices are sent out in Sept/Oct and are then certified to the County on November 15. If you choose to do so, after final assessment has been adopted by council, you will have an opportunity to pay off, or buy down, the assessment, without interest, before it's certified to County and added to your 2026 property taxes.

This project would be spread over 20-years at an *estimated* interest rate of 5.37%. Actual interest rate will be determined after the City has bonded for the project. Below are two examples of projected amortization of the assessment, if paid over the 20-year duration. **Note: Assessments can be paid off and paid down at any time without penalty.**

EXAMPLE 1							EXAMPLE 2						
SPECIAL ASSESSMENT AMORTIZATION SCHEDULE							SPECIAL ASSESSMENT AMORTIZATION SCHEDULE						
Special Assmt							Special Assmt						
Principal			\$ 6,750				Principal			\$ 5,400			
Rate			5.37%				Rate			5.37%			
Principal			\$ 338				Principal			\$ 270			
Total Interest			\$ 3,806				Total Interest			\$ 3,045			
Years			20				Years			20			
Year	Pymt #	Balance	Principal	Interest	Yearly Total	Monthly Budget	Year	Pymt #	Balance	Principal	Interest	Yearly Total	Monthly Budget
2026	1	6,750.00	337.50	362.48	699.98	58.33	2026	1	5,400.00	270.00	289.98	559.98	46.67
2027	2	6,412.50	337.50	344.35	681.85	56.82	2027	2	5,130.00	270.00	275.48	545.48	45.46
2028	3	6,075.00	337.50	326.23	663.73	55.31	2028	3	4,860.00	270.00	260.98	530.98	44.25
2029	4	5,737.50	337.50	308.10	645.60	53.80	2029	4	4,590.00	270.00	246.48	516.48	43.04
2030	5	5,400.00	337.50	289.98	627.48	52.29	2030	5	4,320.00	270.00	231.98	501.98	41.83
2031	6	5,062.50	337.50	271.86	609.36	50.78	2031	6	4,050.00	270.00	217.49	487.49	40.62
2032	7	4,725.00	337.50	253.73	591.23	49.27	2032	7	3,780.00	270.00	202.99	472.99	39.42
2033	8	4,387.50	337.50	235.61	573.11	47.76	2033	8	3,510.00	270.00	188.49	458.49	38.21
2034	9	4,050.00	337.50	217.49	554.99	46.25	2034	9	3,240.00	270.00	173.99	443.99	37.00
2035	10	3,712.50	337.50	199.36	536.86	44.74	2035	10	2,970.00	270.00	159.49	429.49	35.79
2036	11	3,375.00	337.50	181.24	518.74	43.23	2036	11	2,700.00	270.00	144.99	414.99	34.58
2037	12	3,037.50	337.50	163.11	500.61	41.72	2037	12	2,430.00	270.00	130.49	400.49	33.37
2038	13	2,700.00	337.50	144.99	482.49	40.21	2038	13	2,160.00	270.00	115.99	385.99	32.17
2039	14	2,362.50	337.50	126.87	464.37	38.70	2039	14	1,890.00	270.00	101.49	371.49	30.96
2040	15	2,025.00	337.50	108.74	446.24	37.19	2040	15	1,620.00	270.00	86.99	356.99	29.75
2041	16	1,687.50	337.50	90.62	428.12	35.68	2041	16	1,350.00	270.00	72.50	342.50	28.54
2042	17	1,350.00	337.50	72.50	410.00	34.17	2042	17	1,080.00	270.00	58.00	328.00	27.33
2043	18	1,012.50	337.50	54.37	391.87	32.66	2043	18	810.00	270.00	43.50	313.50	26.13
2044	19	675.00	337.50	36.25	373.75	31.15	2044	19	540.00	270.00	29.00	299.00	24.92
2045	20	337.50	337.50	18.12	355.62	29.64	2045	20	270.00	270.00	14.50	284.50	23.71
			6,750.00	3,806.00	10,556.00					5,400.00	3,044.80	8,444.80	

CONSTRUCTION SCHEDULE: Anticipated work schedule is between May–Oct. 2025. During construction, City will maintain project info on its website through an interactive map, which you can find by doing the following.

1. Go to www.cityofmoorhead.com and click on  button.

2. Below the map, click on “[click here to enlarge the map](#)”

3. Click on the project on the map you are interested in, and an information box will pop up.

Note: On the left-hand side of the screen, you can also click on the link to your project 25-A2-1 for additional project information.

E-Notifications: You can sign up for electronic notifications to receive periodic updates regarding this specific project.

1. Go to www.cityofmoorhead.com

2. Click on the **e-Notifications** at the top of the page then fill in the required information

3. Scroll to the News section of the page and check the project **25-A2-01–9 Ave S, 10 Ave S, and 16 St S**

4. Enter the verification code in the Code box and hit submit.



Door Hangers: Occasionally we may distribute printed door hangers to communicate important project information to you such as temporary parking restrictions or driveway access limitations. Please check your front doors periodically once construction begins.



Mobility Concerns: If mobility is a concern within your home, an individual is disabled, etc., please contact us ASAP so we can work to accommodate your needs during construction. The road and/or sidewalk will be removed in some areas. Please reach out if this is a concern.



To request this information in a different language, please contact: 218.299.5427

Para solicitar esta información en otro idioma, comuníquese con: 218.299.5427

Ji bo daxwaza vê agahdariyê bi zimanekî din, ji kerema xwe re têkiliyê pêve bikin: 218.299.5427

218.299.5427: لطلب هذه المعلومات بلغة مختلفة، يرجى الاتصال بـ

Si aad u codsato macluumaadkan oo ku qoran luqad kale, fadlan la xirii: 218.299.5427

BID TABULATION FOR ENG. NO. 25-A2-01

9th Ave S, 10th Ave S and 16th St S Area Street Improvements (#9567563)

Bid Opening 03/19/2025 10:00 AM CST

					Engineer Estimate		Central Specialties, Inc.		Northern Improvements Co.		Border States Paving, Inc.	
No.	Item Code	Item Description	Units	Qty	Unit Price	Total Price	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
SECTION I - STREET IMPROVEMENTS												
1	2021.501	MOBILIZATION	LS	1	\$60,000.00	\$60,000.00	\$71,500.00	\$71,500.00	\$55,100.00	\$55,100.00	\$23,000.00	\$23,000.00
2	2104.502	REMOVE SIGN TYPE C	EA	112	\$16.50	\$1,848.00	\$10.00	\$1,120.00	\$10.50	\$1,176.00	\$10.80	\$1,209.60
3	2104.502	REMOVE SIGN TYPE D	EA	24	\$11.00	\$264.00	\$10.00	\$240.00	\$10.50	\$252.00	\$10.80	\$259.20
4	2104.503	REMOVE CURB AND GUTTER	LF	1700	\$10.00	\$17,000.00	\$6.00	\$10,200.00	\$7.80	\$13,260.00	\$14.60	\$24,820.00
5	2104.503	SAWING CONCRETE PAVEMENT (FULL DEPTH)	LF	83	\$6.00	\$498.00	\$5.50	\$456.50	\$7.00	\$581.00	\$13.00	\$1,079.00
6	2104.503	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LF	261	\$3.00	\$783.00	\$2.25	\$587.25	\$3.50	\$913.50	\$5.85	\$1,526.85
7	2104.504	REMOVE CONCRETE DRIVEWAY PAVEMENT	SY	295	\$15.00	\$4,425.00	\$15.00	\$4,425.00	\$17.00	\$5,015.00	\$32.50	\$9,587.50
8	2104.504	REMOVE BITUMINOUS PAVEMENT	SY	10598	\$6.00	\$63,588.00	\$4.50	\$47,691.00	\$4.75	\$50,340.50	\$4.25	\$45,041.50
9	2104.504	REMOVE CONCRETE PAVEMENT	SY	12	\$20.00	\$240.00	\$25.00	\$300.00	\$17.00	\$204.00	\$31.40	\$376.80
10	2104.518	REMOVE CONCRETE SIDEWALK	SF	5135	\$3.50	\$17,972.50	\$1.20	\$6,162.00	\$2.15	\$11,040.25	\$4.05	\$20,796.75
11	2106.507	EXCAVATION - COMMON (EV) (P)	CY	2171	\$20.00	\$43,420.00	\$25.00	\$54,275.00	\$21.00	\$45,591.00	\$31.00	\$67,301.00
12	2108.504	GEOTEXTILE FABRIC TYPE V - MODIFIED	SY	13390	\$3.75	\$50,212.50	\$3.15	\$42,178.50	\$3.45	\$46,195.50	\$3.65	\$48,873.50
13	2112.604	SUBGRADE PREPARATION	SY	10598	\$3.00	\$31,794.00	\$1.50	\$15,897.00	\$2.35	\$24,905.30	\$1.60	\$16,956.80
14	2123.61	MACHINE TIME	HR	15	\$500.00	\$7,500.00	\$150.00	\$2,250.00	\$250.00	\$3,750.00	\$283.00	\$4,245.00
15	2211.507	AGGREGATE BASE (CV) CRUSHED CONCRETE (P)	CY	1766	\$60.00	\$105,960.00	\$65.00	\$114,790.00	\$59.00	\$104,194.00	\$54.70	\$96,600.20
16	2232.504	MILL BITUMINOUS SURFACE 3"	SY	60	\$5.00	\$300.00	\$15.00	\$900.00	\$36.00	\$2,160.00	\$13.50	\$810.00
17	2360.509	TYPE SP 12.5 WEARING COURSE MIX (3,B)	TON	1656	\$78.00	\$129,168.00	\$79.00	\$130,824.00	\$78.00	\$129,168.00	\$76.70	\$127,015.20
18	2360.509	TYPE SP 12.5 NON WEAR COURSE MIX (3,B)	TON	2318	\$78.00	\$180,804.00	\$73.00	\$169,214.00	\$78.00	\$180,804.00	\$77.60	\$179,876.80
19	2521.518	4" CONCRETE WALK	SF	3729	\$10.00	\$37,290.00	\$10.60	\$39,527.40	\$12.50	\$46,612.50	\$12.00	\$44,748.00
20	2531.504	7" CONCRETE DRIVEWAY PAVEMENT	SY	294	\$90.00	\$26,460.00	\$95.00	\$27,930.00	\$105.00	\$30,870.00	\$112.00	\$32,928.00
21	2531.602	PEDESTRIAN CURB RAMP - 5' WIDE	EA	10	\$1,900.00	\$19,000.00	\$1,900.00	\$19,000.00	\$1,850.00	\$18,500.00	\$2,090.00	\$20,900.00
22	2531.602	PEDESTRIAN CURB RAMP - 6' WIDE (COLORED CONC.)	EA	8	\$2,100.00	\$16,800.00	\$2,550.00	\$20,400.00	\$2,300.00	\$18,400.00	\$2,790.00	\$22,320.00
23	2531.603	CONCRETE CURB AND GUTTER DESIGN B624	LF	1700	\$42.00	\$71,400.00	\$48.00	\$81,600.00	\$40.00	\$68,000.00	\$53.60	\$91,120.00
24	2563.601	TRAFFIC CONTROL	LS	1	\$8,000.00	\$8,000.00	\$4,500.00	\$4,500.00	\$6,500.00	\$6,500.00	\$4,870.00	\$4,870.00
25	2564.602	FURNISH AND INSTALL SIGN TYPE C	SF	196.4	\$55.00	\$10,802.00	\$35.65	\$7,001.66	\$37.50	\$7,365.00	\$38.60	\$7,581.04

26	2564.602	FURNISH AND INSTALL SIGN TYPE D	SF	45	\$50.00	\$2,250.00	\$40.95	\$1,842.75	\$43.00	\$1,935.00	\$44.30	\$1,993.50
27	2573.501	STABILIZED CONSTRUCTION EXIT	LS	1	\$2,000.00	\$2,000.00	\$1,600.00	\$1,600.00	\$1,800.00	\$1,800.00	\$1,620.00	\$1,620.00
28	2573.502	STORM DRAIN INLET PROTECTION	EA	24	\$210.00	\$5,040.00	\$210.00	\$5,040.00	\$220.00	\$5,280.00	\$227.00	\$5,448.00
29	2573.503	SEDIMENT CONTROL LOG TYPE STRAW	LF	1700	\$5.00	\$8,500.00	\$2.75	\$4,675.00	\$2.90	\$4,930.00	\$3.00	\$5,100.00
30	2574.507	SELECT TOPSOIL BORROW (LV)	CY	185	\$50.00	\$9,250.00	\$60.00	\$11,100.00	\$50.00	\$9,250.00	\$92.00	\$17,020.00
31	2575.505	TURF ESTABLISHMENT - GRASS SEEDING WITH TYPE 5 HYDROMULCH	SY	2221	\$3.50	\$7,773.50	\$4.50	\$9,994.50	\$4.75	\$10,549.75	\$4.85	\$10,771.85
32	2575.523	WATER FOR TURF ESTABLISHMENT	M GAL	140	\$50.00	\$7,000.00	\$25.00	\$3,500.00	\$26.00	\$3,640.00	\$27.10	\$3,794.00
33	SPEC PROV	CRUSHED CONC. BASE FOR SUBGRADE REPAIR(CV)	CY	150	\$60.00	\$9,000.00	\$65.00	\$9,750.00	\$63.50	\$9,525.00	\$67.40	\$10,110.00
34	SPEC PROV	MUD JACKING CURB & GUTTER	LF	314	\$22.00	\$6,908.00	\$22.00	\$6,908.00	\$24.00	\$7,536.00	\$23.80	\$7,473.20
35	SPEC PROV	MUD JACKING FLATWORK	SF	634	\$7.00	\$4,438.00	\$8.00	\$5,072.00	\$8.50	\$5,389.00	\$8.65	\$5,484.10
SECTION I - TOTAL						\$967,688.50		\$932,451.56		\$930,732.30		\$962,657.39
SECTION II - SANITARY SEWER												
36	SPEC PROV	FURNISH AND INSTALL NEW CASTING - TYPE A	EA	6	\$2,200.00	\$13,200.00	\$2,700.00	\$16,200.00	\$2,300.00	\$13,800.00	\$3,960.00	\$23,760.00
SECTION II - TOTAL						\$13,200.00		\$16,200.00		\$13,800.00		\$23,760.00
SECTION III - WATER MAIN												
37	2504.602	ADJUST GATE VALVE AND BOX	EA	8	\$1,300.00	\$10,400.00	\$1,500.00	\$12,000.00	\$1,400.00	\$11,200.00	\$1,570.00	\$12,560.00
SECTION III - TOTAL						\$10,400.00		\$12,000.00		\$11,200.00		\$12,560.00
SECTION IV - STORM SEWER												
38	2104.502	REMOVE CATCH BASIN	EA	1	\$1,500.00	\$1,500.00	\$400.00	\$400.00	\$1,000.00	\$1,000.00	\$918.00	\$918.00
39	2104.503	REMOVE SEWER PIPE (STORM) 12" RCP	LF	25	\$35.00	\$875.00	\$30.00	\$750.00	\$36.00	\$900.00	\$24.20	\$605.00
40	2502.503	4" PERF PVC PIPE DRAIN	LF	5584	\$12.00	\$67,008.00	\$12.00	\$67,008.00	\$10.50	\$58,632.00	\$11.30	\$63,099.20
41	2503.503	12" RC PIPE SEWER DESIGN 3006 CL III	LF	22	\$130.00	\$2,860.00	\$100.00	\$2,200.00	\$150.00	\$3,300.00	\$212.00	\$4,664.00
42	2503.602	4" DRAINTILE CLEAN-OUT ASSEMBLY	EA	5	\$1,000.00	\$5,000.00	\$375.00	\$1,875.00	\$1,200.00	\$6,000.00	\$389.00	\$1,945.00
43	2506.502	CONSTRUCT DRAINAGE STRUCTURE DESIGN G OR H	EA	1	\$3,900.00	\$3,900.00	\$4,500.00	\$4,500.00	\$5,000.00	\$5,000.00	\$4,880.00	\$4,880.00
44	2506.602	CONNECT INTO EXISTING DRAINAGE STRUCTURE	EA	21	\$600.00	\$12,600.00	\$350.00	\$7,350.00	\$400.00	\$8,400.00	\$192.00	\$4,032.00
45	SPEC PROV	INSTALL SALVAGED CASTING	EA	3	\$1,500.00	\$4,500.00	\$1,000.00	\$3,000.00	\$900.00	\$2,700.00	\$108.00	\$324.00
46	SPEC PROV	FURNISH AND INSTALL NEW CASTING - TYPE A	EA	6	\$2,400.00	\$14,400.00	\$2,500.00	\$15,000.00	\$2,300.00	\$13,800.00	\$3,960.00	\$23,760.00
47	SPEC PROV	FURNISH AND INSTALL NEW CASTING - TYPE D	EA	15	\$2,600.00	\$39,000.00	\$1,000.00	\$15,000.00	\$1,750.00	\$26,250.00	\$1,150.00	\$17,250.00

48	SPEC PROV	RECONSTRUCT DRAINAGE STRUCTURE/BRICK MANHOLE	EA	1	\$3,500.00	\$3,500.00	\$3,000.00	\$3,000.00	\$3,400.00	\$3,400.00	\$2,750.00	\$2,750.00
49	SPEC PROV	CLEAN AND TELEWISE PIPE SEWER MAIN	LF	22	\$30.00	\$660.00	\$5.00	\$110.00	\$65.00	\$1,430.00	\$23.80	\$523.60
SECTION IV - TOTAL						\$155,803.00		\$120,193.00		\$130,812.00		\$124,750.80
BID TOTAL						\$1,147,091.50		\$1,080,844.56		\$1,086,544.30		\$1,123,728.19

RESOLUTION

Resolution to Order Improvement and Declare Official Intent for 9th Ave S, 10th Ave S and 16th St S Area Street Improvements (Eng. No. 25-A2-01)

WHEREAS, pursuant to a resolution of the City Council adopted on December 9, 2024 a Preliminary Engineering Report has been prepared by City staff under the direction of the City Engineer with reference to proposed improvements in 9th Ave S, 10th Ave S and 16th St S Area Street Improvements (Eng. No. 25-A2-01); and

WHEREAS, pursuant to a resolution of the City Council adopted January 27, 2025 the City Council received the report from the City Engineer and fixed a date of March 24, 2025 for a Public Hearing on the proposed improvements; and

WHEREAS, the City Planning Commission reviewed the proposed improvement on December 2, 2024, and found it to be in compliance with the City's Comprehensive Plan; and

WHEREAS, ten days' mailed notice and ten days' published notice of the hearing was given, and the hearing was held thereon on the 24th day of March, 2025, at which all persons desiring to be heard were given an opportunity to be heard thereon.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota:

1. Such improvements are necessary, cost-effective, and feasible, and should best be combined into a single project for optimal bidding and construction management purposes as detailed in the Preliminary Engineering Report.
2. The City's Planning Commission has reviewed the proposed capital improvement and reported in writing to the Council its findings as to compliance of the proposed improvement with the Comprehensive Municipal Plan.
3. Such improvements are hereby ordered as proposed in the Council resolution adopted January 27, 2025.
4. The City Council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of tax-exempt bonds.

PASSED: March 24, 2025 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk

RESOLUTION

Resolution to Award Bid for 9th Ave S, 10th Ave S and 16th St S Area Street Improvements (Eng. No. 25-A2-01)

WHEREAS, bids were received, opened and tabulated according to law, and the following bids were received:

<u>Bidder</u>	<u>Bid</u>
Central Specialties, Inc.	\$1,080,844.56
Northern Improvement Company	\$1,086,544.30
Border States Paving, Inc.	\$1,123,728.19
Engineer's Estimate	\$1,147,091.50

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that:

1. It is found, determined and declared that the lowest responsive, responsible bid with respect to the proposed improvement was received from Central Specialties, Inc. of Alexandria, MN in the amount of \$1,080,844.56. Said bid is in all respects in accordance with the plans and specifications heretofore approved by the City Council. Thus, said bid is hereby in all things approved and accepted.
2. The project will be financed through the PIR fund with a portion of the cost to be assessed to the benefiting properties in accordance with the City's Special Assessment Policy. The balance will be paid as a City share with debt service on the City share paid through the general property tax levy.
3. The Mayor and City Manager are hereby authorized and directed to enter into a Contract with Central Specialties, Inc. of Alexandria, MN, for 9th Ave S, 10th Ave S and 16th St S Area Street Improvements (Eng. No. 25-A2-01), according to the plans and specifications therefore approved by the City Council and on file in the office of the City Engineer.
4. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bid, except the deposits of the successful bidder and the next lowest bid shall be retained until a contract has been signed.
5. The City Manager is hereby authorized to approve minor extra work orders and change orders as necessary to satisfactorily complete the work up to a cumulative total not-to-exceed 5% (\$54,042.23) of the total contract amount

PASSED: March 24, 2025 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

March 24, 2025

SUBJECT:

Resolution to Award Bid for the Sanitary Lift Station No. 2 Relocation Project (Eng. No. 18-13-08C)

RECOMMENDATION:

The Mayor and City Council are asked to consider a resolution to award the bid to Tom's Backhoe Service, Inc. of Brainerd, MN in the amount of \$825,384.00, as the lowest responsive, responsible bidder for the above-referenced project.

BACKGROUND/KEY POINTS:

On November 13, 2023, the City Council approved a Flood Damage Reduction grant agreement with the Department of Natural Resources that provided \$11M in State funding for flood mitigation projects and required no additional local match. The grant funding was allocated to three projects:

- North Moorhead Project, Phase 2,
- Sanitary Lift Station No. 2 Relocation, and
- 1 Ave N Levee/Floodwall.

On March 11, 2024, the City Council awarded the bid to Park Construction Company for the North Moorhead Project, Phase 2. Construction of that project will be complete during the 2025 construction season. The Sanitary Lift Station No. 2 Relocation Project required close coordination with the Moorhead Center Mall Redevelopment Streets & Utility Improvements Project, and therefore, was delayed. The 1 Ave N Levee/Floodwall Project was also delayed until after the Sanitary Lift Station No 2 project was bid to ensure that adequate budget was available. Staff anticipates an advertisement for bids for that project later this year.

FINANCIAL CONSIDERATIONS:

Four (4) bids for the project were received on March 13, 2025, and are summarized below:

Tom's Backhoe Service, Inc.	\$825,384.00
Sellin Brothers, Inc.	\$856,102.00
Key Contracting, Inc.	\$950,629.00
CC Steel LLC	\$1,228,116.41
Engineer's Estimate	\$817,938.00

The total cost of the project, including contingencies and fees, will be paid from Flood Damage Reduction grant and local funds committed to flood mitigation (to the extent that any costs are not eligible for grant reimbursement).

