



**PLANNING COMMISSION/BOARD OF ADJUSTMENT
MEETING AGENDA
NOVEMBER 3, 2025 AT 5:30 PM
HJEMKOMST CENTER AUDITORIUM - 202 1ST AVE N.**

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 by the Moorhead City Code, Minnesota State Statutes, and parliamentary procedure.

1. Call to Order/Roll Call
2. Agenda Amendments
3. Approval of Minutes
 - A. October 6, 2025 Minutes
4. Citizens To Be Heard
5. Public Hearing -- Planning Commission
 - A. Request of MacroSource, LLC for Conditional Use Permit for Anhydrous Ammonia Storage at 2012 28th Ave S
 - B. Request of City of Moorhead for text amendments related to Cannabis Use Regulations
6. Other Business
7. Reports/Information
8. Adjourn

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**MINUTES OF THE PLANNING COMMISSION/BOARD OF
ADJUSTMENT
HJEMKOMST CENTER AUDITORIUM - 202 1ST AVE N.
October 6, 2025 - 5:30 PM**

1. Call to Order/Roll Call

Roll call of the members was made as follows:

Present (6): Jana Kasper, Lindsie Schoenack, Brent Behm, Robert Seigel, Sebastian McDougall, Paul Krabbenhoft

Chair Brent Behm called the meeting to order and attendance was noted.

2. Agenda Amendments

Motion to Approve October 6, 2025 Agenda made by Robert Seigel and seconded by Lindsie Schoenack.

For 6: Jana Kasper, Lindsie Schoenack, Brent Behm, Robert Seigel, Sebastian McDougall, Paul Krabbenhoft

Against 0: None

Abstain/Recuse 0: None

Motion Passed

3. Approval of Minutes

A. September 9, 2025 Minutes

Motion to Approve made by Sebastian McDougall and seconded by Jana Kasper. For 6: Jana Kasper, Lindsie Schoenack, Brent Behm, Robert Seigel, Sebastian McDougall, Paul Krabbenhoft

Against 0: None

Abstain/Recuse 0: None

Motion Passed

4. Citizens To Be Heard

None

5. Public Hearing -- Planning Commission

A. Request of Z. Mustafic, on behalf of 1st Town Autos LLC, for Conditional Use Permit for Auto Sales Business at 1335 Center Ave

Motion to Open Public Hearing made by Robert Seigel and seconded by Lindsie Schoenack.

For 6: Jana Kasper, Lindsie Schoenack, Brent Behm, Robert Seigel, Sebastian McDougall, Paul Krabbenhoft

Against 0: None

Abstain/Recuse 0: None

Motion Passed

Staff briefed the Commission on the request for a conditional use permit for an auto

sales business within the MU-3: Commercial Mixed Use zoning district at 1335 Center Ave, formerly the Muffler Man site.

No public comments have been received to date.

Staff recommended that the Planning Commission recommend approval to the City Council the Conditional Use Permit for Auto Sales in MU-3: Commercial Mixed Use at 1335 Center Ave and related Findings of Fact, contingent on the following:

1. All uses shall comply with building, fire safety and health codes, zoning, local and state licensing.
2. Site Surfacing:
 - a. Existing concrete surface can accommodate approximately 19 sale vehicles.
 - b. If not used for the required 5 ft landscaping area, additional concrete or asphalt area may be added along the west parking area as long as a minimum 3 ft setback is provided from the property line.
 - c. Customer and employee parking may utilize existing gravel parking area on east side of building but the gravel area may not be extended.
3. Circulation & Parking:
 - a. Primary access to site will be from 14th St S due to proximity of Center Ave access approach to intersection.
 - b. Site access shall include a minimum 12-foot-wide drive lane from 14th St S that provides enough space for customers to drive in and out of site.
 - c. A minimum of 4 customer/employee parking spaces plus one accessible parking space with access aisle and signage is required.
 - d. No parking, vehicle display, landscaping, new signage, etc. permitted in the MnDOT easement (Document 707076) in the northeast corner of property.
4. Display Standards: The display of vehicles "for sale" must meet the following conditions:
 - a. All sales vehicles must be displayed on a concrete or asphalt surface.
 - b. All sales vehicles must maintain a clearance of 4 feet between vehicles and north property line.
 - c. All sales vehicles must be displayed on private property and may not encroach into public right of way.
 - d. All sales vehicles on site must be licensed and operable.
 - e. Vehicles not owned by dealer shall not be stored, displayed "for sale" or sold.
5. Sales Office: Existing building to clearly display the name of the license holder, phone number and hours of operation.
6. Dumpster Enclosure: If a dumpster is requested, opaque dumpster enclosure shall be provided and meet construction and accessibility requirements for Public Works vehicles.
7. Landscaping: A total of 32 plant units shall be provided in one or both landscaping areas shown on Exhibit A site plan. Landscaping area(s) to be at least 5 ft deep from the property line.
8. Outdoor Storage:
 - a. Other than licensed display vehicles, all other business-related equipment cannot be visible from the street and shall be completely enclosed in a permanent building or screened with a solid fence.
9. Auto Repair: No vehicles needing repair prior to sales are permitted on site.
 - a. Auto repair use may be considered in the future, if the following

items are addressed:

- i. Site review and building updates, as required, to meet Building and Zoning Code standards.

10. Applicant shall receive all required federal, state and local permits.

There were no public comments at the meeting.

Motion to Close Public Hearing made by Robert Seigel and seconded by Paul Krabbenhoft.

For 6: Jana Kasper, Lindsie Schoenack, Brent Behm, Robert Seigel, Sebastian McDougall, Paul Krabbenhoft

Against 0: None

Abstain/Recuse 0: None

Motion Passed

Motion to Recommend Approval to the City Council the Conditional Use Permit for Auto Sales in MU-3: Commercial Mixed Use at 1335 Center Ave and related Findings of Fact made by Paul Krabbenhoft and seconded by Robert Seigel, contingent on the following:

1. All uses shall comply with building, fire safety and health codes, zoning, local and state licensing.
2. Site Surfacing:
 - a. Existing concrete surface can accommodate approximately 19 sale vehicles.
 - b. If not used for the required 5 ft landscaping area, additional concrete or asphalt area may be added along the west parking area as long as a minimum 3 ft setback is provided from the property line.
 - c. Customer and employee parking may utilize existing gravel parking area on east side of building but the gravel area may not be extended.
3. Circulation & Parking:
 - a. Primary access to site will be from 14th St S due to proximity of Center Ave access approach to intersection.
 - b. Site access shall include a minimum 12-foot-wide drive lane from 14th St S that provides enough space for customers to drive in and out of site.
 - c. A minimum of 4 customer/employee parking spaces plus one accessible parking space with access aisle and signage is required.
 - d. No parking, vehicle display, landscaping, new signage, etc. permitted in the MnDOT easement (Document 707076) in the northeast corner of property.
4. Display Standards: The display of vehicles "for sale" must meet the following conditions:
 - a. All sales vehicles must be displayed on a concrete or asphalt surface.
 - b. All sales vehicles must maintain a clearance of 4 feet between vehicles and north property line.
 - c. All sales vehicles must be displayed on private property and may not encroach into public right of way.
 - d. All sales vehicles on site must be licensed and operable.
 - e. Vehicles not owned by dealer shall not be stored, displayed "for sale" or sold.
5. Sales Office: Existing building to clearly display the name of the license holder, phone number and hours of operation.
6. Dumpster Enclosure: If a dumpster is requested, opaque dumpster enclosure

shall be provided and meet construction and accessibility requirements for Public Works vehicles.

