



# City Council Communication

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March 25, 2024

**SUBJECT:**

First Reading of Ordinance 2024-01: An Ordinance to Amend and Reenact Title 10, Chapter 12, Residential Districts, Title 10, Chapter 2, Definitions, Title 10, Chapter 18, Use Regulations and to Amend and Reenact the Official Zoning Map of the City of Moorhead

**RECOMMENDATION:**

The Mayor and City Council are asked to consider a first reading of Ordinance 2024-01: An Ordinance to Amend and Reenact Title 10, Chapter 12, Residential Districts, Title 10, Chapter 2, Definitions, Title 10, Chapter 18, Use Regulations and to Amend and Reenact the Official Zoning Map of the City of Moorhead.

**BACKGROUND/KEY POINTS:**

On March 28, 2022, the Moorhead City Council approved Onward Moorhead! Moorhead’s Comprehensive Plan update, which requires complimentary changes to the Zoning Code and Zoning Map as part of that implementation process. Code updates will be brought forward and considered based on various topic areas – this Ordinance relating to residential zoning districts.

The main purposes of the proposed changes to the residential district codes are to modernize the codes, provide more flexibility for homeowners and builders, and to address infill development of “missing middle housing.”

The Planning Commission held two public hearings on April 3, 2023 and June 5, 2023 with no public comment and reviewed the proposed text and map changes. On June 5, 2023, they voted unanimously to recommend approval of the following proposed changes:

1. Combine current RLD-0A & 0B to create new RLD-1 with reduced dimensional standards.
2. Combine current RLD-1 & 2 to create new RLD-2 with reduced dimensional standards.
3. Combine current RMD-1 & 2 to create new RMD-1 with maintained standards of RMD-1
4. RLD-1, 2, 3, RMD-1, RHD-1: Remove minimum lot widths for ‘Other Principal Uses’ to line up with no lot width minimums required in Commercial & Mixed Use districts. Other permitted principal uses in residential districts: bed & breakfasts, campus organizations, child and adult daycare, licensed group homes & nursing care facilities, residential parking lots, public-semi-public recreation, public utility structures, parks/playgrounds/open space, religious institutions and schools.
5. Remove all minimum lot depths, which are not necessary when projects already requires minimum frontage and square footage/dwelling unit.



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6. RHD-1: Reduce lot area per dwelling unit from 1,500 sf to 1,000 sf and limit this to only Multi-Family apartments by removing Single-Family Attached Townhouses from district.
7. Reduce all Front Yard Setbacks to a minimum 22 ft, except new RLD-1.
8. Reduce all Single-Family Rear Yard Setbacks to a minimum of 20 ft, except new RLD-1.
9. Increase all Street Side Setbacks from 12 to 15 ft to provide enough space for both viewshed/visibility at corners and to address issues with easements in relation to utility & window well placement.
10. RLD-3, RMD-1, RHD-1: Increase Multi-Family heights – current 35 ft cannot accommodate structured parking (above ground), which is needed in many areas of the city due to soil conditions/high water table – 45 ft needed for 2-3 stories / 55 ft needed for 3-4 stories - 55 ft is the threshold most builders stay under because over 55 ft requires full sprinkler requirements.
11. Increase some setbacks for Multi-Family and Other Principal Uses to provide greater separation from lower density residential uses.
12. Remove Building Coverage maximums – maximums for impervious surfaces already calculated so this is duplicative.
13. Remove Note 4 setback language that is dependent on lot width and substitute clearer requirement.
14. Update front and street side yard setbacks for Multi-Family & Other Principal Uses – either standard missing or former setbacks based on street type - this requirement is not based on anything/not equitable when Mixed-Use Multi-Family can build with a 5 ft setback on busy streets. This reduced setback area is not to be used for parking to help blend these uses into residential areas.
15. RHD-1: Increase Multi-Family building separation to meet building code separation standards – Building Code requires 20 ft or walls cannot have doors or windows and must be fire-rated.
16. RLD-2 & RHD-1: Remove Townhouse/Rowhouse
17. RLD-3 & RMD-1: Add Triplex (stacked)
18. Add standards that were missing from last code
19. Make related adjustments to Chapter 18, Use Regulations, including Provisional and Conditional use Requirements.