Voting Requirements: 3/4 of Council (6)



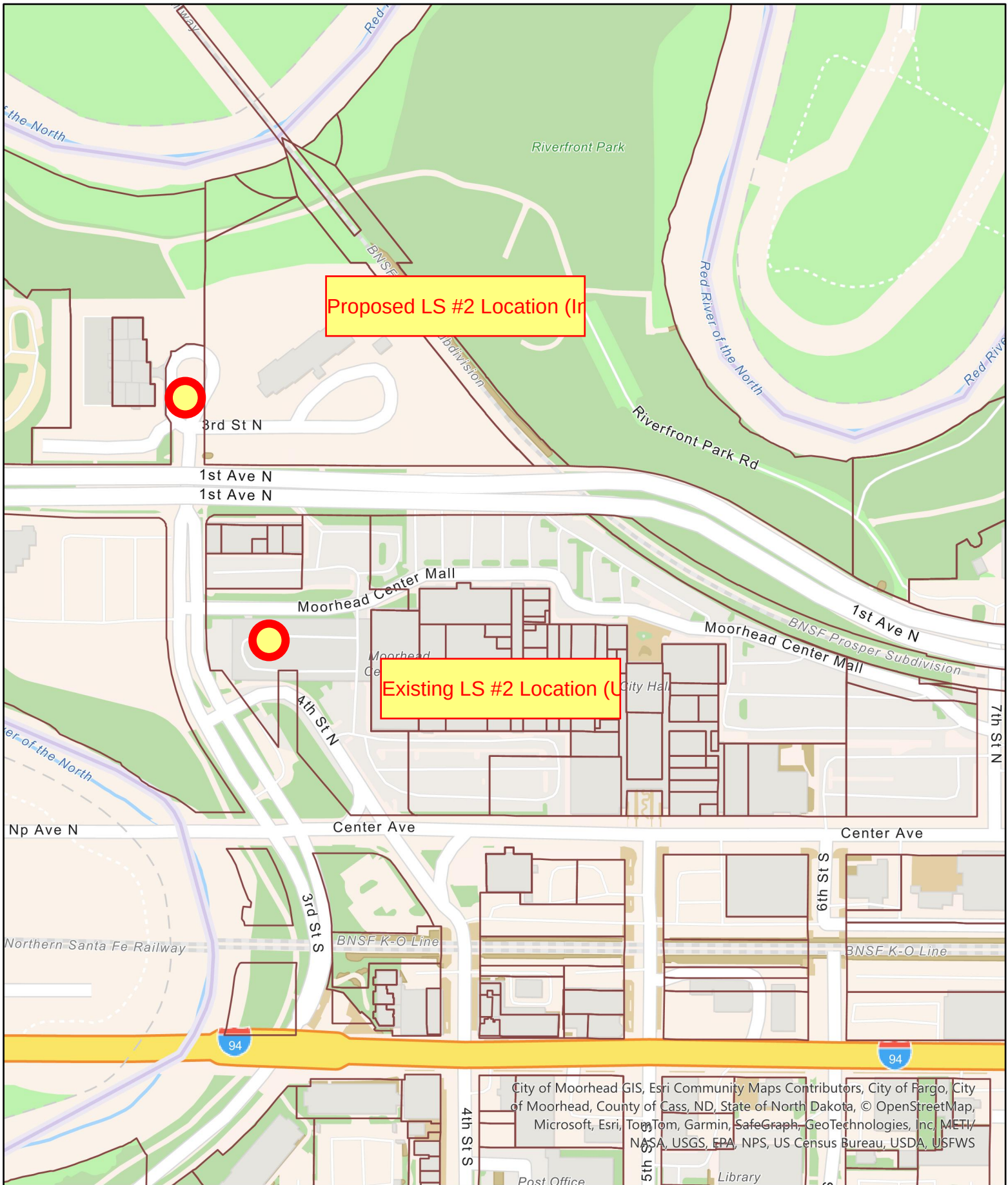
City Council Communication

March 24, 2025

Submitted By:

Dan Mahli, City Manager
Tom Trowbridge, City Engineer

Attachments: Map, Bid Tabulation



This map is for reference purposes only. It is not a substitute for an accurate field survey. Moorhead, MN is not responsible for any inaccuracies herein contained. This map is in the public domain and may be copied without permission. Citation of the source will be appreciated.

Sanitary Lift Station #2 Relocation

Agenda Item 10.A.

Date: 3/17/2025 Time: 4:29 PM

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Bid Tabulation For City of Moorhead Eng. No. 18-13-8C
Downtown Sanitary Lift Station Relocation Project (#9539319)

Bid Opening 3/13/25 10:00 AM (Virtually via Microsft Teams)					Engineer Estimate		Tom's Backhoe Service Inc.		Sellin Brothers, Inc.		Key Contracting, Inc.		CC Steel LLC	
Line Item	Item Code	Item Description	Units	Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
SECTION I - MISCELLANEOUS														
1	2021.501	Mobilization	LS	1	\$100,000.00	\$100,000.00	\$40,000.00	\$40,000.00	\$80,000.00	\$80,000.00	\$40,000.00	\$40,000.00	\$75,000.00	\$75,000.00
2	2101.502	Clearing	Ea	1	\$1,500.00	\$1,500.00	\$2,000.00	\$2,000.00	\$1,000.00	\$1,000.00	\$3,500.00	\$3,500.00	\$2,500.00	\$2,500.00
3	2101.502	Grubbing	Ea	1	\$1,500.00	\$1,500.00	\$500.00	\$500.00	\$1,000.00	\$1,000.00	\$3,500.00	\$3,500.00	\$2,500.00	\$2,500.00
4	2104.503	Remove Curb and Gutter	LF	324	\$8.00	\$2,592.00	\$12.00	\$3,888.00	\$15.00	\$4,860.00	\$22.00	\$7,128.00	\$11.10	\$3,596.40
5	2104.503	Sawing Bituminous Pavement (Full Depth)	LF	140	\$6.00	\$840.00	\$10.00	\$1,400.00	\$8.00	\$1,120.00	\$11.00	\$1,540.00	\$15.00	\$2,100.00
6	2104.504	Remove Bituminous Pavement	SY	308	\$12.00	\$3,696.00	\$10.00	\$3,080.00	\$15.00	\$4,620.00	\$36.00	\$11,088.00	\$10.50	\$3,234.00
7	2104.518	Remove Concrete Sidewalk	SF	190	\$5.00	\$950.00	\$8.00	\$1,520.00	\$8.00	\$1,520.00	\$22.00	\$4,180.00	\$9.00	\$1,710.00
8	2211.507	Aggregate Base (CV) Class 5 Modified (P)	SY	60	\$60.00	\$3,600.00	\$80.00	\$4,800.00	\$80.00	\$4,800.00	\$66.00	\$3,960.00	\$41.20	\$2,472.00
9	2231.604	Bituminous Patch Special 1	SY	123	\$60.00	\$7,380.00	\$150.00	\$18,450.00	\$115.00	\$14,145.00	\$200.00	\$24,600.00	\$115.00	\$14,145.00
10	2231.604	Bituminous Patch Special 2	SY	265	\$50.00	\$13,250.00	\$115.00	\$30,475.00	\$85.00	\$22,525.00	\$150.00	\$39,750.00	\$115.00	\$30,475.00
11	2504.602	Adjust Valve Box	EA	1	\$1,000.00	\$1,000.00	\$250.00	\$250.00	\$2,000.00	\$2,000.00	\$2,400.00	\$2,400.00	\$1,800.00	\$1,800.00
12	2531.503	Concrete Curb and Gutter Type D412	LF	131	\$35.00	\$4,585.00	\$96.00	\$12,576.00	\$92.00	\$12,052.00	\$78.00	\$10,218.00	\$145.00	\$18,995.00
13	2531.504	6" Concrete Driveway Pavement	SY	200	\$150.00	\$30,000.00	\$230.00	\$46,000.00	\$175.00	\$35,000.00	\$160.00	\$32,000.00	\$190.00	\$38,000.00
14	2540.602	Bollard	EA	7	\$1,000.00	\$7,000.00	\$1,800.00	\$12,600.00	\$1,600.00	\$11,200.00	\$1,250.00	\$8,750.00	\$2,500.00	\$17,500.00
15	2563.601	Traffic Control	LS	1	\$10,000.00	\$10,000.00	\$4,000.00	\$4,000.00	\$7,500.00	\$7,500.00	\$6,800.00	\$6,800.00	\$12,600.00	\$12,600.00
16	2573.502	Storm Drain Inlet Protection	EA	7	\$500.00	\$3,500.00	\$150.00	\$1,050.00	\$260.00	\$1,820.00	\$330.00	\$2,310.00	\$280.00	\$1,960.00
17	2573.503	Sediment Control Log Type Straw	LF	200	\$5.00	\$1,000.00	\$8.00	\$1,600.00	\$5.25	\$1,050.00	\$6.00	\$1,200.00	\$5.50	\$1,100.00
18	2574.607	Topsoil Strip & Spread (P)	CY	30	\$50.00	\$1,500.00	\$80.00	\$2,400.00	\$65.00	\$1,950.00	\$84.00	\$2,520.00	\$5.69	\$170.70
19	2574.607	Select Topsoil Borrow (LV)	CY	20	\$100.00	\$2,000.00	\$60.00	\$1,200.00	\$95.00	\$1,900.00	\$90.00	\$1,800.00	\$45.00	\$900.00
20	2575.604	Turf Establishment	SY	165	\$45.00	\$7,425.00	\$25.00	\$4,125.00	\$11.00	\$1,815.00	\$12.00	\$1,980.00	\$9.50	\$1,567.50
SECTION I - TOTAL					\$203,318.00		\$191,914.00		\$211,877.00		\$209,224.00		\$232,325.60	
SECTION II - SANITARY SEWER														
21	2104.601	Abandon Lift Station	LS	1	\$25,000.00	\$25,000.00	\$15,000.00	\$15,000.00	\$8,500.00	\$8,500.00	\$10,200.00	\$10,200.00	\$50,000.00	\$50,000.00
22	2104.602	Abandon Manhole Sewer	EA	1	\$2,000.00	\$2,000.00	\$1,500.00	\$1,500.00	\$1,000.00	\$1,000.00	\$9,000.00	\$9,000.00	\$15,000.00	\$15,000.00
23	2104.603	Abandon Pipe Sewer	LF	291	\$20.00	\$5,820.00	\$20.00	\$5,820.00	\$15.00	\$4,365.00	\$30.00	\$8,730.00	\$11.50	\$3,346.50
24	2503.503	4" Ductile Iron Pipe Sewer	LF	15	\$150.00	\$2,250.00	\$150.00	\$2,250.00	\$200.00	\$3,000.00	\$135.00	\$2,025.00	\$98.75	\$1,481.25
25	2503.601	Construct Lift Station Wet Well	LS	1	\$200,000.00	\$200,000.00	\$310,000.00	\$310,000.00	\$215,000.00	\$215,000.00	\$221,000.00	\$221,000.00	\$469,420.00	\$469,420.00
26	2503.601	Construct Lift Station Meter Vault	LS	1	\$150,000.00	\$150,000.00	\$133,000.00	\$133,000.00	\$175,000.00	\$175,000.00	\$265,000.00	\$265,000.00	\$306,000.00	\$306,000.00
27	2503.601	Construct Lift Station Electrical	LS	1	\$75,000.00	\$75,000.00	\$90,000.00	\$90,000.00	\$85,000.00	\$85,000.00	\$40,000.00	\$40,000.00	\$91,000.00	\$91,000.00
28	2503.602	4" 45 Degree Bend Ductile Iron	EA	4	\$750.00	\$3,000.00	\$450.00	\$1,800.00	\$1,500.00	\$6,000.00	\$400.00	\$1,600.00	\$450.00	\$1,800.00
29	2503.602	4" Plug	EA	1	\$500.00	\$500.00	\$250.00	\$250.00	\$1,200.00	\$1,200.00	\$500.00	\$500.00	\$465.00	\$465.00
30	2503.602	8" Plug	EA	1	\$750.00	\$750.00	\$150.00	\$150.00	\$1,250.00	\$1,250.00	\$600.00	\$600.00	\$625.00	\$625.00
31	2503.603	4" PVC C900 Pipe Sewer	LF	32	\$100.00	\$3,200.00	\$100.00	\$3,200.00	\$525.00	\$16,800.00	\$100.00	\$3,200.00	\$35.88	\$1,148.16
32	2503.603	4" PVC C900 Pipe Sewer - Bored	LF	252	\$250.00	\$63,000.00	\$100.00	\$25,200.00	\$180.00	\$45,360.00	\$275.00	\$69,300.00	\$80.00	\$20,160.00
33	2503.603	8" PVC SDR 35 Pipe Sewer	LF	10	\$150.00	\$1,500.00	\$150.00	\$1,500.00	\$375.00	\$3,750.00	\$165.00	\$1,650.00	\$39.69	\$396.90
34	2503.603	8" PVC C900 Pipe Sewer - Bored	LF	252	\$300.00	\$75,600.00	\$150.00	\$37,800.00	\$250.00	\$63,000.00	\$300.00	\$75,600.00	\$99.00	\$24,948.00
35	2506.502	Construct Drainage Structure Design 48-4007	EA	1	\$7,000.00	\$7,000.00	\$6,000.00	\$6,000.00	\$15,000.00	\$15,000.00	\$33,000.00	\$33,000.00	\$10,000.00	\$10,000.00
SECTION II - TOTAL					\$614,620.00		\$633,470.00		\$644,225.00		\$741,405.00		\$995,790.81	
BASE BID TOTAL					\$817,938.00		\$825,384.00		\$856,102.00		\$950,629.00		\$1,228,116.41	

RESOLUTION

Resolution to Award Bid for the Sanitary Lift Station No. 2 Relocation Project (Eng. No. 18-13-08C)

WHEREAS, bids were received, opened and tabulated according to law, and the following bids were received:

Tom's Backhoe Service, Inc.	\$825,384.00
Sellin Brothers, Inc.	\$856,102.00
Key Contracting, Inc.	\$950,629.00
CC Steel LLC	\$1,228,116.41
Engineer's Estimate	\$817,938.00

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that:

1. It is found, determined and declared that the lowest responsible bid with respect to the proposed improvement was received from Tom's Backhoe Service, Inc. of Brainerd, MN. Said bid is in all respects in accordance with the plans and specifications heretofore approved by the City Council. Thus, said bid is hereby in all things approved and accepted.
2. The project will be financed through Flood Damage Reduction grant funds and local funds committed to flood mitigation to the extent that any costs are not eligible for grant reimbursement.
3. The Mayor and City Manager are hereby authorized and directed to enter into a Contract with Tom's Backhoe Service, Inc. of Brainerd, MN for the Sanitary Lift Station No. 2 Relocation Project (Eng. No. 18-13-08C), according to the plans and specifications therefore approved by the City Council and on file in the office of the City Clerk.
4. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bid, except the deposits of the successful bidder and the next lowest bid shall be retained until a contract has been signed.
5. The City Manager is hereby authorized to approve minor extra work orders and change orders as necessary to satisfactorily complete the work up to a cumulative total not-to-exceed 5% (\$41,269.20) of the total contract amount.

PASSED: March 24, 2025 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

March 24, 2025

SUBJECT:

Resolution to Enter into Joint Powers Agreement with State of Minnesota to Conduct Pre-Hire Background Checks

RECOMMENDATION:

The Mayor and City Council are asked to consider the resolution to enter into this joint powers agreement.

BACKGROUND/KEY POINTS:

Minnesota Statute 299F.035 requires that, "A background check must be conducted on all applicants for employment and may be conducted on current employees at a fire department. The fire chief must conduct a Minnesota criminal history record check."

The (Minnesota) Bureau of Criminal Apprehension (BCA) and Federal Bureau of Investigation (FBI) has requirements that local policies and procedures be developed, that meet FBI standards for secure data handling and storage, and assuring applicant rights to request and dispute any data reported to the City of Moorhead. They also require specific training for the Fire Chief to properly process these background checks. Having proper training, policies, and procedures in place, the BCA has authorized the City of Moorhead to enter into a five-year joint powers agreement to facilitate these background checks.

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: Majority of Council

Submitted By:

Dan Mahli, City Manager

Jeff Wallin, Fire Chief

Emily Roen, Program Assistant

Attachments:

RESOLUTION

Resolution to enter into a Joint Powers Agreement with the State of Minnesota to allow the Fire Chief to Conduct pre-hire Criminal Background Checks as required by Minnesota Statute 299F.035

WHEREAS, under Minnesota Statutes S 471.59, the BCA and Governmental Unit are empowered to engage in such agreements as are necessary to exercise their powers; and

WHEREAS, the BCA is the State Identification Bureau for the State of Minnesota and is responsible for fingerprint identification services including submission of civil, fingerprint-based background checks to the Federal Bureau of Investigation ("FBI") subsequent to conducting Minnesota records checks; and

WHEREAS, the Governmental Unit has a state statute, Minnesota Statutes, S 299F.035, that has been approved by the United States Attorney General as compliant with Public Law 92544; and

WHEREAS, the Governmental Unit wants to access federal data in support of its duties to conduct background checks as provided by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that the purpose of this Joint Powers Agreement is to memorialize the requirements for Governmental Unit to obtain access and the limitations that apply to the information that Governmental Unit obtains.

PASSED: March 24, 2025 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

March 24, 2025

SUBJECT:

Resolution to Accept Grant Award for 2023-2024 Hazardous Materials Emergency Preparedness (HMEP) Grant Program (Budget Adjustment #25-002)

RECOMMENDATION:

The Mayor and City Council are asked to consider the resolution to authorize the City Manager to accept the 2023-2024 Hazardous Materials Emergency Preparedness (HMEP) Grant Program award from the Minnesota Department of Public Safety, State Fire Marshal Division.

BACKGROUND/KEY POINTS:

The Homeland Security and Emergency Management (HSEM) Division administers several preparedness grant programs that are available to jurisdictions, agencies and organizations throughout Minnesota. HMEP grants are used to develop, improve, and implement emergency plans; train hazardous materials (hazmat) emergency responders to respond to accidents and incidents involving hazardous materials, and assist local responders to prepare for hazardous materials emergencies, particularly those involving transportation. The City of Moorhead's Hazardous Materials Team has received funding from this grant program in the past several years. An application was submitted under the 2023-2024 HMEP Grant Program to receive funding for training and planning, and an award notification was recently received. This grant award would assist in funding for hazmat training and planning as follows:

- Instructor fees for three days of in-person training from company The Hazmat Guys for all on-duty firefighters/30 attendees in Moorhead (GRANT AWARD \$14,388.00 / CITY MATCH [HAZMAT] \$3,597.00 / TOTAL \$17,985.00)
- Registration and travel costs for up to 6 people from our Hazmat Team to attend the Cold Zone Hazmat Conference in Brooklyn Park, MN (GRANT AWARD \$7,900.00 / CITY MATCH [HAZMAT] \$1,580.00 / TOTAL \$7,900.00)
- Registration and travel costs for up to 4 people from our Hazmat Team to attend the International Hazardous Materials Response Teams Conference in Baltimore, MD (GRANT AWARD \$9,292.00 / CITY MATCH [HAZMAT] \$2,323.00 / TOTAL \$11,615.00).

The training and planning will benefit the City of Moorhead Fire Department's Hazmat Team and ultimately our citizens and surrounding communities. The request for authorization to accept this grant through resolution is consistent with City Policy, and the Mayor and Council possess the legal authority to accept grant awards through resolution under City policy and Minnesota Statutes.

FINANCIAL CONSIDERATIONS:

Previous and following notations provide a breakdown of the grant award for the planning and training:

The Federal share of the grant award (80%) would be \$30,000.00 and the required City match (20%) for a total of \$7,500.00 would come from the City of Moorhead Hazmat Team Budget, which is the budgeted contractor compensation from Minnesota to operate a State team.



City Council Communication

March 24, 2025

The proposed budget adjustment #25-002 would establish the appropriate expenditure and revenue accounts for the 2023-2024 HMEP Grant Program award.

Budget Adjustment #25-002

Fund Name	Acct. Description	Expenditure	Funding Source
General (HMEP)	Municipal State Aid Fed Pass thru		\$30,000.00
General (HMEP)	From Reserves (Hazmat)		\$7,500.00
General (HMEP)	Professional Services	\$17,985.00	
General (HMEP)	Travel, Training, Conferences	\$19,515.00	
Total		\$37,500.00	\$37,500.00

Voting Requirements: Majority of Council

Submitted By:

Dan Mahli, City Manager
Chad Stangeland, Division Chief
Emily Roen, Program Assistant

Attachments:

RESOLUTION

Resolution to Accept Grant Award for 2023-2024 Hazardous Materials Emergency Preparedness (HMEP) Grant Program

WHEREAS, grant funds were made available for distribution by the Minnesota State Fire Marshal Division through the U.S. Department of Transportation Hazardous Materials Emergency Preparedness (HMEP) Grant Program to assist local responders to prepare for hazardous materials emergencies, particularly those involving transportation; and

WHEREAS, the City of Moorhead Fire Department's Hazardous Materials Team submitted a grant application under this grant program to receive funding for Hazmat training and planning opportunities; and

WHEREAS, this funding would assist in the costs associated with travel and registration for 6 members to attend the Cold Zone Hazmat Conference in Brooklyn Park, MN; and

WHEREAS, this funding would also assist with the costs associated with 4 team members to attend the 'International Hazardous Materials Response Teams Conference in Baltimore, MD; and

WHEREAS, this funding would assist in the costs associated with three days of In-Person training from company The Hazmat Guys for all on-duty firefighters in Moorhead, MN; and

WHEREAS, recent notification was received that the City of Moorhead Hazardous Materials Team has been awarded a 2023-2024 Hazardous Materials Emergency Preparedness Grant to assist with the aforementioned costs; the Federal share of this grant award is \$30,000.00 (80 percent) and the remaining 20 percent of \$7,500.00 would come from the City of Moorhead Hazardous Materials Team budget; and

WHEREAS, a resolution is needed authorizing the acceptance of said grant.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota, that they do hereby authorize the acceptance of said grant award and authorize the Mayor and City Manager to enter into said grant agreement and expend these funds within the grant guidelines.

BE IT FURTHER RESOLVED that budget adjustment #25-002 is approved to allocate these award funds to the correct revenue and expenditure accounts.

PASSED: March 24, 2025 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

March 24, 2025

SUBJECT:

Resolution to Accept Grant Funding from Convention and Visitors Bureau for the 2025 Celtic Festival

RECOMMENDATION:

The Mayor and City Council are asked to consider a resolution accepting grant funds from the Convention & Visitors Bureau for the 2025 Celtic Festival.

BACKGROUND/KEY POINTS:

The Celtic Festival is an annual event held at the Hjemkomst Center that celebrates the intriguing history, arts and traditions of the seven Celtic Nations through music, storytelling, information booths and cuisine.

The Moorhead Parks and Recreation Special Event Coordinator routinely applies for grants to be used for special events hosted by the City of Moorhead. Receiving the grants allows staff to bring in quality artists as entertainment for this event. All grants accepted must be through City Council resolution as per Minnesota Statute.

FINANCIAL CONSIDERATIONS:

The grant award from Convention & Visitors Bureau for Celtic Festival is \$2,000 and will cover the cost of the paid performers.

Voting Requirements: Majority of Council

Submitted By:

Dan Mahli, City Manager
Sean Brandenburg, Parks and Recreation Director
Victoria Baas, Office Specialist

Attachments:

RESOLUTION

Resolution to Accept Grant Funding from Convention and Visitors Bureau for the 2025 Celtic Festival

WHEREAS, Cities may accept grants to be used in accordance with the guidelines and stipulations set forth in the terms of the grant guidelines; and

WHEREAS, under Minnesota Statute, a resolution accepting a grant must be approved by members of the City Council; and

WHEREAS, a city may not, however, accept or use grants for religious or sectarian purposes; and

WHEREAS, the Moorhead City Council finds a grant in the amount of \$2,000 has been offered by Convention & Visitors Bureau to be used for the 2025 Celtic Festival.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that the City Council does hereby accept the donation in accordance with the terms prescribed by the donor; and

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead that the City Council does hereby express their sincere gratitude to Convention & Visitors Bureau, for this grant.