7. Landscaping: A total of 32 plant units shall be provided in one or both landscaping areas shown on Exhibit A site plan. Landscaping area(s) to be at least 5 ft deep from the property line.
8. Outdoor Storage:
 - a. Other than licensed display vehicles, all other business-related equipment cannot be visible from the street and shall be completely enclosed in a permanent building or screened with a solid fence.
9. Auto Repair: No vehicles needing repair prior to sales are permitted on site.
 - a. Auto repair use may be considered in the future, if the following items are addressed:
 - i. Site review and building updates, as required, to meet Building and Zoning Code standards.
10. Applicant shall receive all required federal, state and local permits.

For 6: Jana Kasper, Lindsie Schoenack, Brent Behm, Robert Seigel, Sebastian McDougall, Paul Krabbenhoft

Against 0: None

Abstain/Recuse 0: None

Motion Passed

- B. Request of T. Sorenson, on behalf of Tasbry Properties, LLC, for Conditional Use Permit for Dynamic Display Sign at 3505 8th St S

Motion to Open Public Hearing made by Jana Kasper and seconded by Paul Krabbenhoft.

For 6: Jana Kasper, Lindsie Schoenack, Brent Behm, Robert Seigel, Sebastian McDougall, Paul Krabbenhoft

Against 0: None

Abstain/Recuse 0: None

Motion Passed

Staff briefed the Commission on the request for a conditional use permit for the installation of an On-Premise Dynamic Display Sign in the CC: Community Commercial zoning district at 3505 8th St S and stated the request is to modify a newly permitted freestanding tenant sign by adding a north facing dynamic display element.

One public comment was received prior to the meeting from D. Bornstad in support of sign.

Staff recommended that the Planning Commission recommend approval to the City Council the Conditional Use Permit to allow the installation of an On Premise Dynamic Display Sign in CC: Community Commercial at 3505 8th St S and related Findings of Fact, contingent on the following:

1. One (1) one-sided Dynamic Display Sign frame facing north only is permitted on new free-standing sign structure.
2. Dynamic Display Sign may not face residential uses.
3. Dynamic Display Sign must meet sign and visibility standards in 10-22-3 and 10-19-16.
4. Sound from Dynamic Display Sign is prohibited.

5. Dynamic Display Sign may not change lighted display to create a visual nuisance by having rapid rotating, revolving, scrolling, flashing, blinking, strobing, etc.
6. Dynamic Display Sign illumination may not be brighter than reasonably necessary for clear and adequate visibility.
7. All sources of artificial light, other than streetlights, shall be fixed, directed, or designed so that the source of light is directed away from adjoining residences, streets, or sidewalks.
8. Dynamic Display Sign may not be of such intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight or to otherwise interfere with a driver's operation of a motor vehicle.
9. Dynamic Display Sign shall be equipped with a functioning dimming mechanism.
10. Dynamic Display Sign installer is obligated to check for any or all underground utilities or services before excavating for sign foundation.
11. Dynamic Display Sign installations shall conform to Minnesota Department of Transportation and Federal aviation regulations, wherever applicable, and receive written permission, as required.
12. Owner/Applicant to receive all required federal, state and local permits.

There were no public comments at the meeting.

Motion to Close Public Hearing made by Robert Seigel and seconded by Sebastian McDougall.

For 6: Jana Kasper, Lindsie Schoenack, Brent Behm, Robert Seigel, Sebastian McDougall, Paul Krabbenhoft

Against 0: None

Abstain/Recuse 0: None

Motion Passed

Motion to Recommend Approval to the City Council the Conditional Use Permit to allow the installation of an On Premise Dynamic Display Sign in CC: Community Commercial at 3505 8th St S and related Findings of Fact made by Sebastian McDougall and seconded by Paul Krabbenhoft, contingent on the following:

1. One (1) one-sided Dynamic Display Sign frame facing north only is permitted on new free-standing sign structure.
2. Dynamic Display Sign may not face residential uses.
3. Dynamic Display Sign must meet sign and visibility standards in 10-22-3 and 10-19-16.
4. Sound from Dynamic Display Sign is prohibited.
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8. Dynamic Display Sign may not be of such intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight or to otherwise interfere with a driver's operation of a motor vehicle.
9. Dynamic Display Sign shall be equipped with a functioning dimming mechanism.

10. Dynamic Display Sign installer is obligated to check for any or all underground utilities or services before excavating for sign foundation.
11. Dynamic Display Sign installations shall conform to Minnesota Department of Transportation and Federal aviation regulations, wherever applicable, and receive written permission, as required.
12. Owner/Applicant to receive all required federal, state and local permits.

For 6: Jana Kasper, Lindsie Schoenack, Brent Behm, Robert Seigel, Sebastian McDougall, Paul Krabbenhoft

Against 0: None

Abstain/Recuse 0: None

Motion Passed

- C. Request of Christianson Companies for Preliminary & Final Plat for Christiansons First Addition

Motion to Open Public Hearing made by Jana Kasper and seconded by Lindsie Schoenack.

For 6: Jana Kasper, Lindsie Schoenack, Brent Behm, Robert Seigel, Sebastian McDougall, Paul Krabbenhoft

Against 0: None

Abstain/Recuse 0: None

Motion Passed

Staff briefed the Commission on the request for a preliminary and final plat for proposed Christiansons First Addition to subdivide the former Anheuser-Busch malting plant site from the agricultural land for future development. The applicant intends to split the 145 acres by separating the existing plant site and creating two new parcels where Lot 3 is for City infrastructure and Lot 2 may be subdivided further for industrial users.

No public comments have been received to date.

