

MEMORANDUM

TO: Members of the Moorhead Neighborhood Planning Working Group & Executive Committee
FROM: Moorhead City Staff and Planning Consultants (DSU/Bonestroo)
RE: Preparation for the August 21, 2007 meeting and issues for consideration and discussion
DATE: 8/16/07

INTRODUCTION/BACKGROUND

An important aspect of the Moorhead Neighborhood Planning process is addressing solutions to issues of property maintenance and definitions of community standards discussed by participants during the process. While many potential solutions have been discussed during the process, the intention of this document is to propose specific implementation steps that are most easily implemented and directly address the existing problems while creating a minimum of external negative consequences.

Current Issues

A number of issues related to property maintenance and community standards have been identified during this process. The key issues include:

- Poorly maintained single-family property (often assumed to be rental property)
- Potential lack of healthy and safe rental space for students and other renters
- Differing “standards” among neighbors about:
 - Acceptable hours of activity/level of activity
 - Noise levels
 - Attention to property maintenance
 - Parking congestion and location

Current Actions

The City of Moorhead has a number of programs and code provisions to address many of these issues. They have also recently increased enforcement and inspections programs to more effectively address the specific issue of non-complying rental properties. Of special note is the fact that in 2006, Moorhead officials were able to inspect every registered rental property in the City. While complaints still exist, many residents attest to the positive impact this enforcement has had on issues of property maintenance in rental properties. In the view of the consultant, compared with other communities, Moorhead has made considerable progress in this area. Some recent actions and current activities include:

- The City added a position in code enforcement in 2006
- Code enforcement borrows inspectors from fire, building codes & engineering departments seasonally for inspections
- After initially raising fees in 2006, inspection fees are now reduced for units with no life or safety violations and no more than 2 other violations
- Self-inspection is allowed for well-performing units
- Landlords are provided with a pre-inspection checklist to prepare them for inspections
- If a property must be inspected a second time, a \$100 fee is charged to the owner
- The City has a court-diversionary program with administrative penalties that allows for faster and more effective resolution of issues while reducing court costs and time
- The City defines “family” in the zoning code as not more than 4 unrelated persons (effectively limiting the number of renters in one unit to a maximum of 4 individuals)
- Improvement loans are available for improvements to owner-occupied housing
- The City’s noise ordinance is a tool that can be used for enforcement
- The Tenant Conduct Ordinance that gives the City the potential to revoke rental registration if a property is designated as a “disorderly use”

- A web-based complaint system for reporting issues to the City
- Moorhead Together “Positive Norm” campaign to address high-risk drinking
- Moorhead Together grant for near-campus law enforcement, increasing patrol frequency

Additional Considerations

The rental housing situation by many accounts has improved in the past two years, but there is still room for improvement, specifically related to parking and the proportion of rental units within single family neighborhoods. The proportion of complaints related to rental units have decreased in relation to issues in owner-occupied housing.

ITEMS FOR DISCUSSION

A key outcome of the Neighborhood Planning Study is to gain neighborhood input on issues the study area faces, as well as potential changes to City code or policies, and what level of enforcement is appropriate in different situations. Another key aspect is determining what the differences, if any, should be in enforcement between rental and owner-occupied properties. Part of this process is a survey of the members of the Working Group and Executive Committee to determine their opinions on these issues.

In addition to the survey, a facilitated discussion about issues facing the neighborhood will take place and the next Neighborhood Planning Meeting on August 21. There are a few key questions that it will be important to get your input on at that meeting. These include:

- Whether and how code enforcement should be administered at different levels for owner and rental occupancy
- Whether apartments should be treated differently than rental houses for inspection or enforcement purposes
- What modification of parking restrictions are needed, and how that may be affected by ownership and rental status
- Which code requirements should be tied to the granting of a rental registration to correct problem conditions that are not allowed under current zoning but were allowed at the time the property was built or converted (For example, the removal of a gravel parking lot in a residential area)

Feedback from these questions will be included as a key part of the final document and recommendations that will be a product of this process. These recommendations will help City staff and elected officials move forward with meaningful and mutually beneficial implementation measures to address issues in the study area. Please come prepared to discuss these questions.