PASSED: March 24, 2025 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

March 10, 2025

SUBJECT:

Resolution to Approve Grant Agreement with MN Department of Transportation Office of Aeronautics - Moorhead Municipal Airport Florence Klingensmith Field

RECOMMENDATION:

The Mayor and City Council are asked to consider a resolution to approve a Grant Agreement for Airport Equipment with the MN Department of Transportation Office of Aeronautics

BACKGROUND/KEY POINTS:

The proposed grant would reimburse the City for seventy percent of the purchase of a plow truck for the airport. The current plow truck is 25 years old and parts have been difficult and, in some instances, not possible to get/replace.

FINANCIAL CONSIDERATIONS:

The plow truck was approved within the 2025 Capital Improvement Budget. The grant will provide seventy percent of the final cost up to \$88,160.

Voting Requirements: 3/4 of Council (6)

Submitted By:

Dan Mahli, City Manager
Kristie Leshovsky, Community Development Director

Attachments: Draft Resolution

RESOLUTION

Resolution to Approve Grant Agreement with MN Department of Transportation Office of Aeronautics for Airport Improvement Excluding Land Acquisition - Moorhead Municipal Airport Florence Klingensmith Field

WHEREAS, the City of Moorhead desires the financial assistance of the State of Minnesota for Equipment costs for the Moorhead Municipal Airport – Florence Klingensmith Field; and

WHEREAS, the State of Minnesota is willing and authorized to provide financial assistance to the City of Moorhead for Equipment costs at the Airport.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead as follows:

1. That the State of Minnesota Contract Number 1059517 “Grant Agreement for Airport Improvement Excluding Land Acquisition” for State Project Number A1401-34 at the Moorhead Municipal Airport is hereby accepted.
2. That the Mayor and City Manager are herein authorized to execute the Agreement and any amendments on behalf of the City of Moorhead.

PASSED: March 24, 2025 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

March 24, 2025

SUBJECT:

Resolution to Approve Assignment of Prairie Parkway 1st Addition Developer's Agreement

RECOMMENDATION:

The Mayor and City Council are asked to approve an assignment to the Prairie Parkway 1st Addition Developer's Agreement

BACKGROUND/KEY POINTS:

On March 8, 2021, the Moorhead City Council approved the final plat and Developer's Agreement ("Agreement") for Prairie Parkway 1st Addition. The Agreement outlines the conditions for municipal improvements, utility systems, boulevard trees and sidewalk installation.

The owner, Prairie Parkway LLC, is or may sell lots within the subdivision for construction and wishes to assign the Developer's Agreement to said owner/s.

FINANCIAL CONSIDERATIONS:

Any approved assignment will require a new owner/s to provide a Letter of Credit, as applicable, and abide by the terms and conditions within the Developer's Agreement.

Voting Requirements: 3/4 of Council (6)

Submitted By:

Dan Mahli, City Manager

Kristie Leshovsky, Community Development Director

Attachments: Draft Resolution

RESOLUTION

Resolution to Approve Assignment of Prairie Parkway 1st Addition Developer's Agreement

WHEREAS, the Moorhead City Council approved the final plat and Developer's Agreement for Prairie Parkway 1st Addition (the "Developer's Agreement") on March 8, 2021; and

WHEREAS, the Developer's Agreement outlines the conditions for municipal improvements, utility systems, boulevard trees and sidewalk installation; and

WHEREAS, Section XIII of the Developer's Agreement requires the Owner, Prairie Parkway LLC, to provide a Letter of Credit as security for the construction and repayment of special assessments associated with municipal improvements and utility systems described in the Developer's Agreement; and

WHEREAS, the Owner wishes to sell lots and transfer the responsibility of the Letter of Credit to a new owner/s; and

WHEREAS, Section XIV of the Developer's Agreement requires that the owner obtain permission from the City Council prior to assigning the Developer's Agreement; and

WHEREAS, the assignment will require a new owner/s to provide a Letter of Credit to the City and abide by the terms and conditions within the Developer's Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that the Mayor and City Manager are herein authorized and directed to execute agreements or related amendments relating to the assignment of the Prairie Parkway 1st Addition Developer's Agreement.

PASSED: March 24, 2025 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

March 24, 2025

SUBJECT:

Second Reading of Ordinance 2025-02: An Ordinance to Amend and Reenact Title 10, Chapter 12, Residential, Chapter 13, Commercial, Chapter 14, Industrial, Chapter 15, Mixed Use, Chapter 17E, Gateway Overlay, Chapter 18, Use Regulations, Chapter 19, Site Development Standards of the Moorhead City Code and related Zoning Map Amendments

RECOMMENDATION:

The Mayor and City Council are asked to consider a Second Reading of an Ordinance to Amend and Reenact Title 10, Chapter 12, Residential, Chapter 13, Commercial, Chapter 14, Industrial, Chapter 15, Mixed Use, Chapter 17E, Gateway Overlay, Chapter 18, Use Regulations, Chapter 19, Site Development Standards of the Moorhead City Code and related Zoning Map Amendments.

BACKGROUND/KEY POINTS:

As with other recent zoning text amendments, the next step in the implementation process for the Onward Moorhead! Comprehensive Plan is to make additional complimentary updates to the following zoning sections and chapters: Community Commercial, Light Industrial, Heavy Industrial, Mixed Use 1-4, Gateway Overlay, Use Regulations and Site Development Standards.

In this round of proposed changes, the primary changes were to:

1. Coordinate new language formatting in all use districts.
2. Update the Gateway Overlay District and coordinate design language for relevant use districts.
3. Remove parking lot landscaping/screening requirements from individual districts and move to the landscaping/screening section of Chapter 19, Site Development Standards, where screening would be required for all parking lots and not just in certain districts.
4. Update use table and provisional/conditional use regulations for clarity and legislative changes.
5. Clean up accessory code language, moving all language from individual districts and placing in new accessory table in Chapter 18, and after receiving comments from residents impacted by 2024 RLD-1 changes, we are reverting some of those changes to accommodate those concerns.

In addition, the Official Zoning Map needs to be updated citywide. Coordination is needed in relation to all recent zoning code updates and the updated Onward Moorhead! future land use map. Due to time constraints and to not hold up pending projects, only a few map amendments are being proposed this month. Citywide zoning map amendments will be presented at a future meeting.



City Council Communication

March 24, 2025

The Planning Commission reviewed the proposed amendments at their March 3, 2025 meeting and unanimously recommend approval of the proposed zoning text and map amendments with no public comment. The complete Planning Commission packet is available at:

<https://www.ci.moorhead.mn.us/government/boards-commissions/planning-commission>

Since the Planning Commission, a few updates/clarifications/corrections were made to the following (pink highlights in draft ordinance):

1. Updated the use table to read: "Parking structure, standalone (deck or ramp)" to "Parking structure" ~~standalone (deck or ramp)~~ to cover all types of structures and also changing from "P" to "CU – [M]" for MU-1 and MU-3, which are both in downtown.
2. Updated requirements for outdoor storage at self-storage facilities (10-18-2.BB):
 1. Storage shall be screened from street frontages by other principal uses or building(s) and from adjacent properties by a combination of solid fencing and landscaping.
3. Corrected a typo in 10-12B-6, Residential Low Density-2 from: "A. Lot area: 1. Eight thousand (6,000) square feet per dwelling unit" to "A. Lot area: 1. Six thousand (6,000) square feet per dwelling unit."
4. Clarified "Noise" language in MU-2 and MU-3 for uses near residential uses:

Noise: Commercial uses shall be designed and operated so that neighboring residents are not exposed to offensive noise, especially from traffic or late-night activity. No amplified music shall be audible to neighboring residents, except as allowed by special city permit. Hours of operation shall be limited, where appropriate.
5. Updated Accessory Uses/Structure table (10-18-3):
 - a. Corrected new Commercial and Mixed Use setbacks for attached accessory uses/structures.
 - b. Clarified language for Architectural Detailing requirements for structures 1,000 ft or over and walls 30 ft or over.
 - c. Added accessory regulations for missing townhome/rowhouse use on individual lots in residential (10-18-3.A.2)

The Council approved a first reading of the Ordinance on March 10, 2025.

Since the first reading, typos were addressed along with other corrections to the following (yellow highlights in draft ordinance):

1. 10-18-2. FF, GG and HH (State Licensed Cannabis Businesses) - language corrected/clarified for zoning district names and distinctions for cannabis plants (immature vs. mature).



City Council Communication

March 24, 2025

2. 10-18-3. A.1 to A.4 (Accessory Structures in Residential and Mixed Use) – language corrected/clarified for:

A.1, A.2, A.3 - Floor Area Limit: changed to “principal dwelling footprint” vs. “principal structure total footprint” and removed from A.1 “or 800 sf, whichever is greater” as this language no longer applies since the RLD-1 district already receives greater floor area exceptions.

A.2 – Added missing “Townhomes/Rowhomes On Individual Lots in Residential Other Than RLD-1” to title.

A.4 – Corrected title to “Multi-Family and Cluster Developments On Single Lot in Residential and Mixed Use.”

3. 10-18-3.B (Accessory Structures in Institutional, Commercial, Industrial Districts and Commercial Use in Mixed Use – One typo and one clarification made in table.

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: Two-Thirds of Council (6)

Submitted By:

Dan Mahli, City Manager

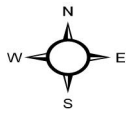
Robin Huston, City Planner / Zoning Administrator

Attachments:

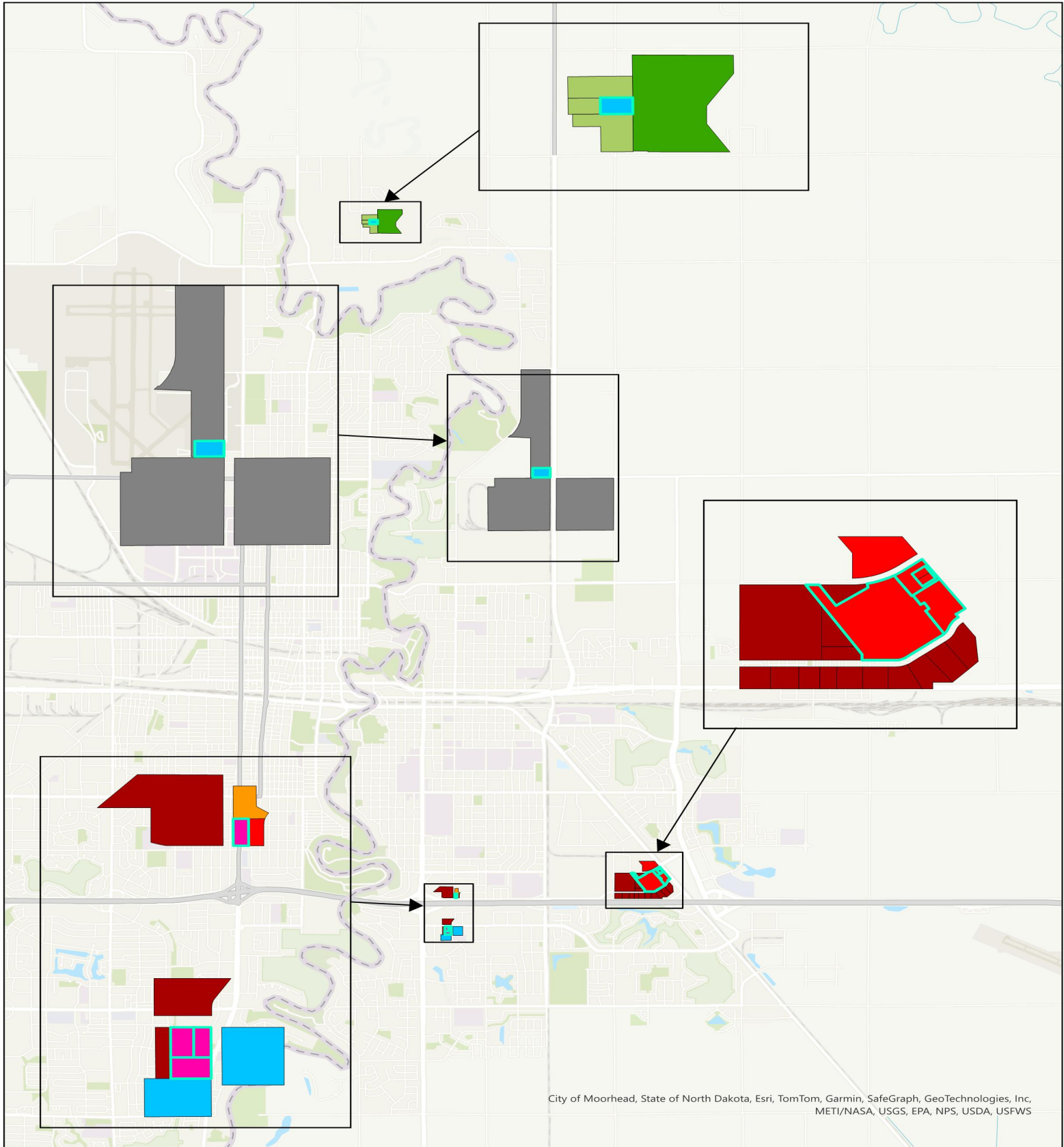
Proposed Zoning Map

Draft Ordinance 2025-02 + Proposed Use Table

Draft Resolution - Title & Summary



General Location Map - Proposed Zoning Map Amendments



City of Moorhead, State of North Dakota, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, USFWS

Legend: Zoning

- | | | | |
|---------------------------------|--------------------------------|------------------------|-----------------------------------|
| RLD1: Residential Low Density 1 | NC: Neighborhood Commercial | MU4: Gateway Mixed Use | PUD-LINS: PUD/Light Institutional |
| RLD2: Residential Low Density 2 | CC: Community Commercial | LI: Light Industrial | TZ: Transitional |
| RLD3: Residential Low Density 3 | MU1: Downtown Center Mixed Use | HI: Heavy Industrial | Not Applicable |
| RMD: Res Medium Density | MU2: Neighborhood Mixed Use | P: Public Open Space | Proposed Rezoning |
| RHD: Residential High Density | MU3: Commercial Mixed Use | INS: Institutional | |

Agenda Item 13.C.

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ORDINANCE 2025-02

AN ORDINANCE TO AMEND AND REENACT TITLE 10, CHAPTER 12, RESIDENTIAL DISTRICTS, TITLE 10, CHAPTER 13, COMMERCIAL ZONES, TITLE 10, CHAPTER 14, INDUSTRIAL ZONES, TITLE 10, CHAPTER 15, MIXED USE ZONES, TITLE 10, CHAPTER 17, OVERLAY ZONES, TITLE 10, CHAPTER 18, USE REGULATIONS, TITLE 10, CHAPTER 19, SITE DEVELOPMENT STANDARDS OF THE MOORHEAD CITY CODE AND RELATED ZONING MAP AMENDMENTS

BE IT ORDAINED by the City Council of the City of Moorhead as follows:

NEW

~~DELETE~~

SECTION 1. Title 10, Chapter 13, **Residential Districts** of the Moorhead Municipal Code is hereby amended and reenacted to read as follows (unchanged portions of this chapter may have been omitted from the text below):

CHAPTER 12 RESIDENTIAL ZONING DISTRICTS

...

ARTICLE B. RLD-2 RESIDENTIAL LOW DENSITY – 2

...

10-12B-6: LOT REQUIREMENTS AND SETBACKS:

...

A. Lot area:

1. Dwelling: Eight Six thousand (6,000) square feet per dwelling unit.

...

SECTION 2. Title 10, Chapter 13, **Commercial Zones** of the Moorhead Municipal Code is hereby amended and reenacted to read as follows:

CHAPTER 13 COMMERCIAL ZONES ZONING DISTRICTS

TITLE 10, CHAPTER 13, ARTICLE B. CC COMMUNITY COMMERCIAL DISTRICT

10-13B-1: PURPOSE:

The purpose of the CC community commercial district is to provide for the establishment of a greater concentration of commercial services offering a variety of goods and services. CC uses are intended primarily for businesses with a primary market focus on the entire city of Moorhead and adjacent communities. Uses within the CC district tend to be located adjacent to other like uses, whereby a critical mass causes greater overall traffic volumes. (Ord. 2013-09, 6-24-2013)

10-13B-2: PERMITTED USES:

See commercial/industrial district use table in section 10-18-1 of this title for permitted uses. (Ord. 2013-09, 6-24-2013)

10-13B-3: ACCESSORY USES:

The following are permitted accessory uses in a CC district:

All permitted accessory uses as allowed in an MU-1 district.

Dwelling units for guards and custodians but such dwelling units shall not occupy the front portion of the ground floor and shall not contain more than one bedroom. The existence of this use requires notification to the zoning administrator.

Outdoor storage, sales, rental and service subject to chapter 19 of this title. (Ord. 2013-09, 6-24-2013)

10-13B-4: PROVISIONAL USES:

See commercial/industrial district use table in section 10-18-1 of this title for provisional uses. Provisional uses are permitted as long as they meet the provisions outlined in chapter 6 and section 10-18-2 of this title. (Ord. 2013-09, 6-24-2013)

10-13B-5: CONDITIONAL USES:

See commercial/industrial district use table in section 10-18-1 of this title for conditional uses. Conditional uses are permitted as long as they meet the criteria outlined in chapter 4 and section 10-18-2 of this title. (Ord. 2013-09, 6-24-2013)

10-13B-6: LOT REQUIREMENTS AND SETBACKS:

The following minimum requirements shall be observed in a CC district subject to additional requirements, exceptions and modifications set forth in this title:

- A. Lot Area: None.
- B. Lot Width: None.
- C. Building Setbacks:
 - 1. Front yard: Ten feet (10').
 - 2. Interior side yard: Five feet (5') or zero feet (0') where common walls on attached buildings are located.
 - 3. Street side yard: Ten feet (10').
 - 4. Rear yard: Ten feet (10').
- D. Parking Lot Perimeter Landscaping: Parking lot perimeter screens shall be located between off street parking areas and any adjacent street rights of way in accordance with the following table:

PARKING LOT PERIMETER LANDSCAPING

Parking Area Size (Number Of Spaces)	Buffer Width (Minimum Feet)	Minimum Requirements
1 – 50 spaces	4	Hedgerow (continuous shrubs)
	4	Decorative fence with 50% transparency with plantings (1 PU per 5 linear feet)
51+ spaces	10	1 small tree plus 6 shrubs per 25 linear feet

Alternative parking lot perimeter screens and/or buffer widths may be approved by the zoning administrator.

Landscaping provided for the parking lot perimeter landscaping shall not be counted toward meeting the landscaping and tree standards of section 10-19-17 of this title.

All off street parking areas shall be subject to parking lot perimeter screens of this subsection. The standards do not apply to areas used for storing vehicles or equipment in conjunction with a vehicle sales or rental establishment.

—E. Impervious Surface Coverage: The total lot coverage of hard surfacing and buildings shall not exceed eighty five percent (85%). Required stormwater retention ponds shall count as impervious surface coverage. The city planner has the authority to authorize an additional one percent (1%) of impervious surface in each of the following circumstances:

- 1. Use of on site stormwater retention pond by location or other manner will reduce significantly the visual impact of the impervious surface coverage of the lot.
- 2. Other methods employed by the developer will reduce significantly the impact of the impervious surface coverage of the lot.

—F. Landscaping And Buffer Yards: Consistent with chapter 19 of this title. (Ord. 2013-09, 6-24-2013)

10-13B-7: MAXIMUM BUILDING HEIGHT:

- A. Principal building: Forty five feet (45').
- B. Accessory buildings: As governed by section 10-18-3 of this title. (Ord. 2013-09, 6-24-2013)

10-13B-1: PURPOSE:

The purpose of the CC district is to provide an area to concentrate commercial services offering a variety of goods and services. The CC district encourages a variety of uses aimed at providing a diversity of jobs, commercial services and shopping facilities.

10-13B-2: PERMITTED USES:

See use table in 10-18-1.

10-13B-3: ACCESSORY USES:

The following are permitted accessory uses in the CC district:

Buildings, structures or uses accessory to the principal use.

Dwelling units for guards and custodians but such dwelling units shall not occupy the front portion of the ground floor and shall not contain more than one bedroom. The existence of this use requires notification to the zoning administrator.

Outdoor storage, sales, rental and service subject to chapter 17E and 9 of this title.

Private garages, parking spaces and carports. Private garages, parking spaces and carports are to be used for storing of private passenger vehicles belonging to employees on the premises, and shall not be used to conduct commercial business, service or industry.

10-13B-4: PROVISIONAL USES:

See use table in 10-18-1. Provisional uses are permitted as long as they meet the provisions outlined in chapter 6 and section 10-18-2.

10-13B-5: CONDITIONAL USES:

See use table in 10-18-1. Conditional uses are permitted as long as they meet the criteria outlined in chapter 4 and section 10-18-2, and any additional conditions required by the city council.

10-13B-6: PROHIBITED USES:

See use table in 10-18-1. Any use not specifically identified in the use table in 10-18-1 as permitted (P), provisional (PU) or conditional (CU) or that are not deemed consistent with the intent of the comprehensive plan or the purpose of this title, are not permitted.

10-13B-7: SITE REQUIREMENTS:

The following minimum requirements shall be observed in the CC district subject to additional requirements, exceptions and modifications set forth in this title:

A. Lot Area: None.

B. Lot Width: None.

C. Building Setbacks:

1. Front yard: Ten feet (10').

2. Interior side yard: Ten feet (10').

3. Common wall: Zero feet (0').

4. Street side yard: Ten feet (10')

5. Rear yard: Ten feet (10').

6. Outdoor sales displays: None.

7. Accessory buildings: See 10-18-3.

D. Maximum Building Height:

1. Principal building:

a. If structure is within one hundred fifty feet (150') of a principal residential structure (measured by a straight line structure to structure): Forty-five feet (45')

b. If structure is more than one hundred fifty feet (150') of a residential structure (measured by a straight-line structure to structure): Fifty-five feet (55').

2. Accessory buildings: See 10-18-3.

E. Parking and Loading Spaces: See chapters 20 and 21. The off-street parking regulations in chapter 20 may be reduced by submitting a plan documenting the estimated parking demand for the proposed use, parking reduction request, alternative parking options that

will be integrated (e.g., shared parking facilities, bicycle parking, or other parking options) and consistency with the purpose of this chapter.

F. Landscaping, Screening and Buffering: See chapter 19.

G. Impervious surface coverage: 85%.

1. The zoning administrator has the authority to authorize an additional one (1) percent if:

- a. Use of onsite stormwater retention pond or other manner that would significantly reduce the visual impact of the impervious surface coverage.
- b. Use of other methods employed by developer that would significantly reduce the impact of impervious surface coverage on the lot.

H. Lighting: Shall be directed downward, inward and away from public right of way and adjoining uses, consistent with 10-19-19.

I. Pedestrian Access and Connectivity: Identifiable and safe pedestrian walkways within the site recommended to interconnect front doors of establishments to transit stops and/or public sidewalks.

Developments should also establish a sidewalk connection to adjacent blocks and between parking areas and adjacent uses.

J. Refuse and Recycling Storage: See chapter 19.

10-13B-8: DESIGN AND CONSTRUCTION:

Buildings and sites in the CC district shall address the following:

A. Building Siting and Architectural Design (see also chapter 17E for properties in Gateway Overlay District):

1. Main entrances shall be emphasized by lighting or architectural enhancements.
2. All exterior walls facing or abutting public sidewalks or streets shall have equal design consideration to include materials, color, articulation and general aesthetics.
3. Exterior building walls over sixty feet (60') in height or width shall be divided visually into smaller sections and/or add architectural features to break up the mass:
 - a. Vertical and horizontal architectural features may include, but are not limited to:
 1. Roof line and/or roof overhang variations, projections or recesses, windows, public art, building massing setbacks, changes in color, material, or texture, awnings, canopies, balconies, porticoes and moldings.
4. Ground-mounted and rooftop mechanical equipment shall be screened to not be visible from public streets or sidewalks.
5. Overhead doors and loading docks:
 - a. Shall not face public streets or frontage roads unless screened from view;

- b. Shall not face required front yards; and
 - c. Shall meet the requirements of chapter 21.
6. The zoning administrator shall have the authority to make exceptions to this section if the design and construction meet the intent of the CC district.