Staff recommended that the Planning Commission recommend approval to the City Council the Preliminary and Final Plat for Christiansons First Addition, contingent on the following:

1. Title Opinion to be submitted prior to City Council action.
 - a. Add existing easements listed in Title Opinion, where applicable.
 - b. Label existing 50-foot pipeline easement that appears to extend across 20th Ave S in northeast corner of site, if found in Title Opinion.
2. Applicant to receive all required federal, state and local permits.

There were no public comments at the meeting.

Motion to Close Public Hearing made by Robert Seigel and seconded by Sebastian McDougall.

For 6: Jana Kasper, Lindsie Schoenack, Brent Behm, Robert Seigel, Sebastian McDougall, Paul Krabbenhoft

Against 0: None

Abstain/Recuse 0: None

Motion Passed

Motion to Recommend Approval to the City Council the Preliminary and Final

Plat for Christiansons First Addition made by Robert Seigel and seconded by Jana Kasper, contingent on the following:

1. Title Opinion to be submitted prior to City Council action.
 - a. Add existing easements listed in Title Opinion, where applicable.
 - b. Label existing 50-foot pipeline easement that appears to extend across 20th Ave S in northeast corner of site, if found in Title Opinion.
2. Applicant to receive all required federal, state and local permits.

For 6: Jana Kasper, Lindsie Schoenack, Brent Behm, Robert Seigel, Sebastian McDougall, Paul Krabbenhoft

Against 0: None

Abstain/Recuse 0: None

Motion Passed

6. Other Business

None

7. Reports/Information

Staff announced Commissioner Ingersoll submitted his resignation and thanked him for his service.

8. Adjourn

Motion to Adjourn at 05:46 PM made by Robert Seigel and seconded by Jana Kasper.

APPROVED BY:

ATTEST:

Brent Behm
Chair

Robin Huston
City Planner / Zoning Administrator

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



To: Moorhead Planning Commission
Prepared By: Forrest Steinhoff, Assistant City Planner
Date: November 3, 2025
Subject: Conditional Use Permit – Anhydrous Ammonia Storage – 2012 28th Ave S

PLANNING COMMISSION REPORT

GENERAL INFORMATION

APPLICANT	MacroSource, LLC
REQUESTED ACTION/PURPOSE	Conditional Use Permit for Anhydrous Ammonia Storage in HI: Heavy Industrial
ADDRESS	2012 28 th Ave S
PARCEL NUMBER	58.900.1161
LEGAL DESCRIPTION	A parcel of land in the SW ¼ SE ¼ of Section 16, Township 139 North, Range 48 West, Clay County, Minnesota
COMPREHENSIVE PLAN	Industrial
ZONING	HI: Heavy Industrial
EXISTING LAND USE	Industrial – Fertilizer Distribution / Storage
SURROUNDING LAND USE	North: Agricultural / Former Anheuser-Busch Plant Ag Land West: BNSF Railroad / 20 th St S South: Ken’s Sanitation & Recycling East: Agricultural / Former Anheuser-Busch Plant Ag Land
APPLICATION DATE/60-DAY DEADLINE	October 08, 2025 / December 06, 2025
PUBLICATION DATE	October 23, 2025

BACKGROUND

MacroSource, LLC is requesting a Conditional Use Permit (CUP) to install a 30,000-gallon anhydrous ammonia tank.

Anhydrous ammonia (NH₃) is widely used in agriculture as a source of nitrogen fertilizer. The facility currently receives and stores anhydrous ammonia via rail in 90,000-gallon railcars as the facility does not have a permanent storage tank. The proposed project will create a permanent storage tank which will ensure no more than 30,000 gallons will be stored on the site and could reduce potential risk for the community and the facility by eliminating the need for prolonged railcar storage.

If the tank is not installed, the anhydrous ammonia will continue to be delivered and stored in railcars.

PROPOSAL REVIEW

Zoning – Chemical and fertilizer storage, manufacturing, and distribution are conditional uses within the HI: Heavy Industrial district. Conditional use standards within Section 10-4-3E of the City Code along with MN Statute apply to this use and request.

MN Statute - Anhydrous Ammonia storage must meet the following location criteria outlined in Minnesota Statute 18C.121 Rules and Department of Agriculture (MDA) Chapter 1513 Anhydrous Ammonia:

1513.0130 Location of Containers:

1. Site selection considerations: The location for a storage container must be selected considering the potential physiological and environmental effects of ammonia on the surroundings adjacent to the proposed site. Containers must be located outside of buildings except in buildings or sections of buildings especially approved for the purpose.
2. Distance from potable water source. Storage containers installed after September 3, 1996, must be located at least 50 feet from a dug well or other source of potable water, unless the container is a part of a water treatment installation.
3. Distance from other property and dwellings. Containers installed after September 3, 1996, must be located in accordance with the following:
 - a. Containers with a nominal capacity of 100,000 gallons or less may not be located less than 50 feet from the line of adjoining property or from the near side of a public roadway or mainline of railroad; and 400 feet from the nearest occupied dwelling or dwelling intended to be occupied, place of public assembly, or confined resident institution.
4. Emergency accessibility. Container storage areas must be accessible to emergency vehicles and personnel.
5. Clear areas. Areas within ten feet of a storage container must be maintained clear of dry grass and weeds and other combustible materials and materials not required for the operation of the system.



Location – The proposed tank location will be greater than 400 feet from existing occupied residential dwellings, place of public assembly or confined resident institution, and greater than 50 feet from adjacent property lines, potable water, the nearest public roadway and mainline of a railway. A 10-foot area around the tank will also be kept clear of grass, weeds, and other combustible materials.



Future Uses within 400 ft buffer -

The MDA does not consider future uses or redevelopment when considering the permit request. Meaning the MDA would not deny the use or require the tank to be removed if a building/public assembly is constructed within the buffer as the former Anheuser-Busch site redevelops. However, any future tanks would have to meet applicable buffer requirements.

Access – The site has no street frontage. Access to the site is provided via 28th Ave S through a private access easement. The site is also accessible via rail from a BNSF rail line.

Easement – An ingress/egress easement is provided on the property to the south for access to 2012 28th Ave S.

Odor – Installation of the tank alone will not change periodic odors coming from the site. However, in conjunction with the tank installation, MacroSource will add a “Fin Fan Cooler” which could reduce the smell by more than 50 percent. This installation could not be provided for rail car storage.

POLICY CONSIDERATIONS

The Planning Commission has the authority to make recommendations to the City Council, who has the authority to grant or deny the conditional use permit.