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20. Make related adjustments to Chapter 2, Definitions

21. Make related Zoning Map Amendments

- a. Properties currently zoned RLD-0A and RLD-0B to be labeled RLD-1
- b. Properties currently zoned RLD-1 & RLD-2 to be labeled RLD-2
- c. Properties currently zoned RLD-3 to remain RLD-3
- d. Properties currently zoned RMD-2 to be labeled RMD-1
- e. Properties currently zoned RMD-1 to remain RMD-1
- f. Properties currently zoned RHD-1 to remain RHD-1

The complete Planning Commission packet is available at:  
[www.ci.moorhead.mn.us/government/boards-commissions/planning-commission](http://www.ci.moorhead.mn.us/government/boards-commissions/planning-commission)

Since the Planning Commission public hearings, staff has further reviewed the proposed changes and made the following adjustments:

1. Reverted to original RHD-1 density of 1,500 sf per dwelling unit due to sewer capacity concerns and considerations.
2. Changed reduction for all Front Yard Setbacks from 22 ft back the former 25 ft for garages with doors facing street except new RLD-1. After vehicle analysis, 22 ft would accommodate most vehicles but extra space is still needed for an area to pass between vehicle and garage door. This will accommodate all vehicles without sidewalk encroachments.
3. Reverted to original street side setbacks of 12 ft from proposed 15 ft - to not further reduce buildable area of lot.
4. Added RLD-2 to Multi-Family Townhouse/Rowhouse or Triplex height increase.
5. Due to proposed height increases, added stacked triplex as an added housing type in RLD-2, RLD-3, RMD & RHD.
6. Reverted to original Townhouse/Rowhouse permitted in RLD-2 & RHD after reverting to original density in RHD-1 and increasing height allowances to permit housing type variety.
7. Clarified setbacks for garages with doors facing street. Added existing RLD-3 and RMD language to RLD-1 & 2 and clarified that 25 ft driveways also needed for detached garages on corner lots.
8. Clarified and made adjustments for siting new apartments and other principal uses next to existing single and two-families or other multi-family uses.



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9. Combined densities of RMD-1 (3,000 sf/ dwelling unit & RMD-2 (2,000 sf/dwelling unit) to create new 2,500 sf/dwelling unit density requirement for new RMD.
- Zoning analysis done for all vacant RHD-1, RMD-1 & RMD-2 vacant lots. There are only a handful of vacant RMD-2 lots that would be impacted. All are over the new minimum lot size and all still developable under new RMD.

In addition to the zoning text amendments, we are proposing zoning map amendments, as follows:

1. Properties currently zoned RLD-0A: Residential Low Density-0A and RLD-0B: Residential Low Density-0B to be rezoned as RLD-1: Residential Low Density-1
2. Properties currently zoned RLD-1: Residential Low Density-1 to be rezoned as RLD-2: Residential Low Density-2 except American Estates 2006 annexation area will remain RLD-1: Residential Low Density-1.
3. Properties currently zoned RMD-1: Residential Moderate Density-1 and RMD-2: Residential Moderate Density-2 to be rezoned as RMD: Residential Medium Density.
4. Properties currently zoned RHD-1: Residential High Density-1 to be rezoned as RHD: Residential High Density.

Proposed text amendments have been sent to the Building Industry Association (formerly called Home Builders Association). If there are comments, they will be addressed at the second reading of the ordinance.

In addition to these amendments, staff will be presenting other comprehensive plan implementation items this year including amendments for accessory buildings, structures and uses and mixed use districts.

**FINANCIAL CONSIDERATIONS:**  
Not Applicable

**Voting Requirements:** Majority of Council

**Submitted By:**  
Dan Mahli, City Manager  
Robin Huston, City Planner / Zoning Administrator

**Attachments:**            Proposed Zoning Code  
                                 Current Zoning Code  
                                 Residential Planning and Building Terminology Guide



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Draft Ordinance 2024-01 – Text Amendment