SECTION 3. Title 10, Chapter 14, **Industrial Zones** of the Moorhead Municipal Code is hereby amended and reenacted to read as follows:

CHAPTER 14, INDUSTRIAL-ZONES ZONING DISTRICTS

ARTICLE A. LI LIGHT INDUSTRIAL DISTRICT

10-14A-1: PURPOSE:

~~It is the purpose of the LI light industrial district to permit light industrial uses that are free from objectionable features, or whose objectionable features can be eliminated by design, screening and other appropriate devices. (Ord. 2004-40, 1-3-2005)~~

10-14A-2: PERMITTED USES:

~~See commercial/industrial districts use table in section 10-18-1 of this title for permitted uses. (Ord. 2004-40, 1-3-2005)~~

10-14A-3: ACCESSORY USES:

~~The following are permitted accessory uses in an LI district:~~

~~All permitted accessory uses as allowed in the RC district.~~

~~Dwelling units for guards and custodians except that such dwelling units shall not occupy the front portion of the ground floor and shall not contain more than one bedroom. The existence of this use requires notification to the zoning administrator.~~

~~Solar energy systems. (Ord. 2013-11, 7-22-2013)~~

10-14A-4: PROVISIONAL USES:

~~See commercial/industrial districts use table in section 10-18-1 of this title for provisional uses. Provisional uses are permitted as long as they meet the provisions as outlined in section 10-18-2 of this title. (Ord. 2004-40, 1-3-2005)~~

10-14A-5: CONDITIONAL USES:

~~See commercial/industrial districts use table in section 10-18-1 of this title for conditional uses. Conditional uses are permitted as long as they meet the criteria outlined in chapter 4 and section 10-18-2 of this title. (Ord. 2004-40, 1-3-2005)~~

10-14A-6: LOT REQUIREMENTS AND SETBACKS:

~~The following minimum requirements shall be observed in an LI district subject to additional requirements, exceptions and modifications set forth in this title:~~

~~—A. Lot area: None.~~

~~—B. Lot width: None.~~

~~—C. Building setbacks:~~

~~—1. Front yard: Ten feet (10').~~

~~—2. Interior side yard: Five feet (5').~~

~~—3. Street side yard: Ten feet (10').~~

~~—4. Rear yard: Ten feet (10').~~

~~—D. Landscaping and buffer yards: Consistent with chapter 19 of this title. (Ord. 2013-11, 7-22-2013)~~

10-14A-7: MAXIMUM BUILDING HEIGHT:

~~—A. Principal building: None.~~

~~—B. Accessory buildings: As governed by section 10-18-3 of this title. (Ord. 2004-40, 1-3-2005)~~

10-14A-1: PURPOSE:

The purpose of the LI district is to provide an area to concentrate commercial and light industrial uses. The LI district encourages commercial and light industrial facilities with a variety of jobs.

10-14A-2: PERMITTED USES:

See use table in 10-18-1.

10-14A-3: ACCESSORY USES:

The following are permitted accessory uses in the LI district:

Buildings, structures or uses accessory to the principal use.

Dwelling units for guards and custodians but such dwelling units shall not occupy the front portion of the ground floor and shall not contain more than one bedroom. The existence of this use requires notification to the zoning administrator.

Outdoor storage, sales, rental and service subject to chapter 17E and 19 of this title.

Private garages, parking spaces and carports. Private garages, parking spaces and carports are to be used for storing of private passenger vehicles belonging to employees on the premises, and shall not be used to conduct commercial business, service or industry.

10-14A-4: PROVISIONAL USES:

See use table in 10-18-1. Provisional uses are permitted as long as they meet the provisions outlined in chapter 6 and section 10-18-2.

10-14A-5: CONDITIONAL USES:

See use table in 10-18-1. Conditional uses are permitted as long as they meet the criteria outlined in chapter 4 and section 10-18-2, and any additional conditions required by the city council.

10-14A-6: PROHIBITED USES:

See use table in 10-18-1. Any use not specifically identified in the use table in 10-18-1 as permitted (P), provisional (PU) or conditional (CU) or that are not deemed consistent with the intent of the comprehensive plan or the purpose of this title, are not permitted.

10-14A-7: SITE REQUIREMENTS:

The following minimum requirements shall be observed in the LI district subject to additional requirements, exceptions and modifications set forth in this title:

- A. Lot Area: None.
- B. Lot Width: None.
- C. Building Setbacks:
 - 1. Front yard: Ten feet (10').
 - 2. Interior side yard: Ten feet (10').
 - 3. Common wall: Zero feet (0').
 - 4. Street side yard: Ten feet (10').
 - 5. Rear yard: Ten feet (10').
 - 6. Outdoor sales displays: None.
 - 7. Accessory buildings: See 10-18-3.
- D. Maximum Building Height:
 - 1. Principal building: None.
 - 2. Accessory buildings: See 10-18-3.

- E. Parking and Loading Spaces: See chapters 20 and 21. The off-street parking regulations in chapter 20 may be reduced by submitting a plan documenting the estimated parking demand for the proposed use, parking reduction request, alternative parking options that will be integrated (e.g., shared parking facilities, bicycle parking, or other parking options) and consistency with the purpose of this chapter.
- F. Landscaping, Screening and Buffering: See chapter 19.
- G. Lighting: Shall be directed downward, inward and away from public right of way and adjoining uses, consistent with 10-19-19.
- H. Refuse and Recycling Storage: See chapter 19.

10-14A-8: DESIGN AND CONSTRUCTION:

Buildings and sites in the LI district shall address the following:

- A. Building Design and Siting (see also chapter 17E for properties in Gateway Overlay District):
 - 1. Main entrances shall be emphasized by lighting or architectural enhancements.
 - 2. All exterior walls facing or abutting public sidewalks or streets shall have equal design consideration to include materials, color, articulation and general aesthetics.
 - 3. Ground-mounted and rooftop mechanical equipment shall be screened to not be visible from public streets or sidewalks.
 - 4. The zoning administrator shall have the authority to make exceptions to this section if the design and construction meet the intent of the LI district.

ARTICLE B. HI HEAVY INDUSTRIAL DISTRICT

10-14B-1: PURPOSE:

~~It is the purpose of the HI heavy industrial district to provide an area that will accommodate industries not permitted in other districts. (Ord. 2004-40, 1-3-2005)~~

10-14B-2: PERMITTED USES:

~~See commercial/industrial districts use table in section 10-18-1 of this title for permitted uses. (Ord. 2004-40, 1-3-2005)~~

10-14B-3: ACCESSORY USES:

~~The following are permitted accessory uses in an HI district:~~

~~All permitted accessory uses as allowed in the LI district. (Ord. 2004-40, 1-3-2005)~~

10-14B-4: PROVISIONAL USES:

~~See commercial/industrial districts use table in section 10-18-1 of this title for provisional uses. Provisional uses are permitted as long as they meet the provisions as outlined in section 10-18-2 of this title. (Ord. 2004-40, 1-3-2005)~~

10-14B-5: CONDITIONAL USES:

~~See commercial/industrial district use table in section 10-18-1 of this title for conditional uses. Conditional uses are permitted as long as they meet the criteria outlined in chapter 4 and section 10-18-2 of this title. (Ord. 2004-40, 1-3-2005)~~

10-14B-6: LOT REQUIREMENTS AND SETBACKS:

~~The following minimum requirements shall be observed in an HI district subject to additional requirements, exceptions and modifications set forth in this title:~~

- ~~—A. Lot area: None.~~
- ~~—B. Lot width: None.~~
- ~~—C. Building setbacks:~~
 - ~~—1. Front yard: Twenty feet (20').~~
 - ~~—2. Interior side yard: Five feet (5').~~

- 3. Street side yard: Twenty feet (20').
 - 4. Rear yard: Fifteen feet (15').
 - D. Landscaping and buffer yards: Consistent with chapter 19 of this title. (Ord. 2013-11, 7-22-2013)
- 10-14B-7: MAXIMUM BUILDING HEIGHT:**
- A. Principal building: None.
 - B. Accessory buildings: As governed by section 10-18-3 of this title. (Ord. 2004-40, 1-3-2005)

10-14B-1: PURPOSE:

The purpose of the HI district is to provide an area to concentrate light and heavy industrial uses. The HI district encourages light and heavy industrial facilities with a variety of jobs.

10-14B-2: PERMITTED USES:

See use table in 10-18-1.

10-14B-3: ACCESSORY USES:

The following are permitted accessory uses in the HI district:

Buildings, structures or uses accessory to the principal use.

Dwelling units for guards and custodians but such dwelling units shall not occupy the front portion of the ground floor and shall not contain more than one bedroom. The existence of this use requires notification to the zoning administrator.

Outdoor storage, sales, rental and service subject to chapter 17E and 19 of this title.
Private garages, parking spaces and carports. Private garages, parking spaces and carports are to be used for storing of private passenger vehicles belonging to employees on the premises, and shall not be used to conduct commercial business, service or industry.

10-14B-4: PROVISIONAL USES:

See use table in 10-18-1. Provisional uses are permitted as long as they meet the provisions outlined in chapter 6 and section 10-18-2

10-14B-5: CONDITIONAL USES:

See use table in 10-18-1. Conditional uses are permitted as long as they meet the criteria outlined in chapter 4 and section 10-18-2, and any additional conditions required by the city council.

10-14B-6: PROHIBITED USES:

See use table in 10-18-1. Any use not specifically identified in the use table in 10-18-1 as permitted (P), provisional (PU) or conditional (CU) or that are not deemed consistent with the intent of the comprehensive plan or the purpose of this title, are not permitted.

10-14B-7: SITE REQUIREMENTS:

The following minimum requirements shall be observed in the HI district subject to additional requirements, exceptions and modifications set forth in this title:

- A. Lot Area: None.
- B. Lot Width: None.
- C. Building Setbacks:
 - 1. Front yard: Twenty feet (20').
 - 2. Interior side yard: Twenty feet (20').

3. Common wall: Zero feet (0').
4. Street side yard: Twenty feet (20')
5. Rear yard: Twenty feet (20').
6. Outdoor sales displays: None.
7. Accessory buildings: See 10-18-3.
8. Maximum Building Height:
 - a. Principal building: None.
 - b. Accessory buildings: See 10-18-3.
- D. Parking and Loading Spaces: See chapters 20 and 21. The off-street parking regulations in chapter 20 may be reduced by submitting a plan documenting the estimated parking demand for the proposed use, parking reduction request, alternative parking options that will be integrated (e.g., shared parking facilities, bicycle parking, or other parking options) and consistency with the purpose of this chapter.
- E. Landscaping, Screening and Buffering: See chapter 19.
- F. Lighting: Shall be directed downward, inward and away from public right of way and adjoining uses, consistent with 10-19-19.
- G. Refuse and Recycling Storage: See chapter 19.

10-14B-8: DESIGN AND CONSTRUCTION:

Buildings and sites in the HI district shall address the following:

- A. Building Design and Siting (see also chapter 17E for properties in Gateway Overlay District):
1. Main entrances shall be emphasized by lighting or architectural enhancements.
 2. All exterior walls facing or abutting public sidewalks or streets shall have equal design consideration to include materials, color, articulation and general aesthetics.
 3. Ground-mounted and rooftop mechanical equipment shall be screened to not be visible from public streets or sidewalks.
 4. The zoning administrator shall have the authority to make exceptions to this section if the design and construction meet the intent of the HI district.

SECTION 4. Title 10, Chapter 15, **Mixed Use Zones** of the Moorhead Municipal Code is hereby amended and reenacted to read as follows (unchanged portions of this chapter may have been omitted from the text below):

CHAPTER 15 MIXED USE ZONES ZONING DISTRICTS

ARTICLE A. MU-1 DOWNTOWN CENTER MIXED USE DISTRICT

10-15A-1: PURPOSE:

The purpose of the MU-1 downtown mixed use district is to promote a variety of uses aimed at building and maintaining a pedestrian friendly, sustainable downtown environment. Uses that provide a diversity of jobs, residential opportunities, entertainment venues, civic functions, commercial services and shopping are encouraged in the downtown mixed use district. The district will encourage a scale of development, mixture of uses and other such urban design attributes that promote the safe and efficient pedestrian and vehicular movements throughout the district. (Ord. 2004-40, 1-3-2005)

10-15A-2: PERMITTED USES:

See the use table in section 10-18-1 of this title for a comprehensive listing of permitted uses. (Ord. 2004-40, 1-3-2005)

10-15A-3: ACCESSORY USES:

The following are permitted accessory uses in a MU-1 district:

- Outdoor eating areas.
- Private garages, parking spaces and carports. Private garages, parking spaces and carports are to be used for storing of private passenger vehicles belonging to residents and employees on the premises, and shall not be used to conduct commercial business, service or industry.
- Public plazas or gathering spaces or courtyards.
- Rooftop gardens. (Ord. 2004-40, 1-3-2005; Ord. 2024-03, 7-22-2024)

10-15A-4: PROVISIONAL USES:

See the use table in section 10-18-1 of this title for a comprehensive listing of provisional uses. Provisional uses are permitted as long as they meet the provisions outlined in section 10-18-2 of this title. (Ord. 2004-40, 1-3-2005)

10-15A-5: CONDITIONAL USES:

See the use table in section 10-18-1 of this title for a comprehensive listing of conditional uses. Conditional uses are allowed as long as they meet the criteria outlined in chapter 4 and section 10-18-2 of this title. (Ord. 2004-40, 1-3-2005)

10-15A-6: PROHIBITED USES:

See use table in section 10-18-1. Any use not specifically identified in the use table in section 10-18-1 of this title as permitted (P), provisional (PU) or conditional (CU) or that are not deemed consistent with the intent of the comprehensive plan or the purpose of this title, are not permitted, as determined by the zoning administrator. (Ord. 2013-11, 7-22-2013; Ord. 2024-03, 7-22-2024)

10-15A-7: LOT REQUIREMENTS, SETBACKS AND BULK STANDARDS:

There are no restrictions on lot area or lot width in the MU-1 district. Setback requirements and bulk standards are as follows:

- A. Front Yard Setbacks: None.
- B. Side And Rear Yard Setbacks: None.
- C. Floor Area Ratios: Minimum floor area ratio for new development shall be 1.0. There is no maximum floor area ratio.

In lieu of the minimum floor area ratio requirement, the planning commission may approve plans for new development with a floor area ratio less than 1.0. Building elevations and a site plan shall be submitted for planning commission review. To appeal the decision of the planning commission to the city council, a written notice of appeal must be filed with the city within fifteen (15) days of the decision of the planning commission. (Ord. 2013-11, 7-22-2013)

10-15A-8: MAXIMUM BUILDING HEIGHT:

None. (Ord. 2013-11, 7-22-2013; Ord. 2024-03, 7-22-2024)

10-15A-9: SPECIAL PROVISIONS:

The following special provisions apply to the MU-1 district:

- A. Pedestrian Connectivity: All developments should establish a sidewalk connection to adjacent blocks. Where parking lots are located to serve several development projects, sidewalk connections should be made to provide connections between parking areas and shared uses.
- B. Parking: Off street parking standards established in chapter 20 of this title shall not apply to existing or new structures in the MU-1 district.
- C. Parking Lot Landscaping: Parking lot perimeter screens shall be located between off street parking areas and/or vehicle circulation areas adjacent street rights of way in accordance with the following table:

PARKING LOT PERIMETER LANDSCAPING

Parking Area Size (Number Of Spaces)	Buffer Width (Minimum Feet)	Minimum Requirements
1 – 50 spaces	4	Hedgerow (continuous shrubs)
	4	Decorative fence with 50% transparency with plantings (1 plant unit per 5 linear feet)
51+ spaces	10	1 small tree with 6 shrubs per 25 linear feet

Alternative parking lot perimeter screens and/or buffer widths may be approved by the zoning administrator.

Landscaping provided for the parking lot perimeter landscaping shall not be counted toward meeting the landscaping and tree standards of section 10-19-17 of this title.

All off-street parking areas shall be subject to parking lot perimeter screens of this subsection.

—D. Building Entrances And Corner Uses: Entrances and corner uses should be enhanced with architectural enhancements to emphasize the entrance or block use.

—E. Street Level Transparency: Street level building fronts abutting public sidewalks shall contain a minimum of thirty five percent (35%) nonopaque surfaces such as windows, doors, and other transparent elements to allow sight lines into store fronts so as to provide a safe pedestrian environment and facilitate window shopping. Calculations shall be based on the linear footage of the ground floor.

—1. Existing buildings along sidewalks to which interior renovations or structural improvements are proposed shall be excluded from this requirement only if they do not already meet the thirty five percent (35%) transparency requirement. In those cases, the transparency requirement shall meet or exceed the percentage of ground floor transparency provided by the existing structure.

—2. The zoning administrator shall have the authority to approve building plans with less than thirty five percent (35%) street transparency adjacent to public sidewalks, provided that the subject wall of the structure includes architectural features which offer visual relief from a blank wall through the use of texture, recessed patterns, or other design features. The decision of the zoning administrator may be appealed to the planning commission.

—F. Exterior Building Materials:

—1. Required: All walls visible from the street shall be finished with a combination of multigenerational, architectural materials such as brick, glass, stone, ceramic, stucco, precast panels, exterior insulation finish systems, metal panels, cement board or curtain walls.

—2. Prohibited: Lap style siding applications, asphalt, smooth or painted concrete blocks or cinder blocks.

—3. Exceptions: When MU-1 development includes multi-family townhouse/rowhouse or triplex or historical residential structures that have been adaptively reused to a commercial use, typical residential structure exterior materials may be accepted (e.g., typical residential lap siding or composite brick).

—G. Viewsheds: View corridors from public spaces to key visual qualities including the Red River of the north, the Hjemkomst Center and the skyline are encouraged to be preserved through the orientation of buildings and limited height restrictions. (Ord. 2013-11, 7-22-2013; Ord. 2024-03, 7-22-2024)

10-15A-1: PURPOSE:

The purpose of the MU-1 district is to create a flexible approach to land use for mixed residential and commercial development that promotes a variety of commercial uses, jobs, residential opportunities and civic functions. The MU-1 district encourages a scale of development and mixture of uses while also maintaining a pedestrian-friendly and sustainable downtown environment.

10-15A-2: PERMITTED USES:

See use table in 10-18-1.

10-15A-3: ACCESSORY USES:

The following are permitted accessory uses in the MU-1 district:

Rooftop gardens, outdoor eating areas, public plazas, courtyards or other gathering spaces.

Private garages, parking spaces and carports. Private garages, parking spaces and carports are to be used for storing of private passenger vehicles belonging to residents and/or employees on the premises, and shall not be used to conduct commercial business, service or industry.

10-15A-4: PROVISIONAL USES:

See use table in 10-18-1. Provisional uses are permitted as long as they meet the provisions outlined in chapter 6 and 10-18-2.

10-15A-5: CONDITIONAL USES:

See use table in 10-18-1. Conditional uses are permitted as long as they meet the criteria outlined in chapter 4 and 10-18-2, and any additional conditions required by the city council.

10-15A-6: PROHIBITED USES:

The following are prohibited uses in the MU-1 district:

Outdoor storage and sales displays.

Also see use table in 10-18-1. Any use not specifically identified in the use table in 10-18-1 as permitted (P), provisional (PU) or conditional (CU) or that are not deemed consistent with the intent of the comprehensive plan or the purpose of this title, are not permitted.

10-15A-7: SITE REQUIREMENTS:

The following minimum requirements shall be observed in the MU-1 district subject to additional requirements, exceptions and modifications set forth in this title:

- A. Lot Area: None.
- B. Lot Width: None.
- C. Building Setbacks: None
- D. Maximum Building Height: None
- E. Parking and Loading: Off street parking and loading requirements established in chapter 20 and 21 shall not apply to existing or new structures in the MU-1 district.
- F. Landscaping, Screening and Buffering established in chapter 19 shall not apply to existing or new structures in the MU-1 district except for the following:
 - a. If provided, all existing and new parking lots must provide parking lot perimeter screening according to chapter 19.
- G. Maximum Impervious Surface Coverage: None.
- H. Lighting: Shall be directed downward, inward and away from public right of way and adjoining uses, consistent with 10-19-19.
- I. Pedestrian Access and Connectivity: Identifiable and safe pedestrian walkways within the site recommended to interconnect front doors of establishments to transit stops and/or public sidewalks.

Developments should establish a sidewalk connection to adjacent blocks and between parking areas and adjacent uses, as applicable.
- I. Refuse and recycling storage: See chapter 19.
- J. Floor Area Ratios: Minimum floor area ratio for new development shall be 1.0. There is no maximum floor area ratio. In lieu of the minimum floor area ratio requirement, the planning commission may approve plans for new development with a floor area ratio less than 1.0. Building elevations and a site plan shall be submitted for planning commission review. To appeal the decision of the planning commission to the city council, a written notice of appeal must be filed with the city within fifteen (15) days of the decision of the planning commission.

10-15A-8: DESIGN AND CONSTRUCTION:

Buildings and sites in the MU-1 district shall address the following:

A. Building Siting, Architectural Design, Street Level Transparency:

1. Building Orientation: View corridors from public spaces to key visual qualities including the Red River of the North, the Hjemkomst Center and the skyline are encouraged to be preserved through the orientation of buildings and limited height restriction.
2. Buildings shall be attractive and constructed of materials that will maintain their appearance over the long term.
3. Main Entrances And Corner Uses: Shall be enhanced with architectural enhancements to emphasize the entrance by accent materials, change of grade or by pedestrian scale lighting and other pedestrian amenities.
4. All exterior walls clearly visible from a street shall have equal design consideration of consistent quality and characteristics.
5. Exterior building walls over sixty feet (60') in height or width shall be divided visually into smaller sections and/or add architectural features to break up the mass:
 - a. Vertical and horizontal architectural features may include, but are not limited to:
 1. Roof line and/or roof overhang variations, projections or recesses, windows, public art, building massing setbacks, changes in color, material, or texture, awnings, canopies, balconies, porticoes and moldings.
6. Street Level Transparency: Street level fronts abutting public sidewalks shall contain a minimum of thirty five percent (35%) surfaces such as windows, doors, and other elements to allow sight lines into store fronts so as to provide a safe pedestrian environment and facilitate window shopping. Calculations shall be based on the linear footage of the ground floor.
 - a. Existing buildings along sidewalks to which interior renovations or structural improvements are proposed shall be excluded from this requirement only if they do not already meet the thirty five percent (35%) transparency requirement. In those cases, the transparency requirement shall meet or exceed the percentage of ground floor transparency provided by the existing structure.
7. Architectural Materials And Elements: Shall be combined to add interest to buildings and especially to break up long expanses. In lieu of the following requirements, the planning commission may approve plans for buildings of exceptional architecture that utilize materials and design elements in unique ways:
 - a. Required Materials: All walls visible from the street shall be finished with a combination of multigenerational, architectural materials such as brick, glass, stone, ceramic, stucco, precast panels, exterior insulation finish systems, metal panels, cement board or curtain walls.
 - b. Prohibited Materials: Lap style siding applications, asphalt, smooth or painted concrete blocks or cinder blocks.