CONSIDERATION OF CRITERIA

Section 10-4-3E of the Moorhead Zoning Ordinance states that the Planning Commission and City Council shall consider possible adverse effects of the proposed conditional use. Their judgment shall be based upon, but not limited to, the following factors:

1. The proposed action has been considered in relation to the specific policies and provisions of, and has been found to be consistent with, the official city comprehensive plan and with the purposes of the zoning district in which the applicant intends to locate the proposed use.
 - Chemical and fertilizer storage, manufacturing, and distribution are permitted by conditional use permit in the HI: Heavy Industrial district and the property is guided towards Industrial in the 2022 Comprehensive Land Use Plan.
2. The proposed use is or will be compatible with the present and future uses of the area;
 - The proposed use is compatible with the present and future uses of the area.
3. The proposed use conforms with all performance standards contained herein (i.e. parking, loading, noise, etc.).
 - During plan review, all performance standards will be reviewed to meet Moorhead City Code and Minnesota Building Code.
4. The proposed use will not tend to or actually have an adverse effect on the area in which it is proposed.
 - The proposed use will not tend to or actually have an adverse effect on the area in which it is proposed.
5. Traffic generated by the proposed use is within the capabilities of streets serving the property.
 - The proposed use will be accommodated by existing capabilities of the streets and parking areas serving the property.
6. The proposed use can be accommodated by public services and facilities including

parks, schools, streets and utilities, and will not overburden the City's service capacity.

- The proposed use can be accommodated by the existing public services and facilities and will not overburden the City's service capacity.

After consideration of criteria noted above, staff recommend approval of the requested Conditional Use Permit with the conditions noted below. The conditions were developed based upon the above noted criteria and to address the general welfare, health and safety of the neighborhood.

SUGGESTED ACTIONS

Recommend Approval. Based on the criteria for consideration, staff suggests that the Planning Commission recommend approval to the City Council the Conditional Use Permit for the anhydrous ammonia tank in HI: Heavy Industrial and related Findings of Fact, contingent on the following:

1. All uses shall comply with building, fire safety and health codes, zoning, local and state licensing requirements.
2. A Fin Fan Cooler shall be installed in conjunction with the tank installation.
3. Applicant shall receive all required federal, state and local permits.

PUBLIC NOTIFICATION & COMMENTS

Notification:

Required notification was published in The FM Extra on October 23, 2025 and mailed to adjacent property owners within 350 feet of the site.

Comments:

No public comments received to date.

ATTACHMENTS

1. Findings of Fact
2. General Location, Future Land Use, and Zoning Maps
3. Notice of Hearing/Parties notified

Conditional Use Permit
Moorhead Planning Commission
Findings of Fact

REQUEST: Conditional Use Permit - Anhydrous Ammonia Tank in HI: Heavy Industrial
LOCATION: 2012 28th Avenue South – Parcel 58.900.1161
APPLICANT/OWNER: MacroSource, LLC
FILE NO: 25P026

WHEREAS, the Moorhead Planning Commission received a full and complete application for a Conditional Use Permit – Anhydrous Ammonia Storage in HI: Heavy Industrial; and

WHEREAS, the Moorhead Planning Commission held a public hearing on the aforementioned request on November 3, 2025; and

WHEREAS, upon considering the Conditional Use Permit application, staff report and analysis, public testimony and comment, and all other pertinent and available information, the Moorhead Planning Commission finds the following:

Findings of Fact

1. A full and complete application was filed by MacroSource, LLC, and received on October 08, 2025 (herein referred to as "Application") seeking a Conditional Use Permit - Anhydrous Ammonia Storage in HI: Heavy Industrial at 2012 28th Ave S, Parcel 58.900.1161, legally described as:

A parcel of land situated in the SW ¼ SE ¼ of Section 16, Township 139 North, Range 48 West of the 5th P.M., Clay County, Minnesota, being the same property described in deed from The Burlington Northern and Santa Fe Railway Company, a Delaware corporation, to Cropmate Company, a Delaware corporation, filed for record September 7, 2000 as Document No. 538366 in and for Clay County, described as follows to-wit:

Commencing at the center of said Section 16; thence North 89° , 58' 04" East (assumed bearing) along the North line of the SE ¼ of said Section 16 a distance of 9.70 feet to the Northwest corner of that certain 154.60 acre tract of land described in deed dated July 23, 1976 from Burlington Northern Inc. to Anheuser-Bush, Incorporated; thence South 00° 21' 14" East along the West line of said 154.60 acre tract of land, and along a line parallel with and 100.00 feet normally distant Easterly from The Burlington Northern and Santa Fe Railway Company's Main Track centerline, a distance of 2,034.50 feet to the True Point of Beginning; thence North 89° 38' 46" East a distance of 380.0 feet; thence South 00° 21' 14" East, parallel with and 480.0 feet Easterly, as measured at right angles from said Main Track centerline a distance of 301.51 feet to an iron monument at the Northeast corner of that certain 2.48 tract of land described in Quitclaim Deed dated August 9, 1995 from Burlington Northern Railroad Company to Ken's Sanitation and Recycling, Inc.; thence West parallel with the South line of said Section 16 a distance of 380 feet, more or less, to the intersection with a line parallel with and 100.00 feet normally distant Easterly from said Railway Company's Main Track centerline; thence Northerly along the last described parallel line 301 feet, more or less, to the True Point of Beginning, EXCEPTING THEREFROM that portion lying West of a line drawn parallel with and 120.0 feet normally distant Easterly from said main Track centerline.

2. The property is zoned HI: Heavy Industrial, which permits chemical bulk storage and distribution as a conditional use.
3. A public hearing was held by the Planning Commission on November 3, 2025 on the Application allowing all interested persons an opportunity to speak, full and complete record of which is detailed in the minutes of the Moorhead Planning Commission.
4. The request is consistent with the general intent of the HI: Heavy Industrial zoning district.

5. The request has been found consistent with the following considerations regarding the possible adverse effects of the requested Conditional Use Permits (Section 10-4-3E):
 - a. The proposed action has been considered in relation to the specific policies and provisions of, and has been found to be consistent with, the official City Comprehensive Plan and with the purposes of the zoning district in which the applicant intends to locate the proposed use.
 - Chemical bulk storage and distribution are a conditional use in the HI: Heavy Industrial zoning district and the property is guided toward Industrial in the 2022 Comprehensive Land Use Plan
 - b. The proposed use is or will be compatible with the present and future uses of the area;
 - The proposed use is compatible with the present and future uses of the area.
 - c. The proposed use conforms with all performance standards contained herein (i.e. parking, loading, noise, etc.).
 - During plan review, all performance standards will be reviewed to meet Moorhead City Code and Minnesota Building Code.
 - d. The proposed use will not tend to or actually have an adverse effect on the area in which it is proposed.
 - The proposed use will not tend to or actually have an adverse effect on the area in which it is proposed.
 - e. Traffic generated by the proposed use is within the capabilities of streets serving the property.
 - No additional traffic will be generated by the proposed signs.
 - f. The proposed use can be accommodated by public services and facilities including parks, schools, streets and utilities, and will not overburden the City's service capacity.
 - The proposed use can be accommodated by the existing public services and facilities that currently serve the property.