NEW ZONING DISTRICTS	RLD-1	RLD-2	RLD-3	RMD	RHD
Permitted Housing Type	Single-Family	Single-Family, Two-Family Twinhome or Duplex, Multi-Family Townhouse/Rowhouse or Triplex	Single-Family, Two-Family Twinhome or Duplex, Multi-Family Townhouse/Rowhouse or Triplex, Multi-Family Apartments	Single-Family, Two-Family Twinhome or Duplex, Multi-Family Townhouse/Rowhouse or Triplex, Multi-Family Apartments	Multi-Family Apartments, Townhouse/Rowhouse or Triplex
Lot Area Minimum					
Per Dwelling Unit (DU)	12,500	6,000	4,000	2,500	1,500
Other Principal Use	none	none	none	none	none
Lot Width Minimum					
Single-Family	85	45	40	40	
Two-Family		25 <sup>2</sup>	25 <sup>2</sup>	25 <sup>2</sup>	
Multi-family - Townhouse/Rowhouse/Triplex		25 <sup>2</sup>	25 <sup>2</sup>	25 <sup>2</sup>	25 <sup>2</sup>
Multi-Family - Apartments				100	100
Other Principal Use	0	0	0	0	0
Maximum Height	35	35-45 <sup>3</sup>	45-55 <sub>4</sub>	45-55 <sub>4</sub>	45-55 <sub>4</sub>
Maximum Impervious Coverage	35%	35%	60%	60%	70%
Residential Principal Use Setbacks					
Single-Family					
Front Yard	30	20 or 25 <sup>1</sup>	20 or 25 <sup>1</sup>	20 or 25 <sup>1</sup>	
Rear Yard	30	20	20	20	
Interior Side Yard	10	5	5	5	
Street Side Yard	15 or 25 <sup>1</sup>	12 or 25 <sup>1</sup>	12 or 25 <sup>1</sup>	12 or 25 <sup>1</sup>	
Two-Family Twinhome/Duplex (non-stacked & stacked)					
Front Yard		20 or 25 <sup>1</sup>	20 or 25 <sup>1</sup>	20 or 25 <sup>1</sup>	
Rear Yard		20	20	20	
Interior Side Yard		5	5	5	
Street Side Yard		12 or 25 <sup>1</sup>	12 or 25 <sup>1</sup>	12 or 25 <sup>1</sup>	
Common Wall		0	0	0	
Building Separation between end units on same lot		10	10	10	
Multi-Family Townhouse/Rowhouse or Triplex (3 or more)					
Front Yard		20 or 25 <sup>1</sup>	20 or 25 <sup>1</sup>	20 or 25 <sup>1</sup>	20 or 25 <sup>1</sup>
Rear Yard		20	20	20	20
Interior Side Yard		5	5	5	5
Street Side Yard		12 or 25 <sup>1</sup>	12 or 25 <sup>1</sup>	12 or 25 <sup>1</sup>	12 or 25 <sup>1</sup>
Common Wall		0	0	0	0
Building Separation between end units on same lot		10	10	10	10
Multi-Family Apartments					
Front Yard			25	25	25
Rear Yard			25	25	25
Interior Side Yard			25 if adjacent to single or two-family use/10 all other uses	25 if adjacent to single or two-family use/10 all other uses	25 if adjacent to single or two-family use/10 all other uses
Street Side Yard			25	25	25
Building Separation between end units on same lot			10	10	10
Other Principal Use Setbacks					
Bed & breakfasts, campus organizations, child and adult daycare, licensed care facilities, residential parking lots, public-semi public recreation, essential government utility structures, parks/playgrounds/open space, religious institutions and schools					
Front Yard	30	25	25	25	25
Rear Yard	30	25	25	25	25
Interior Side Yard	30	25 if adjacent to single or two-family use/10 all other uses	25 if adjacent to single or two-family use/10 all other uses	25 if adjacent to single or two-family use/10 all other uses	25 if adjacent to single or two-family use/10 all other uses
Street Side Yard	30	25	25	25	25
<sup>1</sup> Attached or detached garages must have adequate driveway depth to accommodate most vehicles to prevent vehicles overhanging into sidewalk. If garage door faces street- 25 ft setback required					
<sup>2</sup> per DU					not permitted
<sup>3</sup> RLD-2: Single-family dwelling = 35 ft / 2F & MF = 45 ft					
<sup>4</sup> 2F & MF structures within 150 ft from single-family principal residential structure, limited to 45 ft; 2F & MF structures more than 150 ft from single-family principal residential structure, limited to 55 ft					