1. Exception: When MU-1 development includes townhouse/rowhouse, triplex or historical residential structures that have been adaptively reused, typical residential structure exterior materials may be accepted (e.g., typical residential lap siding or composite brick).
8. Ground-mounted and rooftop mechanical equipment shall be screened to not be visible from public streets or sidewalks.
9. The zoning administrator shall have the authority to make exceptions to this section if the design and construction meet the intent of the MU-1 district.

ARTICLE B. MU-2 NEIGHBORHOOD MIXED USE DISTRICT

10-15B-1: PURPOSE:

The purpose of the MU-2 Neighborhood Mixed Use District is to promote a land use pattern that establishes various neighborhood-serving retail and service uses and a mix of low, medium and high-density residential uses. The district is intended to ensure that the appearance and effects of buildings and uses are harmonious with the character of the area in which they are located. (Ord. 2004-40, 1-3-2005; Ord. 2024-03, 7-22-2024)

10-15B-2: PERMITTED USES:

See use table in section 10-18-1 of this title for permitted uses. (Ord. 2004-40, 1-3-2005; Ord. 2024-03, 7-22-2024)

10-15B-3: ACCESSORY USES:

The following are permitted accessory uses in an MU-2 district:

Limited Commercial Accessory Uses: Typical accessory buildings, structures and uses limited to not more than thirty percent (30%) of the gross floor space of principal use.

Residential Accessory Uses:

Noncommercial greenhouses and conservatories.

Private residential garages, parking spaces and carports. Private residential garages are to be used for storing the private passenger vehicles belonging to the family upon the premises, and shall not be used to conduct commercial business, service or industry. Private swimming pools, tennis courts and other recreational facilities.

Sheds and similar buildings for storage of domestic supplies and noncommercial recreational equipment.

Towers supporting amateur radio antennas and which meet the requirements of chapter 17, article D of this title.

(Ord. 2004-40, 1-3-2005)

10-15B-4: PROVISIONAL USES:

See use table in section 10-18-1 of this title for provisional uses. Provisional uses are permitted as long as they meet the provisions outlined in section 10-18-2 of this title. (Ord. 2004-40, 1-3-2005; Ord. 2024-03, 7-22-2024)

10-15B-5: CONDITIONAL USES:

See use table in section 10-18-1 of this title for conditional uses. Conditional uses are allowed as long as they meet the criteria outlined in chapter 4 and section 10-18-2 of this title. (Ord. 2004-40, 1-3-2005; Ord. 2024-03, 7-22-2024)

10-15B-6: PROHIBITED USES:

See use table in section 10-18-1. Any use not specifically identified in the use table in section 10-18-1 of this title as permitted (P), provisional (PU) or conditional (CU) or that are not deemed consistent with the intent of the comprehensive plan or the purpose of this title, are not permitted, as determined by the zoning administrator.

(Ord. 2013-11, 7-22-2013; Ord. 2024-03, 7-22-2024)

10-15B-7: LOT REQUIREMENTS AND SETBACKS:

The following requirements shall be observed in the MU-2 district subject to the additional requirements, exceptions and modifications set forth in this title:

—A. Lot area:

—1. Single And Two-Family: Four thousand (4,000) square feet per dwelling unit.

—2. Other principal uses: No minimum.

—B. Lot Width: No minimum.

—C. Setbacks:

—1. Single And Two-Family:

—a. Front Yard: The minimum front yard setback may be the average of adjacent structures on the same block except walls with garage doors facing street must be twenty-five feet (25'). If only one adjacent lot is occupied by a structure, the minimum front yard may be that of said principal structure.

—b. Rear Yard: Ten feet (10').

—c. Interior Side Yard: Five feet (5').

—d. Common Wall: Zero feet (0').

—e. Street Side Yard: The minimum street side yard setback may be the average of adjacent structures on the same block except walls with garage doors facing street must be twenty-five feet (25'). If only one adjacent lot is occupied by a structure, the minimum street side yard may be that of said principal structure.

—f. Building Separation Between End Units On Same Lot: Ten feet (10').

—2. Other Principal Uses:

- a. Front Yard: Ten feet (10') except walls with garage doors facing street must be twenty-five feet (25').
- b. Rear Yard: Ten feet (10').
- c. Interior Side Yard: Ten feet (10').
- d. Common wall: Zero feet (0').
- e. Street Side Yard: Ten feet (10') except walls with garage doors facing street must be twenty-five feet (25').
- f. Building Separation Between End Units On Same Lot: Ten feet (10').

— D. Design Standards:

— 1. All principal and accessory uses must meet applicable site development standards in chapter 19 of this title, as approved by the zoning administrator.

— 2. Multi-Family Apartments And Other Principal Uses:

— a. All exterior walls must have equal design consideration to include materials, color, articulation and general aesthetics, as approved by the zoning administrator.

— b. Building elevations that face a public street shall have either fifteen percent (15%) of the wall facing the street consisting of windows and/or entrance areas or include other design elements, as approved by the zoning administrator. (Ord. 2013-11, 7-22-2013; Ord. 2024-03, 7-22-2024)

10-15B-8: MAXIMUM BUILDING HEIGHT:

— A. Single-Family: Thirty-five feet (35').

— B. Two-Family: Forty-five feet (45').

— C. Other Principal Uses:

— 1. If structure is within one hundred fifty feet (150') of a principal residential structure in residential low density zone: Forty-five feet (45') (measured structure to structure).

— 2. If structure is more than one hundred fifty feet (150') of a principal residential structure in residential low density zone: Fifty-five feet (55') (measured structure to structure).

(Ord. 2013-11, 7-22-2013; Ord. 2024-03, 7-22-2024)

10-15B-9: MAXIMUM IMPERVIOUS SURFACE COVERAGE:

Impervious surface coverage, inclusive of all structures, impermeable surfaces and detention ponds, shall be limited to seventy percent (70%) of the lot area. (Ord. 2024-03, 7-22-2024)

10-15B-10: ACCESSORY BUILDINGS, STRUCTURES AND USES:

In addition to above, as governed by section 10-18-3 of this title. (Ord. 2024-03, 7-22-2024)

10-15B-11: SPECIAL PROVISIONS:

The following special provisions apply to the MU-2 district:

— A. Noise: Commercial uses shall be designed and operated so that neighboring residents are not exposed to offensive noise, especially from traffic or late-night activity. No amplified music shall be audible to neighboring residents. Hours of operation shall be limited, where appropriate, as determined by the zoning administrator.

— B. Lighting: All outdoor lighting shall be designed so as not to adversely impact surrounding residential uses, while also providing a sufficient level of illumination for access and security purposes. Lighting shall be arranged as to deflect light away from abutting residential uses or public streets. The source of light shall be hooded or controlled in some manner so as not to light adjacent property. Bare light bulbs shall not be permitted in view of adjacent property or public streets. Such lighting shall not blink, flash, oscillate, or be of unusually high intensity of brightness.

— C. Building Siting, Architectural Design, Street Level Transparency:

— 1. Building siting shall be oriented toward primary street frontage with parking in the rear of building, unless demonstrated to fit with the character of the adjacent neighborhood, as approved by the zoning administrator.

— 2. Architectural design shall incorporate high quality, multigenerational materials and be of a style to blend with the surrounding residential neighborhood. Corporate or franchise architecture shall be prohibited unless demonstrated to fit with the character of the adjacent neighborhood, as approved by the zoning administrator.

— 3. Street level transparency shall be provided for development with street level building fronts abutting a public sidewalk containing at least twenty-five percent (25%) transparent surfaces such as windows, doors and other transparent elements to allow sight lines into storefronts so as to provide a safe pedestrian environment and facilitate window shopping. Calculations shall be based on the linear footage of the ground floor.

— a. Existing buildings along sidewalks to which interior renovations or structural improvements are proposed shall be excluded from this requirement only if they do not already meet the twenty-five percent (25%) transparency requirement. In those cases, the transparency requirement shall meet or exceed the percentage of ground floor transparency provided by the existing structure.

— b. The zoning administrator shall have the authority to approve building plans with less than twenty-five percent (25%) street transparency adjacent to public sidewalks, provided that the subject wall of the structure includes architectural features which offer visual relief from a blank wall through the use of texture, recessed patterns, or other design features.

— D. Pedestrian Connectivity: All developments shall establish a sidewalk connection to adjacent blocks. Where parking lots are located to serve several development projects, sidewalk connections shall be made to provide connections between parking areas and shared uses.

— E. Parking: Credit shall be given to development projects that can utilize shared parking arrangements and use of public parking facilities in order to reduce parking requirements. A maximum twenty percent (20%) reduction can be achieved provided shared parking arrangements are secured through the development process.

— F. Parking Lot Landscaping/Screening:

— 1. Parking lot perimeter landscaping shall be located between off-street parking areas and any adjacent streets and/or sidewalks in accordance with the following:

~~— a. A minimum of one tree per twenty-five feet (25') of street frontage in conjunction with a hedge, railing or wall with a maximum height of two feet six inches (2' 6"). Such hedge, railing or wall shall provide a break so as to facilitate pedestrian access to adjacent sidewalks/uses.~~
~~— 2. Landscaping and screening/buffer yards shall be provided consistent with chapter 19 of this title.~~
~~— G. Refuse And Recycling:~~
~~— 1. Refuse and recycling facilities shall be located within a principal structure or a minimum of twenty-five feet (25') from any property line.~~
~~— 2. The City reserves the right to vary the location of containers when necessary to collect and dispose of waste material, as outlined in section 3-4-2 of this code.~~
~~— H. Garages And Parking: Off street parking for residential and commercial uses is encouraged to be underground, tuck under or structure parking.~~
(Ord. 2013-11, 7-22-2013; amd. Ord. 2024-03, 7-22-2024)

10-15B-1: PURPOSE:

The purpose of the MU-2 district is to promote a land use pattern that establishes various neighborhood-serving retail and service uses and a mix of low, medium and high-density residential uses. The MU-2 district encourages development that is harmonious with the character of the area in which it is located.

10-15B-2: PERMITTED USES:

See use table in 10-18-1.

10-15B-3: ACCESSORY USES:

The following are permitted accessory uses in the MU-2 district:

Limited Commercial Accessory Uses: Typical accessory buildings, structures and uses.

Residential Accessory Uses:

Noncommercial greenhouses and conservatories.

Private garages, parking spaces and carports. Private garages, parking spaces and carports are to be used for storing of private passenger vehicles belonging to residents and employees on the premises, and shall not be used to conduct commercial business, service or industry.

Private swimming pools, tennis courts and other recreational facilities.

Sheds and similar buildings for storage of domestic supplies and noncommercial recreational equipment. See 10-18-3.

Towers supporting amateur radio antennas and which meet the requirements of chapter 17, article D of this title.

10-15B-4: PROVISIONAL USES:

See use table in 10-18-1. Provisional uses are permitted as long as they meet the provisions outlined in chapter 6 and 10-18-2.

10-15B-5: CONDITIONAL USES:

See use table in 10-18-1. Conditional uses are permitted as long as they meet the criteria outlined in chapter 4 and 10-18-2, and any additional conditions required by the city council.

10-15B-6: PROHIBITED USES:

The following are prohibited uses in the MU-2 district:

Outdoor storage and sales displays.

Also see use table in 10-18-1. Any use not specifically identified in the use table in 10-18-1 as permitted (P), provisional (PU) or conditional (CU) or that are not deemed consistent with the intent of the comprehensive plan or the purpose of this title, are not permitted.

10-15B-7: SITE REQUIREMENTS:

The following minimum requirements shall be observed in the MU-2 district subject to additional requirements, exceptions and modifications set forth in this title:

- A. Lot area:
 - 1. Single And Two-Family: Four thousand (4,000) square feet per dwelling unit.
 - 2. Other principal uses: No minimum.
- B. Lot Width: No minimum.
- C. Building Setbacks:
 - 1. Single And Two-Family:
 - a. Front Yard: The minimum front yard setback may be the average of adjacent structures on the same block except walls with garage doors facing street must be twenty-five feet (25'). If only one adjacent lot is occupied by a structure, the minimum front yard may be that of said principal structure.
 - b. Rear Yard: Ten feet (10').
 - c. Interior Side Yard: Five feet (5').
 - d. Common Wall: Zero feet (0').
 - e. Street Side Yard: The minimum street side yard setback may be the average of adjacent structures on the same block except walls with garage doors facing street must be twenty-five feet (25'). If only one adjacent lot is occupied by a structure, the minimum street side yard may be that of said principal structure.
 - f. Building Separation Between End Units On Same Lot: Ten feet (10').
 - 2. Other Principal Uses:
 - a. Front Yard: Ten feet (10') except walls with garage doors facing street must be twenty-five feet (25').
 - b. Rear Yard: Ten feet (10').
 - c. Interior Side Yard: Ten feet (10').
 - d. Common wall: Zero feet (0').
 - e. Street Side Yard: Ten feet (10') except walls with garage doors facing street must be twenty-five feet (25').
 - f. Building Separation Between End Units On Same Lot: Ten feet (10').
 - 3. Accessory buildings: See 10-18-3.
- D. Maximum Building Height:
 - 1. Single-Family: Thirty-five feet (35').
 - 2. Two-Family: Forty-five feet (45').
 - 3. Other Principal Uses:
 - a. If structure is within one hundred fifty feet (150') of a principal residential structure (measured structure to structure): Forty-five feet (45').
 - b. If structure is more than one hundred fifty feet (150') of a principal residential structure (measured structure to structure): Fifty-five feet (55').
- E. Parking and Loading Spaces: See chapters 20 and 21. The off-street parking regulations in chapter 20 may be reduced by submitting a plan documenting the estimated parking demand for the proposed use, parking reduction request, alternative parking options that will be integrated (e.g., shared parking facilities, bicycle parking, or other parking options) and consistency with the purpose of this chapter.
 - 1. Credit shall be given to development projects that can utilize shared parking arrangements and use of public parking facilities in order to reduce parking

requirements. A maximum twenty percent (20%) reduction can be achieved provided shared parking arrangements are secured through the development process.

2. Garages And Parking: Off street parking for residential and commercial uses is encouraged to be underground, tuck under or structure parking.

F. Landscaping, Screening and Buffering: See chapter 19.

G. Maximum Impervious Surface Coverage: Seventy percent (70%).

H. Lighting: Shall be directed downward, inward and away from public right of way and adjoining uses, consistent with 10-19-19. Additionally:

1. All outdoor lighting shall be designed so as not to adversely impact surrounding residential uses, while also providing a sufficient level of illumination for access and security purposes. The source of light shall be hooded or controlled in some manner so as not to light adjacent property. Bare light bulbs shall not be permitted in view of adjacent property or public streets. Such lighting shall not blink, flash, oscillate, or be of unusually high intensity of brightness.

I. Noise: Commercial uses shall be designed and operated so that neighboring residents are not exposed to offensive noise, especially from traffic or late-night activity. No amplified music shall be audible to neighboring residents, except as allowed by special city permit. Hours of operation shall be limited, where appropriate.

J. Pedestrian Access and Connectivity: Identifiable and safe pedestrian walkways within the site recommended to interconnect front doors of establishments to transit stops and/or public sidewalks.

Developments should establish a sidewalk connection to adjacent blocks and between parking areas and adjacent uses, as applicable.

K. Refuse and Recycling Storage: See chapter 19. Additionally:

1. Refuse and recycling facilities shall be located within a principal structure or a minimum of twenty-five feet (25') from any property line.
2. The City reserves the right to vary the location of containers when necessary to collect and dispose of waste material, as outlined in section 3-4-2 of this code.

10-15B-8: DESIGN AND CONSTRUCTION:

Buildings and sites in the MU-2 district shall address the following:

A. All principal and accessory uses must meet applicable site development standards in chapter 19 of this title.

B. Multi-Family And Other Principal Uses:

1. All exterior walls must have equal design consideration to include materials, color, articulation and general aesthetics.
2. Building elevations that face a public street shall have either fifteen percent (15%) of the wall facing the street consisting of windows and/or entrance areas or include other design elements.

C. Building Siting, Architectural Design, Street Level Transparency:

1. Building Orientation: Buildings shall be oriented toward primary street frontage with parking in the rear of building, unless demonstrated to fit with the character of the adjacent neighborhood.
 2. Buildings shall be attractive and constructed of materials that will maintain their appearance over the long term.
 3. Main entrances and corner uses shall be emphasized with accent materials, change of grade or by pedestrian scale lighting and other pedestrian amenities.
 4. Architectural design shall incorporate high quality, multigenerational materials and be of a style to blend with the surrounding residential neighborhood.
 5. Exterior building walls over sixty feet (60') in height or width shall be divided visually into smaller sections and/or add architectural features to break up the mass:
 1. Vertical and horizontal architectural features may include, but are not limited to:
 1. Roof line and/or roof overhang variations, projections or recesses, windows, public art, building massing setbacks, changes in color, material, or texture, awnings, canopies, balconies, porticoes and moldings.
- D. Architectural elements shall be combined with landscaping to add interest to buildings, and especially to break up long expanses.
- E. Corporate or franchise architecture shall be prohibited unless demonstrated to fit with the character of the adjacent neighborhood.
- F. Street level transparency shall be provided for development with street level building fronts abutting a public sidewalk containing at least twenty-five percent (25%) transparent surfaces such as windows, doors and other transparent elements to allow sight lines into storefronts so as to provide a safe pedestrian environment and facilitate window shopping. Calculations shall be based on the linear footage of the ground floor.
1. Building plans with less than twenty-five percent (25%) street transparency adjacent to public sidewalks may be approved provided that the subject wall of the structure includes architectural or public art features which offer visual relief from a blank wall through the use of texture, recessed patterns, or other design features.
 2. Existing buildings along sidewalks to which interior renovations or structural improvements are proposed shall be excluded from this requirement only if they do not already meet the twenty-five percent (25%) transparency requirement. In those cases, the transparency requirement shall meet or exceed the percentage of ground floor transparency provided by the existing structure.
- G. Ground-mounted and rooftop mechanical equipment shall be screened to not be visible from public streets or sidewalks.
- H. The zoning administrator shall have the authority to make exceptions to this section if the design and construction meet the intent of the MU-2 district.

TITLE 10, CHAPTER 15, ARTICLE C. MU-3 COMMERCIAL MIXED USE DISTRICT

...

10-15C-3: ACCESSORY USES:

The following are permitted accessory uses in the MU-3 district:

Buildings, structures or uses accessory to the principal use and limited to not more than thirty percent (30%) of the gross floor space of the principal use.

...

10-15C-6: PROHIBITED USES:

...

Also see use table in 10-18-1. Any use not specifically identified in the use table in 10-18-1 as permitted (P), provisional (PU) or conditional (CU) or that are not deemed consistent with the intent of the comprehensive plan or the purpose of this title, are not permitted, as determined by the zoning administrator.

10-15C-7: SITE REQUIREMENTS:

The following minimum requirements shall be observed in the MU-3 district subject to additional requirements, exceptions and modifications set forth in this title:

...

D. Maximum Building Height:

1. Principal building:

- a. If structure is within one hundred fifty feet (150') of a ~~single or two-family principal residential structure (measured by a straight line structure to structure):~~ Forty-five feet (45') ~~(measured by a straight line structure to structure).~~
- b. If structure is more than one hundred fifty feet (150') of a ~~single or two-family principal residential structure (measured by a straight line structure to structure):~~ Fifty-five feet (55') ~~(measured by a straight line structure to structure).~~

...

E. Parking and Loading Spaces: See chapters 20 and 21. The off-street parking regulations in chapter 20 may be reduced by submitting a plan to the zoning administrator documenting the estimated parking demand for the proposed use, parking reduction request, alternative parking options that will be integrated (e.g., shared parking facilities, bicycle parking, or other parking options) and consistency with the purpose of this chapter.

F. Landscaping, Screening and Buffering: See chapter 19.

G. Maximum Impervious Surface Coverage: None.

H. ...

I. Noise: Commercial uses shall be designed and operated so that neighboring residents are not exposed to offensive noise, especially from traffic or late-night activity. No amplified music shall be audible to neighboring residents, except as allowed by special city permit. Hours of operation shall be limited, where appropriate.

- J. Pedestrian Access and Connectivity: Identifiable and safe pedestrian walkways within the site recommended to interconnect front doors of establishments to transit stops and/or public sidewalks.

...

- K. Refuse and Recycling Storage: See chapter 19.

10-15C-8: DESIGN AND CONSTRUCTION:

Buildings and sites in the MU-3 district shall address the following:

A. Architectural Design:

1. Main entrances and corner uses shall be emphasized by lighting or architectural enhancements.
2. Street level transparency: Building fronts abutting public sidewalks or streets shall contain a minimum of twenty five percent (25%) nonopaque surfaces such as windows, doors, and other transparent elements to allow sight lines into store fronts. Calculations shall be based on the linear footage of the ground floor.
 - a. Existing buildings to which interior renovations or structural improvements are proposed shall be excluded from this requirement only if they do not already meet the twenty five percent (25%) transparency requirement. In those cases, the transparency requirement shall meet or exceed the percentage of ground floor transparency provided by the existing structure.
3. All exterior walls must have equal design consideration to include materials, color, articulation and general aesthetics.
4. Walls of the building facing or abutting public sidewalks or streets shall be comprised of at least thirty percent (30%) building materials other than steel, vinyl and fiberglass.
5. Vertical architectural features may be incorporated so that the maximum uninterrupted building wall is fifty feet (50') measured horizontally. Vertical features may include, but are not limited to:
 - a. Projections or recesses, windows, public art, building massing setbacks, or changes in color, material, or texture.
6. Horizontal architectural features may be incorporated so that the maximum uninterrupted building wall is thirty feet (30') (or 3 stories) measured vertically. Horizontal features may include, but are not limited to:
 - a. Roof line and roof overhang variations, building massing setbacks, awnings, canopies, balconies, porticoes, moldings, or changes in color, material, or texture.
7. Ground-mounted and rooftop mechanical equipment shall be screened in a manner that is incorporated in the architectural form of the building to not be visible from public streets or sidewalks.

A. Building Siting, Architectural Design, Street Level Transparency:

1. Building siting shall be oriented toward primary street frontage with parking in the rear of building, unless demonstrated to fit with the character of the adjacent neighborhood.
2. Buildings shall be attractive and constructed of materials that will maintain their appearance over the long term.
3. Main entrances and corner uses shall be emphasized with accent materials, change of grade or by pedestrian scale lighting and other pedestrian amenities.
4. Street level transparency: Building fronts abutting public sidewalks or streets shall contain a minimum of twenty five percent (25%) surfaces such as windows, doors, and other elements to allow sight lines into store fronts. Calculations shall be based on the linear footage of the ground floor.
 - a. Existing buildings to which interior renovations or structural improvements are proposed shall be excluded from this requirement only if they do not already meet the twenty five percent (25%) transparency requirement. In those cases, the transparency requirement shall meet or exceed the percentage of ground floor transparency provided by the existing structure.

5. All exterior walls must have equal design consideration to include materials, color, articulation and general aesthetics.
6. Exterior building walls over sixty feet (60') in height or width shall be divided visually into smaller sections and/or add architectural features to break up the mass:
 - a. Vertical and horizontal architectural features may include, but are not limited to:
 1. Roof line and/or roof overhang variations, projections or recesses, windows, public art, building massing setbacks, changes in color, material, or texture, awnings, canopies, balconies, porticoes and moldings.
7. Architectural elements shall be combined with landscaping to add interest to buildings, and especially to break up long expanses.
8. Materials: Walls of the building facing or abutting public sidewalks or streets shall be comprised of at least thirty percent (30%) building materials other than steel, vinyl and fiberglass.
9. Ground-mounted and rooftop mechanical equipment shall be screened to not be visible from public streets or sidewalks.
10. Overhead doors and loading docks:
 - a. Shall not face ~~streets~~ public streets or frontage roads unless screened from view;
 - b. Shall not face required front yards; and
 - c. Shall meet the requirements of chapter 21.
11. The zoning administrator shall have the authority to make exceptions to this section if the design and construction meet the intent of the MU-3 district.