NOW, THEREFORE, BE IT RESOLVED by the Moorhead Planning Commission that based upon the above Findings of Fact, the request of MacroSource LLC for a Conditional Use Permit - Anhydrous Ammonia Storage in HI: Heavy Industrial at 2012 28th Ave S, Parcel 58.900.1161, legally described as:

A parcel of land situated in the SW ¼ SE ¼ of Section 16, Township 139 North, Range 48 West of the 5th P.M., Clay County, Minnesota, being the same property described in deed from The Burlington Northern and Santa Fe Railway Company, a Delaware corporation, to Cropmate Company, a Delaware corporation, filed for record September 7, 2000 as Document No. 538366 in and for Clay County, described as follows to-wit:

Commencing at the center of said Section 16; thence North 89° , 58' 04" East (assumed bearing) along the North line of the SE ¼ of said Section 16 a distance of 9.70 feet to the Northwest corner of that certain 154.60 acre tract of land described in deed dated July 23, 1976 from Burlington Northern Inc. to Anheuser-Bush, Incorporated; thence South 00° 21' 14" East along the West line of said 154.60 acre tract of land, and along a line parallel with and 100.00 feet normally distant Easterly from The Burlington Northern and Santa Fe Railway Company's Main Track centerline, a distance of 2,034.50 feet to the True Point of Beginning; thence North 89° 38' 46" East a distance of 380.0 feet; thence South 00° 21' 14" East, parallel with and 480.0 feet Easterly, as measured at right angles from said Main Track centerline a distance of 301.51 feet to an iron monument at the Northeast corner of that certain 2.48 tract of land described in Quitclaim Deed dated August 9, 1995 from Burlington Northern Railroad Company to Ken's Sanitation and Recycling, Inc.; thence West parallel with the South line of said Section 16 a distance of 380 feet, more or less, to the intersection with a line parallel with and 100.00 feet normally distant Easterly from said Railway Company's Main Track centerline; thence Northerly along the last described parallel line 301 feet, more or less, to the True Point of Beginning, EXCEPTING THEREFROM that portion lying West of a line drawn parallel with and 120.0 feet normally distant Easterly from said main Track centerline.

is hereby approved contingent upon:

1. All uses shall comply with building, fire safety and health codes, zoning, local and state licensing.
2. A Fin Fan Cooler shall be installed in conjunction with the tank installation.

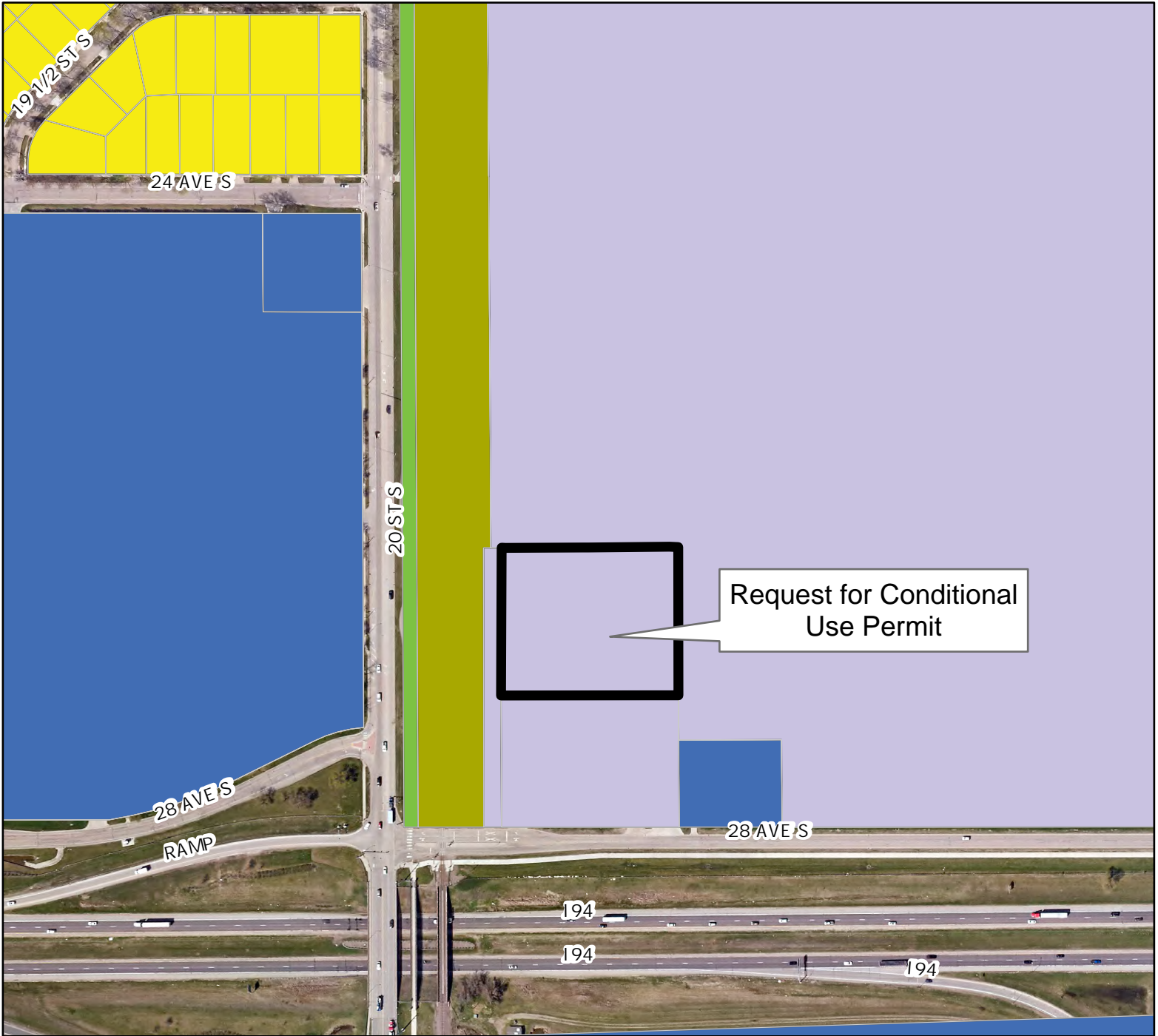
3. Owner/Applicant to receive all required federal, state and local permits.

PASSED by the Moorhead Planning Commission this 3rd day of November, 2025.