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Current Zoning	RLD-0A	RLD-0B	RLD-1	RLD-2	RLD-3	RMD-1	RMD-2	RHD-1
Permitted Housing Type	Single-Family Detached	Single-Family Detached	Single-Family Detached, Twinhome, Duplex, Townhouse/Rowhouse	Single-Family Detached, Twinhome, Duplex, Townhouse/Rowhouse	Single-Family Detached, Twinhome, Duplex, Townhouse/Rowhouse, Multi-Family	Single-Family Detached, Twinhome, Duplex, Townhouse/Rowhouse, Multi-Family	Single-Family Detached, Twinhome, Duplex, Townhouse/Rowhouse, Multi-Family	Multi-Family, Townhouse/Rowhouse
Lot Area Minimum								
Per Dwelling Unit (DU)	21,780	12,500	8,000	6,000	4,000	3,000	2,000	1,500
Other Principal Use	none	none	none	none	none	none	none	none
Lot Width Minimum								
Detached DU	145	90	60	45	40	40	40	
Attached DU			30	30 <sup>2</sup>	25 <sup>2</sup>	25 <sup>2</sup>	25 <sup>2</sup>	20 <sup>2</sup>
Multi-Family					100	100	100	100
Other Principal Use	145	90	60	45	100	100	40	20
Lot Depth Minimum								
Detached DU	100	100	100	100	100	100	100	
Attached DU			100	100	100	100	100	100
Multi-Family			NA	NA	130	130	130	130
Other Principal Use	100	100	100	100	130	130	130	130
Maximum Height	35	35	35	35	35-45 <sup>5</sup>	35	45	45
Maximum Building Coverage	25%	25%	33.33%	33.33%	40%	50%	60%	65%
Maximum Impervious Coverage	35%	35%	35%	35%	60%	60%	70%	70%
Principal Structure Setbacks								
Single-Family Detached								
Front Yard	50	30	25	25	20-25 <sup>3</sup>	20-25 <sup>3</sup>	20-25 <sup>3</sup>	
Rear Yard	50	30	25	25	25	25	25	
Interior Side Yard	30	10	8	5	5	5	5	
Street Side Yard	50	15	12	12	12	12	12	
Single-Family Attached Twinhome								
Front Yard			25	25	20-25 <sup>3</sup>	20-25 <sup>3</sup>	20-25 <sup>3</sup>	
Rear Yard			25	25	25	25	25	
Interior Side Yard			8	5	5	5	5	
Street Side Yard			12	12	12	12	12	
Common Wall				0	0	0	0	
Building Separation between end units on same lot								
Single-Family Attached Duplex								
Front Yard			25	25	20-25 <sup>3</sup>	20-25 <sup>3</sup>	20-25 <sup>3</sup>	
Rear Yard			25	25	25	25	25	
Interior Side Yard			8	see note 4	see note 4	see note 4	see note 4	
Street Side Yard			12	12	12	12	12	
Building Separation between end units on same lot								
Single-Family Attached Townhouse/Rowhouse								
Front Yard			25	25	20-25 <sup>3</sup>	20-25 <sup>3</sup>	20-25 <sup>3</sup>	25
Rear Yard			25	25	25	25	25	25
Interior Side Yard			8	5	5	5	5	6
Street Side Yard			12	12	12	12	12	12
Common Wall				0	0	0	0	0
Building Separation between end units on same lot								12
Multi-Family								
Front Yard					25	25	25	25
Rear Yard					25	25	25	25
Interior Side Yard					20	20	20	20
Street Side Yard					30-40 <sup>1</sup>	30-40 <sup>1</sup>	30-40 <sup>1</sup>	30-40 <sup>1</sup>
Building Separation between end units on same lot								12
Other Principal Structure Setbacks								
Front Yard	50	30	25	25				25
Rear Yard	50	30	25	25	25	25	25	25
Interior Side Yard	30	10	8	see note 4	see note 4	see note 4	see note 4	see note 4
Street Side Yard	50	15	12	12	12	12	12	12
<sup>1</sup> Depends upon street classification - 40 ft - principal or minor arterial/ 30 ft -all other streets							not permitted	
<sup>2</sup> per DU (e.g., duplex, townhouse)							not addressed in code	
<sup>3</sup> If garage facing front = 25 ft								
<sup>4</sup> For lots 50 ft wide or less = 6 ft; lots more than 50 ft wide but less than 100 ft wide = 12% of width; lots over 100 ft wide or more = 12 ft								
<sup>5</sup> Building setback less than 150 ft from RLD1-3 zoning district, limited to 35 ft; building setback more than 150 ft from RLD1-3 zoning district, limited to 45 ft								

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