TITLE 10, CHAPTER 15, ARTICLE D. MU-4 GATEWAY MIXED USE DISTRICT

10-15D-1: PURPOSE:

It is the ~~The~~ purpose of the MU-4 district is to create a flexible approach to land use for mixed residential and commercial development and to provide a higher standard of appearance along the Gateway Corridors. The MU-4 district encourages a variety of uses aimed at providing a diversity of jobs, residential opportunities, and concentrated commercial services and shopping facilities.

...

10-15D-3: ACCESSORY USES:

...

Buildings, structures or uses accessory to the principal use ~~and limited to not more than thirty percent (30%) of the gross floor space of the principal use.~~

...

10-15D-6: PROHIBITED USES:

The following are prohibited uses in the MU-4 district:

~~Adult use.~~

Outdoor storage in Gateway Overlay District portion of property ~~Gateway Overlay District area property~~ (does not include sales displays).

Also see use table in 10-18-1. Any use not specifically identified in the use table in 10-18-1 as permitted (P), provisional (PU) or conditional (CU) or that are not deemed consistent with the intent of the comprehensive plan or the purpose of this title, are not permitted, ~~as determined by the zoning administrator.~~

10-15D-7: SITE REQUIREMENTS:

...

E. Parking and Loading Spaces: See chapters 20 and 21. The off-street parking regulations in chapter 20 may be reduced by submitting a plan ~~to the zoning administrator~~ documenting the estimated parking demand for the proposed use, parking reduction request, alternative parking options that will be integrated (e.g., shared parking facilities, bicycle parking, or other parking options) and consistency with the purpose of this chapter.

F. Landscaping, Screening and Buffering: See chapter 19.

G. Maximum Impervious Surface Coverage: Eighty five percent (85%).

1. The zoning administrator has the authority to authorize an additional one percent (1%) of maximum impervious surface in each of the following circumstances:

- a. Use of onsite stormwater retention pond.
- b. Other methods employed by the developer that will reduce significantly the impact of the impervious surface coverage of the lot.

H. Lighting: Shall be directed downward, inward and away from public right of way and adjoining uses, consistent with 10-19-19.

I. Pedestrian Access and Connectivity: Identifiable and safe pedestrian walkways within the site recommended to interconnect front doors of establishments to transit stops and/or public sidewalks.

Developments should ~~also~~ establish a sidewalk connection to adjacent blocks and between parking areas and adjacent uses, as applicable.

J. Refuse and Recycling Storage: See chapter 19.

10-15D-8: DESIGN AND CONSTRUCTION:

Buildings and sites in the MU-4 district shall meet Gateway Overlay District standards (see 10-17E).

The zoning administrator shall have the authority to make exceptions to this section if the design and construction meet the intent of the MU-4 and Gateway Overlay Districts.

SECTION 5. Title 10, Chapter 17, **Overlay Zones** of the Moorhead Municipal Code is hereby amended and reenacted to read as follows (unchanged portions of this chapter may have been omitted from the text below):

CHAPTER 17 OVERLAY ZONES ZONING DISTRICTS

...

ARTICLE E. GO GATEWAY OVERLAY DISTRICT

10-17E-1: PURPOSE:

The GO gateway overlay district provides a higher standard of appearance for corridors that serve as the main entrances to the community. The gateway overlay district includes properties abutting, and within three hundred feet (300') of I-94 and its ramps, Highway 10 east of 21st Street, 8th Street south of 24th Avenue South, Highway 75 north of Highway 10, Main Avenue SE from 5th Avenue to Interstate 94, 34th Street and frontage roads abutting those gateways. (Ord. 2013-09, 6-24-2013)

10-17E-2: APPLICABILITY:

New buildings and additions to existing buildings that increase the floor areas by more than one thousand (1,000) square feet or ten percent (10%), whichever is greater within the gateway overlay district shall meet the requirements established herein except for those portions of the building which are not visible from a gateway or are separated from a gateway by another building. For additions to existing buildings, consideration will be given to existing building materials and site layout and exemptions from the requirements noted herein may be granted by the zoning administrator if the proposed addition is consistent with the existing structure and site layout. The city reserves the right to reject projects that do not meet the intent of this article. (Ord. 2013-09, 6-24-2013)

10-17E-3: PERMITTED USES:

Permitted uses are limited to those in the underlying zoning districts, except adult establishments, which are prohibited. See district use table in section 10-18-1 of this title. (Ord. 2013-09, 6-24-2013)

10-17E-4: ACCESSORY USES:

Accessory uses are limited to those in the underlying zoning districts and shall meet the yard requirements set forth in the underlying zoning districts. (Ord. 2013-09, 6-24-2013)

10-17E-5: PROVISIONAL USES:

Provisional uses included in the underlying districts are allowed as long as they meet the requirements of chapter 6 of this title and the provisions outlined in section 10-18-2 of this title. See table in section 10-18-1 of this title for provisional uses. (Ord. 2013-09, 6-24-2013)

10-17E-6: CONDITIONAL USES:

Conditional uses included in the underlying districts are allowed as long as they meet the criteria outlined in chapter 4 and section 10-18-2 of this title and any conditions set by the city council. See table in section 10-18-1 of this title for conditional uses. (Ord. 2013-09, 6-24-2013)

10-17E-7: LOT REQUIREMENTS AND SETBACKS:

The following minimum requirements shall apply in the GO gateway overlay district. Additional requirements, exceptions and modifications are set forth in this title for the underlying districts; the more restrictive shall apply.

—A. Lot Area: Requirements specified in the underlying district shall apply.

—B. Lot Width: Requirements specified in the underlying district shall apply.

—C. Parking Lot Perimeter Screens: Multi-family residential, commercial and industrial properties abutting either a gateway or a frontage road abutting a gateway used for parking, loading, storage and display shall provide a parking lot perimeter screen. Parking lot perimeter screens shall be located between off street parking areas and any adjacent street rights of way in accordance with the following table:

PARKING LOT PERIMETER LANDSCAPING

Parking Area Size (Number Of Spaces)	Buffer Width (Minimum Feet)	Minimum Requirements
1 – 50 spaces	4	Hedgerow (continuous shrubs)
	4	Decorative fence with 50% transparency with plantings (1 plant unit per 5 linear feet)
51+ spaces	10	1 small tree with 6 shrubs per 25 linear feet

Alternative parking lot perimeter screens and/or buffer widths may be approved by the zoning administrator.

Landscaping provided for the parking lot perimeter landscaping shall not be counted toward meeting the landscaping and tree standards of section 10-19-17 of this title.

All off street parking areas shall be subject to parking lot perimeter screens of this subsection. The standards do not apply to areas used for storing vehicles or equipment in conjunction with a vehicle sales or rental establishment.

—D. Impervious Surface Coverage: Requirements of the underlying districts shall apply. (Ord. 2013-09, 6-24-2013)

10-17E-8: SITE REQUIREMENTS:

Multi-family, commercial and industrial properties abutting gateways or their frontage roads shall meet the following site standards:

—A. Landscaping and buffer yards: Plantings used to fulfill the requirements of section 10-19-17 of this title shall be grouped for visual impact from the gateways located to accentuate the building and maximize environmental benefits. (Ord. 2013-09, 6-24-2013)

10-17E-9: BUILDING DESIGN AND CONSTRUCTION:

Multi-family residential, commercial and industrial buildings in the gateway overlay district shall meet the following standards, except for those portions of the building which are not visible from a gateway, are separated from a gateway by another building or unless specifically exempted:

—A. Buildings shall be attractive and constructed of materials that will maintain their appearance over the long term.

—B. All exterior walls clearly visible from a street shall be of consistent quality and characteristics.

—C. Main entrances are encouraged to be emphasized by distance recessed or projected, by accent materials, change of grade or by pedestrian scale lighting and other pedestrian amenities.

—D. Exterior building walls over sixty feet (60') in length shall be divided visually into smaller sections or bays to break up the mass.

—E. Architectural materials and elements, approved by the zoning administrator, shall be combined with landscaping to add interest to buildings, and especially to break up long expanses. In lieu of the following requirements, the planning commission may approve plans for buildings of exceptional architecture that utilize materials and design elements in unique ways. For all other buildings, architectural standards shall be as follows:

—1. Materials:

—a. Exterior walls of industrial buildings shall be comprised of at least thirty percent (30%) quality materials other than steel, vinyl and fiberglass.

—b. Exterior walls of commercial and multi-family residential buildings shall be comprised of at least fifty percent (50%) quality materials other than steel, vinyl and fiberglass, except that percentage may be reduced to thirty percent (30%) if the building incorporates a minimum of six (6) elements from the list in subsection E2 of this section or other architectural elements are incorporated in the building design as approved by the zoning administrator.

—2. Elements: Exterior building walls shall incorporate a combination of no fewer than three (3) architectural elements comparable to those listed below. Architectural elements contributing to this requirement shall have sufficient visual impact to be noticeable from the gateway or other adjacent street, as determined by the zoning administrator, and may include, but are not limited to:

—a. Accent materials that vary the color, type and/or texture of the walls,

—b. Public art,

—c. Architectural details, such as tile work and moldings, integrated into the building facade,

—d. Windows,

—e. Recesses/projections offset a minimum of sixteen inches (16"),

—f. Roof overhang, which should vary according to building width, as follows: one foot (1') overhang for buildings less than fifty feet (50') in width, two foot (2') overhang for buildings fifty (50) to one hundred feet (100') in width, and three foot (3') overhang for buildings greater than one hundred feet (100') in width,

—g. Varied rooflines, including gables, dormers, cupolas, changes in heights, and/or styles,

—h. Trim including frieze boards (located on wall below eaves) of not less than five inches (5") width, articulated cornice line, window and door trim and corner boards of not less than three inches (3") in width,

—i. Canopies/awnings/porticoes,

—j. Arcades,

—k. Planters and wing walls integrated with the building,

—l. Outdoor patios,

—m. Pedestrian plaza with benches and planters,

—n. Window shopping walkway,

—o. Outdoor playground,

—p. Water feature, and

—q. Display windows.

—F. Rooftop mechanical equipment shall be screened in a manner that is incorporated in the architectural form of the building.

—G. Overhead doors and loading docks for multi-family residential, commercial and industrial uses:

—1. Shall not face gateways, other arterial or collector streets, unless completely screened from view;

—2. Shall not be located in required front yards; and

—3. Shall meet the requirements of chapter 21 of this title. (Ord. 2013-09, 6-24-2013)

10-17E-10: MAXIMUM BUILDING HEIGHT:

—A. Principal building: Requirements specified in the underlying district shall apply.

—B. Accessory buildings: As governed by section 10-18-3 of this title. (Ord. 2013-09, 6-24-2013)

10-17E-11: VIEW FROM GATEWAYS:

Development plans for property adjacent to gateways or their frontage roads shall include building elevations.

Context and compatibility with neighboring buildings shall be considered in the plan review. (Ord. 2013-09, 6-24-2013)

10-17E-1: PURPOSE:

The purpose of the GO district is to provide a higher standard of appearance for corridors that serve as the main entrances to the community. The GO district includes properties within three hundred feet (300') of I-94 and its ramps, Highway 10 east of 21st Street, 8th Street south of 24th Avenue South, Highway 75 north of Highway 10, Main Avenue SE from 5th Avenue to Interstate 94, 34th Street and frontage roads abutting those gateways.

10-17E-2: APPLICABILITY:

- A. Development plans for property in the GO district shall include building elevations. Context and compatibility with neighboring buildings shall be considered in the plan review.
- B. New buildings and additions to existing buildings that increase the floor areas by more than one thousand (1,000) square feet or ten percent (10%), whichever is greater, within the gateway overlay district shall meet the requirements established herein except for those portions of the building which are not visible from a gateway or are separated from a gateway by another building.
- C. For additions to existing buildings, consideration will be given to existing building materials and site layout and exemptions from the requirements noted herein may be granted by the zoning administrator if the proposed addition is consistent with the existing structure and site layout. The city reserves the right to reject projects that do not meet the intent of this article.

10-17E-3: PERMITTED USES:

Permitted uses are limited to those in the underlying zoning district.

10-17E-4: ACCESSORY USES:

Accessory uses are limited to those in the underlying zoning district.

10-17E-5: PROVISIONAL USES:

Provisional uses are limited to those in the underlying zoning district and are permitted as long as they meet the requirements of chapter 6 and 10-18-2.

10-17E-6: CONDITIONAL USES:

Conditional uses are limited to those in the underlying zoning district and are permitted as long as they meet the requirements of chapter 4 and 10-18-2 and any additional conditions set by the city council.

10-17E-7: PROHIBITED USES:

The following are prohibited uses in the GO district:

Adult use.

Cannabis or hemp cultivation.

Outdoor storage (does not include sales displays).

Also see use table in 10-18-1. Any use not specifically identified in the use table in 10-18-1 as permitted (P), provisional (PU) or conditional (CU) or that are not deemed consistent with the intent of the comprehensive plan or the purpose of this title, are not permitted, as determined by the zoning administrator.

10-17E-8: SITE REQUIREMENTS:

The following minimum requirements shall be observed in the GO district subject to additional requirements, exceptions and modifications set forth in this title; the more restrictive shall apply:

- A. Requirements specified in the underlying zoning district shall apply to:
 - 1. Lot Area
 - 2. Lot Width
 - 3. Setbacks
 - 4. Maximum Building Height

5. Parking and Loading Spaces
6. Maximum Impervious Surface Coverage
7. Lighting
8. Noise
9. Pedestrian Access and Connectivity
10. Refuse and Recycling Storage

B. Landscaping, Screening and Buffering: In addition to requirements of chapter 19, sites in the GO district are subject to the following:

1. Minimum plant units: Four (4) per one thousand (1,000) square feet of lot area or fraction thereof.
2. Plantings used to fulfill the requirements of this section shall be grouped for visual impact from the gateways, located to accentuate buildings and planted to maximize environmental benefits.

10-17E-9: DESIGN AND CONSTRUCTION:

Buildings and sites in the GO district shall address the following:

A. Building Siting and Architectural Design: Buildings in the GO district shall meet the following standards, except for those portions of the building which are not visible from a gateway, are separated from a gateway by another building or unless specifically exempted:

1. Buildings shall be attractive and constructed of materials that will maintain their appearance over the long term.
2. Main entrances are encouraged to be emphasized by distance recessed or projected, by accent materials, change of grade or by pedestrian scale lighting and other pedestrian amenities.
3. All exterior walls clearly visible from a street shall be of consistent quality and characteristics.
4. Exterior building walls over sixty feet (60') in height or width shall be divided visually into smaller sections and/or add architectural features to break up the mass:
 - a. Vertical and horizontal architectural features may include, but are not limited to:
 1. Roof line and/or roof overhang variations, projections or recesses, windows, public art, building massing setbacks, changes in color, material, or texture, awnings, canopies, balconies, porticoes and moldings.
5. Architectural materials and elements shall be combined with landscaping to add interest to buildings, and especially to break up long expanses.
6. Materials:
 - a. Exterior walls of industrial buildings shall be comprised of at least thirty percent (30%) quality materials other than steel, vinyl and fiberglass.
 - b. Exterior walls of commercial and multi-family residential buildings shall be comprised of at least fifty percent (50%) quality materials

other than steel, vinyl and fiberglass, except that percentage may be reduced to thirty percent (30%) if the building incorporates a minimum of six (6) elements from the elements list below or other architectural elements are incorporated in the building.

7. Elements: Exterior building walls shall incorporate a combination of no fewer than three (3) architectural elements comparable to those listed below. Architectural elements contributing to this requirement shall have sufficient visual impact to be noticeable from the gateway or other adjacent street, as determined by the zoning administrator, and may include, but are not limited to:
 - a. Accent materials that vary the color, type and/or texture of the walls,
 - b. Public art,
 - c. Architectural details, such as tile work and moldings, integrated into the building facade,
 - d. Windows,
 - e. Recesses/projections offset a minimum of sixteen inches (16"),
 - f. Roof overhang, which should vary according to building width, as follows: one foot (1') overhang for buildings less than fifty feet (50') in width, two foot (2') overhang for buildings fifty (50) to one hundred feet (100') in width, and three foot (3') overhang for buildings greater than one hundred feet (100') in width,
 - g. Varied rooflines, including gables, dormers, cupolas, changes in heights, and/or styles,
 - h. Trim including frieze boards (located on wall below eaves) of not less than five inches (5") width, articulated cornice line, window and door trim and corner boards of not less than three inches (3") in width,
 - i. Canopies/awnings/porticoes
 - j. Arcades,
 - k. Planters and wing walls integrated with the building
 - l. Outdoor patios,
 - m. Pedestrian plaza with benches and planters,
 - n. Window shopping walkway and/or display windows,
 - o. Outdoor playground
 - p. Water feature.
8. Ground-mounted and rooftop mechanical equipment shall be screened to not be visible from public streets or sidewalks.
9. Overhead doors and loading docks:
 - a. Shall not face gateways, public streets or frontage roads unless screened from view;
 - b. Shall not face required front yards; and
 - c. Shall meet the requirements of chapter 21.
10. The zoning administrator shall have the authority to make exceptions to this section if the design and construction meet the intent of the GO district.

...

SECTION 6. Title 10, Chapter 18, **Use Regulations** of the Moorhead Municipal Code is hereby amended and reenacted to read as follows (unchanged portions of this chapter may have been omitted from the text below):

CHAPTER 18 USE REGULATIONS

10-18-1: USE TABLES AND UNLISTED USES:

The following ~~tables specify~~ permitted, provisional and conditional land uses in the city of Moorhead:

(See attached table)

~~C.~~ Unlisted Uses:

...

10-18-2: PROVISIONAL AND CONDITIONAL USE REQUIREMENTS:

The following are approval criteria established for provisional and conditional uses identified within this chapter. These criteria, and any additional conditions required by the city council, shall be met in order to be approved within their respective district.

The criteria listed below are applicable where uses are identified in a particular district as "provisional use" or "conditional use". The provisions also shall be applicable in guiding conditional use permit applications as defined in chapter 4 of this title.

A. Bed and breakfast:

...

B. Campus organizations:

...

C. Barber/hair salon/massage/nail salon/spa/tattoo/body piercing:

~~1. All uses shall comply with building, fire safety, health codes and business licensing requirements. All applicable state and city laws governing such use shall strictly be adhered to and all required operating permits and licenses shall be secured.~~

1. All uses shall comply with building, fire safety and health codes and zoning and business licensing requirements. All applicable state and local laws regulations shall strictly be adhered to and all required operating permits and licenses shall be secured.

D. ~~Home care and assisted living facilities:~~ State licensed assisted living and service-based facilities adhering to all regulations of MN Statute 245.11:

~~1. Examples: Home care and assisted living facilities include, but are not limited to: childcare, adult daycare, nursing facilities, assisted living facilities and other service-based establishments licensed by the state of Minnesota department of health and/or department of human services.~~

~~2. Requirements: All uses shall comply with building, fire safety, health code, and business licensing requirements. All applicable state and city laws governing such use are strictly adhered to and all required operating permits are secured.~~

~~3. Single-Family Use: As stated in Minnesota statutes 245A.11, residential programs with a licensed capacity of six (6) or fewer persons shall be considered a permitted single-family residential use of property for the purposes of zoning and other land use regulations, except that a residential program whose primary purpose is to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses shall not be considered a permitted use. This exception shall not apply to residential programs licensed before July 1, 1995. Programs otherwise allowed under this subsection shall not be prohibited by operation of restrictive covenants or similar restrictions, regardless of when entered into, which cannot be met because of the nature of the licensed program, including provisions which require the home's occupants be related, and that the home must be occupied by the owner, or similar provisions.~~

~~4. Multi-Family Use: As stated in Minnesota statutes 245A.11, a licensed residential program with a licensed capacity of seven (7) to sixteen (16) persons shall be considered a permitted multi-family residential use of property for the purposes of zoning and other land use regulations.~~

~~5. Special Conditions: Special conditions noted in Minnesota statutes 245A.11 and/or the license for the facility which are not outlined above shall be adhered to.~~

1. Requirements: All uses shall comply with building, fire safety and health codes, zoning and licensing requirements. All applicable state and city local laws regulations governing such use are strictly adhered to and all required operating permits are secured.

2. Single-Family Zoning:

a. Residential programs with a licensed capacity of **six (6) or fewer persons** shall be considered a permitted single-family residential use of property.

1. Exception: Residential programs whose primary purpose is to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses shall not be considered a permitted use.

b. Adult foster care and community residential setting license capacity with a maximum licensed capacity of **four beds**, including nonstaff roomers and boarders, shall be considered permitted.

1. Exception: May have a maximum licensed capacity of **five beds** if all persons in care are age 55 or over.

c. Adult foster care: family adult day services for adults age 18 or over shall also be considered permitted.

3. Multi-Family Zoning: Residential programs with a licensed capacity of **seven (7) to sixteen (16) persons** shall be considered a permitted multi-family residential use of property for the purposes of zoning and other land use regulations.

E. ~~Reserved~~ State licensed or certified childcare centers adhering to all regulations of MN Statute 142B:

1. Requirements: All uses shall comply with building, fire safety and health codes, zoning and licensing requirements. All applicable state and local regulations governing such use are strictly adhered to and all required operating permits are secured.

F. ~~Reserved~~ State licensed family childcare adhering to all regulations of MN Statute 142B:

1. Requirements: All uses shall comply with building, fire safety and health codes, zoning and licensing requirements. All applicable state and local regulations governing such use are strictly adhered to and all required operating permits are secured.

G. Reserved.

H. Home Occupations

~~— 1. No home occupation shall produce light glare, noise, fumes, odor or vibration that will in any way have an objectionable effect upon adjacent or nearby property.~~

~~— 2. No equipment shall be used in the home occupation, which will create electrical interference to surrounding properties. No equipment shall be used which creates visual or audible interferences in any radio or television receivers off the premises or causes fluctuations in the voltage off the premises.~~

~~— 3. Any home occupation shall be clearly incidental and secondary to the residential use of the premises. Not more than twenty five percent (25%) of the main floor of the dwelling unit shall be permanently set aside to be used in the conduct of the home occupation. It should not change the residential character thereof, and shall result in no incompatibility or disturbance to the surrounding residential uses.~~

~~— 4. No home occupation shall require internal or external alterations or involve construction features not customarily found in dwellings except where required to comply with local and state fire and police recommendations.~~

~~— 5. There shall be no exterior storage of equipment or materials used in the home occupation, except personal automobiles used in the home occupation may be parked on the site and materials which occupy less than three hundred (300) square feet and produce no light glare, noise, fumes, odor or vibration and which are completely screened from adjoining property and public right of way are permitted.~~

~~— 6. The home occupation shall meet all applicable fire and building codes.~~

~~— 7. There shall be no exterior display or exterior signs or interior display or interior signs which are visible from outside the dwelling with the exception of directional and identification/business signs to the extent authorized by the provisions of chapter 22 of this title relating to signs.~~

~~—8. No home occupation shall be conducted between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M. unless said occupation is contained entirely within the principal building and will not require any on-street parking facilities.~~
~~—9. Home occupations shall not create a parking demand in excess of that which can be accommodated in an existing driveway.~~
~~—10. Not more than one person other than those who customarily reside on the premises shall be employed.~~
~~—11. All permitted home occupations must be conducted entirely within a building unless otherwise noted in this section.~~
~~—12. The home occupation shall not involve any of the following: small engine, auto repair or reconditioning, manufacturing, or hemp or cannabis-related businesses.~~
~~—13. Garage sales, yard sales and/or onetime seasonal sales shall be conducted no more than four (4) days total in any one hundred eighty (180) day period.~~

1. Use: Any home occupation shall be clearly incidental and secondary to the residential use of the premises.
 - a. No home occupation shall require internal or external alterations or involve construction features not customarily found in dwellings except where required to comply with local and state regulations including, but not limited to, building code, health, fire and police requirements.
 - b. The home occupation should not change the residential character thereof, and shall result in no incompatibility or disturbance to the surrounding residential uses.
 - c. All permitted home occupations must be conducted entirely within a building.
2. May not create nuisance: No home occupation shall produce light glare, noise, fumes, odor or vibration that will in any way have an objectionable effect upon adjacent or nearby property.
3. May not create electrical, visual or audible disturbances: No equipment shall be used in the home occupation which will create electrical, visual or audible interferences to surrounding properties.
4. Exterior Storage: There shall be no exterior storage of equipment or materials used in the home occupation, except personal automobiles use for the home occupation may be parked on the site.
5. Signage: One (1) exterior or interior sign (visible from exterior) that is a maximum of 4 square feet is permitted.
6. Hours of operation: No home occupation shall be conducted between the hours of ten o'clock (10:00) P.M. and eight o'clock (8:00) A.M.
7. Parking: Home occupations shall not create a parking demand in excess of that which can be accommodated in an existing driveway.
8. Employees: Not more than one person other than those who customarily reside on the premises shall be employed.
9. Prohibited Uses: The home occupation shall not involve any of the following: woodworking, manufacturing, small engine or auto repair or hemp and/or cannabis-related businesses.