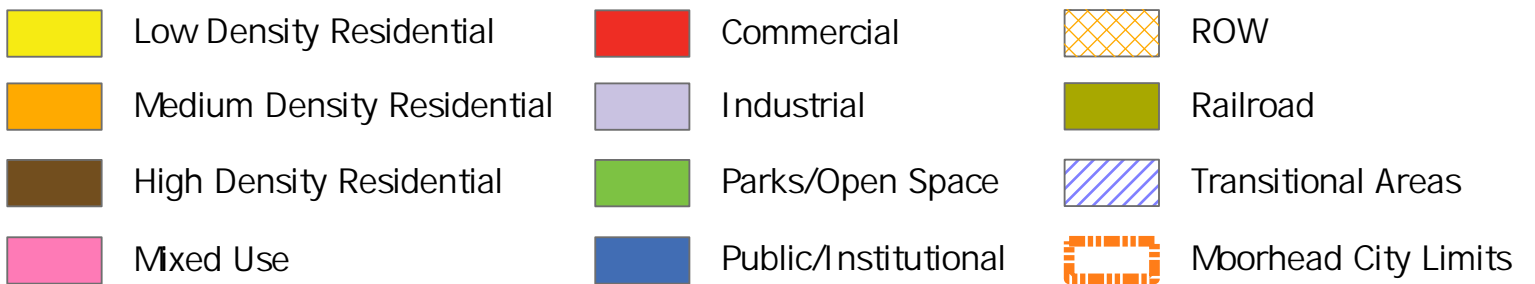
Brent Behm, Chair
Moorhead Planning Commission

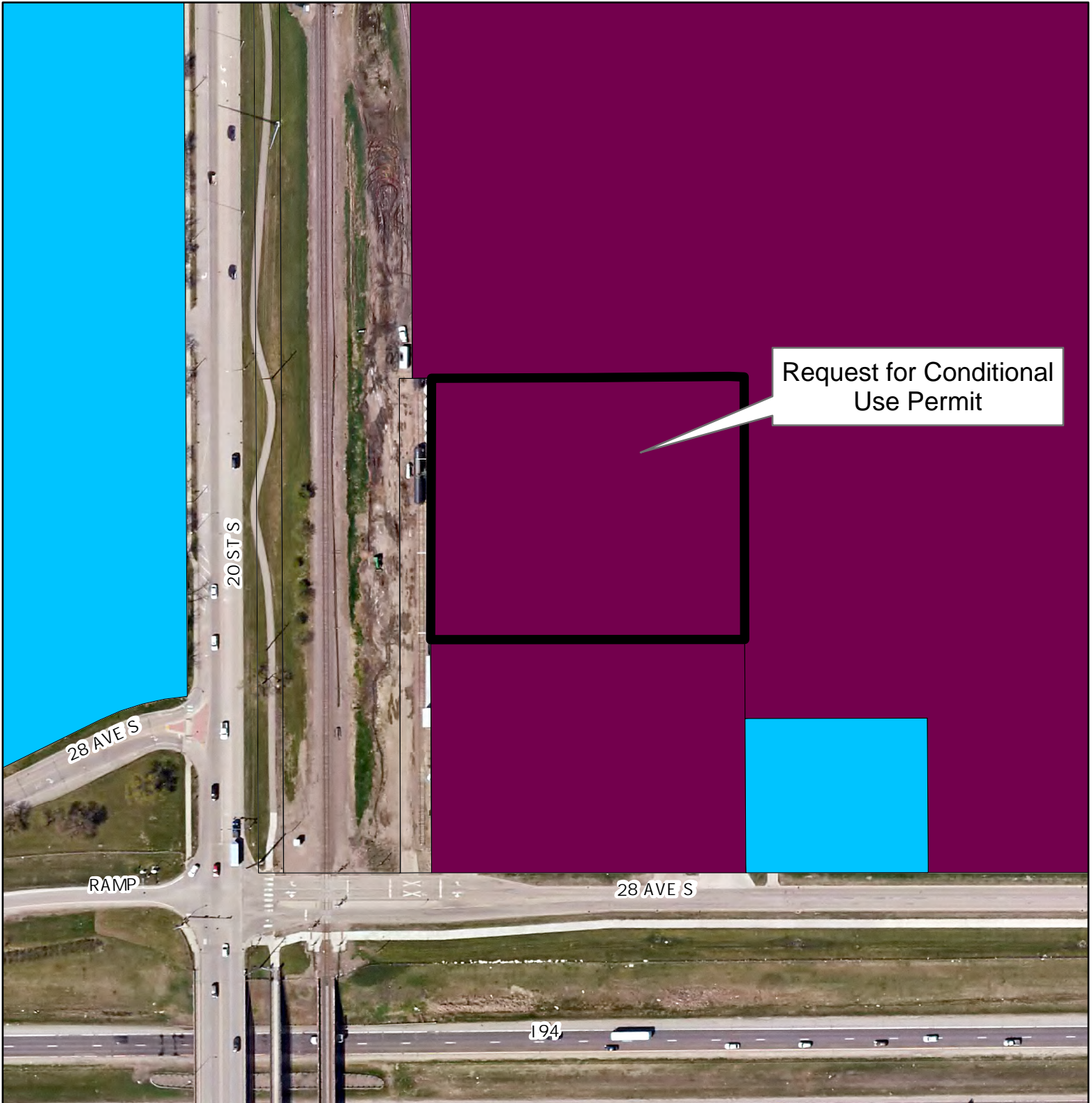
Attest: Robin Huston,
City Planner/Zoning Administrator






















2022 Future Land Use





Zoning Districts

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

Public Hearing Notice

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1. Request of MacroSource, LLC for a Conditional Use Permit for Anhydrous Ammonia Storage in HI: Heavy Industrial at:
2012 28th Ave S – Parcel 58.900.1161 – A parcel of land in the SW ¼ SE ¼ of Section 16, Township 139 North, Range 48 West, Clay County, Minnesota (abbreviated description – full description available upon request).

2. Request of City of Moorhead for text amendments related to Moorhead City Code, Title 10, Chapter 18, Use Regulations as they relate to Cannabis Uses and Zoning Map Amendments related to the 2022 Onward Moorhead Comprehensive Plan update.

At the hearing, the City of Moorhead will afford an opportunity for interested persons to be heard with respect to these items.

If you cannot attend the hearing in person and wish to make a comment, please submit oral or written comments no later than noon the day of the meeting to:

Planning & Zoning, PO Box 779, Moorhead, MN 56561 or contact staff at planning@moorheadmn.gov or 218.299.5374.

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Ji bo daxwaza vé agahdariyé bi zimanekí din, ji kerema xwe re tēkiliyé pēve bikin:

218.299.5374

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

218.299.5374

218.299.5374: لطلب هذه المعلومات بلغة مختلفة ، يرجى الاتصال بـ:

Published this 23rd day of October, 2025.

F1023-3

INTERESTED PARTY
PO BOX 961089
FORT WORTH, TX 76161-0089

INTERESTED PARTY
1900 28TH AVE S
MOORHEAD, MN 56560

INTERESTED PARTY
PO BOX 779
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INTERESTED PARTY
5 SKIDAWAY VILLAGE WAY
SAVANNAH, GA 31411-2905

INTERESTED PARTY
ONE BUSCH PLACE
ST LOUIS, MO 63118

INTERESTED PARTY
7620 43RD AVE N
GLYNDON, MN 56547



To: Moorhead Planning Commission
Prepared By: Robin Huston, City Planner/Zoning Administrator
Date: November 9, 2025
Subject: Text Amendments for Cannabis Uses

PLANNING COMMISSION REPORT

BACKGROUND

Since 2023 when adult-use cannabis was legalized in Minnesota, the Planning Commission has made several recommendations for zoning text amendments to the City Council. That timeline is as follows:

December 4, 2023:

1. Add cannabis and hemp-related uses to zoning use table

March 3, 2025:

1. Clarify that existing breweries may continue to “produce” low potency hemp edibles
2. Update and clarify cannabis use language as it relates to immature vs. mature plants.
3. Change cannabis microbusiness and mezzobusiness from permitted uses in LI and HI only to provisional uses in MU 1-4, CC, LI and HI.

May 5, 2025:

1. Correct use table to add microbusinesses and mezzobusinesses as provisional uses in MU-2: Neighborhood Mixed Use. It was always intended to permit retail sales only under these license types but was missed in the previous amendment.
2. Clarify cannabis microbusinesses and mezzobusinesses by removing language referencing “outdoor smoking and vaping” as this was contrary to the cannabis statute.

As staff continue to have conversations with prospective businesses who are finding it difficult to locate in Moorhead due to lack of real estate that meets cannabis zoning requirements, we are attempting to be flexible while also continuing to protect adjacent uses from possible nuisances that may be created by these types of businesses (e.g., odor). Since this is a new law and the legislature may continue to propose amendments, we foresee that we will also continue to make these types of adjustments to assist new businesses.

SUGGESTED CHANGES

For this round of zoning text amendments, staff is proposing to:

1. Treat cannabis testing facilities the same as a microbusiness and mezzobusiness by removing the limitation of only being permitted to operate in the LI and HI zoning districts and permitting them by provisional use permit in MU-3, MU-4 and CC as long as they meet similar conditions as the microbusiness and mezzobusiness.
2. Open microbusinesses and mezzobusinesses to more real estate by creating another option for locating in stand-alone multi-tenant buildings only if the other tenants are also cannabis businesses.

Please see the attached zoning use table and language for recommended zoning text amendments.

PUBLIC NOTIFICATION & COMMENTS

Notification:

Required notification was published in the FM Extra on October 23, 2025

Comments:

No public comments have been received to date.

SUGGESTED ACTION

Recommend Approval. Based on the criteria for consideration, staff suggests that the Planning Commission recommend approval to the City Council the amendments to Title 10, Chapter 18, Use Regulations related to Cannabis Uses.

ATTACHMENTS

1. Proposed Use Table and Provisional Use Amendments
2. Glossary – Cannabis Law
3. Notice of Hearing

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

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

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

DELETE

NEW LANGUAGE

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
Cannabis and hemp related	State-licensed lower-potency hemp concentrate manufacturing and the following cannabis-related uses: cultivator, manufacturer, testing facility, transporter and wholesaler											P	P
	State-licensed cannabis microbusiness						PU (GG)	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)	PU (HH)
	<u>State-licensed cannabis testing facility</u>								<u>PU (II)</u>	<u>PU (II)</u>	<u>PU (II)</u>	<u>P</u>	<u>P</u>

10-18-2.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 indoor on-site space where customers consume cannabis or lower-potency hemp edibles.
 - c. Exterior cultivation is not permitted in the GO: Gateway Overlay District.
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 indoor on-site space where customers consume cannabis or lower-potency hemp edibles.
 - c. Exterior cultivation is not permitted in the GO: Gateway Overlay District.
 - d. Cultivation and Production: consideration may be made if:
 1. located in a single tenant, stand-alone building where a cannabis or hemp business is the only tenant and building is not abutting or adjacent to a residential use.

2. located in a multi-tenant, stand-alone building where all tenants are cannabis or hemp businesses and building is not abutting or adjacent to 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.

10-18-2. II. State Licensed Cannabis Testing Facility

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

2. Cannabis testing facilities are permitted in CC: Community Commercial, MU-3: Commercial Mixed Use and MU-4: Gateway Mixed Use zoning districts if:

a. **located in a single tenant, stand-alone building where a cannabis or hemp business is the only tenant and building is not abutting or adjacent to a residential use.**

b. **located in a multi-tenant, stand-alone building where all tenants are cannabis or hemp businesses and building is not abutting or adjacent to a residential use.**

Cannabinoid means any of the chemical constituents of hemp plants or cannabis plants that are naturally occurring, biologically active, and act on the cannabinoid receptors of the brain. Cannabinoid includes but is not limited to tetrahydrocannabinol and cannabidiol.

Cannabis Business means any of the following 10 State license types:

1. **Cannabis Cultivator** - activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis plants, cannabis flower, hemp plants, or hemp plant parts.
2. **Cannabis Delivery Service** - transports and delivers cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumable products to customers.
3. **Cannabis Event Organizer** - organizes temporary cannabis events lasting no more than four days.
4. **Cannabis Manufacturer** - creation of cannabis concentrate and manufacture of cannabis products and hemp-derived consumer products for public consumption.
5. **Cannabis Mezzobusiness** can do the following:
 - A. grow cannabis plants from seed or immature plant to mature plant and harvest cannabis flower from a mature plant for use as adult-use cannabis flower or for use in adult-use cannabis products:
 - i. indoor facility may cultivate up to 15,000 square feet of plant canopy,
 - ii. outdoor location may cultivate up to one acre of mature, flowering plants unless the Office of Cannabis Management increases that limit;
 - B. grow cannabis plants from seed or immature plant to mature plant and harvest cannabis flower from a mature plant for use as medical cannabis flower or for use in medical cannabinoid products;
 - C. make cannabis concentrate;
 - D. make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;
 - E. manufacture artificially derived cannabinoids;
 - F. manufacture adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for public consumption;
 - G. process medical cannabinoid products;
 - H. purchase immature cannabis plants and seedlings and cannabis flower from a cannabis microbusiness, another cannabis mezzobusiness, a cannabis manufacturer, or a cannabis wholesaler;
 - I. purchase cannabis concentrate, hemp concentrate, and synthetically derived cannabinoids from a cannabis microbusiness, another cannabis mezzobusiness, a cannabis manufacturer, or a cannabis wholesaler for use in manufacturing adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products;
 - J. purchase hemp plant parts and propagules from a licensed hemp grower licensed under chapter 18K (industrial hemp development);

- K. purchase hemp concentrate from an industrial hemp processor licensed under chapter 18K (industrial hemp development);
- L. package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;
- M. 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 to other cannabis businesses and to customers.