10. Limited Uses: Garage sales, yard sales and/or onetime seasonal sales shall be conducted no more than four (4) days total in any one hundred eighty (180) day period.

11. The home occupation shall meet all local, state and federal regulations.

I. Parking facilities in residential districts:

...

J. Reserved. (Ord. 2012-2, 2-27-2012)

K. Reserved. (Ord. 2016-21, 12-12-2016)

L. Religious institutions, group assembly, membership organizations, schools and/or educational facilities:

...

M. Parking facilities in mixed use districts:

1. Parking structures shall incorporate the following along all street level frontages of the structure, or a combination thereof:

a. Fifty percent (50%) street level active uses such as retail, office or other commercial uses.

b. One hundred percent (100%) decorative window treatments or other architectural enhancement to soften the appearance of a parking structure.

— 1. Parking structures should incorporate street level active uses such as retail or service commercial or offices for at least fifty percent (50%) of the street level frontage of the structure. In those areas where active uses do not occur, decorative window treatments or other architectural enhancement shall be used to soften the appearance of a parking structure.

— 2. Surface parking lots shall be landscaped including landscaping on the exterior of the lot and landscaped islands on the interior of the lot. Surface parking lots in the MU-2 district shall also meet the requirements of subsection I of this section.

N. Reserved.

O. Housing shelters/temporary housing:

1. All applicable state and city laws governing such uses are strictly adhered to and all required operating permits are secured.

1. All uses shall comply with building, fire safety and health codes, zoning and licensing requirements. All applicable state and local regulations governing such use are strictly adhered to and all required operating permits are secured.

...

3. Parking shall be provided according to chapter 20 of this title. the following:

- a. One parking space for every two (2) bedroom areas;
- b. One parking space for every two (2) beds in a dormitory setting;
- c. One parking space for each staff member on the maximum shift.

P. Agricultural related commercial uses:

...

Q. Animal sales and services:

1. In the community commercial district, any outside area used for pens and exercise yards shall be located at least three hundred feet (300') from any existing residential and shall be screened from view.

2. When permitted in the mixed use, and neighborhood commercial and industrial districts, all animal related uses and services (including kennels, runs, yards or storage) shall be conducted within an enclosed soundproof structure or building designed to minimize noise pollution. Any outside area used for pens and exercise yards shall be located at least six hundred feet (600') from any existing residential district uses and shall be screened from view.

R. Sales, rental or repair of Auto auto related uses including, but not limited to, trucks, automobiles, recreational vehicles, RV, trailers, motorcycles and boats sales or rental, and nonauto equipment repair:

1. All uses shall comply with building, fire safety and health codes, zoning, local and state licensing.
2. Buildings: Buildings shall occupy a minimum of one thousand (1,000) square feet or five percent (5%) of the site, whichever is greater, and shall be oriented toward arterial or collector streets.
3. Buffering And Landscaping: Shall be provided when adjacent to a residential uses ly zoned district consistent with chapter 19 of this title.
4. Access: Auto related uses shall have access to arterial or collector streets without passing by property zoned for residential or mixed use. In the LI light industrial district, auto sales businesses shall locate only on properties adjoining or within three hundred feet (300') of arterial or collector streets.
5. Vehicles Auto Related Uses Not Owned By Dealer: Vehicles that are not owned by an auto dealer or owner of the business shall not be stored on the site. for more than thirty (30) days. Vehicles Auto related uses shall not be displayed "for sale" or sold within nonresidential districts where permitted unless as part of an approved licensed sales dealership in accordance with the city's business and licensing regulations. Short term display (12 hours or less in any 24 hour period) is allowed if the vehicle is owned by an employee or customer (while working or receiving goods/service on the site) of a business where the vehicle is parked and a maximum of two (2) signs measuring not more than two (2) square feet per sign are displayed per vehicle.
6. Convenience grocery store with gas or Service Stations: Property containing service stations with gas and/or auto repair shall be a minimum distance of one hundred feet (100') from any residential use district boundary.
7. Equipment, parts and other outdoor storage: Equipment is Must be completely enclosed in a permanent structure with no outside storage.
8. Display Standards for sales and rentals: The display of vehicles "for sale" must meet the following conditions:
 - a. All motor vehicles must Must be displayed on a concrete or asphalt surface.
 - b. Any tax parcel utilized for motor vehicle sales must Must provide an on premises permanent structure as a sales office, clearly displaying the name of the license holder, phone number, and hours of operation that meets 10-18-2.R.1.
 - c. Any motor vehicle display must Must occur on private property and may not encroach into the public right of way.
 - d. Any motor vehicle displayed Display items for sale must be licensed and operable.

S. Surface parking lots (as principal use):

...

T. Amusement park, drive-in theater, amphitheater, shooting range:

...

U. Bars, taverns, nightclubs

...

V. Contractor, industrial office, off site service/repair, yards (roofers, landscapers, builders, etc.):

...

W. Lumberyards:

...

X. Woodshops/cabinetry/carpentry products (with limited manufacturing):

1. All cabinet and carpentry materials shall be stored in an enclosed structure or in an area that is screened from adjoining property and public right of way.

Y. Car impound lots:

...

Z. Recording studios for audio, video and film:

...

AA. Textiles, spinning, weaving, dyeing, printing, knit goods, yarn, thread and cordage duty production:

...

BB. ~~Cold storage facilities and self~~ Self-service storage facilities:

1. Storage shall be separated screened from street frontages by other principal uses or building(s); and from adjacent properties by a combination of solid fencing and landscaping.

...

CC. Oil filtering/mixing in the LI and HI districts:

...

DD. ~~Reserved~~ —Warehousing, wholesale, distribution and light manufacturing uses:

- 1. Said use was located in structures which were constructed prior to January 1, 2005.
- 2. Such uses and their expansions are arranged, designed, and constructed to be a functional, harmonious and compatible component of the surrounding neighborhood.
- 3. All equipment is completely enclosed in a permanent structure with no outside storage permitted.
- 4. Adequate screening from abutting residential uses and landscaping is provided.
- 5. All lighting shall be hooded and so directed that the light source is not visible from the public right of way or from an abutting residential property and shall be in compliance with the provisions of section 10-19-19 of this title.

EE. Micro-Dwelling Unit Sacred Community

FF. State Licensed Medical Cannabis Combination Businesses:

- ~~1. All uses shall comply with building, fire safety, health code, zoning and state licensing requirements.~~
1. All uses shall comply with building, fire safety and health codes, zoning, local registration and state licensing.
2. The following uses licensed for a Medical Cannabis Combination Business are permitted in LI: Light Industrial and HI: Heavy Industrial zoning districts:
 - a. Grow cannabis plants from seed or immature plant to mature plant and harvest adult-use cannabis flower and medical cannabis flower from a mature plant;
 - b. Make cannabis concentrate;
 - c. Make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;
 - d. Manufacture adult-use cannabis products and hemp-derived consumer products for public consumption;
 - e. Package and label medical cannabis and medical cannabinoid products for sale;
 - f. Package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers.

3. The following uses licensed for a Medical Cannabis Combination Business are permitted in CC: Community Commercial, RC: Regional Commercial, MU-1: Downtown **Center** Mixed Use, MU-3: Commercial Mixed Use and MU-4: **Gateway** Mixed Use zoning districts:

- a. Manufacture Make artificially derived cannabinoids (small-batch baking/cooking with associated packaging only);
- b. Manufacture Make medical cannabinoid products (small-batch baking/cooking with associated packaging only);
- c. Manufacture Make lower-potency hemp edibles (small-batch baking/cooking with associated packaging only);
- d. Manufacture Make adult-use cannabis edibles (small-batch baking/cooking with associated packaging only).

4. The following uses licensed for a Medical Cannabis Combination Business are permitted in CC: Community Commercial, RC: Regional Commercial, NC: Neighborhood Commercial, MU-1: Downtown **Center** Mixed Use, MU-2: Corridor Neighborhood Mixed Use, and MU-3: Commercial Mixed Use and MU-4: Gateway Mixed Use zoning districts:

- a. Sell medical cannabis flower and medical cannabinoid products;
- b. Sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law.

GG. State Licensed Cannabis Microbusiness

1. All uses shall comply with building, fire safety and health codes and zoning, local registration and state licensing.

2. The following uses are permitted in LI: Light Industrial and HI: Heavy Industrial zoning districts:

- a. Grow, make, sell, and buy: cannabis (including **immature** plants and seedlings), cannabis and lower-potency hemp edibles, and hemp-derived consumer products.
- b. May have an on-site space where customers can use cannabis or lower-potency hemp products.
 1. Indoor: edibles only
 2. Outdoor: smoke or vape if Minnesota Clean Air Act is followed.

3. The following uses are permitted in CC: Community Commercial, MU-1: Downtown **Center** Mixed Use, MU-3: Commercial Mixed Use and MU-4: **Gateway** Mixed Use zoning districts:

- a. Sell: cannabis (including **immature** plants and seedlings), cannabis and lower-potency hemp, and hemp-derived consumer products.
- b. May have an on-site space where customers can use cannabis or lower-potency hemp products.
 1. Indoor: edibles only
 2. Outdoor: smoke or vape if Minnesota Clean Air Act is followed.
- c. Cultivation and Production: consideration may be made if located in a single tenant building where cannabis or hemp business is the only tenant and building is not abutting or adjacent a residential use.

4. The following uses are permitted in MU-2: Neighborhood Mixed Use zoning district:

- a. Sell: cannabis (including immature plants and seeds), cannabis and lower-potency hemp edibles, and hemp-derived consumer products.

HH. State Licensed Cannabis Mezzobusiness

1. All uses shall comply with building, fire safety and health codes and zoning, local registration and state licensing.

2. The following uses are permitted in LI: Light Industrial and HI: Heavy Industrial zoning districts:
 - a. Grow, make, sell, and buy: cannabis (including immature plants and seedlings), cannabis and lower-potency hemp edibles, and hemp-derived consumer products.
3. The following uses are permitted in CC: Community Commercial, MU-1: Downtown Center Mixed Use, MU-2: Neighborhood Mixed Use, MU-3: Commercial Mixed Use and MU-4: Gateway Mixed Use zoning districts:
 - a. Sell (except MU-2): cannabis (including immature plants and seedlings), cannabis and lower-potency hemp, and hemp-derived consumer products.
 - b. Sell in MU-2: cannabis (including immature plants and seedlings), cannabis and lower-potency hemp, and hemp-derived consumer products.

10-18-3: ACCESSORY BUILDINGS, STRUCTURES, EQUIPMENT AND USES:

A. Residential:

1. Single-Family On Individual Lots In RLD-1:

Accessory Buildings, Structures, Equipment and Uses	RLD-1		
	Parcels less than 21,780 sf (1/2 acre) 1 acre or less	Parcels over 21,780 sf (1/2 acre) to 87,120 sf (2 acres) greater than 1 acre up to 5 acres	Parcels over 87,120 sf (2 acres) 5 acres or more
Floor Area Limit	Up to principal dwelling structure total footprint or 800 sf, whichever is greater		
Floor Area Exceptions	At least (1) shed — 200 sf or less Additional 680 sf total floor area	Additional 1,500 sf total floor area	Additional 1,000 1,500 sf total floor area - Additional area may be requested by CUP
Number Permitted³	2 3	3	4 – Additional structures may be requested by CUP
Maximum Height	Side walls no higher than 12 ft or height of principal structure side walls, whichever is greater	Side walls no higher than 12 ft or height of principal structure side walls, whichever is greater	Side walls no higher than 12 ft or height of principal structure side walls, whichever is greater. Additional height may be requested by CUP.
Maximum Height	Limited to: 1. Sidewalls no higher than height of principal structure sidewalls or 12 ft (measured from grade to base of roof truss), whichever is greater, or 2. Height of principal structure average roof ridge (measured from grade to each roof ridge and then average) Exception: Parcels 5 acres or more – additional height may be requested by CUP.		
Architectural Detailing &	Structures over 1,000 sf or over and/or wall length over 30 ft or over		

Fenestration Required. Design & Orientation reviewed and approved by Zoning Administrator	
Attached Setbacks¹	Same as principal structure or 25 ft - if overhead garage door faces street.
Front Yard	30 ft
Rear Yard	30 ft
Interior Side Yard	10 ft
Street Side Yard	15 ft 25 — if overhead garage door faces street
...	

10-18-3.A.2. Single-Family, Two-Family, and Three-Family and Townhomes/Rowhomes On Individual Lots In RLD-2 and RLD-3 Residential Other Than RLD-1:

Accessory Buildings, Structures, Equipment and Uses	RLD-2, & RLD-3, RMD & RHD
...	
Floor Area Limit	Up to principal dwelling structure total footprint or 800 sf, whichever is greater
...	
Maximum Height	Single & Two-Family and two-family -- side walls no higher than 12 ft or height of principal structure side walls, whichever is greater <u>Limited to:</u> <u>Sidewalls no higher than height of principal structure sidewalls or 12 ft (measured from grade to base of roof truss), whichever is greater, or</u>

	<u>2. Height of principal structure average roof ridge (measured grade to each roof ridge and then average)</u> ...
Architectural Detailing & Fenestration Required. Design & Orientation reviewed and approved by Zoning Administrator	Structures over 1,000 sf or over and/or wall length over 30 ft or over
Attached Setbacks¹	Same as principal structure or 25 ft - if overhead garage door faces street.
Front Yard	20 ft 25 ft - if overhead garage door faces street
Rear Yard	20 ft 25 ft - if overhead garage door faces street
Interior Side Yard	5 ft
Street Side Yard	12 ft 25 ft - if overhead garage door faces street
...	

10-18-3.A.3. Single-Family, Two-Family And Three-Family On Individual Lots In Mixed Use Districts:

Accessory Buildings, Structures, Equipment and Uses	Mixed Use
...	
Floor Area Limit	Up to principal dwelling structure total footprint or 800 sf, whichever is greater
...	
Maximum Height	Single & Two-Family - side walls no higher

	than 12 ft or height of principal structure side walls, whichever is greater Limited to: 1. Sidewalls no higher than height of principal structure sidewalls or 12 ft (measured from grade to base of roof truss), whichever is greater, or 2. Height of principal structure average roof ridge (measured grade to each roof ridges and then average) ...
Architectural Detailing & Fenestration Required. Design & Orientation reviewed and approved by Zoning Administrator	Structures over 1,000 sf or over and/or wall length over 30 ft or over
Attached Setbacks ¹	Same as principal structure or 25 ft - if overhead door faces street. Three-Family only: Zero setback entry permitted for one (1) overhead door associated with at-grade or underground parking

Front Yard	0 ft – MU-1 5 ft – MU-3 10 ft – MU-2 25 ft – if overhead garage door faces street
Rear Yard	0 ft – MU-1 0 ft – MU-3 – adjacent to Commercial, Industrial, Mixed- Use, public street 3 ft – MU-1, MU-2, MU-3 – adjacent to alley 10 ft – MU-3 – adjacent to residential zoning district 10 ft – MU-2 25 ft – if overhead garage door faces street
Interior Side Yard	0 ft – MU-1 0 ft – MU-2, MU-3 – adjacent to Commercial, Industrial, Mixed Use 3 ft – MU-1, MU-2, MU-3 – adjacent to alley 5 ft – MU-2, MU-3 – adjacent to residential zoning district 5 ft – MU-2 – adjacent to public street
Street Side Yard	0 ft – MU-1 5 ft – MU-2, MU-3 25 ft – if overhead garage door faces street
...	

10-18-3.A.4. Multi-Family And Cluster Developments On Single Lot In Residential and Mixed Use Districts:

Accessory Buildings, Structures, Equipment and Uses	<u>Residential & Mixed Use</u>
...	
Maximum Height	Single & Two-Family - side walls no higher than 12 ft or height of principal structure side walls, whichever is greater <u>Limited to:</u> 3. <u>Sidewalls no higher than height of principal structure sidewalls or 12 ft (measured from grade to base of roof truss), whichever is greater, or</u> 4. <u>Height of principal structure average roof ridge (measured grade to each roof ridges and then average)</u> ...
Architectural Detailing & Fenestration Required. Design & Orientation reviewed and approved by Zoning Administrator	Structures over 1,000 sf or over and/or wall length over 30 ft or over
Attached Setbacks¹	Same as principal structure or 25 ft - if overhead door faces street.

	Zero setback entry permitted for one (1) overhead door associated with at-grade or underground parking
Front, Rear, Street & Interior Side Yard	Same as principal structure
...	

10-18-3.A.5. Commercial Uses in Mixed Use Districts and Institutional, Commercial and Industrial Districts

10-18-3.B. Institutional, Commercial, Industrial Districts and Commercial Uses in Mixed Use Districts



Accessory Buildings, Structures, Equipment and Uses	Commercial Uses in Mixed Use Districts and Institutional, Commercial and Industrial Districts
Floor Area Limit	No more than 50% of gross floor area of principal structure
Floor Area Exceptions	None
Number Permitted	No more than 50% of gross floor area of principal structure
Maximum Height	No higher than principal structure
Architectural Detailing & Fenestration Required. Design & Orientation reviewed and approved by Zoning Administrator	Structures over 1,000 sf and/or wall length over 30 ft
Attached Setbacks*	
Front, Rear, Street & Interior Side Yard	Same as principal structure or 25 ft - if overhead door faces street. Zero setback entry permitted for at-grade or underground parking overhead doors
Detached Setbacks* - 200 sf or less	
Front Yard	Not permitted beyond front facade of principal structure
Rear, Interior and Street Side Yard	10 ft 25 ft - if overhead door faces street
Detached Setbacks* - over 200 sf (Building Permit required)	
Front Yard	Not permitted beyond front facade of principal structure
Rear, Interior of Street Side Yard	10 ft 15 ft - structures over 576 sf in Flood Fringe 25 ft - if overhead garage door faces street

<u>Accessory Buildings, Structures, Equipment & Uses</u>	<u>Commercial Uses in Mixed Use Districts and Institutional, Commercial, Industrial Districts & Commercial Uses in Mixed Use-3 & Mixed Use-4</u>	<u>Commercial Uses in Mixed Use-1</u>	<u>Commercial Uses in Mixed Use-2</u>
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<u>Floor Area Limit / Number Permitted</u>	<u>No more than 50% of gross floor area of principal structure</u>	<u>No limit</u>	<u>No more than 30% of the gross floor area of principal structure</u>
<u>Floor Area Exceptions</u>	<u>None</u>		
<u>Maximum Height</u>	<u>No higher than principal structure</u>		
<u>Architectural Detailing & Fenestration Required. Design & Orientation reviewed and approved by Zoning Administrator</u>	<u>Structures over 1,000 sf or over and/or wall length over 30 ft or over</u>		
<u>Attached Setbacks¹</u>	<u>Same as principal structure or</u> <u>25 ft - if overhead door faces street.</u> <u>Zero setback entry permitted for one (1) overhead door associated with at-grade or underground parking</u>		
<u>Detached Setbacks² - 200 sf or less</u>			
<u>Front Yard</u>	<u>No permitted beyond front façade of principal structure</u>		
<u>Rear, Interior and Street Side Yard</u>	<u>10 ft</u> <u>25 ft - if overhead door faces street</u>		
<u>Detached Setbacks² - over 200 sf (Building Permit required)</u>			
<u>Front Yard</u>	<u>Not permitted beyond front facade of principal structure</u>		
<u>Rear, Interior of Street Side Yard</u>	<u>10 ft</u> <u>15 ft - structures over 576 sf in Flood Fringe</u> <u>25 ft - if overhead garage door faces street</u>		

6. Notes: C. Notes for all accessory buildings, structures, equipment and uses:

1. Overhead Doors: For attached and detached accessory structures that face a public or private street, road or drive, the front, rear or street side yard setback is 25 ft to prevent vehicles overhanging a sidewalk or boulevard.
 2. Accessory Setbacks:
 - i. Single-Family, Two-Family and Three-Family on Individual Lots in Residential and Mixed Use Districts: An additional 1 ft setback is required for every 2 ft over 10 ft in accessory structure sidewall height.
 - ii. ~~Commercial Uses in Mixed Use Districts and Institutional, Commercial, and Industrial Districts~~ and Commercial Uses in Mixed Use Districts: Additional setback area must be provided to meet screening requirements for adjacent residential uses properties (see 10-19-18).
- ...

SECTION 7. Title 10, Chapter 19, **Site Development Standards** of the Moorhead Municipal Code is hereby amended and reenacted to read as follows (unchanged portions of this chapter may have been omitted from the text below):

CHAPTER 19 SITE DEVELOPMENT STANDARDS

10-19-1: PURPOSE:

The purpose of this chapter is to establish general development performance standards. These standards are intended and designed to assure compatibility of uses; ~~to prevent urban blight, deterioration and decay;~~ and to enhance the health, safety and general welfare of the residents of the city. (Ord. 2004-40, 1-3-2005)

10-19-2: DWELLING UNIT RESTRICTION:

...
~~D. In a multiple-family or attached single-family development, a building for storage of lawn maintenance or snow removal equipment may be constructed in addition to any parking garages and may be constructed on a common or shared lot or parcel and provided the area of the storage building does not exceed seven hundred fifty (750) square feet or ten percent (10%) of the area of the common lot, whichever is less. (Ord. 2004-40, 1-3-2005)~~

10-19-6: DRAINAGE PLANS:

A. In the case of all residential subdivisions, multiple-family, mixed use, commercial and industrial developments, the drainage plans with appropriate spot site elevations shall be submitted to the city engineer for review and the final drainage plan shall be subject to written approval. In the case of such uses, no modifications in grade and drainage flow through fill, erection of retaining walls or other such actions shall be permitted until such plans have been reviewed and received written approval from the city engineer.