6. Cannabis Microbusiness can do the following:

- A. grow cannabis plants from seed or immature plant to mature plant and harvest cannabis flower from a mature plant:
 - i. indoor facility may cultivate up to 5,000 sf of plant canopy,
 - ii. outdoor location may cultivate up to one-half acre of mature, flowering plants unless the Office of Cannabis Management increases that limit;
- 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 artificially derived cannabinoids;
- E. manufacture adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for public consumption;
- F. purchase immature cannabis plants and seedlings and cannabis flower from another cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, or a cannabis wholesaler;
- G. purchase hemp plant parts and propagules from an industrial hemp grower licensed under chapter 18K (industrial hemp development);
- H. purchase hemp concentrate from an industrial hemp processor licensed under chapter 18K (industrial hemp development);
- I. purchase cannabis concentrate, hemp concentrate, and artificially derived cannabinoids from another cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, or a cannabis wholesaler for use in manufacturing adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products;
- J. package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;
- K. 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 to other cannabis businesses and to customers;
- L. operate an establishment that permits on-site consumption of edible cannabis products and lower-potency hemp edibles.

7. Cannabis Retailer – sales of all cannabis-related items including sale of cannabis plants, cannabis flower, hemp plants, or hemp plant parts.

8. Cannabis Testing Facility - obtains and tests immature cannabis plants and seedlings, cannabis flower, cannabis products, hemp plant parts, hemp concentrate, artificially derived cannabinoids,

lower-potency hemp edibles, and hemp-derived consumer products from other cannabis-licensed businesses.

9. Cannabis Transporter - transports immature cannabis plants and seedlings, cannabis flower, cannabis products, artificially derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp edibles, and hemp-derived consumer products from other cannabis-licensed businesses.

10. Cannabis Wholesaler - sales and imports of all cannabis-related items including cannabis plants, cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products.

Hemp business means either of the following:

- (1) lower-potency hemp edible manufacturer; or
- (2) lower-potency hemp edible retailer.

Hemp business does not include a person or entity licensed under chapter 18K (industrial hemp development) to grow industrial hemp for commercial or research purposes or to process industrial hemp for commercial purposes.

Home/Personal Cultivation of hemp or cannabis flower means:

- A. Up to eight cannabis plants, with no more than four being mature, flowering plants may be grown at a single residence, including the curtilage or yard, without a license to cultivate cannabis provided that cultivation takes place at the primary residence of an individual 21 years of age or older and in an enclosed, locked space that is not open to public view.

Home/Personal Extraction or Sale of hemp or cannabis flower and products means:

- A. Separation or extraction of cannabis concentrate or hemp concentrate at a residence is not permitted.
- B. Sale of hemp, cannabis flower and other products at a residence is not permitted.

Lower-potency hemp edible means any product that:

- (1) is intended to be eaten or consumed as a beverage by humans;
- (2) contains hemp concentrate or an artificially derived cannabinoid, in combination with food ingredients;
- (3) is not a drug;
- (4) consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts;
- (5) does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving;
- (6) does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol;
- (7) does not contain a cannabinoid derived from cannabis plants or cannabis flower; and
- (8) is a type of product approved for sale by the office or is substantially similar to a product approved by the office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods.

Medical Cannabis Business means any of the following 4 State license types:

1. Medical Cannabis Cultivator can do the following:

- A. Grow cannabis plants within the approved amount of space up to 60,000 square feet of plant canopy from seed or immature plant to mature plant;

- 1.A medical cannabis cultivator may exceed the limit of 60,000 square feet of plant canopy if it was legally cultivating medical cannabis with a greater plant canopy as of April 1, 2023;

- B. Harvest cannabis flower from a mature plant;
- C. Package and label cannabis flower as medical cannabis flower;
- D. Sell medical cannabis flower to medical cannabis processors and medical cannabis retailers;
- E. Transport medical cannabis flower to a medical cannabis processor located on the same premises;
- F. Perform other actions approved by the Office of Cannabis Management.

2. Medical Cannabis Processor can do the following:

- A. Purchase medical cannabis flower, medical cannabinoid products, hemp plant parts, and hemp concentrate from medical cannabis cultivators and other medical cannabis processors;
- B. Purchase hemp plant parts from industrial hemp growers;
- C. Make cannabis concentrate from medical cannabis flower;
- D. Make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;
- E. Manufacture medical cannabinoid products;
- F. Package and label medical cannabinoid products for sale to other medical cannabis processors and to medical cannabis retailers; and
- G. Perform other actions approved by Office of Cannabis Management. .

3. Medical Cannabis Retailer can do the following:

- A. Purchase medical cannabis flower and medical cannabinoid products from medical cannabis cultivators and medical cannabis processors and
- B. Sell or distribute medical cannabis flower and medical cannabinoid products to any person authorized to receive medical cannabis flower or medical cannabinoid products.

4. Medical Cannabis Combination Business License can do the following:

- 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 artificially derived cannabinoids;
- E. Manufacture medical cannabinoid products;
- F. Manufacture adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for public consumption;
- G. Purchase immature cannabis plants and seedlings and cannabis flower from a cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a cannabis wholesaler, a medical cannabis cultivator, or another medical cannabis combination business;

- H. Purchase hemp plant parts and propagules from an industrial hemp grower licensed under chapter 18K;
- I. Purchase cannabis concentrate, hemp concentrate, and artificially derived cannabinoids from a cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a cannabis wholesaler, a medical cannabis processor, or another medical cannabis combination business;
- J. Purchase hemp concentrate from an industrial hemp processor licensed under chapter 18K;
- K. Package and label medical cannabis and medical cannabinoid products for sale to medical cannabis processors, medical cannabis retailers, other medical cannabis combination businesses, and patients enrolled in the registry program, registered designated caregivers, and parents, legal guardians, and spouses of an enrolled patient;
- L. Package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;
- M. Sell medical cannabis flower and medical cannabinoid products to patients enrolled in the registry program, registered designated caregivers, and parents, legal guardians, and spouses of an enrolled patient;
- N. 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 to other cannabis businesses and to customers; and
- O. Perform other actions approved by the Office of Cannabis Management.

Additional definitions for the new law can be found at: [Sec. 342.01 MN Statutes](#)

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