10-19-18: SCREENING AND BUFFERING STANDARDS:

A. Residential Protection Screening: Where any non-residential use or multi-family building of three (3) or more units, including their accessory uses, ~~abuts or is adjacent a property zoned for residential use,~~ screening along the boundary of the non-residential property or multi-family building shall be provided. All fencing and screening specifically required by this title shall be subject to section 10-19-5 of this chapter and shall consist of either a solid fence or a greenbelt planting strip as provided for below:

...
B. Parking Lot Screening: All parking lots abutting public sidewalks and/or streets must provide a parking lot screening buffer as follows:

1. Screening buffer shall:
 - a. Be a minimum depth of four (4) feet along sidewalk or curb.
 - b. Contain a continuous hedgerow or shrubs no taller than 3 feet (3') plus 1 small tree per 25 linear feet of parking lot with breaks for pedestrian access to adjacent sidewalks/uses, if necessary; or
 - c. Contain a decorative fence, railing or wall no taller than 3 feet (3') plus 1 plant unit per five (5) linear feet) of parking lot with breaks for pedestrian access to adjacent sidewalks/uses, if necessary.
2. Alternative parking lot screens or buffer widths may be approved by the zoning administrator.
3. Exception: Existing parking lots are not required to meet the standards above unless:
 - a. Reconstructed (minor maintenance excluded).
 - b. Additional pavement added to existing surface.

4. These standards do not apply to vehicle or equipment sales and rental uses.

10-19-19: OUTDOOR LIGHTING STANDARDS:

Any lighting used to illuminate an off street parking area, sign or other structure, shall be arranged so as to deflect light away from any adjoining residential or mixed use zone or from the public streets.

...

SECTION 8. The **Official Zoning Map** of the City of Moorhead, Minnesota, in accordance with Chapter 3, Title 10 of the Moorhead City Code, is hereby amended to rezone the following as:

Address	PIN	Current Zone	New Zone
3140 27 Ave S	584700040	RC	CC
3000 27 Ave S	584700030	RC	CC
3131 24 Ave S	581300010, 581300020, 581300030	RC	CC
1023 30 Ave S	580600070	CC	MU-4
1015 30 Ave S	580600075	CC	MU-4
3027 11 St S	580600085	CC	MU-4
6202 2 St N	588823602	RLD-1	INS
2200 28 Ave N	589002815	TZ	INS
1102 28 Ave S	587320250	RHD	MU-4

This Ordinance shall take effect after publication in accordance with the Moorhead City Charter.

PASSED: March 10, 2025 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk

First Reading: 03/10/2025
E-Post: 03/14/2025
Second Reading: 03/24/2025
Publication:

10-18-1: USE TABLES AND UNLISTED USES:
(3.5.2025 version)

The following tables specify permitted, provisional and conditional land uses in the city of Moorhead:

- P = Permitted use PU = Provisional use
 CU = Conditional use permit Blank = Prohibited
 () = Letters in round brackets refer to the corresponding subsection of section 10-18-2 of this chapter

Use Category (General)	Use Type (Detailed)	Residential Districts					Mixed Use & Commercial Districts					Industrial Districts	
		RLD-1	RLD-2	RLD-3	RMD	RHD	MU-1	MU-2	MU-3	MU-4	CC	LI	HI
Adult establishments	All types											P ¹	P ¹
Agricultural related	Farm cooperatives											CU	CU
	Farm supply store								P	P	P	P	
	Feed mixing											CU	CU
	Fertilizer manufacturing												CU
	Grain elevator or produce collection/distribution											CU	CU
	Implement dealer/services								PU (P)	PU (P)	PU (P)	P	P
	Manufacturing/processing, general											CU	CU
Animal services	Animal shelter								PU (Q)	PU (Q)	PU (Q)	P	P
	Groomer (no kennel)						P		P	P	P	P	
	Groomer/kennel/daycare								PU (Q)	PU (Q)	PU (Q)	P	P
	Pet store (live animals)						PU (Q)		PU (Q)	P	PU (Q)	P	
	Veterinary clinic or hospital						PU (Q)		PU (Q)	P	PU (Q)	P	
Auto/transportation related	Auto/truck/recreational vehicles/boats/trailers/motorcycles sales, rental, service and repair								CU (R)	CU (R)	CU (R)	CU (R)	CU (R)
	Automotive service station (gasoline/repair/service facility)								PU (R)	CU (R)	PU (R)	PU (R)	PU (R)
	Car wash and auto detailing								PU (R)	PU (R)	PU (R)	P	P

	Impound lot											CU (Y)	CU (Y)
	Parking lot (as a principal use)	CU (I)	CU (I)	CU (I)	CU (I)	CU (I)	PU (S & M)	CU (I, S) & (M)	PU (S & I & M)	PU (S & M)	PU (S)	P	P
	Parking structure, standalone (deck or ramp)						P CU (M)		P CU (M)	P	P	P	P
	Salvage yard												CU
	Tire shredding/recapping or retreading											CU	CU
	Transportation/freight/cargo terminals											P	P
	Truck repair shops								PU (R)	PU (R)	PU (R)	PU (R)	PU (R)
	Truck stops/truck parking											P	P
Cannabis and hemp related	Cannabis or tobacco paraphernalia or tobacco/vape shop						P	P	P	P	P	P	P
	Home/personal cultivation of hemp or cannabis flower	P	P	P	P	P	P	P	P	P			
	Home/personal extraction or sale of hemp or cannabis flower and products												
	State-licensed lower-potency hemp edible retailer-only and the following cannabis-related uses: delivery service, event organizer business and retailer-only						P	P	P	P	P	P	P
	State-licensed medical cannabis retailer-only						P	P	P	P	P	P	P
	State-licensed medical cannabis combination business						PU (FF)	PU (FF)	PU (FF)	PU (FF)	PU (FF)	P	P
	State-licensed medical cannabis cultivator or processor											P	P
	State-licensed lower potency hemp edible, cannabis edible or medical cannabis edible production (lowers and high)						P		P	P	P	P	P

	baking/cooking with associated packaging only)												
	State-licensed lower-potency hemp concentrate manufacturing and the following cannabis-related uses: cultivator, manufacturer, mezzobusiness, microbusiness, testing facility, transporter and wholesaler											P	P
	State-licensed cannabis microbusiness						PU (GG)		PU (GG)	PU (GG)	PU (GG)	PU (GG)	PU (GG)
	State-licensed cannabis mezzobusiness						PU (HH)		PU (HH)	PU (HH)	PU (HH)	PU (HH)	PU (HH)
Dependent care	Home care, day care and State licensed assisted living and service-based facilities (state-licensed programs)	PU (D)	PU (D)	PU (D)	PU (D)	PU (D)	PU (D)	PU (D)	PU (D)	PU (D)	PU (D)	PU (D)	
	Home care, day care and assisted living facilities (non-state-licensed programs)								P	P	P		
	State certified or licensed childcare center						PU (E)	PU (E&H)	PU (E)	PU (E)	PU (E)	PU (E)	
	State licensed family childcare (home based)	PU (F&H)	PU (F&H)	PU (F&H)	PU (F&H)	PU (F&H)		PU (F&H)					
Dwellings	Dwelling, multi-family - apartments			P	P	P	P	P	P				
	Dwelling, multi-family - townhouse/rowhouse or triplex		P	P	P	P	P	P	P				
	Dwelling, single-family	P	P	P	P			P					
	Dwelling, two-family twin home or duplex		P	P	P			P					
	Dwelling, temporary family healthcare*												
	Dwelling unit, accessory												
	Dwelling/home occupations	PU (H)	PU (H)	PU (H)	PU (H)	PU (H)	PU (H)	PU (H)	PU (H)				
	Dwellings, Manufactured Home Park				CU	CU							

Gas/fuel/chemicals	Gas/fuel/chemical bulk storage plants/distribution												CU
	Gas/fuel/chemical manufacturing												CU
	Oil filtering/mixing											CU (CC)	CU (CC)
	Other injurious hazardous or offensive chemical use not listed												CU
Lodging/temporary overnight stay	Bed and breakfast	CU (A)	CU (A)	CU (A)	CU (A)	CU (A)	CU (A)	CU (A)	CU (A)	CU (A)	CU (A)		
	Campgrounds												
	Hotel (with or without conference center)						P		P	P	P		
	Housing shelters/temporary housing						CU (O)		CU (O)	CU (O)	CU (O)		
Manufacturing/production/assembly/processing	Advertising products (signs/billboards)										CU	P	P
	Asphalt and concrete batching or ready-mix plants												CU
	Bottling								P	P	P	P	P
	Concrete or cement products											P	P
	Dairy products											P	P
	Equipment repair (non-auto)								PU (R)	PU (R)	PU (R)	P	P
	Packing and crating								P	P	P	P	P
	Slaughterhouse (not stockyards)												CU
	Wholesale								P	P	P	P	P
	Wood shops/cabinetry/carpentry products (with limited manufacturing)								PU (X)	PU (X)	PU (X)	P	P
	Wood shops/cabinetry/carpentry products (with manufacturing)											P	P
Personal services	Barber/hair salon/massage/nail						PU (C)	PU (C)	PU (C)	PU (C)	PU (C)	PU (C)	

	salon/spa/tattoo/body piercing												
	Mortuary/funeral services (cremation)											P	P
	Mortuary/funeral services (no cremation)						P	P	P	P	P	P	
Public/institutional	Campus organizations		CU (B)	CU (B)	CU (B)	CU (B)	CU (B)	CU (B)	CU (B)	CU (B)	CU (B)		
	Community theater/arts center/museums						P	P	P	P	P		
	Government offices or other non-public works facilities						P		P	P	P	P	
	Hospital/Ambulance						P		P	P	P	P	
	Library						P	P	P	P	P		
	Parks/playgrounds/open space	P	P	P	P	P	P	P	P	P	P		
	Public and semipublic recreation uses	P	P	P	P	P	P	P	P	P	P		
	Public regulated utility structures (non-substation)	P	P	P	P	P	P	P	P	P	P	P	P
	Public regulated utility structures (substation)											P	P
	Public works facilities											P	P
	Religious institutions/group assembly/membership organizations	CU (L)	CU (L)	CU (L)	CU (L)	CU (L)	CU (L)	CU (L)	CU (L)	CU (L)	CU (L)	CU (L)	
	Religious institution micro-dwelling unit sacred community	CU (EE)	CU (EE)	CU (EE)	CU (EE)	CU (EE)	CU (EE)	CU (EE)	CU (EE)	CU (EE)	CU (EE)	CU (EE)	
	Schools, Primary, Secondary, Collegiate (public or private)	CU (L)	CU (L)	CU (L)	CU (L)	CU (L)	CU (L)	CU (L)	CU (L)	CU (L)	CU (L)		
	Transit center						P		P	P	P	P	P
Recreation/entertainment	Amphitheater/amusement park/putt putt golf/ax throwing/batting cages/driving ranges/cornhole/pickleball/paintball/skate park								PU (T)	PU (T)	PU (T)	PU (T)	PU (T)
	Bars, taverns, nightclub, brewery, distillery with or						PU (U)		PU (U)	PU (U)	PU (U)		

	without live music/DJ or patio												
	Bar/restaurant or cocktail/wine bar with live music/DJ or patio						PU (U)		PU (U)	PU (U)	PU (U)		
	Bar/restaurant or cocktail/wine bar without live music/DJ or patio						P	P	P	P	P		
	Bowling or movie theater						P		P	P	P		
	Cafes/coffeehouses (without live performance)						P	P	P	P	P		
	Cafes/coffeehouses (with live performance)						PU (U)		PU (U)	PU (U)	PU (U)		
	Community center/recreation center/physical fitness center						P	P	P	P	P	P	
	Radio and television offices/stations						PU (Z)		PU (Z)	PU (Z)	PU (Z)	P	P
	Recording studios for audio, video, film						PU (Z)		PU (Z)	PU (Z)	PU (Z)	P	P
	Restaurants (no drive-through)						P	P	P	P	P	P	
	Restaurants (with drive-through)						P		P	P	P	P	
	Shooting range (indoor)									PU (T)		PU (T)	PU (T)
	Shooting range (outdoor)												
Retail and office	Banks (with drive-through)						P		P	P	P	P	
	Banks (without drive-through)						P	P	P	P	P	P	
	Baking, candy and other food products (on site production and retail)						P	P	P	P	P	P	
	Catering						P	P	P	P	P	P	
	Contractor offices/sales rooms/supplies (no outdoor display or storage)						PU (V)		PU (V)	PU (V)	PU (V)	P	P
	Contractor offices/sales rooms/supplies (with outdoor display and/or storage)										PU (V)	P	P

	Contractor offices/sales rooms/supplies (with outdoor display only)								PU	PU	PU	P	P
	Contractor yard											P	P
	Convenience grocery stores (with gas)								PU (R)	P PU (R)	P PU (R)	P PU (R)	P PU (R)
	Grocery/convenience store (no gas)						P	P	P	P	P	P	
	Home improvement / Hardware retailers with outdoor sales display/lumberyards								PU (W)	PU (W)	PU (W)	PU (W)	PU (W)
	Home improvement / Hardware retailers without outdoor sales display/lumberyards						P	P	P	P	P	P	P
	Laundromat						P	P	P	P	P		
	Liquor store						P	P	P	P	P		
	Lumberyards									PU (W)	PU (W)	PU (W)	PU (W)
	Meat market including processing									P	P	P	P
	Meat market not including processing						P	P	P	P	P	P	P
	Medical/dental offices/clinics						P	P	P	P	P	P	
	Nursery/lawn and garden						P		P	P	P	P	P
	Offices, professional						P	P	P	P	P	P	
	Retail (with drive-through)						P		P	P	P	P	
	Textiles, spinning, weaving, dyeing, printing, knit goods, yarn, thread and cordage duty with retail component						P	P	P	P	P	P	
	Textiles, spinning, weaving, dyeing, printing, knit goods, yarn, thread and cordage duty without retail component											P	P
	Thrift store/consignment						P	P	P	P	P	P	

Warehousing/storage	Self-storage and/or outdoor storage facilities									CU (BB)	CU (BB)	P	P
	Self-storage facilities without outdoor storage								CU (BB)	CU (BB)	CU (BB)	P	P
	Cold storage, warehouse and distribution centers for nonexplosive material											P	P

RESOLUTION

Resolution to Approve Title & Summary of Ordinance 2025-02

WHEREAS, the City Council of the City of Moorhead did pass Ordinance 2025-02: An Ordinance to Amend and Reenact Title 10, Chapter 12, Residential, Chapter 13, Commercial, Chapter 14, Industrial, Chapter 15, Mixed Use, Chapter 17E, Gateway Overlay, Chapter 18, Use Regulations, Chapter 19, Site Development Standards of the Moorhead City Code and related Zoning Map Amendments; and

WHEREAS, a title and summary for publication of the above Ordinance was submitted to the City Council for its review in accordance with Section 3.07 of the Moorhead City Charter; and

WHEREAS, the City Council has reviewed the Title and Summary for said Ordinance for approval and has determined that the Title and Summary informs the public of the intent and effect of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that the Title and Summary for Ordinance 2025-02: An Ordinance to Amend and Reenact Title 10, Chapter 12, Residential, Chapter 13, Commercial, Chapter 14, Industrial, Chapter 15, Mixed Use, Chapter 17E, Gateway Overlay, Chapter 18, Use Regulations, Chapter 19, Site Development Standards of the Moorhead City Code and related Zoning Map Amendments is hereby approved. A copy of said Title and Summary was before the City Council and is now of record and on file in the Office of the City Clerk.

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead, Minnesota that the City Clerk is hereby authorized and directed to publish said Title and Summary in accordance with Section 3.08 of the Moorhead City Charter.

PASSED: March 24, 2025 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk

TITLE AND SUMMARY OF ORDINANCE 2025-02

The following Ordinance is hereby published by Title and Summary:

1. Title of Ordinance

An Ordinance to Amend and Reenact Title 10, Chapter 12, Residential, Chapter 13, Commercial, Chapter 14, Industrial, Chapter 15, Mixed Use, Chapter 17E, Gateway Overlay, Chapter 18, Use Regulations, Chapter 19, Site Development Standards of the Moorhead City Code and related Zoning Map Amendments.

2. Summary of Ordinance

An Ordinance which Amends and Reenacts Title 10, Chapter 12, Residential, Chapter 13, Commercial, Chapter 14, Industrial, Chapter 15, Mixed Use, Chapter 17E, Gateway Overlay, Chapter 18, Use Regulations, Chapter 19, Site Development Standards of the Moorhead City Code and related Zoning Map Amendments

3. Availability of Ordinance

A complete, printed copy of this Ordinance is available for inspection by any person during regular business hours in the Office of the City Clerk, Third Floor, City Hall, 500 Center Avenue, Moorhead, MN.

The Ordinance was passed by the City Council of the City of Moorhead this 24th day of March, 2025.

First Reading: 03/10/2024

E-Post: 03/14/2024

Second Reading: 03/24/2024

Publication:



City Council Communication

March 24, 2025

SUBJECT:

Resolution to Approve Change Order No. 3 with Border States Industries, Inc., for Circuit Breakers at Moorhead DOE Substation

RECOMMENDATION:

The Moorhead Public Service Commission respectfully requests the Mayor and City Council approve Change Order No. 3 with Border States Industries, Inc., in the amount of \$31,110.00 for the circuit breakers at the Moorhead DOE Substation.

BACKGROUND/KEY POINTS:

On August 16, 2022, the Commission awarded the bid for the circuit breakers at the Moorhead DOE Substation (Moorhead Substation) to Border States Industries, Inc. (Border States), in the amount of \$1,259,425.00.

Border States' bid included three optional items. The first option was externally mounted metal oxide varistors for the Independent Pole Operation (IPO) breakers at a cost of \$115,210.00. The second option was tank insulation blankets at a cost of \$55,650.00. The third option was spare parts for the breakers at a cost of \$1,005.00. After evaluation, Moorhead Public Service (MPS) and DGR Engineering (DGR) determined that the first option was not necessary for the additional cost, reducing the total contract price to \$1,144,215.00.

On February 7, 2023, the Commission approved Change Order No. 1 in the amount of \$54,492.00 for the 1200/5 Multi-Ratio Current Transformers (MRCTs) that were needed to avoid saturation issues. The 600/5 MRCTs were upgraded to 1200/5 MRCTs in order to provide greater flexibility in case fault currents increased over the next 20 years.

After commissioning and initial testing were performed on the Moorhead Substation, DGR determined that additional wiring would be needed on the two IPO breakers that protect the two reactors in a controlled closing operation. On November 7, 2024, MPS staff approved Change Order No. 2 in the amount of \$7,232.97 for Border States to design the wiring changes as the new reactors could not be fully utilized until the additional wiring on the IPO breakers was completed.

Border States has provided Change Order No. 3 (available upon request) in the amount of \$31,110.00 for the labor to perform the wiring and commissioning services according to the design work in Change Order No. 2. Change Order No. 3 will increase the total contract price by 8.1 percent—bringing the final contract price to \$1,237,049.97.

FINANCIAL CONSIDERATIONS:

Although there is no cost to the City of Moorhead (directly), the total cost of Change Order No. 3 to the Moorhead Public Service Commission is \$31,110.00, which brings the total contract amount to \$1,237,049.97. The total cost of Change Order No. 3 represents an increase of 8.1 percent to the original contract amount.



City Council Communication

March 24, 2025

Voting Requirements: Majority of Council

Submitted By:

Travis L. Schmidt, General Manager
Taylor Holte, Project Engineer
Adam Benhardt, Construction Manager

Attachments:

RESOLUTION

Resolution to Approve Change Order No. 3 with Border States Industries, Inc., for Circuit Breakers at Moorhead DOE Substation

WHEREAS, on August 16, 2022, the Commission awarded the bid for the circuit breakers at the Moorhead DOE Substation (Moorhead Substation) to Border States Industries, Inc. (Border States) in the amount of \$1,259,425.00; and

WHEREAS, Border States' bid included three optional items. After evaluation, Moorhead Public Service (MPS) and DGR Engineering (DGR) determined that the first option was not necessary for the additional cost, reducing the total contract price to \$1,144,215.00; and

WHEREAS, on February 7, 2023, the Commission approved Change Order No. 1 in the amount of \$54,492.00 for the 1200/5 Multi-Ratio Current Transformers (MRCTs) that were upgraded to provide greater flexibility in case fault currents increased over the next 20 years; and

WHEREAS, on November 7, 2024, MPS staff approved Change Order No. 2 in the amount of \$7,232.97 for Border States to design the wiring changes as the new reactors could not be fully utilized until the additional wiring on the Independent Pole Operation breakers was completed; and

WHEREAS, Change Order No. 3 in the amount of \$31,110.00 will increase the overall contract amount by 8.1 percent to the original contract amount—bringing the total contract price to \$1,237,049.97.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead to approve Change Order No. 3 with Border States for circuit breakers at the Moorhead DOE Substation, as approved by the Moorhead Public Service Commission on March 18, 2025.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Moorhead, Minnesota, that the City Council does hereby authorize and direct the Mayor and City Manager to execute Change Order No. 3 with Border States.

PASSED: March 24, 2025, by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

March 24, 2025

SUBJECT:

Resolution to Award Bid for 2025 Water Distribution Pipe and Fittings

RECOMMENDATION:

The Moorhead Public Service Commission respectfully requests the Mayor and City Council award the bid for 2025 Water Distribution Pipe and Fittings to Ferguson Waterworks in the amount of \$284,520.17.

BACKGROUND/KEY POINTS:

Moorhead Public Service (MPS) is projected to replace approximately 9,000 feet (1.50 miles) of cast iron (CI) watermain in 2025. MPS' water distribution crew will be completing three projects (60 percent of the footage), and the two remaining projects (40 percent of the footage) will be contracted out. A significant amount of water distribution pipe and fittings will be required in order to complete maintenance and repair projects on watermain, services, hydrants, and valves throughout the 2025 construction season.

Bids were opened on March 5, 2025, and MPS received three qualified bids. MPS recommends awarding the bid to Ferguson Waterworks in the amount of \$284,520.17, as shown on the attached Bid Tabulation Sheet. MPS staff estimated the cost to be \$305,000.00 for 2025 Water Distribution Pipe and Fittings.

FINANCIAL CONSIDERATIONS:

Although there is no cost to the City of Moorhead (directly), the total cost to the Moorhead Public Service Commission for 2025 Water Distribution Pipe and Fittings is \$284,520.17.

Voting Requirements: Majority of Quorum

Submitted By:

Dan Mahli, City Manager

Travis L. Schmidt, General Manager

Jake Long, Water Distribution Manager

Attachments: Bid Tabulation Sheet



**Bid Tabulation Sheet
for
2025 Water Distribution Pipe and Fittings**

March 5, 2025, at 2:00 PM
MPS Dispatch Operations Center, 2nd Floor Conference Room

BIDDER'S NAME	CHECK OR BID BOND	BID ITEM #1: Water Distribution Pipe and Fittings TOTAL PRICE
Core and Main Supply	Bid Bond	\$297,938.15
Dakota Supply Group	Bid Bond	\$305,309.97
Ferguson Waterworks	Bid Bond	\$284,520.17

RESOLUTION

Resolution to Award Bids for 2025 Water Distribution Pipe and Fittings

WHEREAS, on March 5, 2025, bids were opened for 2025 Water Distribution Pipe and Fittings; and,

WHEREAS, Moorhead Public Service staff has evaluated the bids and submitted a Bid Tabulation Sheet with its recommendation

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead to award the bids for 2025 Water Distribution Pipe and Fittings to Ferguson Waterworks in the amount of \$284,520.17, as shown on the attached Bid Tabulation Sheet, as awarded by the Moorhead Public Service Commission on March 18, 2025.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota, that the City Council does hereby authorize and direct the Mayor and City Manager to execute the contract for 2025 Water Distribution Pipe and Fittings.

PASSED: March 24, 2025, by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk