



COUNCIL CONFERENCE MEETING

May 23, 2022

5:30 PM

Fridley Civic Center, 7071 University Avenue N.E.

AGENDA

- [1.](#) MnDOT TH47/TH65 Planning and Environmental Linkages (PEL) Study Update
- [2.](#) Recodification Update: Title 2 (Administration), Chapter 209, Fees
- [3.](#) Consider Using Administrative Citations in the City's Code Enforcement Process

The City of Fridley will not discriminate against or harass anyone in the admission or access to, or treatment, or employment in its services, program, or activities because of race, color, creed, religion, national origin, sex, disability, age, marital status, sexual orientation or status with regard to public assistance. Upon request, accommodation will be provided to allow individuals with disabilities to participate in any of Fridley's services, programs, and activities. Hearing impaired persons who need any interpreter or other persons with disabilities who require auxiliary aids should contact Roberta Collins at (763) 572-3500. (TTD/763-572-3534).



AGENDA REPORT

Meeting Date: May 23, 2022

Meeting Type: City Council Conference Meeting

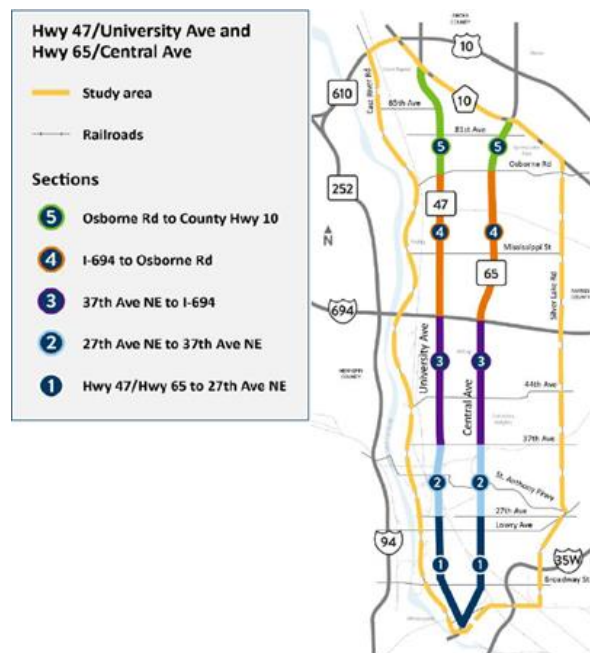
Submitted By: James Kosluchar, Director of Public Works

Title

MnDOT TH47 / TH65 Planning and Environmental Linkages (PEL) Study Update

Background

The Minnesota Department of Transportation (MnDOT) is developing a future vision for the 10-mile stretch of Highway 47 (University Ave.) and Highway 65 (Central Ave.) that extends from where they meet in Northeast Minneapolis northward through Columbia Heights, Hilltop, and Fridley to County Highway 10 in Blaine and Spring Lake Park. Analysis of both transportation data and community input



along the roads has been initiated by MnDOT, called a Planning and Environmental Linkage (PEL) study. This study emphasizes community engagement and collaboration early in transportation planning and environmental processes. Phase 1 of this study is complete, Phase 2 is newly underway in 2022. MnDOT will be presenting an update to the City Council and look for feedback on the process going forward.

To better understand the existing conditions and transportation needs of the study area, in Phase 1 of the PEL Study, MnDOT and project staff carried out an extensive public engagement program that reached more than 2,200 residents and stakeholders. The MnDOT project team and its partners engaged

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

with people in the study area in October and November 2020. The public engagement program was largely successful in connecting with the broad group of community members and organizations that rely on University and Central avenues. The project team made special efforts to reach people with different backgrounds, spoken languages and perspectives.

Key themes and takeaways

Pedestrian and transit user concerns

Pedestrian safety was a significant concern along both University and Central avenues, but survey results indicated that people tend to have a less comfortable experience along the former. Twenty percent of respondents wanted motorists to slow down, while 16% mentioned that drivers disobeying traffic laws was a problem. Additionally, pedestrians indicated that more crosswalks are needed, and the traffic lights for some that are in place don't give them enough time to cross. Among transit users, the most significant areas of improvement included adding more bus shelters and implementing a better snow removal process along sidewalks and near bus shelters.

- » **2,200+** people commented
- » **1,557** survey responses
- » **478** comments on online interactive map
- » **256** total calls made to BIPOC business owners, property managers, residents and community-based organizations
- » **29** interviews with BIPOC-owned or servicing businesses and persons
- » **16** virtual stakeholder briefings
- » **3** virtual open houses

Bicyclist concerns

Bicyclists and non-bicyclists alike generally agreed that bike safety should be addressed along both University and Central avenues. Overall, 81% of survey respondents said they feel unsafe while biking along University Avenue, while 83% said the same regarding Central Avenue. Bicyclists who travel along the study area mentioned that motorists were a concern because they speed or don't pay attention. Many respondents suggested adding or expanding bike lanes, including protected ones, in the study area.

Motorist concerns

People who had traveled within or through the study area generally felt the safest when doing so by car, but many motorists expressed concerns that vehicle traffic may negatively affect pedestrian and bicyclist safety. Survey respondents were concerned about speeding, and many suggested lowering speed limits, better street design and increased enforcement to curb the issue. Many also mentioned that traffic lights around the study area feel out of sync, and both streets become very congested.

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Attachments and Other Resources

- Phase 1 Comment Letter from the City of Fridley
- MnDOT Response to Phase 1 Comment Letter from the City of Fridley

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Fridley Civic Campus

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Item 1.

July 29, 2021

Mr. Tony Wotzka
North Area Coordinator
MnDOT Metro District
Sent to: Anthony.Wotzka@state.mn.us

Re: TH 47/65 PEL Study- Draft Purpose and Needs Statement and Evaluation Criteria

Dear Mr. Wotzka,

The City of Fridley appreciates the amount of public outreach that has been conducted in support of the PEL study of TH 47/65 to date as well as the opportunity to participate in development as well as comment on the draft Purpose and Needs (P&N) Statement and Evaluation Criteria. These documents reflect many of the priorities identified by Fridley residents during the TH 47/65 Corridor Workshops hosted by the City of Fridley and MnDOT in 2019, particularly in regard to the importance of improved safety for all users including pedestrians and bicyclists along and across the corridors. The City offers the following recommendations for MnDOT's consideration:

1. The P & N Statement acknowledges that higher vehicle speeds contribute to increased fatalities and decreased use of alternative modes of transportation along TH 47/65. Reducing vehicle speeds would therefore address the primary and secondary needs identified by the P & N Statement and mitigate both the number of crashes and their severity. However, the Evaluation Criteria is centered around designed-based alternatives to influence speed. While changing roadway design is one available strategy which we support, vehicle speed can also be impacted through other methods such as updated signal timing and reducing posted speeds, particularly on TH 47. The City would like to see managed alternatives to reduce vehicle speed evaluated within the PEL study and believes that this important safety mitigation measure should be considered paramount due to the excess number of severe and fatal crashes on TH 47.
2. The P & N Statement acknowledges future development will bring additional residential, commercial, and mixed-use development. The City would like to see explicit mention of the increase in multifamily housing along TH 47 in Fridley that has occurred in the past five years (over 600 units directly on the corridor, and 250

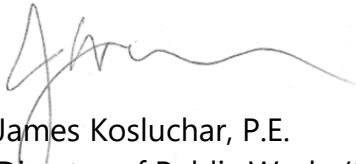
units on 61st Avenue within ¼ mile complete or under construction) and the contributing impact on shifting the role of the corridor from a throughway to a living corridor with a corresponding demand for multi-modal crossing and access, further emphasizing the need for consideration of safety mitigation measures. The City of Fridley is urbanizing along TH 47 in rapid fashion, and tools other than speed studies are needed to reduce life-threatening conflicts and eliminate barriers to disadvantaged populations within the community.

3. The TH 47/65 Corridor Workshops in 2019 recommended improving the sense of place and community identity along these corridors including developing the unique vision for each corridor. The roadway characteristics and surrounding land use are inextricably linked. The City would like to see additional evaluation of how the PEL study can develop the sense of place of TH 47 and TH 65 within the SEE Considerations.
4. The P & N Statement acknowledges that environmental factors contribute to pedestrian/bicyclist comfort which in turn impacts facility use. Excessive heat is an environmental factor that impacts pedestrian comfort and safety that can be ameliorated by the planting of trees and other vegetated ground covers. The unequal distribution of tree cover and resulting temperature disparity is a known environmental justice issue. The City of Fridley recently collaborated with MnDOT on a successful median landscape planting along Th 47 between 53rd Avenue and 69th Avenue. However, vehicle speeds and corridor management have limited the planting of trees throughout most of these corridors. The City would like to see additional consideration of vegetation management as a strategy to increase pedestrian comfort and address environmental justice issues.
5. The P & N Statement states that certain sections of roadway are comfortable due to dedicated side paths; however, many of these side paths are disconnected, and are in poor condition due to lack of resources for trail maintenance which can decrease user comfort and lead to avoidance. The City will need collaboration with MnDOT to continue to maintain these facilities effectively, and provide the connections identified in the PEL study and its Active Transportation plan such as licensing rights-of-way, cooperative construction of connections, and a collaborative approach to mitigating geographic and constructed barriers both along and across the corridors.
6. The Evaluation Criteria includes pedestrian connectivity to transit as a performance measure; however, many transit riders reach their transit stop via bicycle. This may become increasingly common along the corridor due the increased spacing between BRT stops compared to traditional stops. The City would like to see improved connectivity to transit include bicyclists in addition to pedestrians and ask that the PEL study recognize the increase in multimodal trips anticipated along and across corridors to access increased transit use with the future F BRT line.

7. The Evaluation Criteria includes improved multimodal connectivity as performance measure for environmental justice. The City would like to see considerations for environmental justice expanded to include environmental impacts such as noise pollution, air quality, and temperature.
8. The City has provided site specific feedback as comments on the attached draft P & N Statement for consideration.

The City of Fridley sincerely appreciates this process, the opportunity to be involved as a committed stakeholder seeking improvement to those our agencies concurrently serve, and our continued positive relationship with you and our local MnDOT staff.

Sincerely,



James Kosluchar, P.E.
Director of Public Works/City Engineer
City of Fridley

CC:

Brigid Gombold (Brigid.Gombold@state.mn.us)
Andrew Emanuele (Andrew.Emanuele@dot.gov)



Purpose and Need Statement

Highway 47 and Highway 65 Planning and Environmental Linkages Study

06/21/21

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1. Introduction

The purpose of the Hwy 47 and Hwy 65 Planning and Environmental Linkages Study (PEL Study) is to evaluate existing and future conditions along Hwy 47 and Hwy 65 to identify needs and potential transportation improvements for inclusion in future projects along Hwy 47 and Hwy 65, and the local supporting roadway system, that improve safety and mobility for all users, including vehicular traffic, pedestrians, bicycle and transit users and freight operators.

MnDOT is completing this Purpose and Need Statement as part of the PEL Study to support the decision-making process for future transportation improvements. The documentation developed during a PEL Study is carried forward to inform the environmental review process, to minimize duplication of effort, promote environmental stewardship and reduce delays in project implementation. The purpose and need developed under this study should be used in the alternatives development and screening process to identify alternatives that may be carried forward for further analysis under the environmental review process. It can also be used, or refined for use, for future projects within the PEL Study area. A PEL Study also provides an opportunity for early collaboration with federal, state and local agencies and the public to incorporate input and identify issues earlier in the planning process than under the traditional project delivery process.

The Highway 47 and Highway 65 (Hwy 47 and Hwy 65) PEL Study describes existing conditions and analyzes a variety of data and issues on the two highways between their junction in Minneapolis to their separate interchanges with Anoka County State Aid Highway 10 in Blaine, Coon Rapids and Spring Lake Park. The Purpose and Need Statement highlights the main issues that need to be addressed with future projects on Hwy 47 and Hwy 65. While the documentation completed during a PEL Study will be carried forward for use in any future proposed projects within the PEL Study area, it may need to be updated to address a specific project or location. The substantiated needs and evaluation completed under a PEL Study can be applied to the project, saving time and resources in completing future phases of the project development process.



Hwy 65 in Minneapolis

Transportation needs are broken down into Primary Needs and Secondary Needs. Additional considerations describe project elements that are not central to the purpose and need but are important criteria in the selection of alternatives. Based on analysis and stakeholder feedback, the following needs were identified.

<p><u>Primary Needs</u></p> <ul style="list-style-type: none">• Walkability and Bikeability - Safety: to reduce or eliminate traffic fatalities and serious injuries for the most vulnerable users who make up 39% of all fatal and serious injury crashes on Hwy 47 and Hwy 65• Vehicle Safety: to reduce injury and loss of life for all users on both corridors which have a total of 27 sustained high crash locations• Pavement Condition: to maintain and improve roadway surface	<p><u>Secondary Needs</u></p> <ul style="list-style-type: none">• Walkability and Bikeability - Mobility: to improve comfort and access to destinations• Vehicle Mobility: to maintain or improve operations for autos, transit and freight <p><u>Additional Considerations:</u></p> <ul style="list-style-type: none">• Consistency with State and Regional Plans and Programs• Consistency with State and Regional Projects• Cost Effectiveness/Implementable• Non-pavement Infrastructure <p><u>Social, Economic and Environmental Considerations</u></p>
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Hwy 47 in Fridley and Columbia Heights 1

Purpose and Need Process

A PEL is a tool used to create efficiency in transportation project development. Figure 1-1 shows the documentation and FHWA concurrence completed during a PEL Study and how the work transitions to environmental and design activities.

This study is currently at the second FHWA concurrence point as shown below for the Purpose and Need and Evaluation Criteria.

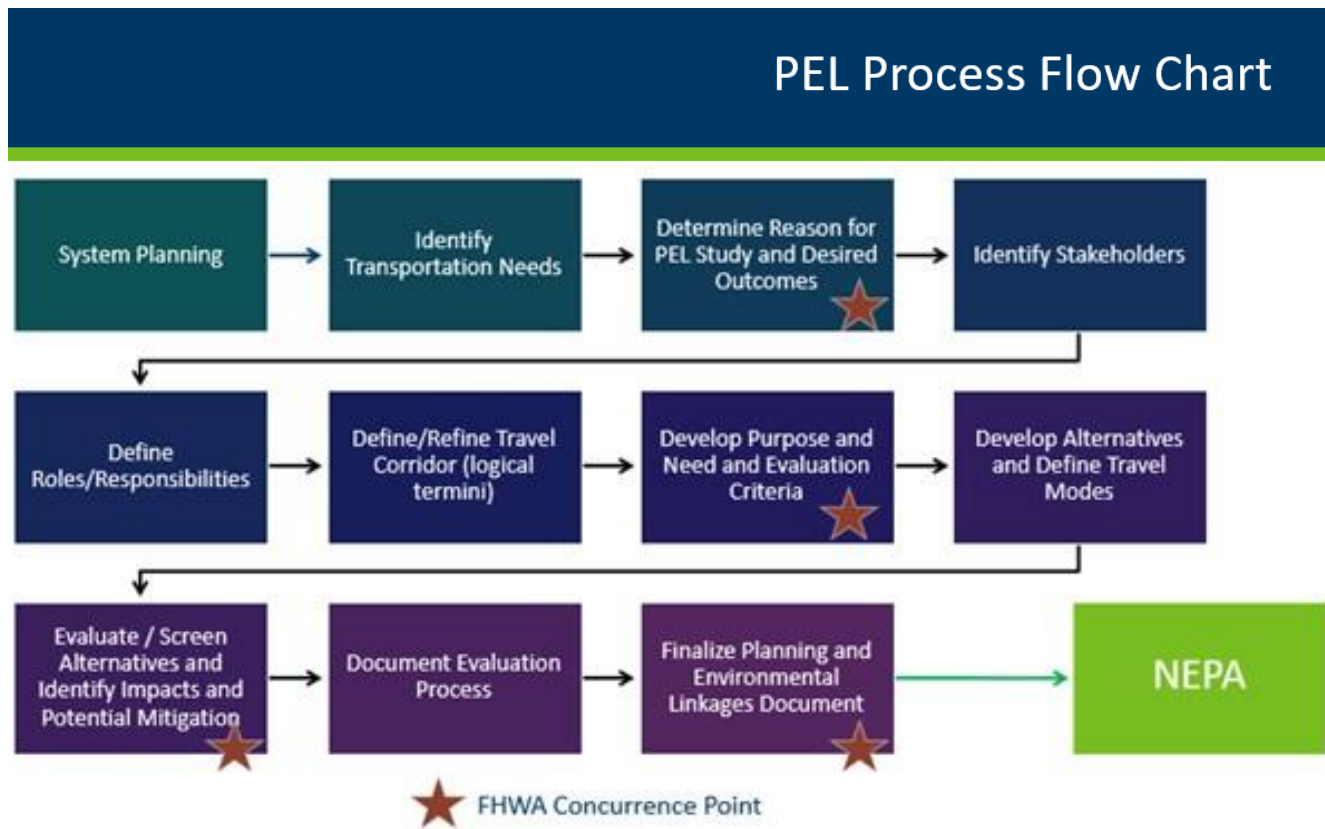


Figure 1-1. PEL Steps and Integration with Project Development

The following sections comprise this Purpose and Need Statement:

- **Background:** Provides a summary of the corridor, including notable high-level concerns; projects recently completed and planned projects within or near the PEL Study area; a description of the PEL Study area; a summary of existing transportation conditions; and a summary of previous studies and reports (see Section 2).
- **Transportation Needs:** Identifies transportation problems that stakeholders agree need to be addressed (see Section 3).
- **Purpose:** A statement of the primary intended transportation result that the PEL study and/or future proposed projects are expected to attain (see Section 4).
- **Additional Considerations:** Describes other desirable project elements or effects that are not central to the purpose and need but are nonetheless important criteria to consider in the selection of alternatives for the PEL Study and eventually a preferred alternative for a future proposed project (see Section 5).
- **Social, Economic and Environmental (SEE) Considerations:** Describes environmental and cultural resources throughout the study to be reviewed and considered in future projects due to their significance in the study area.

2. Background

The PEL Study area includes two parallel north-south corridors of Hwy 47 (University Avenue) and Hwy 65 (Central Avenue), each approximately 10 miles long, for a total of 20 highway miles. Within the PEL Study area, Hwy 47 and Hwy 65 pass through the cities of Minneapolis, in Hennepin County, and Columbia Heights, Hilltop, Fridley, Spring Lake Park, Coon Rapids, and Blaine, in Anoka County (see Figure 2-1). The southern limit of the study area is the intersection of the two roadways in the Saint Anthony Main neighborhood in the City of Minneapolis; and the northern limit is County Highway 10 in the City of Coon Rapids for Hwy 47 and County Highway 10 in the City of Spring Lake Park for Hwy 65.

2.1 Study Corridor Context

Hwy 47 and Hwy 65 pass through residential, commercial and industrial areas of seven cities, connecting travelers with commercial business, residences, employment opportunities, parks, schools, and community facilities. These places of interest and numerous origins and destinations within the PEL Study area underscore the importance of providing a multimodal transportation system that serves all highway users, inclusive of vehicular, pedestrian and bicycle facilities, to connect with transportation generators, including:

- Restaurants and grocery stores
- Schools, senior and community centers, hospitals, public libraries
- Residential areas, including large apartment developments
- Business and retail areas
- Northtown Mall
- Columbia Park and over 90 additional parks
- Rice Creek Corridor Trail
- Transit centers and regional transit routes

Mobility, or the movement of people and goods, in the PEL Study area is impacted by several major roadway corridors that serve statewide and regional traffic and other physical barriers, including:

Table 2-1. Major roadways and physical barriers in the PEL Study Area (Figure 2-1)

Roadway Section	Limits	Characteristics
I-94	located to the west of the PEL Study area and south of I-694 and Hwy 252	A principal arterial ¹ with a 2019 annual average daily traffic (AADT) adjacent to the PEL Study area ranging from 91,000 to 112,000
Hwy 252	located to the west of the PEL Study area, north of I-94 and I-694	A principal arterial with a 2019 AADT adjacent to the PEL Study area ranging from 53,000 to 58,000
Hwy 610	located west of the PEL Study area and US 10 and north of Hwy 252	A principal arterial with an AADT adjacent to the PEL Study area ranging from 58,000 (2019) to 102,000 (2015)

¹ Principal Arterial – most heavily used roads, usually highways or expressways designed for higher speeds with minimal land access.

Roadway Section	Limits	Characteristics
County Highway 10	located to the north of the PEL Study area	A minor arterial ² with a 2018 AADT ranging from 19,100 to 25,000 in the section north of the PEL Study area
US 10	located to the north of County Highway 10 and the PEL Study area	A principal arterial with a 2019 AADT ranging from 55,000 to 102,000 in the section north of the PEL Study area
I-35W	located to the east of the PEL Study area	A principal arterial with a 2019 AADT of 117,000 near the southern end of the PEL Study area (closest point to I-35W)
I-694	roughly bisecting the PEL Study with a diamond interchange at Hwy 47 and a partial cloverleaf interchange at Hwy 65	A principal arterial with a 2019 AADT of 141,000 within the PEL Study area
Mississippi River	Located on the west side of the study area between I-94/Hwy 252 and Hwy 47	Major waterway with four non-highway east-west crossings in the study area
Railroad	Heaviest concentrated east of Hwy 47 between Hwy 47 and the river	Mainly BNSF railroad accessing CP Shoreham Yards intermodal facility

These corridors generally transport motor vehicle and transit commuters traveling to and from the adjacent communities and suburbs of the Twin Cities Metropolitan Area to employment centers in Minneapolis or neighboring communities and freight traffic. Local traffic on Hwy 47 and Hwy 65 can connect the study area to the broader transportation network due to proximity to these corridors.

Appendix A, *Logical Termini Technical Memorandum*, provides an explanation of how the PEL Study area was identified and how the analysis completed under the PEL Study area will be used in future proposed projects.

Safety and operational issues along Hwy 47 and Hwy 65 led MnDOT to perform a road safety audit in 2018 that analyzed crash information. The audit focused on pedestrian crashes on the two highways between the Hennepin-Anoka county line in Columbia Heights and Hwy 10 in Coon Rapids in Anoka County.³ The audit report recommended short, medium and long-term measures to improve safety within the area analyzed. In April 2020, MnDOT completed several safety projects identified in the audit to improve crosswalks, lighting and signals. Section 5.2, Consistency with State and Regional Projects, of this Purpose and Need Statement summarizes several programmed projects for construction within the next five years that are based on recommendations from the 2018 audit report.

² Minor Arterial – functional roadway classification that supplements the capacity of principal arterials and provides connections to principal arterials, provides access to major traffic generators and serves medium-to-short trips.

³ TH47 and TH 65 Road Safety Audit: Technical Report, Anoka-Hennepin County Limit to TH 10. HDR. December 2018. <http://www.dot.state.mn.us/metro/projects/hwy47andhwy65improvements/index.html>

2.2 Existing Characteristics

The corridors transition from dense urban centers on the southern end towards open suburban character in the north. The study area is composed of a mix of land uses creating a variety of destinations and multimodal travel needs. The schools, high to moderate-density residential and various community amenities throughout the study areas create a variety of destinations for people driving, walking, biking and taking public transit. There are also many freight destinations along both corridors, furthering the competition between modes. The variety of destinations and modes has created a demand for multimodal roadways that balances safe and convenient access for pedestrians and bicyclists as well as drivers and transit users.

Because the roadway and surrounding character is not consistent throughout the study area, the needs and potential alternatives will vary. To bring a context sensitive analysis of needs, five roadway sections were used for this Purpose and Need Statement (see Table 2-2 and Figure 2-2). They were identified based on a review of existing characteristics including speed limits, land use, vehicle traffic volumes, vehicle access points, walkways and bikeways, transit stops, and other roadway characteristics.

Both highways are classified as minor arterials, except for Hwy 65 north of I-694, which is a principal arterial. The Metropolitan Council's 2040 Transportation Policy Plan (TPP) states that minor arterials are designed and constructed to serve medium-to-short trips and higher volumes of general traffic than other local roads. This can create a barrier for bicycle and pedestrian travel. The TPP states that "priority should be placed on addressing these barriers in areas with pedestrian traffic, such as within regional job concentrations, within local centers, and along major transit routes." With respect to principal arterials, the TPP states that "Principal arterials are not intended to serve pedestrian and bicycle travel directly and they often act as barriers to bicycle and pedestrian travel in the centers and neighborhoods through which they pass. Adequate pedestrian and bicycle crossings separate from general traffic lanes are an important consideration along principal arterials."

The *Corridor Conditions Review Technical Memorandum* provides a detailed review of existing conditions throughout the PEL Study area (see Appendix B).

Table 2-2. Summary of Roadway Sections within PEL Study Area

Section	Limits	Characteristics - Hwy 47	Characteristics - Hwy 65
1	Intersection of Hwy 47 and Hwy 65 to 27 th Ave NE	<ul style="list-style-type: none"> • 4-lane undivided roadway with narrow (or no shoulder width) • Speed limit: 30 miles per hour (mph) • Adjacent land uses: Primarily urban residential and mixed industrial, and some urban commercial • Heavy job concentration • Lower traffic volume • More frequent vehicle access points • Moderate truck volumes • Limited or restricted on-street parking • Heavy pedestrian volumes • Limited or no buffer between sidewalk and street • No dedicated bike facilities • Occasional bus stops, moderate transit ridership 	<ul style="list-style-type: none"> • 4-lane undivided roadway with narrow (or no shoulder width) • Speed limit: 30 mph • Adjacent land uses: Primarily urban residential, mixed industrial, and urban commercial • Heavy job concentration • Lower traffic volume • More frequent vehicle access points • Moderate truck volumes • Limited or restricted on-street parking • Heavy pedestrian volumes • Limited or no buffer between sidewalk and street • Limited, discontinuous bike facilities • Frequent bus stops, heavy transit ridership
2	27 th Ave NE to 37 th Ave NE	<ul style="list-style-type: none"> • 4-lane undivided roadway with narrow (or no shoulder width) • Speed limit: 45 mph • Adjacent land uses: Primarily mixed industrial, some residential • Lower traffic volume • Less frequent vehicle access points • Higher truck volumes • Some on-street parking • Limited sidewalks • Some off-street bike facilities • No transit stops directly on Hwy 47 with bus routes located one to three blocks to the west 	<ul style="list-style-type: none"> • 4-lane undivided roadway with narrow (or no shoulder width) • Speed limit: 30 mph • Adjacent land uses: Primarily mixed industrial and recreational open space to the west and moderate density residential and mixed commercial to the east Lower traffic volume • More frequent vehicle access points • Higher truck volumes • Moderate pedestrian activity • Some on-street parking • Center medians • Sidewalks with buffers • Some off-street bike facilities • No on-street bike facilities • Frequent bus stops
3	37 th Ave. NE to I-694	<ul style="list-style-type: none"> • 4-lane undivided roadway with narrow (or no shoulder width) transitioning to 4-lane divided roadway at 32nd Avenue • Speed limit: 50 mph • Adjacent land uses: Primarily suburban highway, some residential, industrial and mixed commercial 	<ul style="list-style-type: none"> • 4-lane undivided roadway with narrow (or no shoulder width) • Speed limit: 30-40 mph • Adjacent land uses: Primarily mixed commercial and urban residential, some suburban highway • Higher traffic volume

Section	Limits	Characteristics - Hwy 47	Characteristics - Hwy 65
		<ul style="list-style-type: none"> • Higher traffic volume • Less frequent vehicle access points • Higher truck volumes • No on-street parking • Center medians • Landscape buffers between roadway and sidewalk • Intermittent trails or sidewalks • Frequent bus stops 	<ul style="list-style-type: none"> • More frequent vehicle access points • Higher truck volumes • No on-street parking • No on-street bike facilities • Intermittent sidewalks • Moderate to high pedestrian volumes • Frequent bus stops, heavy transit ridership
4	I-694 to Osborne Rd	<ul style="list-style-type: none"> • 4-lane divided roadway with turn lanes and 8-foot shoulders • Speed limit: 50-55 mph • Adjacent land uses: Primarily suburban highway, some residential, retail, commercial, recreational, and industrial • Heavy job concentration • Higher traffic volume • Less frequent vehicle access points • Moderate truck volumes • Center medians • Landscape buffers • Intermittent trails or sidewalks • No on-street parking • Occasional bus stops, moderate transit ridership 	<ul style="list-style-type: none"> • 4-lane divided roadway with turn lanes and 10-foot shoulders • Speed limit: 40-55 mph • Adjacent land uses: Primarily suburban highway, some residential, retail, commercial, recreational, and industrial • Higher traffic volume • More frequent vehicle access points • Higher truck volumes • Center medians • Landscape buffers • Intermittent trails or sidewalks • No on-street parking • Occasional bus stops
5	Osborne Rd to County Highway 10 (Coon Rapids Blvd)	<ul style="list-style-type: none"> • 4-lane divided roadway with turn lanes and 8-foot shoulders • Speed limit: 55 mph • Adjacent land uses: Primarily suburban highway, some retail, commercial, residential, and industrial • Heavy job concentration • Higher traffic volume • Less frequent vehicle access points • Higher truck volumes • Center medians • Landscape buffers • Intermittent trails or sidewalks • No on-street parking • Occasional bus stops, moderate transit ridership 	<ul style="list-style-type: none"> • 4-lane divided roadway with turn lanes and 10-foot shoulders • Speed limit: 55 mph • Adjacent land uses: Primarily suburban highway, some retail, commercial, industrial, and residential • Higher traffic volume • More frequent vehicle access points • Higher truck volumes • Center medians • Landscape buffers • Intermittent trails or sidewalks • No on-street parking • Occasional bus stops

Sources: *Corridor Conditions Review Technical Memorandum* and *Corridor Character Technical Memorandum*

Figure 2-2. Roadway Sections within PEL Study Area



2.2.1 Land Use and Demographics

2.2.1.1 Land Use

Hwy 47 and Hwy 65 serve an important transportation role for the many land uses within the PEL Study area, including:

- Community destinations – 66 schools, nearly 100 parks, seniors housing, community centers, hospitals, religious facilities (see Section 4.1.1 and Section 4.3.2 of the *Corridor Conditions Review*)
- Residential neighborhoods – high and moderate-density housing, particularly south of I-694, over 250 driveways with a direct connection to the highway concentrated in the south end of the corridors
- Businesses – over 4,000 employers and 60,000 jobs, (see Section 4.1.3 of the *Corridor Conditions Review*)
- Economic connection –high density job centers and major employers including Northtown Mall and other shopping areas, Medtronic Headquarters; intermodal hub at CP Shoreham Intermodal Terminal (see Section 4.1.5 of the *Corridor Conditions Review*)
- Future development - Several planned developments and land use changes are identified adjacent to the roadways that will bring additional residential, commercial and mixed-use development to the cities of Minneapolis, Fridley and Spring Lake Park.

Figure 2-3 shows potential trip generators such as areas of high job density, schools, parks, senior housing and transit ridership. Areas with high trip generators are indicators of potential multimodal demand. The location of that high potential demand becomes a focus area to look deeper to determine if the multimodal system in that area is performing adequately or if there are transportation problems to solve.

2.2.1.2 Demographics

The PEL Study area is home to over 145,000 residents, and in general this community is more racially and ethnically diverse and sees higher rates of poverty than the metro average. Over half of the census block groups along the two corridors have higher than metro average (9.4%) for residents living below federal poverty rates, while fourteen locations are over 10% above the metro average. The percentage of minority residents in the metro area is 26.8 percent, and a majority of census block groups within the PEL Study area are above the Metro average (see figure 2-4). Section 4.1.4 of the *Corridor Conditions Review Technical Memorandum* provides more information on demographics of the study area (see Appendix B). Approximately 1 in 10 residents of the study area don't have a personal vehicle in their household—either by choice or necessity.

Low-income and minority residents are more likely to be dependent on non-personal-vehicle travel to meet their transportation needs for activities such as commuting to work, getting an education, shopping for food, accessing healthcare, and other basic pursuits of daily life. Convenient access to reliable transportation options is essential for the livelihood and well-being of these groups. Areas with higher-than-average percentages of minority and low-income residents are indicators of greater potential demand for non-personal-vehicle transportation choices. These groups tend to rely more heavily on public transportation.⁴

⁴ Metro Transit 2019 Transit System Performance Evaluation Report

Figure 2-3 Trip generators and transit ridership within the Hwy 47 and Hwy 65 PEL Study Area

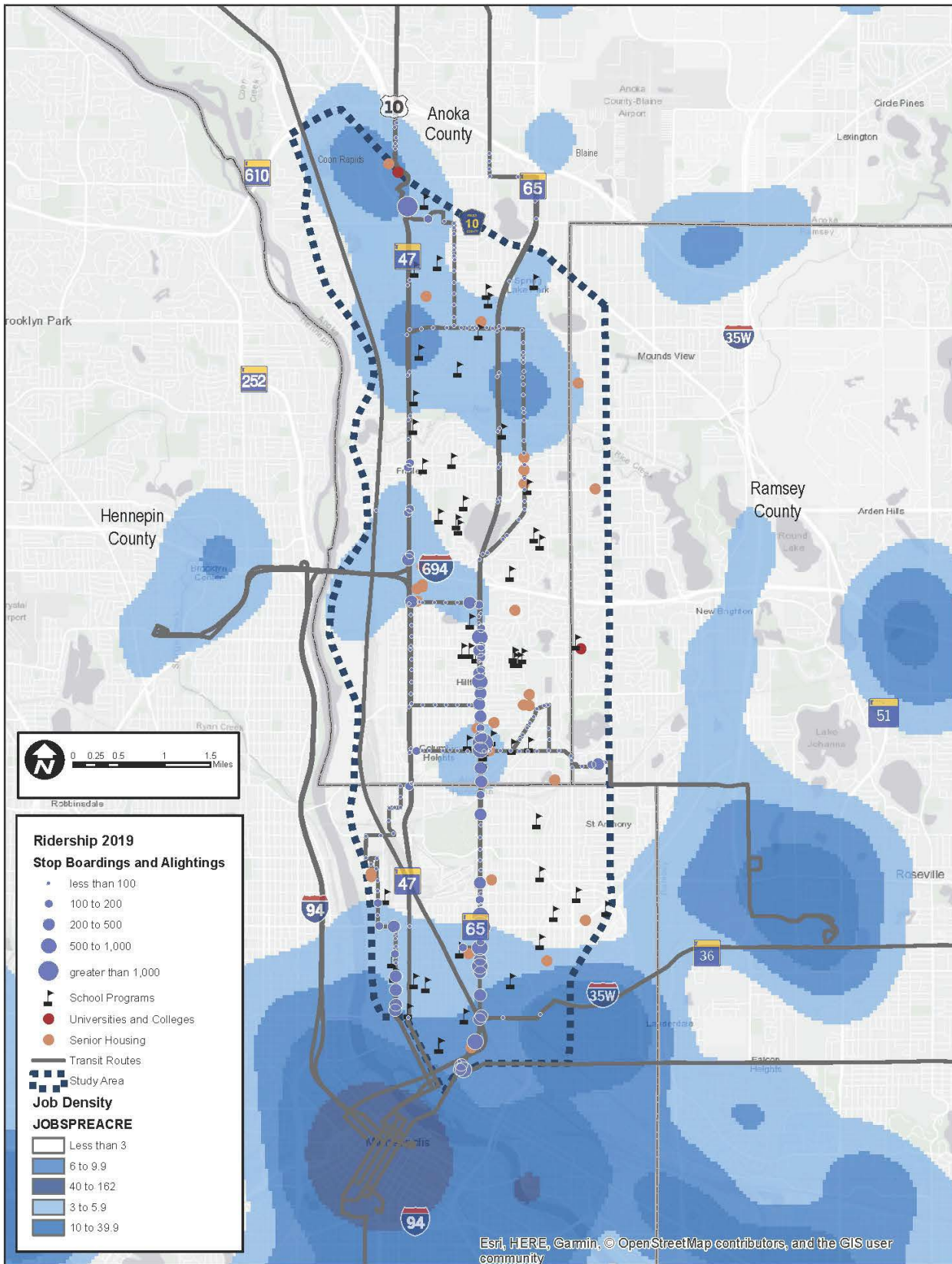
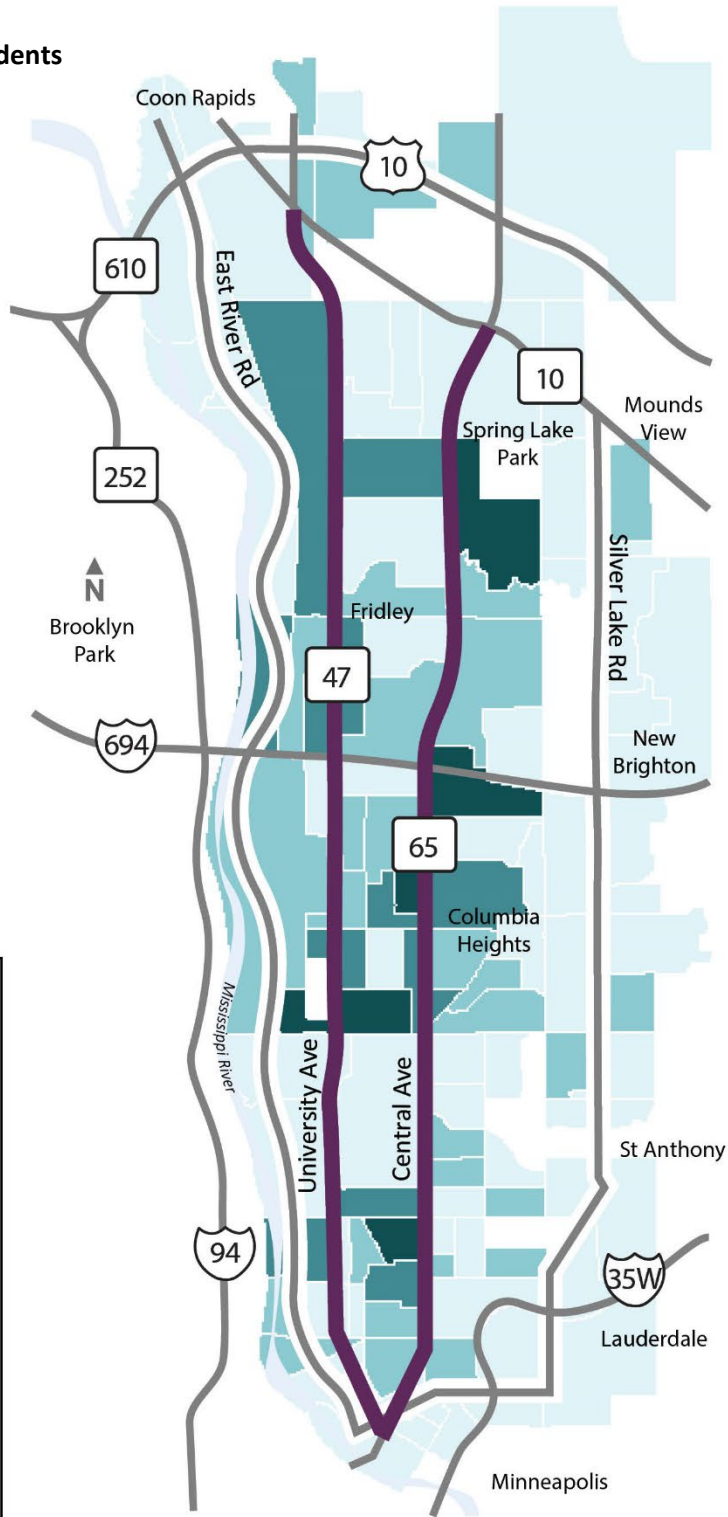


Figure 2-4. Percentage of Minority Residents within the Hwy 47 and Hwy 65 PEL Study Area



Minority Residents

	Less than 10%
	10-30%
	30-45%
	45-60%
	Over 60%
	Roadways being Studied

Note: This map represents the percentage of people of color living near the study area as identified in 2018 census data (2014-2018 ACS). This includes people identifying as Black, Hispanic, Asian, American Indian, Pacific Islander, multiracial or other.



Hwy 47 and Hwy 65 PEL Study - MnDOT Metro District
8/10/2020

2.2.2 Motor Vehicle Traffic Volume and Use

Daily vehicle traffic growth rates on both highways over the next 20 years are expected to be relatively flat with minor increases and minor decreases depending on location. This is primarily due to major capacity improvements to nearby parallel arterial routes I-35W and I-94/Hwy 252 that are expected to experience an increase in traffic volume at higher rates than local arterials. Sections 3.1.1 and 3.1.2 of the *Corridor Conditions Review Technical Memorandum* and the *Daily Traffic Forecasts Memorandum* provide more information on vehicular transportation and traffic operations within the PEL Study area (see Appendix B).

Highway 47 (University Avenue)

Hwy 47 travels north-south from its intersection with Hwy 65 in Minneapolis to its intersection with Hwy 169 in Aitkin, serving as an important connection between downtown Minneapolis and the northern suburbs. It also provides access to major highways I-694 and US 10. The portion of the roadway within the PEL Study area is a Minor Arterial carrying an AADT in 2017 of 11,500 in the southern portion to 34,000 AADT north of I-694 to 22,100 AADT (2018) at County Highway 10. The AADT is expected to decrease on Hwy 47 within the PEL Study area by 2040 due to major capacity improvements to adjacent highways that would attract long-distance trips to I-35W, I-94 and TH 252. Daily traffic volumes on the streets crossing Hwy 47 are expected to increase slightly by 2040. There are 53 intersections within the PEL Study area, and 32 of these are signalized with full access. No movements are restricted at the signalized intersections. Signalized intersections operate at a 110 second cycle length in the City of Minneapolis and vary between 95 seconds and 190 seconds throughout the remainder of the PEL Study area.

Highway 65 (Central Avenue)

Hwy 65 travels north-south from downtown Minneapolis to just south of International Falls. In the study area, Hwy 65 provides access to highways I-694 and US 10. The section of Hwy 65 north of I-694 is a principal arterial, while the remainder of the roadway in the PEL Study area is a minor arterial. The 2017 AADT ranges from 11,800 in the southern portion of the PEL Study area to 30,500 just north of I-694 to 41,000 at County Highway 10. The AADT is expected to decrease on Hwy 65 within the PEL Study area by 2040 due to major capacity improvements to adjacent highways that would attract long-distance trips to I-35W, I-94 and TH 252. Daily traffic volume on the streets crossing Hwy 65 is expected to increase slightly by 2040. There are 85 intersections within the PEL Study area, and the number of signalized and non-signalized intersections are roughly equal and are full access, except for 22 right-in/right-out intersections. Signalized intersections operate at a 110 second cycle length in the City of Minneapolis and vary between 110 seconds and 250 seconds throughout the remainder of the PEL Study area.

2.2.3 Freight Use

Hwy 47 and Hwy 65 provide important connections for freight haulers and distributors to the regional highway network, as well as local businesses. There are more than 2,400 establishments (62 percent, out of nearly 3,900 total establishments), in and around the PEL Study area that are considered “freight-related,” meaning they either generate or distribute freight. The highways play a key role in access to these businesses, both within the PEL Study area and by providing connections to I-694, Hwy 280 and US 10 and other major highways to distribute goods beyond the PEL Study area.

Canadian Pacific (CP) Shoreham Yards is situated in Section 2 of the PEL Study area between Hwy 47 and Hwy 65, from 27th Avenue to Saint Anthony Parkway. It is a 230-acre site used for railroad and freight distribution and storage activities. The facility recently completed an expansion that adds storage space and a new access on Hwy 65 with a new entrance 28th Avenue NE and a new exit at 29th Avenue NE. The new accesses were added to increase fluidity and reduce truck queuing.⁵ The BNSF Railway St. Paul Intermodal Facility is located southeast of the PEL Study area and impacts freight volume within the study area. The 37th Avenue NE and East Hennepin Avenue corridors serve as critical east-west connections between the CP Shoreham Terminal and the BNSF St. Paul Intermodal Facility. North of I-694, Old Central Avenue NE provides a key north-south connection to the largest freight generator in the study area with connections at I-694, 69th Avenue NE and 73rd Avenue NE.

Section 4.2.3 of the *Corridor Conditions Review* and Section 7 of the *Existing Conditions Modal Analysis Technical Memorandum* provide more information on freight use within the PEL Study area (see Appendix B).

2.2.4 Transit Use

Metro Transit provides transit service varying from local, limited-stop and express service north-south along Hwy 47 and Hwy 65 and to a lesser extent east-west across the corridors. Except for Northtown Mall, most of the high activity bus stops are in the southern portion of the PEL Study area, south of I-694. Common origins and destinations for transit riders in the PEL Study area are downtown Minneapolis, Northtown Mall, and shopping and retail along Hwy 65 in Columbia Heights. High job density and high transit ridership (see figure 2-3) exist in some locations like Northtown Mall and the Downtown Minneapolis Area. Areas of lower job density, more schools, and more senior housing near Hwy 65 south of 49th Ave NE also have higher transit ridership.

In addition to six local and commuter bus routes, there is an existing commuter rail line and planned Arterial Bus Rapid Transit (aBRT) route within the study area. Metro Transit's Northstar Commuter Rail Line operates on the western edge of the PEL Study area and has a stop in Fridley at 6151 East River Road, near 61st Avenue NE. Metro Transit is also in the planning stages for the F Line aBRT with anticipated construction beginning in 2025. Most of the bus stops in the PEL Study area are accessible to the pedestrian network by sidewalks, trails or sidepaths. There are 10 bus stop locations along Hwy 47 that lack direct sidewalk network connections, representing a gap in the network. The disconnected stops on Hwy 47 are all north of 37th Avenue NE. There are no gaps in sidewalk connections to bus stops on Hwy 65.

Section 4.2.4 of the *Corridor Conditions Review* and Section 4 of the *Existing Conditions Modal Analysis Technical Memorandum* provide more information on transit use and network gaps within the PEL Study area (see Appendix B).

2.2.5 Pedestrian and Bicyclist Priority and Use

2.2.5.1 Priority Areas for Walking Analysis (PAWS)

The PAWS analysis prioritizes areas where investments in walking are needed based on 19 criteria that use infrastructure supply, health, land use, safety, and equity to indicate a demand for walking and

⁵ Memo, RE: Canadian Pacific (CP) Rail Shoreham Expansion – Supplement to TDMP Dated July 11, 2019, December 17, 2019, From: Tom Fidler and Mark Powers, p. 16.

prudence to look deeper to determine if there are transportation problems in the walking environment. Once scored, the hexagons are divided into five tiers, with the highest scoring hexagons receive a Tier 1 ranking.

The PAWS analysis shows the majority of Hwy 47 receives a Tier 1 Priority Level Score within the PEL Study area, the highest priority ranking for walking improvements. The remaining area is Tier 2, located primarily near I-694 and Hwy 610. Figure C-5 in Appendix C shows the PAWS scoring for the PEL Study area.

The PAWS analysis shows the majority of Hwy 65 received a Tier 1 Priority Level Score, the highest priority ranking for walking improvements. The remaining area is Tier 2, located primarily near the Columbia Golf Club. Figure C-5 in Appendix C shows the PAWS scoring for the PEL Study area.

Refer to *Section 3.3, MnDOT PAWS Analysis, of the Existing Conditions Modal Analysis Technical Memorandum* for an explanation of the scoring methodology used for PAWS (see Appendix B).

2.2.5.2 Pedestrian Use

The sidewalk network is complete for a majority of the PEL Study area south of Saint Anthony Pkwy on Hwy 47 in Minneapolis and south of 53rd Avenue NE on Hwy 65 in Columbia Heights. The sidewalk network becomes incomplete north of these locations, although sidepaths shared by pedestrians and bicyclists exist in some locations along the two highways. In areas where sidewalks or sidepaths do not exist, pedestrians make their trips by traveling on the road shoulder or by walking on paths worn on bare ground adjacent to the roadways.

The sidewalk network is more comfortable on the south end of the PEL Study area due to lower speed limits, fewer vehicle travel lanes to cross and in some areas greenspace or parking between sidewalks and the roadways. While an Americans with Disabilities Act (ADA) audit was not completed as part of this PEL Study, many of the sidewalks, curb ramps and traffic signals along Hwy 47 and Hwy 65 do not meet current ADA standards. Pedestrian traffic counts were only available for the cities of Minneapolis and Fridley for the PEL Study (see Tables 2-3 and 2-4). Additional pedestrian counts will be needed for future proposed projects to analyze pedestrian issues.

Table 2-3. Average Daily Pedestrian Traffic in City of Minneapolis – automatic counter data

Location of Count	Year Counted	Average Daily Ped Traffic
University Av SE south of Hennepin Av E	2017	1,760
Central Av NE north of Lowry Av NE	2018	1,460
Central Av NE south of Lowry Av NE	2007	720
Central Av NE south of Broadway St NE	2016	330
Central Av NE south of Saint Anthony Pkwy NE	2015	90
University Av NE south of 18th Av NE Trail	2018	40
University Av NE Trail south of Saint Anthony Pkwy NE	2016	30

Table 2-4. City of Fridley Pedestrian Counts – 2018 manual two and three-hour counts

Location of Count	Year Counted	Ped Traffic
Highway 47 & 57th Ave NE	2018	195 ^a
Highway 47 & 61st Ave NE	2018	160 ^a
Highway 47 & Mississippi Ave NE	2018	81 ^b
Highway 65 & Medtronic Pkwy NE	2018	81 ^b
Locke Park	2018	8 ^b

^a 3-hour manual count^b 2-hour manual count

Section 4.2.6 of the *Corridor Conditions Review* and Section 3 of the *Existing Conditions Modal Analysis Technical Memorandum* provide more information on pedestrian use within the PEL Study area (see Appendix B).

2.2.5.3 Bicycle Priority

Off-street trails and sidepaths, on-street bicycle lanes and paved shoulders all exist in the PEL Study area, however these do not provide a consistent or comfortable experience between known origin-destination pairs. Bicycle facilities are limited to some on-street bike lanes along Hwy 65 in Minneapolis and some sidepaths along Hwy 47 in Fridley. In areas where dedicated bicycle facilities do not exist, bicyclists make their trips by traveling on the sidewalk, the shoulder, in the vehicle travel lane, or along nearby streets.

The Metro District Bicycle Investment Prioritization analysis shows all sections of the PEL Study area include Tier 1 prioritization scores, representing areas where people would benefit most from bicycle-related improvements. Figure C-7 in Appendix C shows the prioritization scores for the PEL Study area.

Additionally, public engagement and comprehensive plans indicate the community's vision for improved bicycle safety and mobility along and across both Hwy 47 and Hwy 65.

2.2.5.4 Bicycle Use

Bicycle traffic counts were only available for the cities of Minneapolis and Fridley for the PEL Study (see Tables 2-5 and 2-6). Additional traffic counts will be needed to analyze bicycle issues as part of the alternatives evaluation for a future proposed project.

Table 2-5. Average Daily Bicycle Traffic in City of Minneapolis – automatic counter data

Location of Count	Year Counted	Average Daily Bike Traffic
University Av SE south of Hennepin Av E	2017	180
Central Av NE north of Lowry Av NE	2018	220
Central Av NE south of Lowry Av NE	2007	110
Central Av NE south of Broadway St NE	2016	300
Central Av NE south of Saint Anthony Pkwy NE	2015	100
University Av NE Trail south of Saint Anthony Pkwy NE	2016	80

Table 2-6. City of Fridley Bicycle Counts – 2018 manual two and three-hour counts

Location of Count	Year Counted	Bike Traffic
Highway 47 & 57th Ave NE	2018	33 ^a
Highway 47 & 61st Ave NE	2018	68 ^a
Highway 47 & Mississippi Ave NE	2018	23 ^b
Highway 65 & Medtronic Pkwy NE	2018	23 ^b
Locke Park	2018	21 ^b

^a 3-hour manual count

^b 2-hour manual count

Section 4.2.5 of the *Corridor Conditions Review* and Section 5 of the *Existing Conditions Modal Analysis Technical Memorandum* provide more information on bicycle use within the PEL Study area (see Appendix B).

2.3 Previous Studies and Reports

MnDOT, Metropolitan Council and the counties and cities completed numerous studies and reports that address issues and goals within the PEL Study area. The roadways are addressed in the comprehensive plans of the cities within the corridors, including being identified as “high injury streets” in the City of Minneapolis’ Vision Zero Action Plan⁶. *Section 3, Plans, Policies and Prior Studies*, in the *Corridor Conditions Review Technical Memorandum* provides a summary of the regional and municipal comprehensive plans, transportation plans, parks and trails plans, and other relevant policies, studies and small area plans (see Appendix B).

2.4 Public and Agency Coordination

The following public and agency coordination activities were completed during development of the Purpose and Need Statement and helped to identify the needs within the PEL Study area.

2.4.1 Public Outreach

A public involvement period was held in October and November 2020 to engage with the public and stakeholders to identify their issues and concerns within the PEL Study area. The engagement report provides more information on activities conducted and comments received (see Appendix B). The major elements of the public involvement period were:

- PEL Study website that included an online survey and comment map
- Three virtual open houses
- Ads on social media, community papers and websites

⁶ Minneapolis Vision Zero Action Plan 2020-2022. December 2019.

https://static1.squarespace.com/static/5c25330aaf2096c3a2756f1a/t/5df40e26e7eee27b9ea38d7f/1576275502104/Minneapolis+VZ+Action+Plan+20191119_lowres.pdf

- Promotional lawn signs and sidewalk decals at 90 locations in 5 languages with website URL and QR code to access website directly via smart phone
- Outreach toolkits for partners' websites
- Press release and interviews with local media
- One-on-one telephone interviews with underrepresented stakeholders
- Thirteen meetings with city council members, neighborhood organizations and other stakeholders



Sidewalk decal near transit stop promoting project website in 5 languages with QR code and URL.

2.4.2 Advisory Committee Coordination

The following advisory committees provided input and recommendations for the PEL Study.

2.4.2.1 Technical Advisory Committee (TAC)

The TAC is composed of engineers and/or planners from each of the stakeholder cities and counties, FHWA, MnDOT, the Metropolitan Council, and Metro Transit. In addition to advising the PEL Study team on issue identification and technical analysis, TAC members provided suggestions and support for the public outreach effort.

2.4.2.2. Policy Advisory Committee (PAC)

The PAC consists of elected officials the cities of Minneapolis, Spring Lake Park, Hilltop, Columbia Heights, Fridley, Con Rapids, and Blaine, and Hennepin and Anoka counties, as well as FHWA, members of the State Legislature and the Metropolitan Council. The PAC serves as advisors to the PEL Study team, assisting with identifying issues in communities, sharing information and encouraging community participation.

2.4.2.3 Resource Agency Coordination

Table 2-7 lists the resource agencies that were notified of the initiation of the PEL Study and provided this Purpose and Need Statement for review and comment.

Table 2-7. Resource Agencies

Federal Agencies
United States Environmental Protection Agency, Region 5
United States Army Corps of Engineers, St. Paul District
United States Fish and Wildlife Service, Minnesota-Wisconsin Ecological Services Field Office
Federal Aviation Administration, Great Lakes Region
Federal Railroad Administration, Region 4
Federal Transit Administration, Region 5
United States Department of Interior
National Park Service, Mississippi National River and Recreation Area
Indian Tribes
Fort Peck Assiniboine and Sioux Tribes
Leech Lake Band of Ojibwe
Lower Sioux Indian Community
Mille Lacs Band of Ojibwe
Prairie Island Indian Community
Santee Sioux Nation
Shakopee Mdewakanton Sioux Community
Sisseton Wahpeton Oyate of the Lake Traverse Reservation
Turtle Mountain Band of Chippewa
Upper Sioux Community
State Agencies
State Historic Preservation Office
Office of the State Archaeologist
Minnesota Indian Affairs Council
Minnesota Pollution Control Agency
Minnesota Department of Natural Resources
Minnesota Department of Health
Minnesota Department of Administration
Minnesota Department of Commerce
Board of Water and Soil Resources
Regional Authorities
Metropolitan Council
Metro Transit
County Agencies
Hennepin County
Ramsey County
Anoka County

Local Government Agencies/Municipalities
City of Minneapolis
City of Spring Lake Park
City of Hilltop
City of Columbia Heights
City of Fridley
City of Blaine
City of Coon Rapids
Coon Creek Watershed
Rice Creek Watershed

3. Transportation Needs

This section identifies the transportation needs, or problems, for the Hwy 47 and Hwy 65 PEL Study area. The needs are based on data analyzed for the corridors and input from stakeholders and the public. These needs describe the transportation problems that future proposed projects are intended to address through improvements.

Hwy 47 and Hwy 65 have varying characteristics that lead to differing needs throughout the study area, which covers approximately 20 miles of roadway (10 miles for each highway). Due to the length of the corridors being studied, and their varying characteristics, the needs will be framed around the problems experienced corridor-wide or within the five sections of the PEL Study area to form a cohesive statement (see Figure 2-2).

Needs are broken down into Primary Needs and Secondary Needs, as well as Additional Considerations outlined in section five of this report. The three primary needs for improving both Hwy 47 and Hwy 65 are related to pedestrian and bicyclist safety and vehicle safety along and across the highways and pavement condition. Secondary needs include mobility of pedestrians and bicyclists along and across the corridors, mobility of vehicles along and across the corridors (including freight and transit mobility) and infrastructure condition.

Additional considerations include: consistency with state and regional plans, programs and projects; social, economic and environmental impact on the surrounding community; and cost effectiveness/implementable.

The following sections present the primary and secondary needs and the justification for their selection. Supporting data analysis can be found in Appendix B – Existing Conditions Modal Analysis, Technical Memorandum #2 and Appendix B – 2040 Forecast Year Conditions, Technical Memorandum for Task 5.

3.1 Primary Needs

Primary needs are the main transportation problems that need to be solved within the PEL study area and the primary reason(s) why MnDOT is undertaking the PEL Study and evaluating alternatives for future projects. As a project is identified within the PEL Study area, the primary need(s) from the PEL Study should be reviewed based on the location of the proposed project to determine whether or not the need remains a primary need based on the location of the project and any new or additional data available. The following section includes:

3.1.1 Primary Need - Vehicle Safety

3.1.2 Primary Need – Walkability and Bikeability (Safety)

3.1.3 Primary Need - Pavement Condition

3.1.1 Primary Need - Vehicle Safety

Select intersections and segments of both highways in the PEL study area exceed the critical crash rate and/or the critical FAR rate. Seventeen intersections within the PEL Study area have crash rates that indicate safety issues.

A five-year period was analyzed for the PEL Study area between 2015 and 2019. The following factors were used to analyze vehicle safety issues within the PEL Study area, as defined:

Critical crash rate: A statistical rate that is unique to each intersection based on vehicle exposure and the 2015 Statewide average crash rate for similar intersections. Crash rates that exceed critical rates can indicate a safety concern and should be further reviewed. These intersections have a critical index greater than 1.0. An intersection with a critical index below 1.0 implies that the site does not deviate substantially from the Statewide trends.

Fatal and severity A crash rate (FAR rate): A statistical value that is unique to each intersection based on vehicular exposure and the 2015 Statewide average FAR rate for similar intersections. An intersection with a FAR rate higher than the critical FAR rate can indicate a safety concern at the intersection and the site should be further reviewed.

Crash severity is separated into five categories based on injuries sustained during the crash:

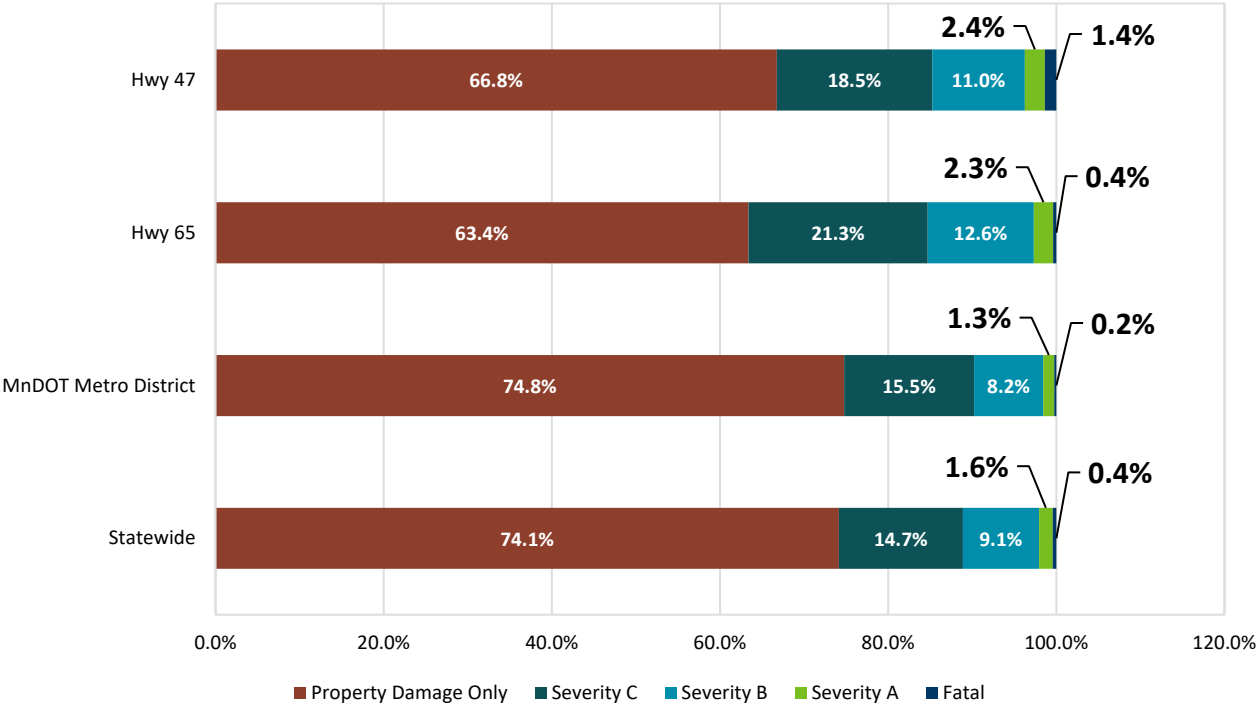
- Property Damage – Crash that results in property damage only, with no injuries
- Severity C – Crash that results in possible injury
- Severity B – Crash that results in a non-incapacitating injury or suspected minor injury
- Severity A – Crash that results in an incapacitating injury or suspected serious injury
- Fatal – Crash that results in death

Sustained High Crash Locations (SHCL): An intersection or segment is considered a SHCL if either of the following criteria applies:

- Criteria 1 – The FAR rate is above the critical FAR rate
- Criteria 2 – The crash rate is above the critical crash rate and one of the following applies:
 - Intersection – One fatal or severity A crash occurred within the 5-year analysis period
 - Segment – 0.2 fatal or severity A crashes per mile per year occurred within the last 5-year analysis period

Figure 3-1 shows the percentage of total crashes by severity type for the five-year period analyzed. Both highways have a higher percentage of all injury crash types when compared to the Metro and Statewide percentages. On Hwy 47, approximately 33 percent of crashes resulted in injuries or fatalities and approximately 37 percent of crashes resulted in injuries or fatalities on Hwy 65. This is in comparison to approximately 25 percent and 26 percent of crashes resulting in injuries and fatalities in the Metro and Statewide, respectively.

Figure 3-1. Crashes by Severity on Hwy 47 and Hwy 65



3.1.1.1 Highway 47 (University Avenue)

Highway 47 has a fatality proportion that is over three times Statewide data. Between 2015 and 2019, there were 1,173 crashes on Hwy 47 within the PEL Study area. Sixteen of these crashes were fatal (1.4 percent) and 28 were severity A (2.4 percent). The Metro and Statewide averages are 0.2 percent and 0.4 percent for fatal crashes and 1.3 percent and 1.6 percent for severity A crashes, respectively. Seventy nine percent of crashes along Hwy 47 occurred at the 29 signalized intersections on the corridor. Thirty-five percent of all crashes were rear end crashes, usually the result of drivers following too closely, driver distraction or congestion, 26 percent were right angle and left turn crashes, typically due to drivers failing to yield or running red lights, and 17 percent were sideswipe crashes, usually the result of drivers changing lanes without looking, changing lanes to avoid a collision or to avoid a turning vehicle.

Table 3-1 shows the intersections within each section of the PEL Study area with crash rates that exceed or are approaching the critical rates and with FAR rates that exceed the critical FAR rates. Eight intersections along Hwy 47 have crash rates that exceed the critical rate, eight are approaching the critical rate and 13 intersections have FAR rates that exceed the critical FAR rate. Table 3-1 also shows the 15 locations that meet the criteria to be considered an SHCL. Figures C-3a through C-3e in Appendix C illustrate the crash summary for the PEL Study area.

Table 3-1. Hwy 47 Intersections with Crash Rates and FAR Rates Approaching or Exceeding Critical Rate (2015-2019)

Roadway Section	Cross Street	Average Entering Daily Volume	Total Crashes	Intersection Crash Rate	Critical Crash Rate	Critical Index	Intersection FAR Rate	Critical FAR Rate	SHCL Criteria 1	SHCL Criteria 2
1	Hwy 65 ^a	17,450	27	0.85^b	0.86	0.99	3.14	3.47	-	-
1	Bank Street	9,750	7	0.39	0.47	0.82	5.62^c	4.87	X	-
1	7 th Avenue	12,950	6	0.25	0.43	0.58	4.23^c	3.95	X	-
1	Broadway Street ^a	28,050	84	1.64^c	1.01	1.63	1.95	3.31	-	X
1	16 th Avenue	13,000	5	0.21	0.43	0.49	4.21^c	3.94	X	-
1	18 th Avenue	12,500	12	0.53^c	0.44	.044	4.38^c	4.05	X	X
1	19 th Avenue	13,000	11	0.46^c	0.43	1.07	0.00	3.94	-	-
1	22 nd Avenue	13,280	14	0.58^c	0.43	1.35	4.12^c	3.88	X	X
1	23 rd Avenue	13,000	10	0.42^b	0.43	0.97	0.00	3.94	-	-
1	Lowry Avenue ^a	26,050	129	2.71^c	0.79	3.41	2.10	2.69	-	X
1/2	27 th Avenue ^a	14,900	30	1.10^c	0.89	1.24	7.35^c	3.86	X	-
2	35 th Avenue	13,430	8	0.33^b	0.39	0.86	8.15^c	3.27	X	-
2/3	37 th Avenue ^a	17,700	21	0.65^b	0.70	0.93	3.09	3.15	-	-
3	40 th Avenue ^a	21,250	27	0.70^b	0.74	0.94	2.58	3.19	-	-
3	44 th Avenue ^a	26,950	32	0.65^b	0.71	0.92	4.06^c	2.76	X	-
4	57 th Avenue ^a	37,600	44	0.64^b	0.67	0.96	4.37^c	2.27	X	-
4	73 rd Avenue ^a	41,400	26	0.34	0.66	0.52	3.97^c	2.16	X	-
4/5	Osborne Road ^a	40,600	41	0.5	0.66	0.83	4.05^c	2.18	X	-
5	81 st Avenue ^a	39,100	46	0.64^b	0.66	0.97	1.40	2.22	-	-
5	83 rd Avenue	32,380	21	0.36^c	0.30	1.20	5.07^c	1.70	X	-
5	85 th Avenue ^a	46,600	77	0.90^c	0.64	1.40	7.05^c	2.02	X	-

^a Signalized intersection

^b Approaching Critical Crash Rate at Intersection

^c Exceeds Critical Crash Rate of Critical FAR rate at intersection

The segments of roadway between signalized intersections were also analyzed to account for crashes not attributed to an intersection. Table 3-2 summarizes the segments with crash rates that exceed or are approaching the critical rates and the FAR rates that exceed the critical FAR rates. One segment has a crash rate that exceeds the critical rate, two are approaching the critical rate and two have FAR rates that exceed the critical FAR rate. There are no segments classified as a SHCL.

Table 3-2. Hwy 47 Segments with Crash Rates and FAR Rates Approaching or Exceeding Critical Rate (2015-2019)

Roadway Section	Segment start	Segment end	Average AADT	Total Crashes	Segment Crash Rate	Critical Crash Rate	Critical Index	Intersection FAR Rate	Critical FAR Rate
1	Hwy 65	Hennepin Avenue	9,500	16	8.25 ^a	7.96	1.04	51.58 ^a	51.10
1	17 th Avenue	20 th Avenue	12,500	31	5.98 ^b	6.36	0.94	19.27	27.01
1	20 th Avenue	Lowry Avenue	12,500	39	5.31 ^b	5.97	0.89	13.61	22.18
2	32 nd Avenue	37 th Avenue	13,000	17	1.27	4.11	0.31	14.93 ^a	13.29

^a Segment exceeds critical crash rate or FAR rate

^b Segment approach critical crash rate

3.1.1.2 Highway 65 (Central Avenue)

Between 2015 and 2019, there were 1,300 crashes on Hwy 65 within the PEL Study area. Five of these were fatal (0.4 percent) and 30 were severity A (2.3 percent). The Metro and Statewide averages are 0.2 percent and 0.4 percent for fatal crashes and 1.3 percent and 1.6 percent for severity A crashes, respectively. Seventy seven percent of all crashes along Hwy 65 occurred at the 38 signalized intersections. Of these, 37 percent of crashes were rear end crashes, 27 percent were right angle and left turn crashes, and 13 percent were sideswipe crashes.

Table 3-3 shows the intersections within each section of the PEL Study area with crash rates that exceed or are approaching the critical rates and the FAR rates that exceed the critical FAR rates. Nine intersections along Hwy 65 have crash rates that exceed the critical rate, five are approaching the critical rate and nine intersections have FAR rates that exceed the critical FAR rate. Table 3-3 also shows the 11 locations that meet the criteria to be considered an SHCL. Figures C-3a through C-3e in Appendix C illustrate the crash summary for the PEL Study area.

Table 3-3. Hwy 65 Intersections with Crash Rates and FAR Rates Approaching or Exceeding Critical Rate (2015-2019)

Roadway Section	Cross Street	Average Entering Daily Volume	Total Crashes	Intersection Crash Rate	Critical Crash Rate	Critical Index	Intersection FAR Rate	Critical FAR Rate	SHCL Criteria 1	SHCL Criteria 2
1	Hwy 47 ^a	17,450	27	0.85^b	0.86	0.99	3.14	3.47	-	-
1	5 th Street ^a	12,150	23	1.04^c	0.93	1.12	9.01^c	4.45	X	X
1	SE 7 th Street ^a	17,380	26	0.82^b	0.86	0.95	3.15	3.48	-	-
1	8 th Street	13,600	13	0.52^c	0.43	1.22	0.00	3.81	-	-
1	Broadway Street ^a	30,800	56	1.00^c	0.99	1.01	5.33^c	3.15	X	X
1	18 th Avenue ^a	20,310	31	0.84^c	0.83	0.42	0.00	3.14	-	-
1	Lowry Avenue ^a	26,400	65	1.35^c	0.79	1.70	4.15^c	2.66	X	X
1	26 th Avenue ^a	13,250	21	0.87^b	0.91	0.95	0.00	4.19	-	-
2	St. Anthony Parkway ^a	17,300	24	0.76^b	0.86	0.88	0.00	3.49	-	-
2/3	37 th Avenue ^a	23,300	46	1.08^c	1.04	1.04	4.70^c	3.66	X	X
3	43 rd Avenue	24,500	26	0.58^c	0.36	1.61	2.23	2.54	-	X
3	45 th Avenue ^a	27,980	30			0.58	3.91^c	3.31	X	-
3	49 th Avenue ^a	32,850	53	0.88^b	0.98	0.89	0.00	3.05	-	-
3	51 st Avenue	29,980	4	0.07	0.31	0.23	1.83^c	1.80	X	-
4	Moore Lake Drive ^a	35,780	14	0.21	0.67	0.31	3.06^c	2.34	X	-
4	63 rd Avenue	31,500	3	0.05	0.30	0.17	1.74^c	1.73	X	-
4/5	Osborne Road ^a	38,130	56	0.80^c	0.67	1.20	8.62^c	2.26	X	-
5	81 st Avenue ^a	41,200	78	1.04^c	0.66	1.58	1.33	2.16	X	-

^a Signalized intersection

^b Approaching Critical Crash Rate at Intersection

^c Exceeds Critical Crash Rate of Critical FAR rate at intersection

The segments of roadway between signalized intersections were also analyzed to account for crashes not attributed to an intersection. Table 3-4 summarizes the segments with crash rates that exceed or are approaching the critical rates and the FAR rates that exceed the critical FAR rates. One segment has a crash rate that exceeds the critical rate and two have FAR rates that exceed the critical FAR rate. One segment is also classified as a SHCL.

Table 3-4. Hwy 65 Segments with Crash Rates and FAR Rates Approaching or Exceeding Critical Rate (2015-2019)

Roadway Section	Segment start	Segment end	Average AADT	Total Crashes	Segment Crash Rate	Critical Crash Rate	Critical Index	Intersection FAR Rate	Critical FAR Rate
1	Lowry Avenue	26 th Avenue	12,400	24	8.48 ^b	7.24	1.17	0.00	39.45
3	41 st Avenue	44 th Avenue	23,000	42	2.67	4.01	0.67	12.70 ^b	12.24
5	81 st Avenue ^a	Co. Hwy 10 Interchange	37,000	11	0.68	4.00	0.17	18.46 ^b	12.05

^a Segment meets criteria to be considered a SHCL.

^b Segment exceeds critical crash rate or FAR rate.

The following figures (3-2 through 3-6) show crash summaries by corridor sections. This includes total intersection crashes, intersections and segments above CCR and FAR, and location for fatal and sever crashes for pedestrians, bicyclists and motorists.

Figure 3-2. Crash Summary on Hwy 47 and Hwy 65, Section 1 (Based 2015-2019 Crash History)

d

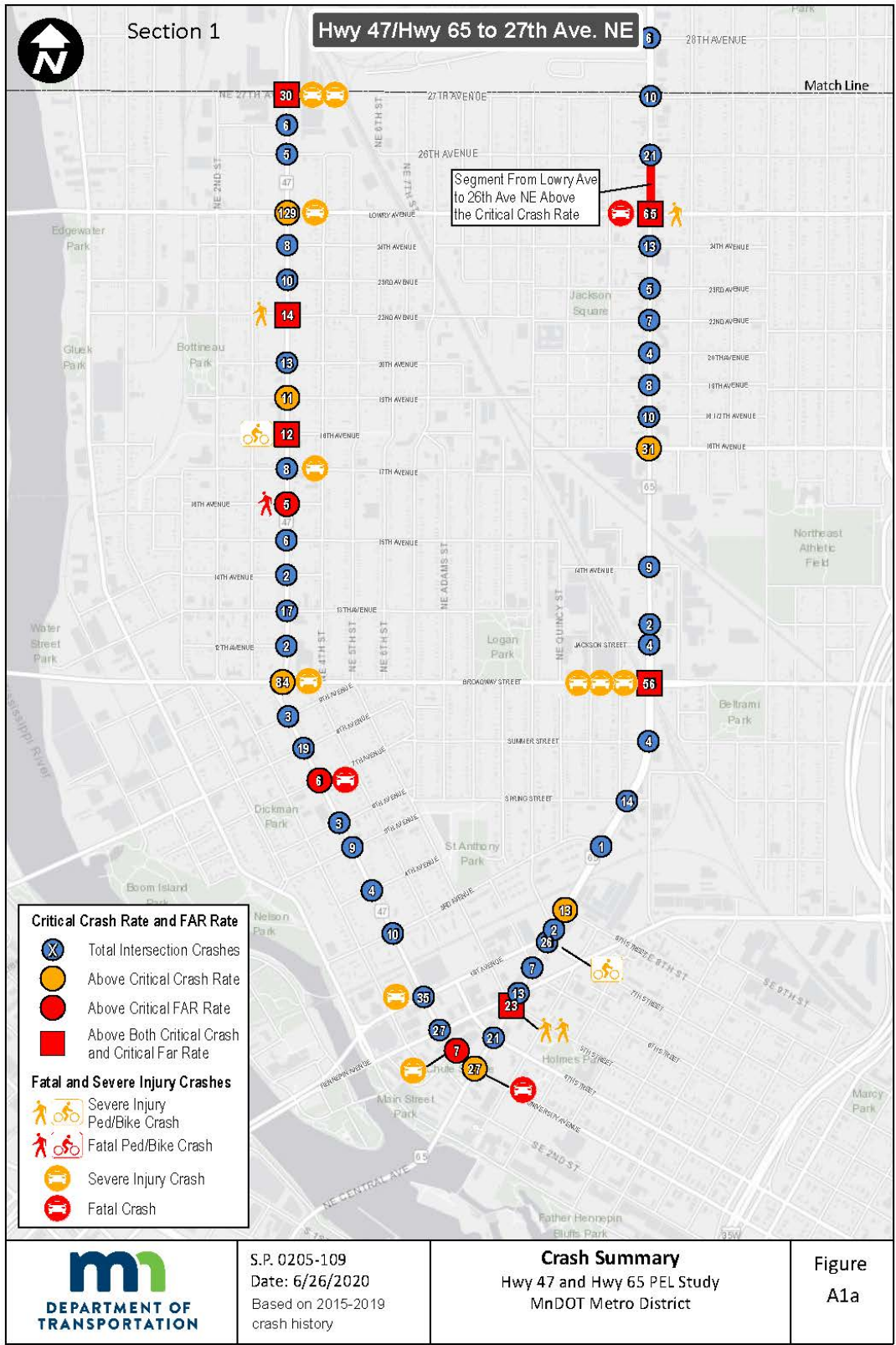


Figure 3-3. Crash Summary on Hwy 47 and Hwy 65, Section 2 (Based 2015-2019 Crash History)

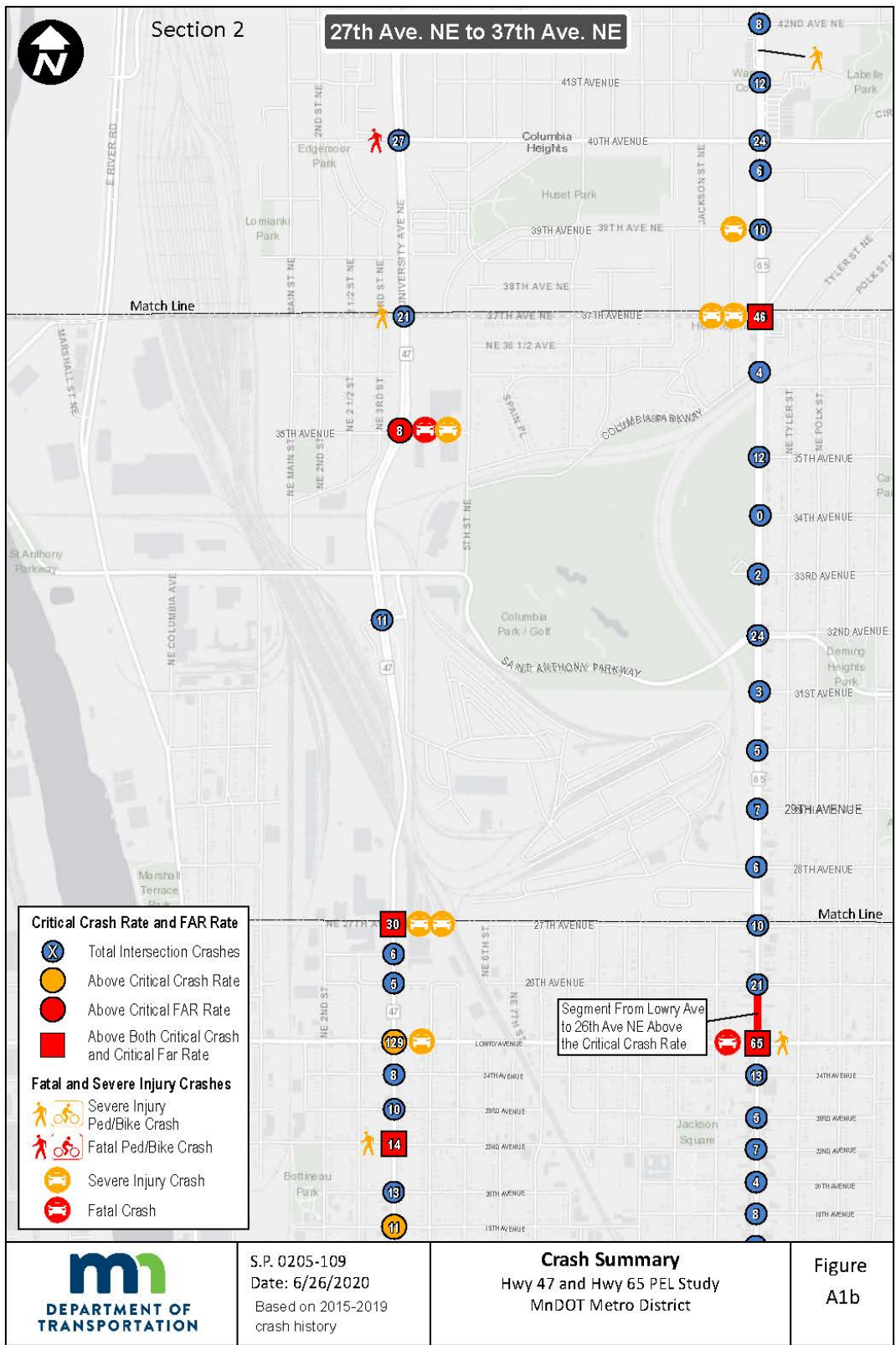


Figure 3-4. Crash Summary on Hwy 47 and Hwy 65, Section 3 (Based 2015-2019 Crash History)

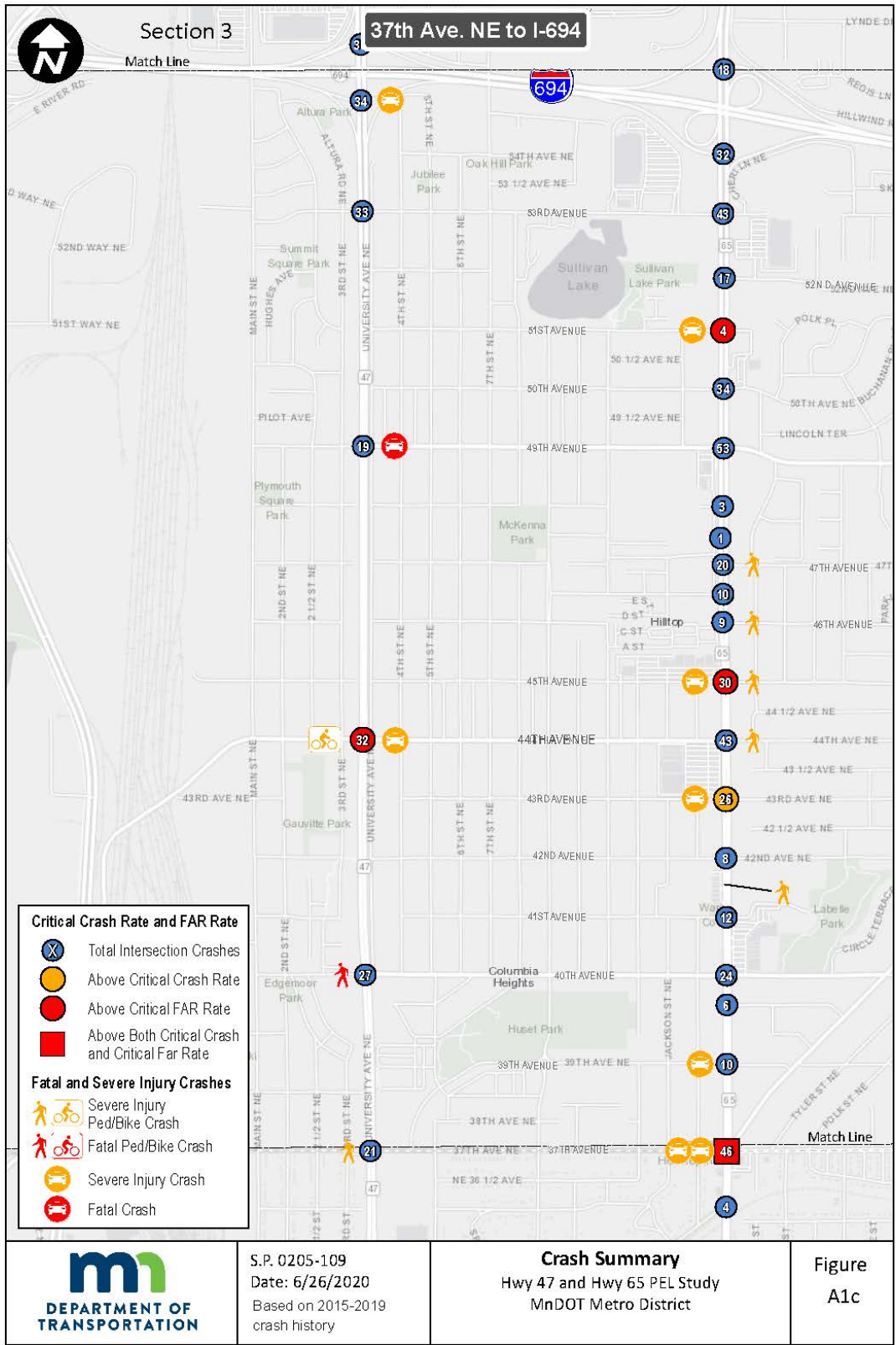


Figure 3-5. Crash Summary on Hwy 47 and Hwy 65, Section 4 (Based 2015-2019 Crash History)

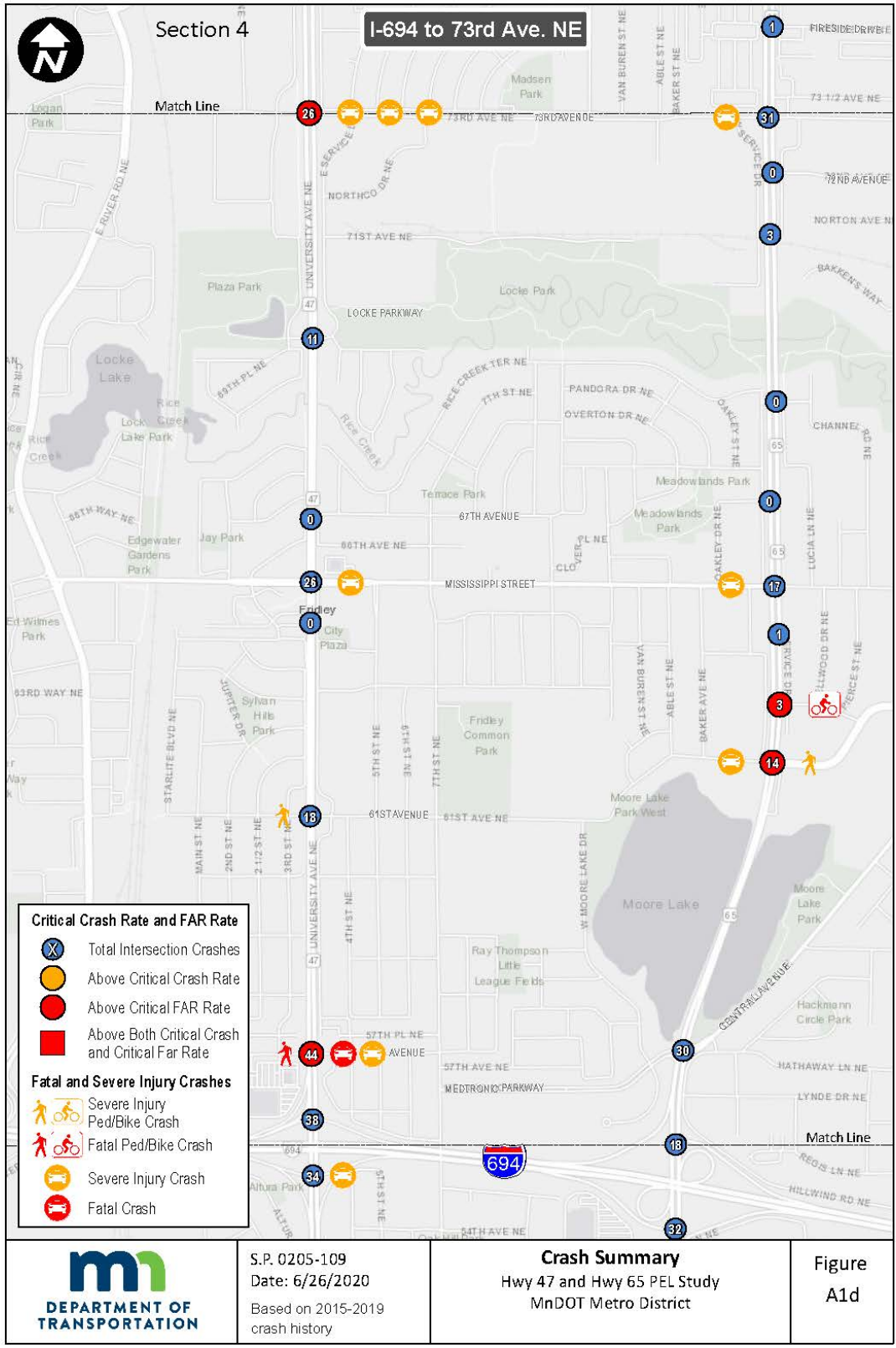
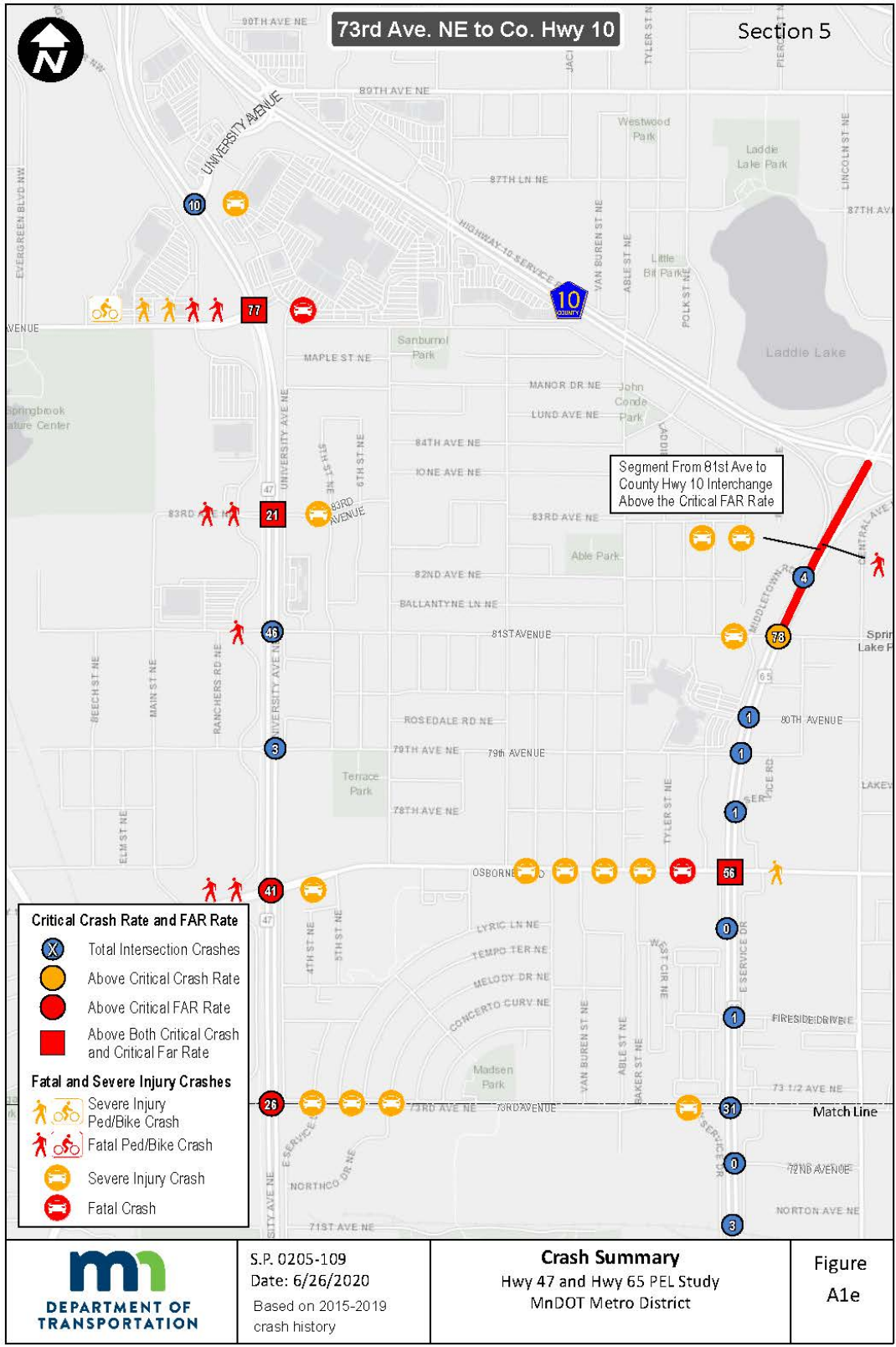


Figure 3-6. Crash Summary on Hwy 47 and Hwy 65, Section 5 (Based 2015-2019 Crash History)



3.1.2.3 Summary

Summary of Vehicle Safety (Primary Need)

Vehicle safety is a primary need throughout the PEL Study area due to higher-than-average crash severity and crash rates. The percentage of fatal crashes on Hwy 47 are three times the statewide average (1.4 vs 0.4%) and seven times the metro average (1.4% vs 0.2%). Fatal Crashes on Hwy 65 are equal to the statewide averages (0.4%) but double the metro averages (0.4% vs 0.2%). There are 29 intersections and five segments on Hwy 47 and Hwy 65 within the PEL Study area that exceed the critical crash rate and/or critical FAR rate.

The *Safety Analysis Technical Memorandum* provides additional data and background for vehicle safety in the PEL Study area (see Appendix B).

3.1.2 Primary Need - Walkability and Bikeability (Safety)

This need addresses the safety of people walking and biking within the PEL Study area. Hwy 47 and Hwy 65 travel through residential and commercial areas of five cities, connecting non-motorized travelers with the surrounding commercial businesses, residences, parks, schools, and community facilities. Most neighborhoods along the study corridors, especially towards the south end, have moderate to high housing and job density as well as community amenities such as schools and parks. This makes large portions of the corridors walkable and bikeable from a distance perspective. The crash history and level of service/stress, however, indicate issues with pedestrian and bicyclist safety both along and across Hwy 47 and Hwy 65.

3.1.2.1 Crash History

Crash history was reviewed for the five-year reporting period from 2015 to 2019. Although pedestrian and bicyclists were involved in only 5% of the 2,473 total crashes during this time, they account for 39% of the fatal and serious injury crashes along the corridor, more than 10 times the rate for auto drivers. Since this study began in March of 2020, there have been two more pedestrian fatalities along Hwy 65 and a pedestrian fatality along Hwy 47 which were not included in the crash data analysis.

Highway 47 (University Avenue): Pedestrian and bicycle crashes are more frequent in the south end through high density housing and commercial areas of Minneapolis, while fatalities are more concentrated in the northern sections where vehicles speeds and volumes are higher. There were 39 pedestrian and 18 bicyclist involved crashes that occurred on Hwy 47 within the PEL Study area during the 5-year analysis period between 2015 and 2019.⁷ Ten (17.6 percent) of these were fatal and eight (14.0 percent) were severity A crashes. While the largest number of total crashes occurred at the south end in section 1 and 2 of the study area, fatal and severity A crashes remained comparatively low, likely due to a narrower and slower roadway. Fatal and severity A crashes were highest at the northern end in section 5, where vehicle speeds and volumes are highest. Of the 13 pedestrian or bicyclist crashes that occurred in this section, 10 resulted in a death or severe injury. The intersection of 85th Avenue near Northtown Mall stands out with five pedestrian and bicyclist fatalities. Table 3-5 shows the fatal and severity A crashes by study area sections.

Table 3-5. Hwy 47 Pedestrian and Bicycle Fatal and Severity A Crashes

Roadway Section	Cross Street	Number of Fatal/Severity A Crashes	Total number of crashes
1	TH 47 at TH 65 ^a	0	3
1	Hennepin Avenue ^a	0	3
1	1 st Avenue ^a	0	2
1	5 th Avenue ^a	0	1
1	8 th Avenue ^a	0	1
1	Broadway Street ^a	0	2
1	13 th Avenue ^a	0	2
1	16 th Avenue ^b	1	2

⁷ Three additional fatal pedestrian crashes occurred in 2020, outside of 2015-2019 analysis period. One crash was on Hwy 47 at County Highway 3/University Avenue NW, and two crashes were on Hwy 65 at 44th Avenue and 41st Avenue.

Roadway Section	Cross Street	Number of Fatal/Severity A Crashes	Total number of crashes
1	18 th Avenue ^b	1	1
1	20 th Avenue ^a	0	1
1	22 nd Avenue ^b	1	1
1	Lowry Avenue ^a	0	5
2/3	37 th Avenue ^a	1	5
3	40 th Avenue ^a	1	2
3	44 th Avenue ^a	1	2
4	57 th Avenue ^a	1	2
4	61 st Avenue ^a	1	2
4	Mississippi Street ^a	0	1
4	69 th Avenue ^a	0	2
4/5	Osborne Road ^a	2	3
5	81 st Avenue ^a	1	2
5	83 rd Avenue ^b	2	2
5	85 th Avenue ^a	5	6

^a signalized intersection

^b unsignalized intersection

Highway 65 (Central Avenue): There were 57 pedestrian and 23 bicyclist related crashes that occurred on Hwy 65 within the PEL Study area during the 5-year analysis period between 2015 and 2019. Two (2 percent) of these were fatal and 11 (14 percent) were severity A crashes. One of the fatal and one of the severity A crashes were in segments between intersections, unlike Hwy 47 which had all fatal and severity A crashes occur at intersections.

Table 3-6 summarizes the fatal and severe A crashes at intersections and along segments of Hwy 65. While no intersection or segment stands out on Hwy 65 like 85th Avenue on Hwy 47, sections 1 and 3 have clusters of crashes spread throughout these sections. In section 1, 5th Street and Lowry Avenue stand out for the total number of pedestrian and bicyclist crashes and severity A crashes. Section 3 has a cluster of crashes extending from 40th Avenue to 52nd Avenue, with 32 total pedestrian and bicyclist crashes, five of which were severity A crashes. 45th Avenue and 50th Avenue stand out with five and six total pedestrian/bicyclist crashes respectively. Of the two fatal crashes that occurred on Hwy 65, one was a bicyclist at West Moore Lake Drive and one was a pedestrian north of 81st Avenue. It should also be noted that after the 2015-2019 recording period, there have been several more fatal pedestrian and bicyclist crashes on Hwy 65 through section 3.

Table 3-6. Hwy 65 Pedestrian and Bicycle Fatal and Severity A Crashes

Roadway Section	Cross Street	Number of Fatal/Severity A Crashes	Total number of crashes
1	TH 65 at TH 47 ^a	0	3
1	4 th St ^a	0	1
1	5 th Street ^a	2	5
1	Hennepin Avenue ^a	0	1
1	SE 7 th Street ^a	1	3

Roadway Section	Cross Street	Number of Fatal/Severity A Crashes	Total number of crashes
1	Spring Street ^a	0	1
1	Broadway Street ^a	0	2
1	12 th Avenue ^b	0	1
1	14 th Avenue ^a	0	1
1	18th Avenue ^a	0	1
1	18 ½ Avenue ^a	0	2
1	24th Avenue ^a	0	1
1	Lowry Avenue ^a	1	4
2	26 th Avenue ^b	0	2
2	27 st Avenue ^b	0	2
2	St Anthony Parkway ^a	0	2
2	Columbia Parkway ^b	0	1
2/3	37 th Avenue ^a	0	1
3	Gould Avenue ^b	0	1
3	40 th Avenue ^a	0	3
3	41 st Avenue ^a	0	1
3	41 st to 42 nd Avenue	1	1
3	42 nd Avenue ^b	0	1
3	43 rd Avenue ^b	0	1
3	44 th Avenue ^a	1	4
3	45 th Avenue ^a	1	5
3	46 th Avenue ^b	1	3
3	47 th Avenue ^a	1	3
3	49 th Avenue ^a	0	1
3	50 th Avenue ^a	0	6
3	51 st Avenue ^b	0	1
3	52nd Avenue ^a	0	2
4	Moore Lake Drive ^a	1	2
4	63rd Avenue ^b	1	1
4	73rd Avenue ^a	0	3
4/5	Osborne Road ^a	1	2
5	81st Avenue ^a	0	2
5	81st Avenue to Co. Hwy 10	1	1

^a signalized intersection

^b unsignalized intersection

3.1.2.2 Pedestrian Level of Service and Bicycle Level of Traffic Stress

Pedestrian Level of Service (PLOS) and Bicycle Level of Traffic Stress (BLTS) are frequently used proxies to evaluate the perceived safety of facilities, identifying locations that feel unsafe to people walking and biking.

Perceived safety must be reviewed independently of crash history because facilities may be so inadequate for safe travel that people avoid them all together. These locations may not show up on crash history⁸.

Perceived safety is also referred to as “user comfort or stress”. User comfort and stress are based on the physical and environmental factors at intersections and along segments, such as types of traffic control at crossings, facility widths, traffic volumes, traffic speeds, and number of through lanes⁹. These types of factors impact a user’s comfort level using these locations as part of their route. Low comfort facilities can result in realized crashes, near misses, low compliance (such as mid-block crossings of Hwy 47 and 65), or avoidance all together¹⁰.

PLOS and BLTS analyses were conducted to evaluate the comfort/stress along and across Hwy 47 and Hwy 65. Based on the findings, both corridors have insufficient pedestrian levels of service and high levels of traffic stress for bicyclists, resulting in the need for safety improvements.

Pedestrian Level of Service (PLOS)

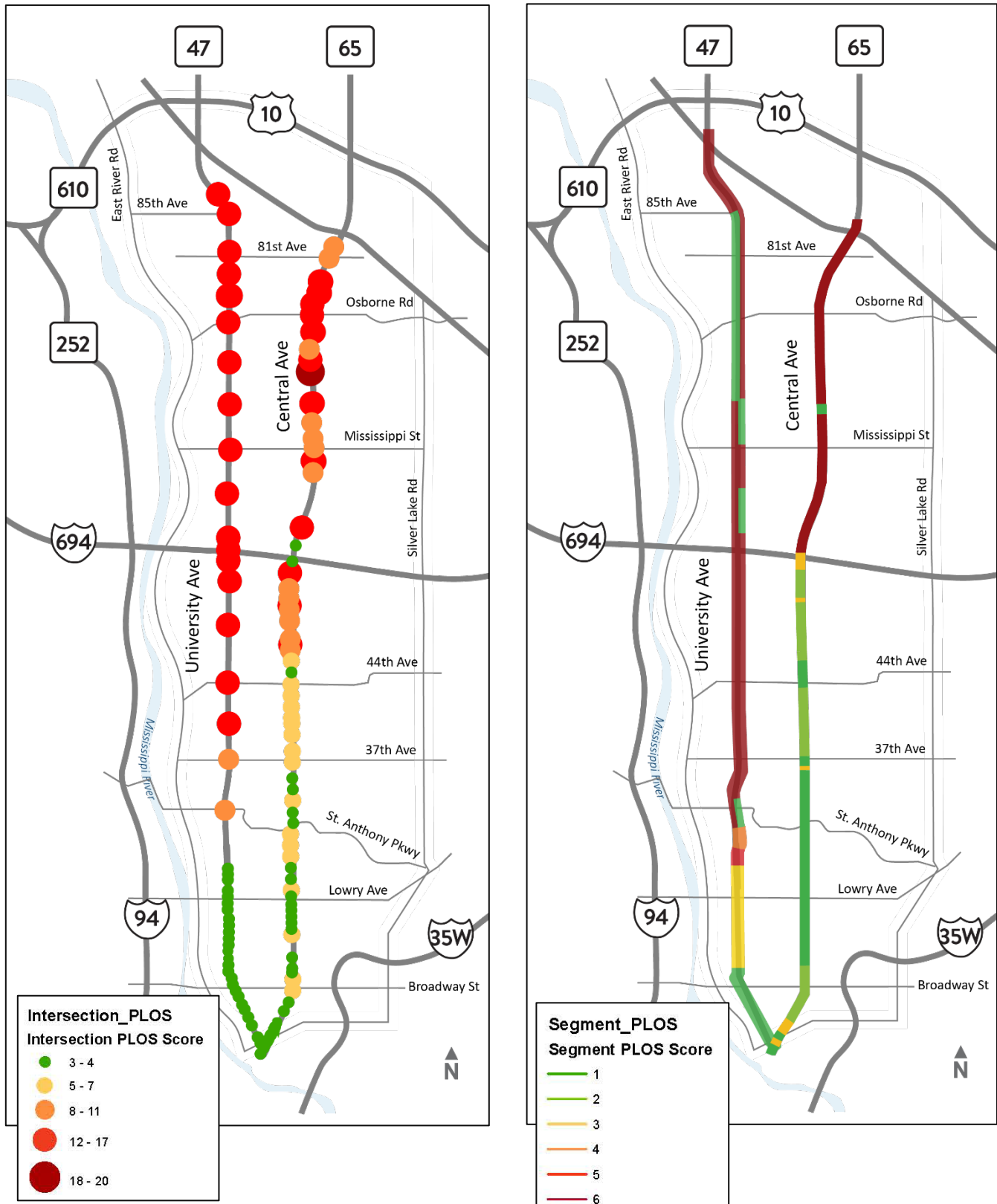
A PLOS analysis identifies locations with comfort issues/safety for people walking by considering the infrastructure available to pedestrians along segments of Hwy 47 and Hwy 65 as well as crossings of both roadways. The methodology is based on best practice analyses and was adapted to consider conditions along Hwy 47 and Hwy 65. A data-driven score is assigned to each segment and crossing along each corridor. PLOS is scored with a rating of 3-4 as “more comfortable” to 18-20 as “most uncomfortable.” See figure 3-7 for the PLOS scores at intersections and along segments of Hwy 47 and Hwy 65.

⁸ From FHWA Pedestrian and Bicyclist Road Safety Audit Guide and Prompt List: “As vehicle traffic increases, pedestrians may be discouraged from walking, especially in areas with poor infrastructure and higher speeds. In such cases, there may be relatively few collisions. Low crash numbers certainly do not indicate these locations are relatively safe and they may have a relatively high risk of severe collisions in the future”

⁹ From FHWA Pedestrian and Bicyclist Road Safety Audit Guide and Prompt List: “Besides traffic, pedestrian and bicyclist crash risk may increase with the following: • Increasing number of lanes (including turn lanes) presenting more conflict points. • Increasing pedestrian crossing distance and roadway width, leading to greater exposure to traffic. • Decreasing separation in time, such as allowing free-flow turns or right-turn-on-red movements. • Decreasing availability of sidewalks or other facilities that separate pedestrians from motor vehicle traffic.”

¹⁰ From FHWA Bikeway Selection Guide: “Exposure to high motor vehicle traffic speeds and volumes is the primary contributor of stress...Proximity to motor vehicle traffic is a significant source of stress and discomfort for bicyclists: crash and fatality risks sharply rise for vulnerable users when motor vehicle speeds exceed 25 mph.”

Figure 3-7. Pedestrian Level of Service (PLOS) for Hwy 47 and Hwy 65



Figures 3-8 and 3-9 show examples of more comfortable and less comfortable locations for pedestrians. Refer to Section 3.2.1, *PLOS Intersection Scoring Methodology*, of the *Existing Conditions Modal Analysis Technical Memorandum* for an explanation of the scoring methodology used for PLOS analysis (see Appendix B).

Figure 3-8. More Comfort



Figure 3-9. Less Comfort



Highway 47: The findings of the PLOS analysis of Hwy 47 show that intersections range from comfortable to very uncomfortable, and roadway segments range from very comfortable to less comfortable. By this measure, the most comfortable intersection crossings are in Section 1, south of NE 27th Avenue, due to lower speed limits and fewer travel lanes to cross and the most comfortable segments are in Sections 1 and 4 due to buffers and greenspace between sidewalks and roadway. The most uncomfortable intersections and segments are generally found in Sections 2 through 5 based on higher speed limits, more lanes to cross and higher traffic volume.

The pedestrian sidewalk network is incomplete in Section 2, north of Saint Anthony Parkway, and Sections 3, 4 and 5 resulting in lack of access for pedestrians. Ten bus stops are disconnected from the surrounding pedestrian network, all located north of 37th Avenue NE in Sections 3, 4 and 5. Lack of connected transit stops can provide unsafe loading and waiting locations for people in wheelchairs or other assist devices to access public transit.

Highway 65: The PLOS analysis of Hwy 65 found that intersections and segments range from comfortable to very uncomfortable, depending on the location. The most comfortable intersection crossings are in Sections 1, 2 and 3, south of 44th Avenue NE, and the most comfortable segments are south of I-694 in Sections 1, 2 and 3. The most uncomfortable, lowest rated intersections and segments are found in Sections 4 and 5 due to higher speed limits, more roadway lanes to cross and higher traffic volume.

The pedestrian sidewalk network is incomplete in Section 4 and 5, north of I-694. The walking experience, such as having to use roadway shoulders, is a contributing factor to low PLOS scores and reduced mobility for people walking for transportation, shopping, to work and bus stops, recreation, and physical activity.

Sidewalks, curb ramps, traffic signals, and other infrastructure will be reviewed as part of future projects to determine if current standards developed for the Americans with Disabilities Act (ADA) are being met and/or impacted by the project.

ADA Accessibility

A full ADA assessment was not conducted due to the size of the study area, but a qualitative review of both corridors identified many locations for which infrastructure is not in compliance with Americans with Disabilities Act (ADA) standards, posing safety issues for users with disabilities. Sidewalks, curb ramps, traffic signals, and other infrastructure will need to be reviewed as part of future projects to determine if current standards are being met and/or impacted by the project.

Bicycle Level of Traffic Stress (BLTS)

A BLTS analysis considers the infrastructure available to people biking on and along Hwy 47 and Hwy 65 to identify locations of low, moderate and high stress. BLTS is scored with 1 as “low stress” to 4 as “high stress”. Figures 3-10 and 3-11 show examples of low stress and high stress locations for bicyclists. Refer to *Section 5.3.1, BLTS Scoring Methodology*, of the *Existing Conditions Modal Analysis Technical Memorandum* for an explanation of the scoring methodology used for the BLTS (see Appendix B). See figure 3-12 for the BLTS scores of Hwy 47 and Hwy 65.

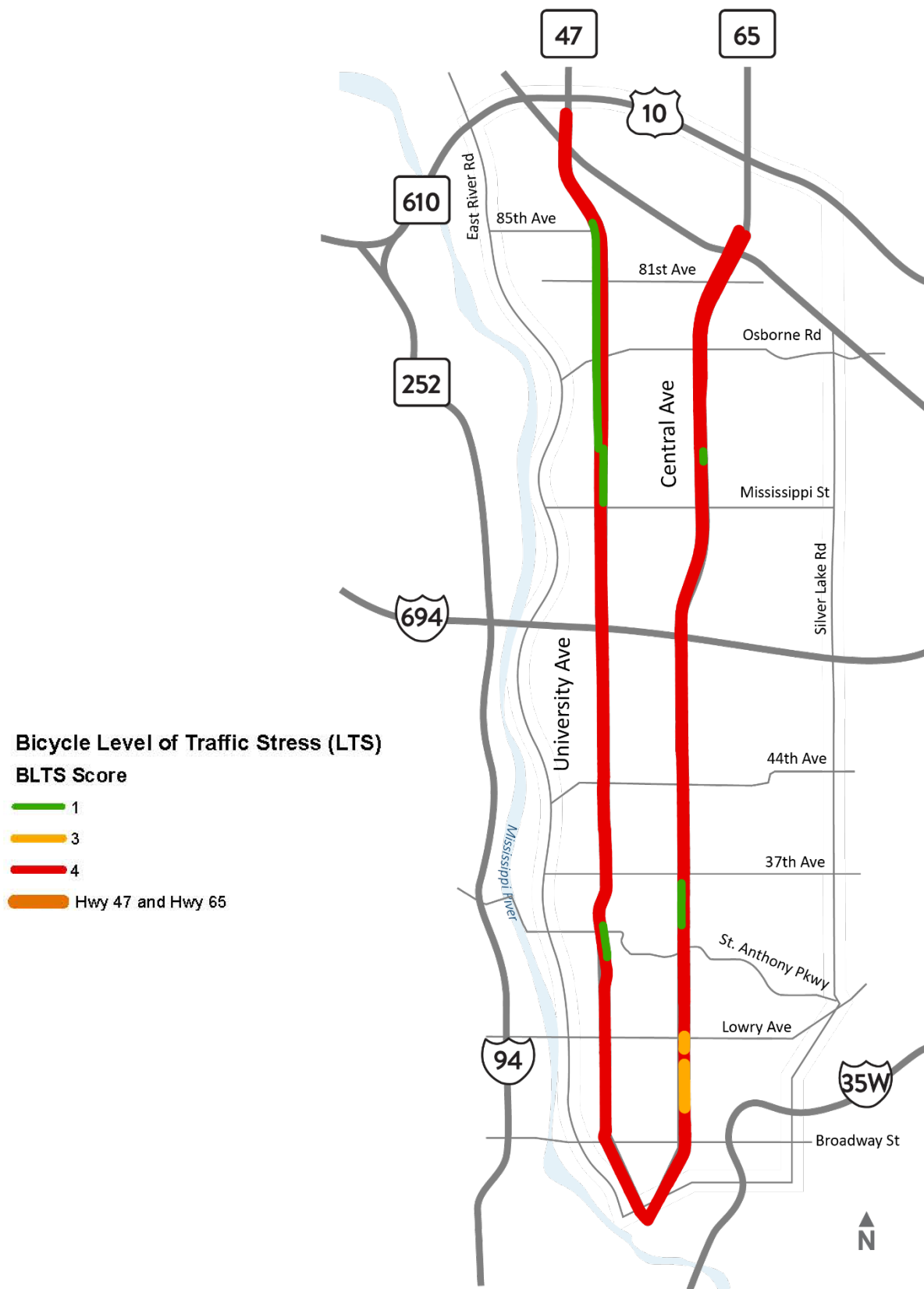
Figure 3-10. Lower Bicycle Level of Traffic Stress



Figure 3-11. Higher Bicycle Level of Traffic Stress



Figure 3-12. Bicycle Level of Traffic Stress (BLTS) on and along Hwy 47 and Hwy 65



Highway 47: The findings of the BLTS analysis show that bicycling along Hwy 47 is high stress for all but a few segments of the PEL Study corridors due to the lack of space separating bicycles from moving vehicles. The exception is in Section 4 in Fridley, which is considered very comfortable due to dedicated sidepaths that separate bicyclists from vehicles. For the remainder of the PEL Study area, there is limited separation between vehicles and bicyclists traveling along the roadways. Signalized and enhanced crossings are also infrequent throughout the PEL Study area and do not connect users to destinations, limiting access for those traveling by bicycle. Figure C-8 in Appendix C shows the existing on-street and off-street bicycle facilities within the PEL Study area.

Highway 65:

The findings of the BLTS analysis show that bicycling along Hwy 65 is very uncomfortable for most of the PEL Study area due to the lack of space separating bicycles from moving vehicles. The exceptions are portions of Section 1 near Lowry Avenue and Section 2 near the Columbia Golf Club where there are sidepaths separating bicyclists from vehicles.

3.1.2.3 Summary

Summary of Walkability and Bikeability - Safety (Primary Need)

The recorded crash history, low level of pedestrian service, and high level of bicycle traffic stress, combined with the high priority for pedestrian and bicycle accessibility outlined in the background section, make the safety of people walking and biking a primary need for all sections of the study area.

The safety of users crossing the roadways is of particular importance where they are most exposed to conflicts with motor vehicles. Intersection crossings throughout the PEL Study area have documented safety issues, as reported in the 2018 road safety audit and this PEL Study. Issues such as vehicle speed and the number of access points add to the safety issues within the PEL Study area. Long delays at signalized intersection may have an impact on user compliance, which has further safety ramifications.

While safety is listed as a primary need, and mobility as a secondary need, the two are inextricably linked. Safety improvements often provide a benefit to pedestrian and bicyclist mobility. Walkability and Bikeability - Mobility is a secondary needs for this study, and primarily focuses on the amount of out-of-direction travel imposed on people walking and biking to access comfortable or low-stress facilities.

The *Existing Conditions Modal Analysis Technical Memorandum* and *Safety Analysis – Technical Memorandum #3*, provide additional data and background for pedestrian and bicycle safety in the PEL Study area (Appendix B and B).

3.1.3 Primary Need - Pavement Condition

MnDOT uses four indices for reporting pavement conditions. Each index describes a different aspect of pavement condition. MnDOT uses the indices to rank existing pavement sections and predict the need for future maintenance and rehabilitation. Additional information describing the four indices is in MnDOT’s Pavement Conditions Annual Report.¹¹ In addition, Table 3-7 illustrates the ratings of each indice from Very Good to Very Poor on a scale of 5-0.

Table 3-7: Pavement Conditions Metric Rating Scale for Categories

Condition Categories (Metric)	RSL (# of years from current year to year RQI=2.5; If RQI≤2.5 then RSL=0)	Condition Categories (Metric)	RQI	PQI	SR
High	12+ years	Very Good	4.1 – 5.0	3.7 – 4.5	3.3 – 4.0
		Good	3.1 – 4.0	2.8 – 3.6	2.5 – 3.2
Moderate	4 to 11 years	Fair	2.1 – 3.0	1.9 – 2.7	1.7 – 2.4
Low	0 to 3 years	Poor	1.1 – 2.0	1.0 – 1.8	0.9 – 1.6
		Very Poor	0.1 – 1.0	0.1 – 0.9	0.1 – 0.8

Pavement Condition Metric definitions:

- RSL:** The RSL is an estimate, in years, until the RQI will reach a value of 2.5, which is generally considered the end of a pavement’s design life.
- RQI:** The RQI is MnDOT’s ride, or smoothness, index. It uses a zero to five rating scale, rounded to the nearest tenth. The higher the RQI, the smoother the road is. The RQI is intended to represent the rating that a typical road user would give to the pavement’s smoothness as felt while driving his/her vehicle.
- PQI:** The PQI is a composite index, equal to the square root of the product of RQI and SR. As such, it gives an overall indication of the condition of the pavement, taking into account both the pavement smoothness and cracking. The PQI is the index used to determine if the state highway system is meeting performance thresholds established for the Government Accounting Standards Board, Standard 34 (GASB 34).
- SR:** MnDOT uses the SR to quantify pavement distress. The percentage of each distress in a 500-foot sample is determined and multiplied by a weighting factor to get a weighted distress value. The weighting factors are greater for higher severity levels of the same distress and greater for distress types that indicate more serious problems exist in the roadway such as alligator cracking or broken panels. The weighted distresses are then combined to determine the SR. The SR ranges from 0.0 to 4.0 and is reported to the nearest tenth. A higher SR means better condition. A road with no defects is rated at 4.0. A road in need of major rehabilitation or reconstruction will generally have an SR near or below 2.5.

¹¹ 2017 Pavement Conditions Annual Report, January 2018, Minnesota Department of Transportation, Office of Materials and Road Research, Pavement Management Unit; available at <http://www.dot.state.mn.us/materials/pvmtgmt.html>.

3.1.3.1 Highway 47 (University Avenue)

The present RQI within the PEL Study area ranges from Poor to Good condition. Table 3-8 provides the existing pavement metric conditions for each section on Hwy 47 within the PEL Study area.

Table 3-8. Existing Hwy 47 PEL Study Area 2019 Pavement Metric Conditions

Section	1		2		3		4		5	
Metric	Value	Condition	Value	Condition	Value	Condition	Value	Condition	Value	Condition
RSL	0-3 years	Low	4-11 years	Moderate	12+ years	High	12+ years	High	12+ years	High
RQI	0.0-3.0	Poor-Fair	2.1-5.0	Fair-Good	3.1-5.0	Good	3.1-5.0	Good	3.1-5.0	Good
PQI	0.0-2.7	Poor-Fair	2.8-4.5	Good	2.8-4.5	Good	2.8-4.5	Good	2.8-4.5	Good
SR	0.0-2.4	Poor-Fair	2.5-4.0	Good	2.5-4.0	Good	2.5-4.0	Good	2.5-4.0	Good

Source: 2019 MnDOT pavement conditions maps. <https://www.dot.state.mn.us/materials/pvmtgmt.html>

3.1.3.2 Highway 65 (Central Avenue)

The present RQI within the PEL Study area ranges from Poor to Good categories. Table 3-9 provides the existing pavement metric conditions for each section on Hwy 65 within the PEL Study area.

Table 3-9. Existing Hwy 65 PEL Study Area Pavement Metric Conditions

Section	1		2		3		4		5	
Metric	Value	Condition	Value	Condition	Value	Condition	Value	Condition	Value	Condition
RSL	0-3 years	Low	12+ years	High	0-11 years	Low-Medium	12+ years	High	4-12+ years	Medium-High
RQI	0.0-3.0	Poor-Fair	2.1-3.0	Fair	2.1-5.0	Fair-Good	3.1-5.0	Good	2.1-5.0	Fair-Good
PQI	1.9-2.7	Fair	2.8-4.5	Good	2.8-4.5	Good	2.8-4.5	Good	2.8-4.5	Good
SR	1.7-2.4	Fair	1.7-4.0	Fair-Good	1.7-4.0	Fair-Good	2.5-4.0	Good	2.5-4.0	Good

Source: 2019 MnDOT pavement conditions maps. <https://www.dot.state.mn.us/materials/pvmtgmt.html>

3.1.3.3 Summary

Summary of Pavement Condition (Primary Need)

Pavement condition is a primary need in Section 1 for both Hwy 47 and Hwy 65 due to poor pavement conditions. Depending on when a future project is planned for implementation, the conditions in the other sections could deteriorate and additional areas could become a primary need. Otherwise, pavement conditions may be considered a secondary need or additional consideration when planning future transportation improvements.

3.2 Secondary Needs

The secondary need describes other transportation problems or opportunities for improvements within the PEL Study Area that may be able to be addressed, if feasible, while the primary needs should be addressed as part of future proposed projects. Secondary needs include:

3.2.1 Vehicle Mobility

3.2.2 Walkability and Bikeability – Mobility

3.2.1 Secondary Need - Vehicle Mobility

Daily vehicle traffic growth rates on both highways over the next 20 years are expected to be relatively flat with minor increases and minor decreases depending on location. Queue lengths on side streets connecting to Hwy 47 and Hwy 65, freight mobility and transit define the vehicle mobility needs within the PEL Study area.

3.2.1.1 Highway 47 (University Avenue)

Automobile

Daily traffic volume (AADT) increases from 7,900 in the southern end of the PEL Study area to 40,150 in the north portion. On average, the calculated growth rates show steady annual linear growth in traffic volume between 0.1 percent and 2.3 percent. There is little through traffic traveling from end to end, with less than 15 percent of vehicles continuing beyond I-694 in the northbound and southbound directions. On average, all sections within the PEL Study area operate with an acceptable segment LOS C or better. Vehicle back-ups at intersections, or queue lengths, exceed the available lane storage more frequently on the side-street approaches than for the turning movements on Hwy 47. Lane blocking also occurs for more than 25 percent of the time for either through, right-turn and left-turn lanes at several intersections. Table 3-10 lists the intersections where average queue lengths exceed available turn storage lengths and where lane blocking occurs for more than 25 percent of the time. Table 3-10 provides a summary of queuing along Hwy 47.

Table 3-10. Queuing Analysis Summary – Hwy 47

Section	Intersections where Queue Lengths Exceed Available Turn Storage Lengths	Intersections where Lane Blocking Occurs More Than 25 Percent of the Time ^a
1	<ul style="list-style-type: none"> • 8th St Ave NE • Broadway St NE • 13th Ave NE 	<ul style="list-style-type: none"> • Broadway St NE (mainline & side-street) • 13th Ave NE (side-street) • 17th Ave NE (mainline) • 20th Ave NE (mainline) • Lowry Ave NE (mainline) • 27th Ave NE (mainline)
2/3	None	37 th Ave NE (side-street)

Section	Intersections where Queue Lengths Exceed Available Turn Storage Lengths	Intersections where Lane Blocking Occurs More Than 25 Percent of the Time ^a
3	<ul style="list-style-type: none"> • 49th Ave NE • 53rd Ave NE 	<ul style="list-style-type: none"> • 40th Ave NE (side-street) • 44th Ave NE (side-street) • 49th Ave NE (side-street) • 53rd Ave NE (side-street)
4	None	73 rd Ave NE (side-street)
4/5	Osborne Rd NE	Osborne Rd NE (side-street)

^a Lane blocking occurs for either through, right and/or left-turn lane

Transit

Transit service within the PEL Study area focuses on serving regional travel needs through local routes and longer trips through commuter rail. This includes six local bus routes and the Northstar Commuter Rail connecting Big Lake with downtown Minneapolis. The Metropolitan Council is also prioritizing the F Line arterial bus rapid transit service for near-term development from 53rd Avenue to Northtown Mall. Local service connects transit riders to downtown Minneapolis, Northtown Mall, schools, senior housing, shopping, and retail. There are also three Park and Ride stations along Hwy 47 within the PEL Study area. The highest level of transit ridership is in areas with high job density such as Northtown Mall and downtown Minneapolis and areas with more schools and senior housing. Figure C-9 in Appendix C illustrates ridership within the PEL Study area. As described under Section 3.2.1, ten transit stops are disconnected from the surrounding pedestrian network north of 37th Avenue NE.

3.2.1.2 Highway 65 (Central Avenue)

Automobile

Daily traffic volume (AADT) increases from 10,550 in the southern end of the PEL Study area to 36,400 in the north portion. On average, the calculated growth rates show steady annual linear growth in traffic volume between 0.0 percent and 2.5 percent. There is little through traffic traveling from end to end, with 3 percent of vehicles continuing beyond I-694 in the northbound direction and 8 percent of vehicles continuing south of I-694. On average, all sections operate with an acceptable segment LOS C during the AM peak hour. The average LOS during the PM peak hour operates at LOS C in Sections 1, 2 and 3, but drops to LOS E and LOS F for Sections 4 and 5, north of I-694, likely due to long cycle lengths of up to 250 seconds and heavy turning volumes. Figure C-10 in Appendix C illustrates traffic operations on Hwy 65.

Vehicle back-ups at intersections, or queue lengths, exceed the available lane storage more frequently on the side-street approaches than for the turning movements on Hwy 65. Lane blocking also occurs for more than 25 percent of the time for either through, right-turn and left-turn lanes at several intersections. Table 3-11 lists the intersections where average queue lengths exceed available turn storage lengths and where lane blocking occurs for more than 25 percent of the time. Table 3-10 provides a summary of queuing along Hwy 65.

Table 3-11. Queuing Analysis Summary – Hwy 65

Section	Intersections Where Queue Lengths Exceed Available Turn Storage Lengths	Intersections Where Lane Blocking Occurs More Than 25 Percent of the Time ^a
1	<ul style="list-style-type: none"> • 8th St Ave NE • Broadway St NE • 13th Ave NE 	<ul style="list-style-type: none"> • 5th St SE (mainline) • Spring St NE (side-street) • 18th Ave NE (side-street) • Lowry Ave NE (mainline & side-street)
2/3	None	37th Ave NE (side-street)
3	<ul style="list-style-type: none"> • 49th Ave NE • 53rd Ave NE 	<ul style="list-style-type: none"> • 49th Ave NE (side-street) • 53rd Ave NE (mainline)
4	None	<ul style="list-style-type: none"> • Central Ave/Medtronic Pkwy NE (mainline & side-street) • E Moore Lake Drive (mainline) • 73rd Ave NE (mainline & side-street)
4/5	Osborne Rd NE	Osborne Rd NE (side-street)
5	None	81st Ave NE (mainline)

^a Lane blocking occurs for either through, right and/or left-turn lane

Transit

Transit service within the PEL Study area focuses on serving local and regional travel needs through local routes and commuter rail. This includes six local bus routes and the Northstar Commuter Rail connecting Big Lake with downtown Minneapolis. Local service connects residential neighborhoods to high job and activity centers such as downtown Minneapolis, Northtown Mall, schools, senior housing, shopping, and retail. The highest levels of transit ridership are in areas with high job density such as Northtown Mall and downtown Minneapolis and areas with more schools and senior housing. The Metropolitan Council is also prioritizing the F Line arterial bus rapid transit service for near-term development from University Avenue to 53rd Avenue. Figure C-9 in Appendix C illustrates ridership within the PEL Study area. As described under Section 3.2.1, ten transit stops are disconnected from the surrounding pedestrian network north of 37th Avenue NE.

3.2.1.3 Freight Mobility

Freight Origin-Destination and “Top Routes” Analysis

StreetLight origin-destination and “Top Routes” analysis was completed for freight within the study catchment area as described in the Existing Conditions Modal Analysis – Technical Memorandum #2 found in Appendix B. Thirteen zones were identified within the freight catchment area and ranked based on their concentration of freight trip activity. Six of the thirteen zones directly feed Hwy 47 and Hwy 65 and the top routes, key origins and destinations for each were analyzed to understand how they impact Hwy 47 and Hwy 65.

The analysis showed the key role that both Hwy 47 and Hwy 65 serve in local freight supply chains. In many cases the corridor analysis showed that businesses locate near each other to save costs. This is most evident in Figure 7.3-6 where top trip ends from CP Shoreham Terminal are shown throughout the study area. In all cases the analysis showed the importance of good connections to I-694 and US-10 to distribute goods beyond the study area. For the CP Terminal, 37th Ave. NE and E. Hennepin Ave. serve as critical east-west connections between the terminal and the BNSF St. Paul Intermodal Facility. Adjacent to Cummins Power Generation Inc., the largest freight employer in the study area, Central Ave. NE serves as a parallel freight corridor to Hwy 65,

and provides connections to key east-west connections for that site including 73rd Ave. NE, 69th Ave. NE and I-694.

Freight Volume Analysis

StreetLight data for the “top routes” analysis was also used to determine truck turning volume indices at 22 intersections spread between the Hwy 47 and 65 corridors. While not a true truck volume, the indices provide a representation of the level of turning activity at each location in the absence of truck field counts.

Appendix C provides visual depictions of the intersections that fall within the top 25 percent of truck turning movements within each corridor. Note that several intersections reviewed do not have any turning movements falling within the highest 25 percent of volume indices.

During consultations with freight operators it was noted that the southbound RT onto westbound Lowry Ave. NE has experienced increased turns due to the new CP yard entrance on Hwy 65. This was also noted as having inadequate geometrics for trucks.

Canadian Pacific (CP) Shoreham Yards Terminal

There is limited truck traffic access to the CP Shoreham Terminal from both the I-94 and I-694 interstate system and from intermodal container depots in the area. From the interstate, roads on alternative routes have substantial impediments (e.g. height restrictions, weight limitations, bridge closures), making Hwy 47 the only adequate road for CP Shoreham Terminal access. Hwy 47 also connects Hwy 280 to the CP Shoreham Terminal and the BNSF St. Paul Intermodal Facility.

The addition of new entrance and exit from the CP Shoreham Terminal onto Hwy 65 in 2020 is expected to alleviate previous queues experienced along Hwy 47 by allowing queuing on CP property and providing another direct route for the terminal to I-694 and Hwy 10. This expansion project is also projected to increase capacity by 21 percent. While the new access is operational, data was not available for analysis as part of the PEL Study, therefore further analysis of the new entrance will be needed to determine impacts to freight mobility within the PEL Study area.

3.2.1.4 Summary

Summary of Vehicle Mobility (Secondary Need)

Automobile

Mobility through Sections 4 and 5 on Hwy 65 are secondary needs based on LOS E and F conditions. Decreasing queue lengths on side streets are needs in all sections. As future proposed projects are identified, existing and future traffic data should be reviewed for the specific location of the project to determine if this is substantiated. Any future proposed project on Hwy 65 should also consider alternatives developed under the TH 65 PEL Study that is expected to be completed in early 2021.¹ Section 6 of the *Existing Conditions Modal Analysis Technical Memorandum* provides additional data and background for automobile mobility (see Appendix B).

Transit

Based on ridership, gaps in pedestrian access to transit stops, density of destinations, transit mobility, including transit service priority/delay and access to stops, is a secondary need within segments 3, 4 and 5 on Hwy 47 and segments 1 through 5 on Hwy 65. *Section 4, Transit Analysis*, of the *Existing Conditions Modal Analysis Technical Memorandum* provides additional data and background for transit mobility (see Appendix B).

Freight

The analysis showed the key role that both Hwy 47 and Hwy 65 serve in local freight supply chains. In many cases the corridor analysis showed that businesses locate near each other to save costs. The greatest level of truck turning movement occurs at Hwy 65 and 73rd Avenue near Cummins, the largest employer in the study area, and Hwy 47 at the I-694 interchange. Additional analysis of the impact of the new entrance on Hwy 65 to the CP Shoreham Yard should be completed for future analysis within the PEL Study area to determine impacts on vehicle mobility. *Section 7, Freight Analysis*, of the *Existing Conditions Modal Analysis Technical Memorandum* provides additional data and background for freight mobility (see Appendix B).

3.2.2 Secondary Need - Walkability and Bikeability (Mobility)

The Land Use, Demographic, Economics, Transit, Pedestrian, Bicycle and Plans and Policies sections of this report document the demand and community vision for a high level of pedestrian and bicycle accessibility and connectedness throughout both corridors. As mentioned in the Walkability and Bikeability Safety section under primary needs, mobility and safety are linked, and improvements to safety can have a positive impact on the accessibility and connectedness of pedestrian and bicycle facilities.

Pedestrian and bicyclist mobility needs in the study area are substantiated by the PLOS and BLTS which identify the level of stress for crossing locations along the corridor. High stress crossings fail to provide adequate mobility for pedestrians and bicyclists because pedestrians and bicyclists must travel out-of-direction to cross at a lower stress location. This could result in either a longer out-of-direction trip or the loss of a walking or biking trip, which:

- Restricts the Community's ability to meet their vision for improved physical, mental and environmental health through the support of active transportation
- Removes a free/cheap travel option for user, which disproportionately impacts low-income and minority communities

Pedestrians are especially sensitive to increases in trip distance. Most walking trips are around 0.5 miles, with few exceeding one mile¹². In suburban contexts along the corridors, where the distance between marked crossings can exceed 0.5 miles, out-of-direction travel to reach a low-stress crossing can easily double or triple total trip length, requiring an excessive amount of travel time for people walking.

3.2.2.1 Pedestrian Mobility

The PLOS analysis, outlined in section 3.1.2., identifies low-stress crossings across and sidewalk or trail facilities along Hwy 47 and Hwy 65. Based on a review of this analysis, and east-west permeability of the corridors and density of trip generators, the following areas were identified as requiring a high level of out-of-direction travel to access low stress crossings, resulting in a likely increase in travel time for pedestrians.

Hwy 47: Based on the PLOS, the northern most sections of Hwy 47 have the highest impact on out-of-direction travel due to lack of high comfort facilities. See table 3-12 for a full summary of mobility needs by section.

Table 3-12. Estimated out-of-direction travel for pedestrians based on Hwy 47

Section	PLOS	Network Permeability and Trip Generator Density	Out-of-direction travel
Section 1	Highest comfort level for crossings and sidewalks on Hwy 47 and high density in controlled crossing locations	highest permeability and high trip generators	Low

¹² <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3377942/>

Section	PLOS	Network Permeability and Trip Generator Density	Out-of-direction travel
Section 2	Varying sidewalk comfort on Hwy 47, no comfortable crossing opportunities north of 27 th , low density of controlled crossing locations	Low permeability and low trip generators	Moderate
Section 3	Low level of sidewalk comfort and crossing comfort, low density of controlled crossings between 40 th and 53 rd Ave	Low permeability and moderate trip generators	High
Section 4	Varying sidewalk comfort (I-694 to 57 th and 61 st to Mississippi – low comfort, all other segments comfortable on one side), low crossing comfort, low density of controlled crossings	Low permeability and high trip generators	High
Section 5	Varying sidewalk comfort (83 rd to Co. Hwy 10 – low comfort, all other segments comfortable on one side), low crossing comfort, low density of controlled crossings	Low permeability and high trip generators	High

Hwy 65: Based on the PLOS, both sections 1 and 2 have an anticipated low level of out-of-direction travel, with section 4 having the highest anticipated out-of-direction travel with no comfortable sidewalk or trail facilities along Hwy 65 and only one comfortable crossing location (Rice Creek Trail Crossing) within the section. See table 3-13 for a full summary of mobility needs by section.

Table 3-13. Estimated out-of-direction travel for pedestrians on Hwy 65

Section	PLOS	Network Permeability and Trip Generator Density	Out-of-direction travel
Section 1	Highest comfort level for crossings and sidewalks on Hwy 65 and high density in controlled crossing locations	highest permeability and high trip generators	Low
Section 2	Highest comfort level for crossings and sidewalks on Hwy 65 and moderate density in controlled crossing locations	Moderate to high permeability and low trip generators	Low

Section	PLOS	Network Permeability and Trip Generator Density	Out-of-direction travel
Section 3	High to low levels of sidewalk comfort (moderate to low comfort at the northern most end from 53 rd to I-694, otherwise comfortable) and moderate to low comfort crossing from 46 th to 53 rd , high density of controlled crossings	Moderate permeability and moderate to high trip generators	Moderate
Section 4	Low level of sidewalk comfort throughout, except for small section near Rice Creek Trail, moderate to low crossing comfort, low density of controlled crossings	Low permeability and moderate trip generators	High
Section 5	Low level of sidewalk comfort, moderate to low crossing comfort except for pedestrian bridge at 80 th , low density of controlled crossings	Moderate to low permeability and moderate trip generators	Moderate

3.2.2.2 Bicyclist Mobility

The BLTS analysis, outlined in section 3.1.2., identifies low-stress facilities along Hwy 47 and Hwy 65. Based on a review of this analysis, along with a review of PLOS crossing comfort at east-west facility and presence of parallel routes, areas were identified where a high level of out-of-direction travel may be necessary to access low stress routes, resulting in a likely increase in travel time.

Hwy 47: The level of out-of-direction travel increases to the north with the lack of low-stress crossing opportunities to connect north-south bicycle facilities to the surrounding trail system. See table 3-14 for a full summary of mobility needs by section.

Table 3-14. Estimated out-of-direction travel for bicyclists on Hwy 47

Section	BLTS	Low PLOS crossing density and parallel facilities	Out-of-direction travel
Section 1	High-stress for the entire section	Low-stress parallel route on 5 th Ave, low comfort crossings	Low
Section 2	Low-stress along segment from St. Anthony Parkway to approximately 30 th Ave, High-stress the remainder of the section	Low comfort crossing at Grand Rounds trail, no parallel route to connect to regional trail system	Moderate

Section	BLTS	Low PLOS crossing density and parallel facilities	Out-of-direction travel
Section 3	High-stress the entire section	All low comfort crossings, parallel route to the west from 44 th to I-694	High
Section 4	High-stress from I-694 to Mississippi , low stress on west side of Hwy 47 from Mississippi to Osborne	No comfortable crossings, including at regional trail (69 th), Parallel route to the west from I-694 to 61 st	High
Section 5	Low stress on west side of Hwy 47 from Osborne to 85 th , high-stress from 85 th to Co. Hwy 10 (F)	No comfortable crossings, no comfortable crossings to connect trails at 85 th and University Ave	High

Hwy 65: The level of out-of-direction travel for bicyclists is highest in sections 3 and 5 with a lack of low-stress crossing opportunities and alternative routes to connect to surrounding trail system. See table 3-15 for a full summary of mobility needs by section.

Table 3-15. Estimated out-of-direction travel for bicyclists on Hwy 65

Section	BLTS	Facility crossings with low PLOS crossings and parallel facilities	Out-of-direction travel
Section 1	Moderate to high-stress facilities	Multiple comfortable crossings, parallel route to the west from Spring St to 27 th Ave	Low
Section 2	Low-stress north of St. Anthony Parkway, otherwise high-stress	Multiple comfortable crossings, parallel route to the west from 27 th Ave to 37 th Ave	Low

Section	BLTS	Facility crossings with low PLOS crossings and parallel facilities	Out-of-direction travel
Section 3	High-stress facility	Few comfortable crossings, especially north of 45 th Ave, no parallel routes or connections to east/west trails	High
Section 4	High-stress facility except for a small section of low-stress facility around Rice Creek Trail	Only one comfortable crossing (Rice Creek Trail), parallel route to the east and high trail connections	Moderate
Section 5	High-stress facility	Only one comfortable crossing (80 th Ave bridge), no parallel routes	High

3.2.2.3 Summary

Summary of Walkability and Bikeability – Mobility (Secondary Need)

In addition to the safety issue for pedestrians and bicyclists, walking and biking along and across Hwy 47 and Hwy 65 is challenging due to the location and connectivity of pedestrian and bicycle infrastructure that connect people to places. Issues such as intermittent sidewalks along Hwy 47 and Hwy 65, barriers to crossing, such as center medians and railroad tracks, and roadway characteristics not conducive to pedestrian and bicycle travel. The demographics of the area show that biking and walking is an important facet of the overall transportation system and provides access to the many businesses and community facilities within the PEL Study area, however the infrastructure to access these destinations is missing, disconnected or uncomfortable to both people walking and biking.

Because much of Hwy 47 and Hwy 65 fail to provide low-stress and connected facilities for people walking and biking, mobility for users was identified as a secondary need for this study.

As future proposed projects are identified, mobility will need to be evaluated to improve access and connectivity for those walking and biking. Different locations along these corridors may have varying walkability and bikeability needs that could address issues with access, connectivity and mobility.

The *Existing Conditions Modal Analysis Technical Memorandum* provides additional data and background for pedestrian and bicycle mobility in the PEL Study area (see Appendix B).

4. Purpose

The purpose of the PEL Study is to identify alternatives for inclusion in future proposed projects along Hwy 47 and Hwy 65 and the local supporting roadway system that improve safety and mobility for vehicular traffic and pedestrian and bicycle users.

5. Additional Considerations

Additional considerations are other elements that are not central to the Purpose and Need but are nonetheless important considerations for future proposed alternatives. Additional considerations for Hwy 47 and Hwy 65 projects include:

5.1 Consistency with local, State, and Regional Plans and Programs

5.2 Consistency with local, State and Regional Projects

5.3 Cost Effectiveness/Implementable

5.4 Non-pavement Infrastructure

5.1 Consistency with Local, State and Regional Plans and Programs

There are a number of state, regional, county, and municipal plans and programs that identify key themes for safety and access that should be considered as part of future proposed projects within the PEL Study area. *Section 3, Plans, Policies and Prior Studies*, in the *Corridor Conditions Review Technical Memorandum* provides a summary of these and other plans for consideration when developing alternatives and proposed projects within the PEL Study area (see Appendix B). Specific plans to accommodate include, but are not limited to:

- MnDOT’s 20-Year State Highway Investment Plan, Metropolitan Council 2020 Transportation Policy Plan MnDOT’s Statewide Bicycle System and Pedestrian System plans, and MnDOT’s Metro District Bicycle Plan.
- Consistency with MnDOT’s Connected and Automated Vehicle Plan

Connected and Automated Vehicle (CAV) technology may present future opportunities to address the safety needs for users of Hwy 47 and Hwy 65. MnDOT’s 2019 CAV Statewide Plan emphasizes improved safety as a leading goal and rationale for the advancement and implementation of this technology, as well as the potential for greater equity, enhanced economic benefits and sustainability. The CAV Plan seeks to “support deployment of CAV technology to improve safety and achieve Toward Zero Death (TZD) goals to eliminate traffic deaths.”

The plan recommends that at the corridor scale, assessments of piloting or long term CAV infrastructure needs (i.e., traffic signals and cabinets, fiberoptic conduit, CAV-compatible pavement markings and signage, additional right-of-way needs, and so forth) be considered as part of corridor plans and improvements, with the understanding that CAV technology will continue to mature in the coming years. The value and efficiency of this assessment lies in building CAV readiness into future transportation improvements.

5.2 Consistency with Local, State and Regional Projects

There are several projects planned or underway within, or near, the Hwy 47 and Hwy 65 PEL Study area. Depending on the schedule, some of these projects could be combined with an alternative and/or address a need identified as part of this PEL study. These projects include:

- Hwy 47
 - Metro Transit F Line aBRT, planned for 2025 construction
 - Repairs on the roadways and bridges, ADA upgrades on US Hwy 10 from East ramps at Foley Boulevard in Coon Rapids to MN65 in Blaine and on Hwy 47 from Anoka County Highway 10 to East Junction US 10 in Coon Rapids (2021) – located just north of the PEL Study area
 - Resurface, drainage, sidewalks and ADA work on Hwy 47 from Hwy 65 to just south of 27th northeast Ave in Minneapolis (2024) – S.P. 2726-78 – located in Section 1 of the PEL Study area
 - Safety improvements including modifying pedestrian crossing distances, tightening corner radii and lane reductions at various intersections from Hennepin/Anoka County line to U.S. 610 (2025) – S.P. 0205-110 – located in Sections 3, 4 and 5 of the PEL Study area
- Hwy 65
 - Metro Transit F Line aBRT, planned for 2025 construction

- Hwy 65 PEL Study (ongoing) – Identifies alternatives for Hwy 65 directly north of the Hwy 47 and Hwy 65 PEL Study area in Blaine (2020) – S.P. 0208-161 – located just north of the PEL Study area
- Repair bridges at County Road 10 in Spring Lake Park (2023) – located just north of the PEL Study area
- Resurface road, drainage repairs and ADA improvements from County Road 10 in Spring Lake Park to Coon Creek in Blaine (2024) – S.P. 0207-110 – located just north of the PEL Study area
- Safety improvements including modifying pedestrian crossing distances, tightening corner radii and lane reductions at various intersections from Hennepin/Anoka County line to U.S. 610 (2025) – S.P. 0207-125 – located in Sections 3, 4 and 5 of the PEL Study area
- Resurface road from 53rd Ave NE to South Moore Lake Dr (2027) – located in Sections 3 and 4 of the PEL Study area
- Resurface bridge over railroad in Minneapolis at 8th St NE – 2027 – located in Section 1 of the PEL Study area
- Resurface road from Washington Ave to 53rd NE (2028) – located in Sections 1, 2 and 3 of the PEL Study area
- Resurface bridge over BNSF railroad at Broadway NE (2030) – located in Section 1 of the PEL Study area
- Nearby roadways
 - Metro Transit F Line aBRT, planned for 2025 construction
 - Hwy 65 – Bridge rehab and associated improvements to 3rd Avenue bridge over Mississippi River (2020-2022)
 - County Highway 8 (Osborne Rd) State Aid Project 002-608-012 – Grading, aggregate base, bituminous pavement, concrete curb & gutter, storm sewer and ADA improvements (2021) – located in Sections 4 and 5 of the PEL Study area
 - County Highway 6 (Mississippi Street) State Aid Project – Implementation of recommended alternatives from the Anoka County Highway 6 (Mississippi Street) Corridor Study (2022 and 2025) – located in Section 4 of the PEL Study area
 - Hennepin Ave/1st Ave – Construct bike facility between Main Street and 8th Street (2023) – located in Section 1 of the PEL Study area
 - Lowry Ave – Reconstruct roadway between Washington Ave and Johnson Ave, crossing Hwy 65 (2023) – located in Section 1 of the PEL Study area

5.3 Cost Effectiveness/Implementable

The cost of transportation improvements is always a consideration; capital budgets are constrained and must address many needs across the system. Alternatives evaluated for the PEL Study area must fit within fiscal constraints and be implementable. The development of risk-based cost estimate ranges will help minimize future project delays by accounting for risk and uncertainty for unknown factors that can often lead to future increases in costs (e.g., utility relocations, environmental mitigations, etc.). It is also important for cost ranges to consider not only the initial cost of construction, but also the project's seasonal and life cycle maintenance costs.

5.4 Non-pavement Infrastructure

Infrastructure needs were not evaluated as part of the PEL Study and should be considered during early scoping activities when proposed projects are identified. Infrastructure needs that may need to be considered include but are not limited to:

- Drainage – determine if infrastructure has cracking, spalling or other distress and if capacity and treatment requirements are being met
- Signals – determine if traffic signals are deteriorated (e.g., corrosion, damage from vehicle collisions)
- Signing – determine if signs are past service life set by MnDOT as a standard for replacement
- Bridges – determine if corridor structures and bridges are deficient or in need of replacement
- Noise barriers – three existing noise walls are located on Hwy 47 that have a condition rating of “fair”

6. Social, Economic and Environmental (SEE) Considerations

There are many environmental and cultural resources throughout the study area as defined in the Corridor Conditions Report – Technical Memorandum #1. These include things such as Environmental Justice impacts, sites of archeological or historical significance, wetlands, basins and floodways, and threatened or endangered species. The following areas should be reviewed and considered in future projects due to their significance in the study area.

- Improves Transportation Equity/Environmental Justice
- Historical/Cultural Resources
- Storm Water Management
- Section 4(f)/6(f) Resources
- Threatened or endangered species
- Access Impacts
- ROW impacts

Purpose and Need Summary and Next Steps

Safety issues along the corridor, changes to surrounding interstate and highway systems, low or no projected growth rates for drivers and the community's vision for high quality pedestrian, bicycle and transit access along and across these two highways were all driving forces behind this PEL Study. The purpose and needs presented in this document represent the high-level findings based on analysis of corridor conditions, safety and transportation operations, as well as public feedback.

Safety continues to be a top priority for the state and local community, to minimize or eliminate the loss of life on Minnesota roadways. Safety for all modes, along with the need to address deteriorating pavement conditions along Hwy 47 and Hwy 65, have developed into the primary needs for the study corridors. Unlike past purpose and need statements, pedestrian and bicyclist safety has been broken out as an individual primary need for this study, to address the high vulnerability and loss of life for people walking and biking, but also to reflect the communities desire to make Hwy 47 and Hwy 65 multimodal corridors that are safe and comfortable for all users.

The mobility of all users along with additional infrastructure conditions are secondary needs for the corridor and should be considered once safety has been addressed. Additional considerations include equity of transportation improvements for environmental justice communities and consistency with the community's vision for the two roadways.

Ultimately, future projects along and across these two roadways will need to address a variety of issues including providing more inclusive multimodal facilities, considering the equity of future projects, and meeting they community's goals for a more sustainable transportation system.

Evaluation Criteria were developed based on this purpose and need statement to provide guidance on selecting future projects alternatives that best meet the needs for the study area.

Appendix A – Logical Termini Technical Memorandum

Appendix B – Supporting Documents and Reports (Incorporated by Reference)

A copy of the documents can be obtained by contacting Anthony Wotzka at Anthony.wotzka@state.mn.us or 651-234-7712.

1. *Highway 47 and Highway 65 PEL Study – Corridor Conditions Review Technical Memorandum*. SEH. August 3, 2020. This document provides a planning level review of previous planning efforts and provides a review of existing and future conditions throughout the PEL study area (study area).
2. *Highway 47 and Highway 65 Planning and Environmental Linkages Study – Corridor Character Technical Memorandum*. SEH. July 22, 2020. This document analyzes existing visual character within the PEL Study area.
3. *University & Central Vision, Hwy 47 and Hwy 65 Planning and Environmental Linkages (PEL) Study Phase 1*. SEH. December 2020. This document summarizes the public engagement program conducted in October and November 2020.
4. *Highway 47 and Highway 65 PEL Study – Daily Traffic Forecasts Memorandum*. HFTE, Inc. July 17, 2020. This document summarizes the methodology, assumptions and daily traffic forecast results for the major roadways in the PEL Study area.
5. *Highway 47 and Highway 65 PEL Study – Existing Conditions Modal Analysis Technical Memorandum*. SEH. September 25, 2020. This document analyzes existing transportation conditions for pedestrian, transit, bicycle, auto, and freight travel modes for the PEL Study area.
6. *Highway 47 and Highway 65 PEL Study – Safety Analysis Technical Memorandum*. SEH. October 26, 2020. This document analyzes existing and future safety concerns within the PEL Study area for all modes.

Appendix C – Supporting Exhibits

Figure C-1. PEL Study Area Location Map

Figure C-2. Sections within PEL Study Area

Figure C-3a. Crash Summary – Section 1

Figure C-3b. Crash Summary – Section 2

Figure C-3c. Crash Summary – Section 3

Figure C-3d. Crash Summary – Section 4

Figure C-3e. Crash Summary – Section 5

Figure C-4a. Pedestrian and Bicycle Safety – Section 1

Figure C-4b. Pedestrian and Bicycle Safety – Section 2

Figure C-4c. Pedestrian and Bicycle Safety – Section 3

Figure C-4d. Pedestrian and Bicycle Safety – Section 4

Figure C-4e. Pedestrian and Bicycle Safety – Section 5

Figure C-5. Priority Areas for Walking Study (PAWS) Scoring

Figure C-6. Bicycle Barriers

Figure C-7. Metro District Bike Prioritization

Figure C-8. Existing and Planned Bicycle Facilities and Alignments

Figure C-9. Transit Ridership – 2019

Figure C-10. Existing Hwy 65 Traffic Operations

Figure C-11. Freight Turning Movements on Hwy 47

Figure C-12. Freight Turning Movements on Hwy 65

February 10, 2022

Jim Kosluchar, PE
Public Works Director / City Engineer
City of Fridley
7071 University Avenue NE
Fridley, MN 55432

SUBJECT: MnDOT Responses to City of Fridley Comments on MN 47/65 PEL Study Purpose and Need and Evaluation Criteria draft documents

Dear Jim Kosluchar,

Thank you for reviewing the MN 47/65 Purpose & Need Evaluation and Draft Evaluation Criteria. I'm writing to share MnDOT's responses to the thoughtful comments that you sent during the 30-day public comment period that concluded July 29, 2021. The MnDOT project team values the City of Fridley's input and partnership on this study, and I apologize for the long interval before you received our written responses. Our team has been addressing the City's comments as we've been refining the Evaluation Criteria. Our individual responses to comments are provided in the attached matrix.

In general, we understand that the City of Fridley would like the Level 2 Evaluation Criteria refined to include improvements to transit connections for bicyclists; and the SEE impact analysis refined to include the consideration noise pollution, air quality, and temperature/heat impacts related to vegetation and the urban heat island effect as part of the environmental justice category. The study team is working to address these comments. The study team will update the final version of the Purpose & Need Evaluation to make corrections to the physical characteristics as noted in the attached matrix.

We look forward to sharing the updated Level 2 Evaluation Criteria document with you at the next TAC meeting in March 2022. The updates to the Purpose & Need document will be made in the final version of that document at the end of the study; and corrected information will be available for the development and screening of alternatives this spring and summer.

You are welcome to contact me at 651-234-7795 or David.Elvin@state.mn.us with questions.

Sincerely,



Digitally signed by David Elvin
Date: 2022.02.10 16:21:21
-06'00'

David Elvin, AICP
Principal Planner

Copy sent via email:

Melissa Barnes, North Area Manager
Brigid Gombold, Environmental Documentation

1	A	B	C	D	E	F	H	I	K
2	Comment #	Date	Document	Page	Agency	Commenter	Theme	Comment	MnDOT Response
3	87	7/29/2021	Draft Evaluation Criteria	1	City of Fridley	J. Kosluchar	Vehicle Speeds	1. The P & N Statement acknowledges that higher vehicle speeds contribute to increased fatalities and decreased use of alternative modes of transportation along TH 47/65. Reducing vehicle speeds would therefore address the primary and secondary needs identified by the P & N Statement and mitigate both the number of crashes and their severity. However, the Evaluation Criteria is centered around designed-based alternatives to influence speed. While changing roadway design is one available strategy which we support, vehicle speed can also be impacted through other methods such as updated signal timing and reducing posted speeds, particularly on TH 47. The City would like to see managed alternatives to reduce vehicle speed evaluated within the PEL study and believes that this important safety mitigation measure should be considered paramount due to the excess number of severe and fatal crashes on TH 47.	MnDOT agrees with the City that motor vehicle speed is related to poor safety for all users and discourages people from walking and biking. The evaluation criteria will include measures that assess the benefits of reduced speed and related strategies for achieving it to improve users' safety.
4	88	7/29/2021	Draft Purpose and Need Statement	1	City of Fridley	J. Kosluchar	Administrative	2. The P & N Statement acknowledges future development will bring additional residential, commercial, and mixed-use development. The City would like to see explicit mention of the increase in multifamily housing along TH 47 in Fridley that has occurred in the past five years (over 600 units directly on the corridor, and 250 units on 61st Avenue within ¼ mile complete or under construction) and the contributing impact on shifting the role of the corridor from a throughway to a living corridor with a corresponding demand for multi-modal crossing and access, further emphasizing the need for consideration of safety mitigation measures. The City of Fridley is urbanizing along TH 47 in rapid fashion, and tools other than speed studies are needed to reduce life-threatening conflicts and eliminate barriers to disadvantaged populations within the community.	This comment refers to information that is already part of the PEL Study in the review of existing municipal plans. This information will be considered during the development of alternatives.
5	89	7/29/2021	Draft Purpose and Need Statement	2	City of Fridley	J. Kosluchar	Evaluation Criteria	3. The TH 47/65 Corridor Workshops in 2019 recommended improving the sense of place and community identity along these corridors including developing the unique vision for each corridor. The roadway characteristics and surrounding land use are inextricably linked. The City would like to see additional evaluation of how the PEL study can develop the sense of place of TH 47 and TH 65 within the SEE Considerations.	This is an important comment and will be considered as part of the alternatives screening for SEE considerations.
6	90	7/29/2021	Draft Purpose and Need Statement	2	City of Fridley	J. Kosluchar	Environment (Vegetation, Streetscape)	4. The P & N Statement acknowledges that environmental factors contribute to pedestrian/bicyclist comfort which in turn impacts facility use. Excessive heat is an environmental factor that impacts pedestrian comfort and safety that can be ameliorated by the planting of trees and other vegetated ground covers. The unequal distribution of tree cover and resulting temperature disparity is a known environmental justice issue. The City of Fridley recently collaborated with MnDOT on a successful median landscape planting along Th 47 between 53rd Avenue and 69th Avenue. However, vehicle speeds and corridor management have limited the planting of trees throughout most of these corridors. The City would like to see additional consideration of vegetation management as a strategy to increase pedestrian comfort and address environmental justice issues.	MnDOT agrees with the City that healthy and well-manged vegetation is desirable and necessary, especially to enhance the comfort of people walking and biking. Vegetation and its management will be included in the SEE considerations of the Evaluation Criteria.

1	A	B	C	D	E	F	H	I	K
2	Comment #	Date	Document	Page	Agency	Commenter	Theme	Comment	MnDOT Response
7	91	7/29/2021	Draft Evaluation Criteria	2	City of Fridley	J. Kosluchar	Mobility - Ped/Bike	5. The P & N Statement states that certain sections of roadway are comfortable due to dedicated side paths; however, many of these side paths are disconnected, and are in poor condition due to lack of resources for trail maintenance which can decrease user comfort and lead to avoidance. The City will need collaboration with MnDOT to continue to maintain these facilities effectively, and provide the connections identified in the PEL study and its Active Transportation plan such as licensing rights-of-way, cooperative construction of connections, and a collaborative approach to mitigating geographic and constructed barriers both along and across the corridors.	MnDOT agrees with the City that the condition and connectivity of side paths affect user comfort and safety. The Purpose and Need Statement included the review of Fridley's Active Transportation Plan. We look forward to enhancing our efforts with the City through this PEL process on improving sidepaths and evaluating the strategies mentioned for doing so.
8	92	7/29/2021	Draft Evaluation Criteria	2	City of Fridley	J. Kosluchar	Mobility - Bike Mobility - Vehicle (Transit)	6. The Evaluation Criteria includes pedestrian connectivity to transit as a performance measure; however, many transit riders reach their transit stop via bicycle. This may become increasingly common along the corridor due the increased spacing between BRT stops compared to traditional stops. The City would like to see improved connectivity to transit include bicyclists in addition to pedestrians and ask that the PEL study recognize the increase in multimodal trips anticipated along and across corridors to access increased transit use with the future F BRT line.	MnDOT agrees with the City that bicycle connectivity to and from transit stations, especially with the likely station spacings of the anticipated bus rapid transit service. MnDOT looks forward to working with the City and Metro Transit to improve bike-to-transit connections in the alternatives that will be developed and evaluated for the PEL Study.
9	93	7/29/2021	Draft Evaluation Criteria	3	City of Fridley	J. Kosluchar	Evaluation Criteria	7. The Evaluation Criteria includes improved multimodal connectivity as performance measure for environmental justice. The City would like to see considerations for environmental justice expanded to include environmental impacts such as noise pollution, air quality, and temperature.	The environmental impacts cited (noise, air quality, and temperature) are typically evaluated as part of SEE considerations and will be included in the alternatives screening process.
10	94	7/29/2021	Draft Purpose and Need Statement	numerous	City of Fridley	J. Kosluchar	N/A	8. The City has provided site specific feedback as comments on the attached draft P&N Statement for consideration.	MnDOT appreciates the feedback and suggestions for clarification in the purpose and need statement. Please see the responses to comment #95 through comment #116.
11	95	7/29/2021	Draft Purpose and Need Statement	8	City of Fridley	J. Kosluchar	Technical Correction (Existing Conditions)	Consider inclusion of Rice Creek as a physical barrier	MnDOT will discuss this comment and will determine if Rice Creek as a physical barrier will be incorporated in the final draft.

1	A	B	C	D	E	F	H	I	K
2	City of Fridley Comments on Draft Purpose and Need and Evaluation Criteria (June-July 2021)								
3	Comment #	Date	Document	Page	Agency	Commenter	Theme	Comment	MnDOT Response
12	96	7/29/2021	Draft Purpose and Need Statement	11	City of Fridley	J. Kosluchar	Technical Correction (Existing Conditions)	Add train crossing to CP Shoreham Yard Facility	The train crossing to CP Shoreham Yard Facility will be added to the description of Hwy 65, Segment 2.
13	97	7/29/2021	Draft Purpose and Need Statement	11	City of Fridley	J. Kosluchar	Technical Correction (Existing Conditions)	There is a dividing grass median through much of this section	The description of Hwy 47, Segment 3 characteristics will be corrected as indicated (e.g., undivided section vs. divided section).
14	98	7/29/2021	Draft Purpose and Need Statement	11	City of Fridley	J. Kosluchar	Technical Correction (Existing Conditions)	32nd is outside of this section	The reference to 32nd Avenue in this section (Hwy 47, Segment 3 characteristics) will be corrected to 37th Avenue.
15	99	7/29/2021	Draft Purpose and Need Statement	11	City of Fridley	J. Kosluchar	Technical Correction (Existing Conditions)	There is a dividing concrete median through much of this section	The description of Hwy 65, Segment 3 characteristics will be corrected as indicated.
16	100	7/29/2021	Draft Purpose and Need Statement	11	City of Fridley	J. Kosluchar	Technical Correction (Existing Conditions)	Public uses including CH City Hall, CH Library, CH Transit Center, AC Government Center	The description of land uses in Hwy 65, Segment 3 will be corrected as indicated.
17	101	7/29/2021	Draft Purpose and Need Statement	12	City of Fridley	J. Kosluchar	Technical Correction (Existing Conditions)	Consider including presence of service roads. A change in service roads presents opportunities within the corridor.	MnDOT will discuss this comment and will determine if Rice Creek as a physical barrier will be incorporated in the final draft.
18	102	7/29/2021	Draft Purpose and Need Statement	12	City of Fridley	J. Kosluchar	Technical Correction (Existing Conditions)	Pedestrian overpass at 42nd	The description of Hwy 47, Segment 3 will be corrected to include the pedestrian overpass at 42nd Avenue as indicated.
19	103	7/29/2021	Draft Purpose and Need Statement	12	City of Fridley	J. Kosluchar	Technical Correction (Existing Conditions)	Since there are no sidewalks north of 40th recommend changing intermittent to reflect the lack of sidewalks between 40th Avenue and 694	The description of Hwy 47, Segment 3 will be clarified to note intermittent sidewalks south of 40th Avenue and no sidewalks/lack of sidewalks north of 40th Avenue as indicated.
20	104	7/29/2021	Draft Purpose and Need Statement	12	City of Fridley	J. Kosluchar	Technical Correction (Existing Conditions)	On street parking allowed intermittently westside 41-37	The description of Hwy 65, Segment 3 will be corrected to include on-street parking (intermittent) on the west side of Hwy 65 between 37th Avenue and 41st Avenue.
21	105	7/29/2021	Draft Purpose and Need Statement	12	City of Fridley	J. Kosluchar	Technical Correction (Existing Conditions)	The City disagrees with the description that the land use is primarily suburban highway. Recommend updating to reflect mixed commercial and urban residential with some suburban residential.	MnDOT will discuss this comment and will determine if the land use description for Hwy 47, Segment 4 should be revised to mixed commercial, urban residential, suburban residential as indicated.

1	A	B	C	D	E	F	H	I	K
2	City of Fridley Comments on Draft Purpose and Need and Evaluation Criteria (June-July 2021)								
2	Comment #	Date	Document	Page	Agency	Commenter	Theme	Comment	MnDOT Response
22	106	7/29/2021	Draft Purpose and Need Statement	12	City of Fridley	J. Kosluchar	Technical Correction (Existing Conditions)	Describe causeway over Moore Lake	The description of Hwy 65, Segment 4 will be corrected to include the causeway over Moore Lake as indicated.
23	107	7/29/2021	Draft Purpose and Need Statement	15	City of Fridley	J. Kosluchar	Technical Correction (Existing Conditions)	Add Metro Heights Academy (ISD 916) https://www.916schools.org/schools/alc/metro-heights	Figure 2-3 (trip generators and transit ridership) will be corrected to include Metro Heights Academy as indicated.
24	108	7/29/2021	Draft Purpose and Need Statement	15	City of Fridley	J. Kosluchar	Technical Correction (Existing Conditions)	Senior housing	Figure 2-3 (trip generators and transit ridership) will be corrected to include senior housing as indicated.
25	109	7/29/2021	Draft Purpose and Need Statement	15	City of Fridley	J. Kosluchar	Technical Correction (Existing Conditions)	Add senior housing	Figure 2-3 (trip generators and transit ridership) will be corrected to include senior housing as indicated.
26	110	7/29/2021	Draft Purpose and Need Statement	15	City of Fridley	J. Kosluchar	Technical Correction (Existing Conditions)	Add libraries?	MnDOT will discuss this comment and will determine if libraries should be included with Figure 2-3 (trip generators and transit ridership) in the final draft.
27	111	7/29/2021	Draft Purpose and Need Statement	24	City of Fridley	J. Kosluchar	Technical Correction (Resource Agency)	Add Mississippi Watershed Management Organization	Mississippi Watershed Management Organization will be added to the list of local government agencies/municipalities as indicated.
28	112	7/29/2021	Draft Purpose and Need Statement	49	City of Fridley	J. Kosluchar	Mobility - Vehicle	Did this include evaluation of the intersection onto the 694 on ramps?	MnDOT will discuss this comment and will determine if this information will be incorporated in the final draft.
29	113	7/29/2021	Draft Purpose and Need Statement	55	City of Fridley	J. Kosluchar	Mobility - Ped/Bike	Add speed consideration; add shade consideration	MnDOT will discuss this comment and determine if this warrants a change to the pedestrian level of service (PLOS) for Hwy 47, Segment 4 in the final draft.
30	114	7/29/2021	Draft Purpose and Need Statement	56	City of Fridley	J. Kosluchar	Safety - Ped	Fishing occurs off shoulder on Moore Lake	MnDOT will discuss this comment and determine if this use along the Hwy 65 shoulder warrants a change to the pedestrian level of service (PLOS) for Hwy 65, Segment 3 in the final draft.
31	115	7/29/2021	Draft Purpose and Need Statement	61	City of Fridley	J. Kosluchar	Technical Correction (Consistency with Plans)	The Stevenson SRTS Plan encompasses University and 61st; the Hayes Elementary SRTS Plan includes Mississippi and 65	MnDOT will confirm that the Stevenson SRTS plan and Hayes Elementary SRTS Plan are identified in the Highway 65 and Highway 47 PEL Study - Corridor Conditions Review Technical Memorandum (August 3, 2020).
32	116	7/29/2021	Draft Purpose and Need Statement	62	City of Fridley	J. Kosluchar	Technical Correction (Consistency with Projects)	The City is planning road diets on 53rd Avenue (2023) and 73rd Avenue (2026)	The list of nearby roadway projects will be corrected to include the City's road diet projects on 53rd Avenue and 73rd Avenue as indicated.



AGENDA REPORT

Meeting Date: May 23, 2022

Meeting Type: City Council Conference Meeting

Submitted By: Melissa Moore, City Clerk

Title

Recodification Update: Title 2 (Administration), Chapter 209, Fees

Background

Pursuant to Minnesota Statute § 415.02 and Fridley City Charter (Charter) § 1.02, the City Council (Council) may codify and publish ordinances that carry the force and effect of law for the City of Fridley (City), which may be arranged into a system generally referred to as the Fridley City Code (Code).

On August 23, 2021 the Council authorized and directed efforts related to recodification of the Code by adopting Resolution No. 2021-67. Following the process established by the City Manager for revising each chapter of the Code, staff are prepared to present a draft of Chapter 209 (Fees) to be found in Title 2 (Administration) of the Code.

The proposed revisions to the Fees chapter (Exhibit A) are intended to make finding particular fees easier for the reader. Section 209.12 is divided into nine sub-parts generally by City department or function. This section contains no new, or adjusted fees. Staff have added fees for the Community Services Department and elaborated on the fees related to rental housing licensing, which are currently being charged by the City, and authorized by the Code.

To explain proposed revisions to chapters, and the rationale for the proposed revisions, the City Manager created Recodification Reports (Exhibit B) that will accompany any chapter amendment that proposes substantive changes to the Code. Staff will present proposed changes to Chapter 209 to the Council, take questions and solicit feedback and further direction. Based on such feedback and direction, staff will make additional changes to Title 2.

Attachments and Other Resources

- Exhibit A: Draft of Chapter 209, Fees
- Exhibit B: Chapter 209 Recodification Report

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.



RECODIFICATION REPORT

Introduction

To aid accessibility and clarity in understanding of proposed updates to large, and sometimes complicated chapters of the Fridley City Code (Code), this Recodification Report (Report) will accompany select ordinances as they are introduced to the City Council. The Report will illuminate substantive changes to the Code (e.g., addition or removal of a section, fee changes, policy updates, etc.). It will not point out grammatical, punctuation, renumbering, or stylistic changes.

Title Placement

- | | |
|---|---|
| <input type="checkbox"/> Title 1 – General Provisions | <input type="checkbox"/> Title 6 – Lands and Buildings |
| <input checked="" type="checkbox"/> Title 2 – Administration | <input type="checkbox"/> Title 7 – Zoning |
| <input type="checkbox"/> Title 3 – Licensing | <input type="checkbox"/> Title 8 – Franchises, Utilities and Right-of-Way |
| <input type="checkbox"/> Title 4 – Health, Safety and Welfare | <input type="checkbox"/> Title 9 – Public Ways and Places |
| <input type="checkbox"/> Title 5 – Public Nuisance | <input type="checkbox"/> Appendices |

Chapter Information

Chapter Title: Fees

Recodification Liaisons: Melissa Moore, City Clerk; Stacy Stromberg, Planning Manager; Rachel Workin, Environmental Planner; Margo Numedahl, Recreation Division Manager; Korrie Johnson, Assistant Finance Director; Ryan George, Deputy Director of Public Safety; Maddison Zikmund, Fire Chief; Trisha Lindahl, License and Permit Coordinator; Jon Lennander, Assistant City Engineer; Trent Homard, Administrative Intern
New Chapter Number: 209

Current Chapter Number: 11

Substantive Changes

Section Number	Current Code	Proposed Changes
209.01		This is an added purpose statement to the Chapter, consistent with the style format established for the Code.
11.01	States any person not in compliance with state, federal, or licensure laws is authorized to conduct business in the City.	This sentiment is more clearly defined in § 209.17.
209.02	Currently, fees for various services are found throughout the Code, in addition to the Fees chapter.	As the City's recodification progresses, all fees for City services will exclusively be listed in the Fees chapter. Future



RECODIFICATION REPORT

		work on the Code will remove specific fees from other chapters.
209.03	This section only defined the term "business."	The additions to this Chapter add definitions for Administrative Citations, fees, penalties, and renewals. Staff recommend these additions to explicitly state how the City defines these terms as applicable to the fees the City will charge for services.
209.12	Previously the Code listed the City's fees in relative alphabetical order.	This proposed reorganization of the Chapter is meant to make finding particular fees easier for the reader. The section is broken up into nine sub-parts generally by City department or function. This section contains no new, or adjusted fees. Staff have added fees for the Community Services Department and elaborated on the fees related to rental housing licensing, which were fees already being charged and authorized by the Code.
209.13		Upon recommendation of the City Attorney, penalties were specifically distinguished from fees.
209.17	This section allows anyone aggrieved by this Chapter to request a hearing to determine if someone were out of compliance, or a balance was due to the City.	Upon the recommendation of the City Attorney the Code has been changed to require any such hearing be conducted by the City Council.

Fridley City Code
Chapter ~~11.209~~ General Provisions and Fees

209.01 Purpose

The fees for licenses, permits and municipal services offered by the City of Fridley (City) are established in this Chapter. References in other chapters or sections of the Fridley City Code (Code) to any fee means the fees specified in this Chapter.

~~11.01.~~ Compliance

~~No person shall practice or carry on a business, trade or profession in the City without complying with all federal and state regulations, laws, license or permit requirements and with the license and permit requirements of any provision of this Code.~~

209.02 Conflicts

If fees are specified in other parts of the Code for a particular license, fee, or service, but not in this Chapter, then the fees specified elsewhere in the Code shall be effective for the stated license, permit, or service. If there are amounts specified in this Chapter for a particular license, permit, or service, as well as other chapters of the Code, then the amounts appearing in this Chapter supersede the others.

~~11.02.~~ 209.03 Definitions

Administrative Citation: A notice, issued by a Public Official, that a person or property is in violation of or has violated the Code.

Business: A business, trade or profession shall include that engages in the bartering, selling, purchasing or exchanging of goods, services, ~~and or~~ materials with or without compensation.

Penalty: A monetary fine imposed by the City upon a violation of the Code.

Fee: The charge by the City for or in connection with any license, permit, service(s), or function rendered. The fee shall be based on costs incurred by the City to provide a license, permit, or service. Fees are charged for the reviewing, investigating, and administering an application for an amendment to an official control or an application for a permit or other approval required under an official control, or any other costs established and authorized pursuant to Minnesota Statute (M.S.) Chapter 462. Any other fee the City as authorized by state law to impose shall be set forth in a rate/fee schedule duly adopted by the Fridley City Council (Council).

Renewal: Where a license or permit holder makes application to extend for a further period a license or permit and pays the required fee to the City.

11.03. ~~_____~~ 209.04 License or Permit Application

Unless otherwise provided in this Code, application for any license or permit required by this Code shall be made with the ~~city clerk~~ City Manager or their designee. The applicant shall provide such information as required by the City or any licensing or permit provision of this Code. In the event of the sale of the licensed business or death of the licensee, unless otherwise specified in the City Code, the business shall be allowed to continue to operate as long as the new application is submitted to the ~~city clerk~~ City Manager or their designee within ~~thirty (30)~~ days. In the event an application is not received within ~~thirty (30)~~ days, the business license shall expire.

11.04. ~~_____~~ 209.05 Processing Time

The minimum length of time required for the processing of any application shall be determined by the ~~City Clerk~~ City Manager or their designee who shall inform any applicant of the appropriate time requirements.

11.05. ~~_____~~ 209.06 Term

The license ~~or permit~~ begins May 1 of any year through April 30 of the following year, inclusive, unless otherwise provided in this Code.

11.06. ~~_____~~ 209.07 License Approval and Issuance

Unless otherwise provided in this Code, the approval and issuance of the license shall not require City Council (Council) consideration and shall be issued administratively by the ~~city clerk~~ City Manager or their designee if the applicant has met all of the conditions and requirements of the license. A list of issued licenses shall be provided to the ~~City Council~~ for its information.

11.07. ~~_____~~ 209.08 Renewal

No license or permit is automatically renewed by the City. Applications for renewal shall be submitted to the ~~Clerk~~ City Manager or their designee prior to the expiration date for Council approval.

11.08. ~~_____~~ 209.09 Proration and Refunds

No license or permit fee shall be prorated or refunded except as expressly provided by Section ~~11.10~~ 209.12 of this Chapter or any other licensing or permit provision of this Code.

11.09. ~~_____~~ 209.10 Revocation

Any violation of the terms of this Chapter or any other licensing or permit provision of this Code shall be grounds for suspension and/or revocation of the license or permit by the ~~City Council~~.

Licenses and permits shall be revoked only for cause and upon adequate notice and the opportunity to be heard.

11.10. ~~_____~~ 209.11 Display

Any person to whom a license or permit is issued pursuant to this Code shall be required to display such license or permit or to make said license or permit available for review upon request. This provision shall be subordinate to any other provision of this Code which expressly requires that said license or permit shall be displayed or posted.

11.11. ~~_____~~ 209.12 Fees

1. Administrative Fees

Code	Subject	Fee
33203	Administrative Hearing	\$200 Administrative Hearing
608	Lodging Tax	3% of rent charged
102.02	Seizure fee for motor vehicles <ul style="list-style-type: none"> - <u>Each vehicle</u> - <u>Each vehicle when vehicle owner or lien holder refuses to repossess their own vehicle</u> 	\$200 assessed for each vehicle seizure; or \$400 assessed to a vehicle owner or lien holder who refuses to repossess their own vehicles
102.02	Storage fee for seized motor vehicles	\$10 per day for each day or part of a day the seized motor vehicle is held at a storage facility or impound lot. The total storage fees assessed on any one motor vehicle shall not exceed \$500 or 50% of the value of the motor vehicle as determined by competent authority, whichever is less.
	Text Amendment to the City Code Application	\$1,500

2. Building and Inspection Fees

(a) Building Permit Fees

Code	Subject	Fee
<u>206</u>	<u>Valuation \$1 to \$500</u>	<u>\$23.50</u>

<u>206</u>	<u>Valuation \$501 to \$2,000</u>	<u>\$23.50 for the first \$500 plus \$3.05 for each additional \$100 or fraction thereof, to and including \$2,000</u>
<u>206</u>	<u>Valuation \$2,001 to \$25,000</u>	<u>\$69.25 for the first \$2,000 plus \$14 for each additional \$100 or fraction thereof, to and including \$25,000</u>
<u>206</u>	<u>Valuation \$25,001 to \$50,000</u>	<u>\$391.25 for the first \$25,000 plus \$10.10 for each additional \$1,000 or fraction thereof, to and including \$50,000</u>
<u>206</u>	<u>Valuation \$50,001 to \$100,000</u>	<u>\$643.75 for the first \$50,000 plus \$7 for each additional \$1,000 or fraction thereof, to and including \$100,000</u>
<u>206</u>	<u>Valuation \$100,001 to \$500,000</u>	<u>\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000 or fraction thereof, to and including \$500,000</u>
<u>206</u>	<u>Valuation \$500,001 to \$1,000,000</u>	<u>\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000 or fraction thereof, to and including \$1,000,000</u>
<u>206</u>	<u>Valuation \$1,000,001 and up</u>	<u>\$5,608.75 for the first \$1,000,000 plus \$3.15 for each additional \$1,000 or fraction thereof</u>
<u>206</u>	<u>Inspections outside of normal business hours (minimum charge – two hours)</u>	<u>\$50 per hour</u>
<u>206</u>	<u>Re-inspection fees assessed under provisions of Section 108</u>	<u>\$50 per hour</u>
<u>206</u>	<u>Inspections for which no fee is specifically indicated (minimum charge one-half hour)</u>	<u>\$50 per hour</u>
<u>206</u>	<u>Additional plan review required by changes, additions or revisions to approved plans (minimum charge one-half hour) or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employee involved.</u>	<u>\$50 per hour</u>

<u>206</u>	<u>For use of outside consultants for plan checking and inspections, or both</u>	<u>Actual costs which include administrative and overhead costs</u>
<u>206</u>	<u>Residential Mobile Home Installation</u>	<u>\$100</u>
<u>206</u>	<u>Surcharge on Residential Building Permits.</u>	<u>A surcharge of \$5 shall be added to the permit fee charged for each residential building permit that requires a state licensed residential contract</u>
<u>115</u>	<u>Swimming Pools, Public</u> <u>– Per outdoor pool</u> <u>– Per indoor pool</u>	<u>\$250</u> <u>\$350 + 25% of base per added pool enclosed area</u>

(b) Electrical Permit Fees

<u>Code</u>	<u>Subject</u>	<u>Fee</u>
<u>Residential, Commercial, Multi-Family</u>		
<u>206</u>	<u>0 to 400 Amp Power Source</u>	<u>\$50 each</u>
<u>206</u>	<u>401 to 800 Amp Power Source</u>	<u>\$100 each</u>
<u>206</u>	<u>Over 800 Amp Power Source</u>	<u>\$150 each</u>
<u>206</u>	<u>0 to 200 Amp Circuit or Feeder</u>	<u>\$8 each</u>
<u>206</u>	<u>Over 200 Amp Circuit or Feeder</u>	<u>\$30 each</u>
<u>Over 200 Volts</u>		
<u>206</u>	<u>0 to 400 Amp Power Source</u>	<u>\$100 each</u>
<u>206</u>	<u>401 to 800 Amp Power Source</u>	<u>\$200 each</u>
<u>206</u>	<u>Over 800 Amp Power Source</u>	<u>\$300 each</u>
<u>206</u>	<u>0 to 200 Amp Circuit or Feeder</u>	<u>\$16 each</u>
<u>206</u>	<u>Over 200 Amp Circuit or Feeder</u>	<u>\$60 each</u>
<u>206</u>	<u>Panel Changes (reconnect existing circuit or feeder for panelboard replacement)</u>	<u>\$100 each</u>
<u>206</u>	<u>New 1 and 2 Family Homes up to 25 Circuits, 3 Trips</u>	<u>\$175 each</u>
<u>206</u>	<u>New Multi-Family Dwelling unit (with up to 20 circuits and feeders per unit)</u>	<u>\$100 per dwelling unit</u>
<u>206</u>	<u>New Multi-Family Dwelling Unit (additional circuits over 20 per unit)</u>	<u>\$8 per feeder or circuit</u>
<u>206</u>	<u>Existing Multi-Family Dwelling Unit (up to 10 feeders or circuits are installed or extended)</u>	<u>\$100 per unit</u>
<u>206</u>	<u>Existing Multi-Family Dwelling Unit (where less than 10 feeders or circuits are installed or extended)</u>	<u>\$8 per feeder or circuit</u>
<u>206</u>	<u>Additional circuits over 25 per unit</u>	<u>\$8 each</u>
<u>206</u>	<u>Circuits extended or modified</u>	<u>\$8 each</u>

<u>206</u>	<u>Retrofitting of existing lighting fixtures</u>	<u>\$1 each</u>
<u>206</u>	<u>Manufactured Home Park Lot Supply + Circuits</u>	<u>\$50 per pedestal</u>
<u>206</u>	<u>Separate Bonding Inspection</u>	<u>\$40</u>
<u>206</u>	<u>Pools plus circuits</u>	<u>\$80</u>
<u>206</u>	<u>Inspection of concrete encased grounding electrode</u>	<u>\$40</u>
<u>206</u>	<u>Technology circuits and circuits less than 50 volts</u>	<u>\$1 per device</u>
<u>206</u>	<u>Traffic Signals, Street, Parking and Outdoor Lighting Standards</u>	<u>\$5 each</u>
<u>206</u>	<u>Transformers for light, heat and power (0 to 10 KVA)</u>	<u>20 each</u>
<u>206</u>	<u>Transformers for light, heat and power (more than 10 KVA)</u>	<u>\$40 each</u>
<u>206</u>	<u>Transformers for electronic power supplies and outline lighting</u>	<u>\$5.50 each</u>
<u>206</u>	<u>Additional Inspection trip(s), re-inspections</u>	<u>\$40 each</u>
<u>Minnesota Solar PV System Electrical Inspection Fee Chart</u>		
<u>206</u>	<u>0 – 5,000 watts (5 kw)</u>	<u>\$60</u>
<u>206</u>	<u>5,001 – 10,000 watts (5 kw – 10 kw)</u>	<u>\$100</u>
<u>206</u>	<u>10,001 – 20,000 watts (10 kw – 20 kw)</u>	<u>\$150</u>
<u>206</u>	<u>20,001 – 30,000 watts (20 kw – 30 kw)</u>	<u>\$200</u>
<u>206</u>	<u>30,001 – 40,000 watts (30 kw – 40 kw)</u>	<u>\$250</u>
<u>206</u>	<u>40,001 and larger watts (40 kw)</u> <u>– Each additional 10,000 watts</u>	<u>\$250, and</u> <u>\$25</u>
<u>206</u>	<u>Plan review fee</u>	<u>\$80 per hour</u>

(c) Mechanical Permit Fees

Code	Subject	Fee
<u>206</u>	<u>Residential minimum fee</u>	<u>\$15 or 5% of cost of improvement, whichever is greater</u>
<u>206</u>	<u>Furnace</u>	<u>\$35</u>
<u>206</u>	<u>Gas Range</u>	<u>\$10</u>
<u>206</u>	<u>Gas Piping</u>	<u>\$10</u>
<u>206</u>	<u>Air Conditioning</u>	<u>\$25</u>
<u>206</u>	<u>Other</u>	<u>1% of value of appliance</u>
<u>206</u>	<u>Commercial minimum fee</u>	<u>\$35</u>
<u>206</u>	<u>All work</u>	<u>1.25% of value of appliance</u>
<u>206</u>	<u>Inspections outside of normal business hours (minimum charge two hours)</u>	<u>\$50 per hour</u>
<u>206</u>	<u>Re-inspection fees assessed under provisions of Chapter 108 of the Code</u>	<u>\$50 per hour</u>

<u>206</u>	<u>Inspections for which no fee is specifically indicated (minimum charge one-half hour)</u>	<u>\$50 per hour</u>
<u>206</u>	<u>Additional plan review required by changes, additions or revisions to approved plans (minimum charge one-half hour). Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.</u>	<u>\$50 per hour</u>
<u>206</u>	<u>For use of outside consultants for plan checking and inspections, or both</u>	<u>Actual cost including administrative and overhead costs</u>

(d) Moving of Dwelling or Building Fees

<u>Code</u>	<u>Subject</u>	<u>Fee</u>
<u>206</u>	<u>For Principle Building into City</u>	<u>\$300</u>
<u>206</u>	<u>For Accessory Building into City</u>	<u>\$42</u>
<u>206</u>	<u>For moving any building out of City</u>	<u>\$20</u>
<u>206</u>	<u>For moving through or within the City</u>	<u>\$20</u>

(e) Plumbing Permit Fees

<u>Code</u>	<u>Subject</u>	<u>Fee</u>
<u>206</u>	<u>Minimum Fee</u>	<u>\$15 or 5% of cost of improvement, whichever is greater</u>
<u>206</u>	<u>Each fixture</u>	<u>\$10</u>
<u>206</u>	<u>Old opening, new fixture</u>	<u>\$10</u>
<u>206</u>	<u>Beer Dispenser</u>	<u>\$10</u>
<u>206</u>	<u>Blow Off Basin</u>	<u>\$10</u>
<u>206</u>	<u>Catch Basin</u>	<u>\$10</u>
<u>206</u>	<u>Rainwater Leader</u>	<u>\$10</u>
<u>206</u>	<u>Sump or Receiving Tank</u>	<u>\$10</u>
<u>206</u>	<u>Water Treating Appliance</u>	<u>\$35</u>
<u>206</u>	<u>Water Heater Electric</u>	<u>\$35</u>
<u>206</u>	<u>Water Heater Gas</u>	<u>\$35</u>

<u>206</u>	<u>Backflow Preventer</u>	<u>\$15</u>
<u>206</u>	<u>Other</u>	<u>Commercial 1.25% of value of fixture or appliance</u>
<u>206</u>	<u>Inspections outside of normal business hours (minimum charge two hours)</u>	<u>\$50 per hour</u>
<u>206</u>	<u>Re-inspection fee</u>	<u>\$50 per hour</u>
<u>206</u>	<u>Inspections for which no fee is specifically indicated (minimum charge one-half hour)</u>	<u>\$50 per hour</u>
<u>206</u>	<u>Additional plan review required by changes, additions or revisions to approved plans (minimum charge one-half hour) or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.</u>	<u>\$50 per hour</u>
<u>206</u>	<u>Use of outside consultants for plan checking and inspections, or both</u>	<u>Actual cost including administrative and overhead costs</u>

(f) Pollution Monitoring Registration Fees

<u>Code</u>	<u>Fee</u>
<u>206</u>	<u>Each pollution monitoring location shall require a site map, description and length of monitoring time requested. Pollution monitoring location shall mean each individual tax parcel. There shall be an initial application and plan check fee of \$25.</u>
<u>206</u>	<u>The applicant for a Pollution Control Registration shall provide the City with a hold harmless statement for any damages or claims made to the City regarding location, construction, or contaminates.</u>
<u>206</u>	<u>An initial registration fee of \$50 is due and payable to the City of Fridley at or before commencement of the installation.</u>
<u>206</u>	<u>An annual renewal registration fee of \$50 and annual monitoring activity reports for all individual locations must be made on or before September 1 of each year. If renewal is not filed on or before October 1 of each year the applicant must pay double the fee.</u>
<u>206</u>	<u>A final pollution monitoring activity report must be submitted to the City within 30 days of termination of monitoring activity.</u>

(g) Wrecking Permit Fees

Code	Fee
206	For any permit for the wrecking of any building or portion thereof, the fee charged for each such building included in such permit shall be based on the cubical contents thereof and shall be at the rate of \$1.25 for each 1,000 cubic feet or fraction thereof.
206	For structures which would be impractical to cube, the wrecking permit fee shall be based on the total cost of wrecking such structure at the rate of \$6 for each \$500 or fraction thereof.
206	In no case shall the fee charged for any wrecking permit be less than \$20.

3. Community Services Fees

(a) Recreation Division

(1) Program fees are listed in the City's bi-monthly Parks and Recreation Brochure and on the City's website.

(2) Administrative Fees

Item	Category A (Fridley Youth Athletics)	Category B (Residents and community groups)	Category C (Non- residents)
<u>Additional maintenance staff</u>	<u>City staff hourly rate</u>	<u>City staff hourly rate</u>	<u>City staff hourly rate</u>
<u>Chalk</u>	<u>Market rate</u>	<u>Market rate</u>	<u>Market rate</u>
<u>Concession area for Community Park</u>	<u>\$175 per day</u>	<u>\$175 per day</u>	<u>\$175 per day</u>
<u>Damage deposit for multiple day rentals</u>	<u>\$200</u>	<u>\$200</u>	<u>\$200</u>
<u>Lights</u>	<u>\$20 per field</u>	<u>\$20 per field</u>	<u>\$20 per field</u>
<u>Locates for electrical or irrigation heads</u>	<u>Market rate</u>	<u>Market rate</u>	<u>Market rate</u>
<u>Portable restrooms</u>	<u>Market rate</u>	<u>Market rate</u>	<u>Market rate</u>
<u>Scoreboard and press box at Community Park</u>	<u>\$20 per field</u>	<u>\$20 per field</u>	<u>\$20 per field</u>
<u>Shelter rental for Commons Park and Flanery Park</u>	<u>\$65 per day</u>	<u>\$65 per day</u>	<u>\$100 per day</u>

<u>Vendor fee (concession space)</u>	<u>\$100 per day</u>	<u>\$100 per day</u>	<u>\$100 per day</u>
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(3) Event Fees

<u>Code</u>	<u>Subject</u>	<u>Fee</u>
<u>508</u>	<u>Parade</u>	
	<u>- Application</u>	<u>\$100</u>
	<u>- Daily</u>	<u>\$700</u>
<u>23</u>	<u>Public Dance</u>	
	<u>- Application</u>	<u>\$75</u>

(4) Outdoor Field Rental Fees

<u>Use</u>	<u>Category A (Fridley Youth Athletics)</u>	<u>Category B (Residents and community groups)</u>	<u>Category C (Non-residents)</u>
<u>Baseball, softball, and football fields</u>	<u>\$0 per hour</u>	<u>\$20 per hour</u>	<u>\$40 per hour</u>
<u>Commons Park baseball and softball fields</u>	<u>\$80 per weekend</u> <u>\$40 per day</u>	<u>\$100 per weekend</u> <u>\$50 per day</u>	<u>\$200 per weekend</u> <u>\$100/day</u>
<u>Community Park Softball Complex</u>	<u>\$500 per weekend</u> <u>\$250 per day</u>	<u>\$1,000 per weekend</u> <u>\$500 per day</u>	<u>\$2,000 per weekend</u> <u>\$1,000 per day</u>
<u>Hockey rink</u>	<u>\$0 per hour</u>	<u>\$20 per hour</u>	<u>\$20 per hour</u>
<u>Soccer field</u>	<u>\$0 per hour</u>	<u>\$30 per hour</u>	<u>\$60 per hour</u>
<u>Tennis or pickleball court</u>	<u>\$0 per hour</u>	<u>\$20 per hour</u>	<u>\$40 per hour</u>
<u>Volleyball court</u>	<u>\$0 per hour</u>	<u>\$20 per hour</u>	<u>\$40 per hour</u>

(5) Picnic Shelter Rental Fees

<u>Park</u>	<u>Resident</u>	<u>Non-Resident</u>	<u>Deposit</u>
<u>Flanery and Commons Parks</u>			
<u>- 1-50 guests</u>	<u>\$65 plus tax</u>	<u>\$100 plus tax</u>	<u>\$50</u>
<u>- 51-150 guests</u>	<u>\$105 plus tax</u>	<u>\$150 plus tax</u>	<u>\$50</u>
<u>- Special Use Permit</u>	<u>\$265 plus tax</u>	<u>\$450 plus tax</u>	<u>\$50</u>

<u>Moore Lake</u>			
– 1-50 guests	<u>\$35 plus tax</u>	<u>\$75 plus tax</u>	<u>\$50</u>
– 51-150 guests	<u>\$75 plus tax</u>	<u>\$115 plus tax</u>	<u>\$50</u>
– Special Use Permit	<u>\$235 plus tax</u>	<u>\$425 plus tax</u>	<u>\$50</u>

(6) Springbrook Nature Center Program Fees

<u>Program</u>	<u>Fee</u>
<u>60 Minute naturalist-led program</u>	<u>\$4 per student</u>
<u>90 Minute naturalist-led program</u>	<u>\$6 per student</u>
<u>60 Minute naturalist-led program at another location</u>	<u>\$150</u>
– <u>Additional program at same site</u>	<u>\$50</u>
<u>Summer Camp</u>	
– <u>Resident</u>	<u>\$155 per five-day program</u>
– <u>Non-resident</u>	<u>\$165 per five-day program</u>
<u>Birthday Party Program</u>	<u>\$125</u>

(7) Springbrook Nature Center Room Rental Fees

<u>Program/Amenity</u>	<u>Fee</u>
<u>Amphitheater</u>	
– <u>Resident</u>	<u>\$225 per room per hour plus tax</u>
– <u>Non-resident</u>	<u>\$300 per room per hour plus tax</u>
– <u>Non-profit group (proof of status must be provided)</u>	<u>\$225 per room per hour plus tax</u>
<u>Classroom (\$50 refundable damage deposit due at time of booking)</u>	
– <u>Resident</u>	<u>\$30 per room per hour plus tax</u>
– <u>Non-resident</u>	<u>\$50 per room per hour plus tax</u>
– <u>Non-profit group (proof of status must be provided)</u>	<u>\$30 per room per hour plus tax</u>
<u>Pavilion Activity Center Outdoor (\$100 refundable damage deposit due at time of booking)</u>	
– <u>Resident</u>	<u>\$65 plus tax</u>
– <u>Non-resident</u>	<u>\$100 plus tax</u>
– <u>Non-profit group (proof of status must be provided)</u>	<u>\$65 plus tax</u>
<u>Pavilion Activity Center Indoor (\$100 refundable damage deposit due at time of booking)</u>	
– <u>Resident</u>	<u>\$65 plus tax</u>
	<u>\$100 plus tax</u>

– <u>Non-resident</u>	<u>\$65 plus tax</u>
– <u>Non-profit group (proof of status must be provided)</u>	
<u>Pavilion Activity Center Entire (\$100 refundable damage deposit due at time of booking)</u>	
– <u>Resident</u>	<u>\$130 plus tax</u>
– <u>Non-resident</u>	<u>\$200 plus tax</u>
– <u>Non-profit group (proof of status must be provided)</u>	<u>\$130 plus tax</u>
<u>Portable public address (PA) system</u>	<u>\$50 per day plus tax</u>

4. Engineering Fees

(a) Rights-of-Way Fees

Code	Subject	Fee
<u>407</u>	<u>Rights-of-Way</u>	
	– <u>Registration</u>	<u>\$50</u>
	– <u>User Fee (residential, commercial or industrial)</u>	<u>\$50</u>
	– <u>Excavation Permit</u>	<u>\$350</u>
	– <u>Obstruction Permit</u>	<u>\$50</u>
	– <u>Small Wireless Facility Permit</u>	<u>\$150</u>
	– <u>Permit Extension Fee</u>	<u>\$20</u>
	– <u>Delay Penalty</u>	<u>\$125 week</u>
	– <u>Mapping Fee</u>	<u>\$50 if data is not in City format and City GIS compatible</u>
	– <u>Degradation Fee</u>	<u>Restoration cost per square foot for the area to be restored</u>

(b) Land Alterations, Excavating, or Grading Fees Including Conservation Plan Implementation Fees

Code	Subject	Fee
<u>206</u>	<u>50 cubic yards or less</u>	<u>\$40</u>
<u>206</u>	<u>51 to 100 cubic yards</u>	<u>\$47.50</u>
<u>206</u>	<u>101 to 1,000 cubic yards</u>	<u>\$47.50 for the first 100 cubic yards plus \$10.50 for each additional 100 cubic yards or fraction thereof</u>
<u>206</u>	<u>1,001 to 10,000 cubic yards</u>	<u>\$167 for the first 1,000 cubic yards</u>

		plus \$9 for each additional 1,000 cubic yards or fraction thereof
<u>206</u>	<u>10,001 to 100,000 cubic yards</u>	<u>\$273 for the first 10,000 cubic yards plus \$40.50 for each additional 10,000 cubic yards or fraction thereof</u>
<u>206</u>	<u>100,001 cubic yards or more</u>	<u>\$662.50 for the first 100,000 cubic yards plus \$22.50 for each additional 100,000 cubic yards or fraction thereof</u>

(c) Land Alteration Plan Checking Fees

Code	Subject	Fee
<u>206</u>	<u>50 cubic yards or less</u>	<u>No fee</u>
<u>206</u>	<u>51 to 100 cubic yards</u>	<u>\$23.50</u>
<u>206</u>	<u>101 to 1,000 cubic yards</u>	<u>\$37</u>
<u>206</u>	<u>1,001 to 10,000 cubic yards</u>	<u>\$49.25</u>
<u>206</u>	<u>10,001 to 100,000 cubic yards</u>	<u>\$49.25 for the first 10,000 cubic yards plus \$24.50 for each additional 10,000 cubic yards or fraction thereof</u>
<u>206</u>	<u>100,001 to 200,000 cubic yards</u>	<u>\$269.75 for the first 100,000 cubic yards plus \$13.25 for each additional 10,000 cubic yards or fraction thereof</u>
<u>206</u>	<u>200,001 cubic yards or more</u>	<u>\$402.25 for the first 200,000 cubic yards plus \$7.25 for each additional 10,000 cubic yards or fraction thereof</u>

(d) Water and Sewer Fees

Code	Subject	Fee
<u>205.30</u>	<u>Automatic Meter Reading Device Permit</u>	<u>\$25 per stationary device</u>
<u>206</u>	<u>Hydrant Rental Agreement Service Charge (for use of hydrant only City does not supply hose)</u>	<u>\$50</u>
<u>206</u>	<u>Water Usage Metered Minimum</u>	<u>\$1.30/1,000 gallons used \$20</u>
<u>206</u>	<u>Tanker</u>	<u>\$20 per fill</u>
<u>206</u>	<u>Water Taps</u>	<u>See Engineering</u>
<u>206</u>	<u>Permanent Street Patch</u> – <u>First 5 square yards</u> – <u>Over 5 square yards</u>	<u>\$300 \$30 per square yard</u>
<u>206</u>	<u>Temporary Street Patch (November 1 through May 1)</u>	

	– <u>First 5 square yards</u> – <u>Over 5 square yards</u>	<u>\$400</u> <u>\$40 per square yard plus cost of permanent street patch</u>
<u>206</u>	<u>Water Meter Repair – Weekend and Holidays</u>	<u>\$125</u>
<u>206</u>	<u>Water Connections Permit</u>	<u>\$50</u>
<u>206</u>	<u>Sewer Connections Permit</u>	<u>\$50</u>
<u>206</u>	<u>Inspection Fee for Water/Sewer Line Repair</u>	<u>\$40</u>

5. Fire Department Fees

(a) Fire Department Fees Found in Code

Code	Subject	Fee
112	False Alarms	\$50 for sixth false alarm in single calendar year and for each subsequent false alarm in calendar year an additional \$25 shall be added (e.g., 7 th - <u>seventh</u> false alarm \$75, 8 th - <u>eighth</u> false alarm \$100, etc.)
103	<u>Fire Arm Permit to Discharge</u>	<u>\$25</u>
108	Fire Department Plan Review Fee	65% of the Fire Permit Fee

(b) Fire Department Fees Directed by the Minnesota State Fire Code (MSFC)

MSFC Section	Type of Activity	Stipulations	Fee
105.7.1	Automatic Fire Extinguishing Systems 1. Kitchen Hood Extinguishing Systems 2. Fire Sprinkler Systems 3. Other Special Extinguishing Systems	Final inspection required Inspection & <u>and</u> testing Inspection & <u>and</u> testing Inspection & <u>and</u> testing	See Below
105.7. 24	Compressed Gasses and <u>&</u> Systems Install, repair damage to, abandon, remove, place temporarily our <u>out of</u> service,	Final inspection required per MSFC requirements	\$ 235. 00

	close or substantially modify systems		
105.7.37	Fire Alarm, Detection and & Related Alarm or Detection Equipment Install or modify new & and existing systems	Final inspection and <u>testing</u> required Inspection & Testing	See Below
105.7.48	Fire Pumps and & Related Equipment Install or modify fire pumps, related fuel tanks, jockey pumps, controllers and generators	Final inspection and <u>testing</u> required Inspection & Testing	See Below
105.7.59	Flammable and & Combustible Liquids 1. Install or modify a pipeline 2. Install, construct or alter tank vehicles, equipment, tanks, plants, terminals, wells, fuel dispensing stations, refineries, distilleries and similar activities where flammable or combustible liquids are produced, processed, transported, stored, dispensed or used 3. Install, alter, remove, abandon, place temporarily out of service or otherwise dispose of a flammable or combustible liquid tank	Final inspection Required inspection requirements as defined by 2003-2020 MSFC requirements. UGST or AGST storage tank removal must be witnessed by Fire Marshal.	\$150.00 \$150.00 \$200.00
105.7.613	Hazardous Materials Install, repair damage to, abandon, remove, place temporarily out of service, close or substantially modify a storage facility or other area regulated by MSFC Chapter 27	Final inspection required when hazardous materials in use or storage exceed amounts shown in the MSFC Table 105.6.21	\$ 200.00
105.7.715	Industrial Ovens Installation of industrial ovens regulated by MSFC Chapter 21	Final inspection required per MSFC requirements	\$ 165.00
105.7.816	LP Gas Installation of or modification to an LP Gas system	Final inspection required per MSFC & and NFPA <u>National Fire Protection</u>	\$ 200.00

		Association Chapter 58 requirements	
105.7.9	Private Fire Hydrants Installation of or modification of private fire hydrants	Final inspection Required Inspection & testing	\$ 145.00
105.7.4023	Spraying or Dipping Install or modify a spray room, dip tank or booth	Final inspection required per MSFC requirements	\$ 200.00
105.7.4424	Standpipe System Installation, modification, or removal from service of a standpipe system	Final inspection Required Inspection & testing	See Below
105.7.4225	Temporary Membrane Structures, Tents and Canopies To construct an air-supported temporary membrane structure, tent (= > 200 ft ²) or canopy (= > 400 ft ²).	Final inspection required per MSFC requirements	\$ 145.00

(c) Fire Department Fees for Fire Sprinkler, Fire Extinguishing Systems, Fire Alarm Systems or Standpipe Systems

Fees for Automatic Fire Extinguishing Systems (MSFC 105.7.1); Fire Alarm, Detection and related equipment (MSFC 105.7.3); Fire Pumps or related equipment, (MSFC 105.7.4); and Standpipe Systems (MSFC 105.7.11) are calculated on project valuation from the 1997 UBC Permit Fee Schedule as shown below, plus the State of Minnesota Surcharge Fee on sprinkler permits:

Total Valuation	Fee
\$ 1.00 to \$ 500.00	\$23.50
\$ 501.00 to \$ 2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2000.00
\$ 2001.00 to \$ 25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$ 25,001.00 to \$ 50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00

\$ 50,001. 00 to \$ 100,000. 00	\$643.75 for the first \$50,000. 00 plus \$ 7. 00 for each additional \$1,000. 00 , or fraction thereof, to and including \$ 100,000. 00
\$ 100,001. 00 to \$ 500,000. 00	\$993.75 for the first \$100,000. 00 plus \$5.60 for each additional \$1,000. 00 , or fraction thereof, to and including \$ 500,000. 00
\$ 500,001. 00 to \$ 1,000,000. 00	\$3233.75 for the first \$500,000. 00 plus \$4.75 for each additional \$1,000. 00 , or fraction thereof, to and including \$ 1,000,000. 00
\$ 1,000,001. 00 and up	\$5,608.75 for the first \$1,000,000. 00 plus \$3.65 for each additional \$1,000. 00 , or fraction thereof

(d) Fire Department Fees for Permitted Business Operations – ~~Processes and Activities~~
Fees

Permit Authority MSCF Section	Description	Fee
105.6.1	Aerosol products	\$145. 00
105.6.2	Amusement buildings	\$75. 00
105.6.3	Aviation facilities	\$120. 00
105.6.4	Carnivals and fairs	\$200. 00
105.6.5	Battery <u>and</u> energy systems	\$95. 00
105.6.6	Cellulose nitrate film	\$95. 00
105.6.7	Combustible dust-producing ops	\$200. 00
105.6.8	Combustible fibers	\$145. 00
105.6.9	Compressed gases	\$150. 00
105.6.10	Covered mall buildings	\$95. 00
105.6.11	Cryogenic fluids	\$95. 00
105.6.12	Cutting and welding	\$95. 00
105.6.13	Dry cleaning plants	\$145. 00
105.6.14	Exhibits and trade shows	\$200. 00
105.6.15	Explosives	\$200. 00
105.6.16	Fire hydrants and valves	\$75. 00
105.6.17	Flammable & <u>and</u> combustible liquids	\$200. 00
105.6.18	Floor finishing	\$95. 00
105.6.19	Fruit and crop ripening	\$120. 00
105.6.20	Fumigation & <u>and</u> thermal insecticide fog	\$95. 00

105.6.21	Hazardous materials	\$145.00
105.6.22	HPM facilities (Haz Prod Materials) <u>Hazardous Production Materials Facility</u>	\$145.00
105.6.23	High piled storage	\$200.00
105.6.24	Hot work operations	\$95.00
105.6.25	Industrial ovens	\$145.00
105.6.26	Lumber yards & and <u>woodworking plants</u>	\$200.00
105.6.27	Liq-Liquid or gas fueled veh/equip <u>vehicle/equipment in Grp-Group A</u>	\$95.00
105.6.28	LP Gas	\$95.00
150.6.29	Magnesium	\$95.00
105.6.30	Misc-Miscellaneous <u>combustible storage</u>	\$145.00
105.6.31	Open burning	\$95.00
105.6.32	Open flames and candles	\$95.00
105.6.33	Organic coatings	\$145.00
105.6.34	Places of assembly	\$135.00
105.6.35	Private fire hydrants	\$75.00
105.6.36	Pyrotechnic special effects material	\$95.00
105.6.37	Pyroxylin plastic	\$145.00
105.6.38	Refrigeration equipment	\$95.00
105.6.39	Repair garages or service stations	\$120.00
105.6.40	Rooftop heliports	\$95.00
105.6.41	Spraying or dipping	\$145.00
105.6.42	Storage of scrap tires/tire byproducts	\$120.00
105.6.43	Temporary tents & and <u>canopies</u>	\$95.00
105.6.44	Tire <u>-rebuilding plants</u>	\$145.00
105.6.45	Waste handling	\$200.00
105.6.46	Wood products	\$165.00

6. Licensing Fees

Code	Subject	Fee
17	Auction – <u>Weekly permit</u> – <u>Annual permit</u>	\$30.00 weekly; \$150-year
27	Billiards – <u>First table</u> – <u>Each additional table</u>	\$40 for first table; \$10 each additional
15	Bowling Alleys – <u>Annual license</u> – <u>Per lane</u>	\$40+ \$10 each lane
28	Carnivals – <u>Application fee</u>	\$75 application fee

	<ul style="list-style-type: none"> - <u>Each day</u> - <u>Required cash deposit or bond</u> 	<p>\$75 each day \$3,000 cash deposit or bond</p>
30	Charitable Gambling (see Lawful Gambling)	
101	Chickens <ul style="list-style-type: none"> - <u>Initial fee</u> - <u>Annual renewal fee</u> - <u>Impound Fee</u> 	<p>\$100 Initial Fee \$25 Renewal Fee \$25 Impound Fee</p>
21	Christmas Tree Lots <ul style="list-style-type: none"> - <u>Annual license fee</u> - <u>Deposit</u> 	<p>\$200 + \$100 deposit</p>
12	Cigarette Sales (see Tobacco)	
101	Dogs <ul style="list-style-type: none"> - <u>Lifetime license</u> - <u>Duplicate license</u> - <u>Impound fee</u> - <u>Annual Dangerous Dog license</u> - <u>Potentially Dangerous Dog license</u> 	<p>\$25 Lifetime \$5 duplicate license \$25 Impound Fee \$500 Dangerous Dog \$500 Potentially Dangerous Dog</p>
702	Drive-in Theaters	\$400
607	Entertainment	\$85
32	Food Establishment – Business License	\$45
32	Food Temporary – Business License	\$30
25	Golf Course, Driving Range	\$30
113	Haulers Mixed Municipal Solid Waste License (Garbage Truck), Yard Waste License, Organics License, Recycling License	\$100 for first truck and \$40 each additional truck
101	Honeybees <ul style="list-style-type: none"> - <u>Initial fee</u> - <u>Annual renewal fee</u> 	<p>\$100 Initial Fee \$25 Renewal Fee</p>
24	Junk Yards	\$350
609	Liquor, Caterer <ul style="list-style-type: none"> - <u>Annual Caterer Registration</u> - <u>Event Notification Permit (per event)</u> 	<p>\$100 annually \$25/event</p>
604	Liquor, Consumption and Display <ul style="list-style-type: none"> - <u>Annual State permit</u> - <u>One-day City permit</u> 	<p>\$300 Annual State Permit \$25 One-Day City Permit</p>
603	Liquor, On-Sale Intoxicating Holiday Endorsement	\$100
603	Liquor, Lawful Gambling Endorsement	\$300
610	Liquor Manufacturers/Investigative Fee	

	<ul style="list-style-type: none"> - Individual - Partnership/Corporation - Alteration of Business - Change of Officers - On-Sale Brewer/Distillery Taproom License - Off-Sale Brewer/Distillery Growler License 	<ul style="list-style-type: none"> \$200 \$400 \$100 \$25 \$600 \$300
603	<p>Liquor, On-Sale Intoxicating</p> <ul style="list-style-type: none"> - <u>No entertainment</u> <ul style="list-style-type: none"> (a) <u>0-3,000 square feet</u> (b) <u>3,001-6,000 square feet</u> (c) <u>Over 6,000 square feet</u> - <u>With entertainment or dancing</u> <ul style="list-style-type: none"> (a) <u>0-3,000 square feet</u> (b) <u>3,001-6,000 square feet</u> (c) <u>Over 6,000 square feet</u> 	<p>No Entertainment</p> <ul style="list-style-type: none"> a. 0-3000 sq. ft. — \$6,000 b. 3001-6000 sq. ft. — \$7,000 c. over 6000 sq. ft. — \$8,000 <p>With Entertainment or Dancing</p> <ul style="list-style-type: none"> a. 0-3000 sq. ft. — \$7,000 b. 3001-6000 sq. ft. — \$8,000 c. Over 6000 sq. ft. — \$9,000
603	<p>Liquor, On-Sale Intoxicating Initial Investigative Fee</p> <ul style="list-style-type: none"> - <u>Individual</u> - <u>Corporation or partnership</u> 	<ul style="list-style-type: none"> \$200 individual \$400 corporation or partnership
603	Liquor, On-Sale Sunday	\$200
603	Liquor, On-Sale Intoxicating Temporary 4 <u>one</u> day only	\$25 (MN §340A.414, Sub.9)
602	<p>Liquor, 3.2% Malt Liquor</p> <ul style="list-style-type: none"> - <u>Off-Sale</u> - <u>On-Sale</u> - <u>Holiday Endorsement</u> <p>Liquor, 3.2% Malt Liquor Holiday Endorsement</p>	<ul style="list-style-type: none"> Off-Sale — \$60 On-Sale — \$325 \$100
602	<p>Liquor, 3.2% Malt Liquor, Initial Investigative Fee</p> <ul style="list-style-type: none"> - <u>Individual</u> - <u>Corporation or partnership</u> 	<ul style="list-style-type: none"> \$90 individual \$180 corporation or partnership
602	Liquor, 3.2% Malt Liquor Temporary	\$60
603	Liquor, Wine	\$1,000
603	<p>Liquor, Wine Investigative Initial Fee</p> <ul style="list-style-type: none"> - <u>Individual</u> - <u>Corporation or partnership</u> 	<ul style="list-style-type: none"> \$200 individual \$400 corporation or partnership
603	Liquor (Employee Dispensing — see Managerial License)	
605	Liquor, Bottle Club	

	<ul style="list-style-type: none"> - <u>Annual permit</u> - <u>One day permit</u> 	<p>\$300-annual permit \$25-one day permit</p>
606	<p>Liquor, On-Sale Intoxicating Club</p> <ul style="list-style-type: none"> - <u>Per club under 200 members</u> - <u>Per club of 201-500 members</u> - <u>Per club of 501-1,000 members</u> - <u>Per club of 1,001-2,000 members</u> - <u>Per club of 2,001-4,000 members</u> - <u>Per club of 4,001-6,000 members</u> - <u>Per club of over 6,000 members</u> <p>(the annual license fee for an on-sale intoxicating liquor license issued by a city to a club must be no greater than the fee set in Minnesota Statute Chapter 340A:</p>	<p>\$300/club under 200 members \$500/club, 201-500 members \$650/club, 501-1,000 members \$800/club, 1001-2,000 members \$1000/club, 2001-4000 members \$2,000/club 4,001-6,000 members \$3,000/club over 6,000 members</p>
606	Liquor, On-Sale Club Holiday Endorsement	\$100
101	<p>Livestock</p> <ul style="list-style-type: none"> - <u>Initial fee</u> - <u>Annual review</u> 	<p>\$100 annually <u>\$25</u></p>
603	Managerial License (Liquor)	\$10
125	<p>Massage Therapy Business License</p> <ul style="list-style-type: none"> - <u>Annual license</u> - <u>Business investigation fee for corporations or partnerships</u> Investigative Fee/Corporation/Partnership - <u>Business investigation fee for individual/sole proprietor</u> Fee/Individual/Sole Prop. 	<p>\$400 annually \$400 (new) \$200 (renewal) \$200 (new) \$100 (renewal)</p>
125	<p>Massage Therapist</p> <ul style="list-style-type: none"> - License Fee - Therapist Investigation Fee 	<p>\$50 annually \$25 annually</p>
22	<p>Music Festivals</p> <ul style="list-style-type: none"> - <u>Per day</u> - <u>Filing fee</u> 	<p>\$700/day + \$100 filing fee</p>
<u>18</u>	<u>Motor Vehicle Body Repair Business</u>	<u>\$150</u>
509	Motorized Vehicles Rental	\$50 per vehicle
220	Multiple Dwelling License	<p>Single rental unit \$100.00 Two rental units \$150.00 Three units \$210.00 Four units \$270.00</p>

		Five or more units \$245.00 plus \$12 per unit.
101	Multiple Pet Location – <u>License Fee</u> – <u>Renewal Fee</u> – <u>Impound Fee</u>	\$100 Initial Fee \$25 Renewal Fee \$25 Impound Fee
220	<u>Rental Housing Annual License</u> – <u>Single rental unit</u> – <u>Two rental units</u> – <u>Three rental units</u> – <u>Four rental unit</u> – <u>Five or more units</u> <u>License renewal late fee if more than seven days late</u> <u>License fee to reinstate after revocation or suspension</u> <u>License transfer fee</u> <u>License reinstatement fee for properties that were posted for not complying with correction orders or license renewals</u> – <u>1-30 days</u> – <u>31+ days</u> <u>Renting prior to obtaining a license</u> <u>Reinspection fee after second inspection</u> – <u>Single, duplex, triplex</u> – <u>Four or more units</u>	\$100 \$150 \$210 \$270 \$270 plus \$12 per unit over four units 150% of the annual license fee 150% of the annual license fee \$25 \$250 \$500 125% of the annual license \$100 \$300
	Rental Inspection Fee — Transfer Fee – License Fee after Revocation or Suspension	\$100 single, duplex and triplex \$300 4+ units \$25 150% times the annual license fee
31	Pawn Shops – Annual license fee – Monthly transaction fee – Reporting failure penalty	\$3,000 \$3.00 per transaction \$4.00 per transaction/

	– Investigation fee	\$400
14	Peddlers/Solicitor	\$60 per peddler
23	Public Dance	\$75
13	Retail Gasoline Sales Private Gasoline Pump	\$60 \$30 per location
127	Sexually Oriented Businesses – Investigation fee	\$400 \$400
602, 603, 606	Social Skill Game Tournament Service Provider	\$100 annually
16	Street Vending – <u>Industrial/commercial</u> – <u>Residential</u> – <u>Both</u>	\$50 industrial/commercial \$70 residential \$100 both
116	Sun Tanning Rooms	\$500
12	<u>Tobacco Products License</u>	\$125
12	Tobacco Product Shop – <u>License fee</u> – <u>Investigation fee</u>	\$400 license application fee \$100 license investigation fee
104	<u>Tree Removal/Treatment Management License</u>	\$150
19	<u>Used Motor Vehicles License</u>	\$150/per year

7. Planning and Zoning Fees

Code	Subject	Fee
206	Certificate of Occupancy Fees	See Chapter 206
M.S. § 462.355	Comprehensive Plan Amendment	\$1,500
217	Condominium (annual registration) – <u>2-4 units</u> – <u>5-12 units</u> – <u>13-24 units</u> – <u>Over 24 units</u>	2-4 Ownership Units-\$20 5-12 Ownership units-\$30 13-24 Ownership units-\$40 Over 24 Ownership Units-\$50
217.04	Condominium conversion registration (one-time fee) – <u>2 units</u> – <u>3-7 units</u> – <u>8-12 units</u> – <u>Over 12 units</u>	2-ownership units-\$500 3-7 ownership units-\$750 8-12 ownership units-\$1,000 Over 12 units-\$1,000 + \$50 per unit for every unit over 12
208	Conservation Plan Review (as part of building permit for new construction)	\$450

208	Conservation Plan Review as part of land alteration, excavating or grading permit process	See Chapter 206
<u>205</u>	<u>Farmers Market Event Permit</u>	<u>\$100</u>
211	Lot Splits	\$1,250
205.24	Master Plan, Application or Amendment	\$1,500
203	Mobile Manufactured Home Parks	\$30 + \$1 per trailer site (one-time fee)
407	Rights-of-Way — Registration — User Fee (residential, commercial or industrial) — Excavation Permit — Obstruction Permit — Small Wireless Facility Permit — Permit Extension Fee — Delay Penalty — Mapping Fee — Degradation Fee	\$50 \$50 \$350 \$50 \$150 \$20 \$125 week \$50 if data is not in City format and City GIS compatible Restoration cost per square foot for the area to be restored
214	Signs and/or Billboards — Permanent Sign – <u>Permanent</u> wall sign – <u>Permanent</u> free-standing/monument – <u>Permanent</u> re-face/face-change – Temporary sign	\$100 \$200 \$50 \$100 plus (\$200 deposit refunded if conditions met)
205.30	Telecommunications Permit to <u>Locate or add Equipment to an Approved Site</u> <u>Small Cell</u> Telecommunications Towers and Facilities District – 205.30.24 <u>Distributed Antenna System (DAS)</u> Application Fee – 205.30.24 DAS Application Review Fee – 205.30.9(9) DAS Abandonment Escrow	\$400/user/tower \$500 \$1,500 \$2,000

205.30	Temporary Outdoor Display License Permit	\$75
205	Text Amendment to the Zoning Ordinance	\$1,500
205.33	Transit Oriented District (TOD) Project Plan Application	\$1,500
205.33	TOD Tree Substitution Fee to TOD Capital Project Fund	\$500/ per tree
211	Plat – Up to 200 lots – Each additional lot	\$1,500/200 lots + \$15 each additional lot
206	Reinspection – Building Fee	See Chapter 206
205	Rezoning	\$1,500
205	Special Use Permit – R-1 – All others	\$1,000 for R-1 \$1,500 for all others
205	Vacations, Right of Way or Easement	\$1,500
211 205	Variance – R-1 – All others	\$500 for R-1 \$1,400 for all other
205	Wetlands – Certifying Exemptions – Replacement Plan Application – No Loss Determination – Appeal of Decision	\$1,500.00 \$1,500.00 \$1,500.00 \$1,500.00

8. Police Fees

Code	Subject	Fee
<u>103</u>	<u>Fire Arm Permit to Discharge</u>	<u>\$25</u>
<u>30</u>	<u>Lawful Gambling Permit</u>	<u>\$25 for one-day small events, (e.g., a raffle)</u>

209.13 Penalties

Code	Subject	Penalty
<u>203</u>	<u>Administrative Citation or Penalty</u> – <u>General</u> – <u>Fire Lane/Reserved Handicap Parking</u> – <u>Other Parking</u>	<u>\$100 per violation (General)</u> <u>\$125 per violation (Fire Lane/Reserved Handicap Parking)</u> <u>\$35 per violation (Other Parking)</u>
<u>203</u>	<u>Administrative Citation or Penalty</u> <u>Late Fee</u>	

	<ul style="list-style-type: none"> - <u>General</u> - <u>Fire Lane/Reserved Handicap Parking</u> - <u>Other Parking</u> 	<p>\$25 (General)</p> <p>\$30 (Fire Lane/Reserved Handicap Parking)</p> <p>\$10 (Other Parking)</p>
514	<p>Snow Removal Penalty</p> <p>Violations of the provisions of this Section shall be a misdemeanor, subject to penalties of a maximum of \$700 and 90 days in jail per occurrence. In the alternative, the City may, in its discretion, impose a civil penalty as follows:</p> <ul style="list-style-type: none"> - 2nd offense in any given year <u>within 365 days</u> \$50 - 3rd offense within 6 <u>six</u> months of any prior offense \$200 - 4th offense or more within 6 <u>six</u> months of prior offense(s) \$500 <p>In addition, the City may charge to, and assess to the associated property, any damage to City property or injury to City employees attributable to violations of this section.</p>	

209.14 Compliance

No person shall practice or carry on a business, trade or profession in the City without complying with all federal and state regulations, laws, license or permit requirements, and with the license and permit requirements of any provision of this Code.

~~11.12.~~ 209.15 Administrative Assessments

In addition to the fees in Section ~~11.10~~ 209.12, an administrative assessment will be required to fund special studies such as environmental assessment worksheets, transportation, drainage, noise impacts, indirect source permits, wetland impacts, etc. The amount of the assessment is to be based on the site, complexity, diversity, and location of the project as determined by staff, but shall not be less than ~~2.5~~ two and one half times the hourly wage of estimated ~~staff~~ Public Official or consultant's time.

~~11.13.~~ 209.16 Late Payment Penalties

The penalty for late payment of all ~~licenses and permit~~ any fees as shown in Section ~~11.10~~ of the City Code ~~this Chapter~~ shall be 25% of the amount of the fee if received from ~~4~~ one to seven days

late. If the payment is received more than ~~7~~seven days after it is due, the penalty shall be 50% of the fee.

~~11.14~~ 209.17 Compliance with State and Local Law and Payment of Fees and Charges

Prior to the issuance of any license or permit as provided by this Chapter, the City may determine whether the applicant is out of compliance with any state or local law or ordinance enforced by the City. In addition, the City may determine whether the applicant is in arrears with respect to any fee, tax or utility charge. If the City determines the applicant is out of compliance with any state or local law or ordinance, or that outstanding balances are due to the City for fees, taxes or utility charges, the City may deny issuance of the license until such time as the Applicant is in compliance or has paid any such outstanding balance.

Any applicant aggrieved by the application of the section shall, upon written request, be permitted a ~~public~~-hearing before the Council, and determination on the fact question of whether there is non-compliance or any outstanding balance due.



AGENDA REPORT

Meeting Date: May 23, 2022

Meeting Type: City Council Conference Meeting

Submitted By: Scott Hickok, Community Development Director
Stacy Stromberg, Planning Manager
Dan Cahill, Code Enforcement Inspector

Title

Discussion Item to Consider Using Administrative Citations in the City's Code Enforcement Process

Background

The Council is aware that the City's Code Enforcement process involves issuing a criminal citation for City Code violations that aren't corrected within a certain time. This process can be very time consuming for staff without ensuring prompt resolution of the violation. It also creates a criminal record for citizens, which has been seen as a negative consequence for these types of code violations.

As a result, staff has been exploring modifying the existing Administrative Citation chapter of the Code to include an alternative process that would allow the City's Code Enforcement Inspector to issue Administrative Citations as opposed to criminal citations for Code violations.

Many other communities in the metro use this process and have found it to be very beneficial. Staff would like to gather feedback from the Council on adoption of this process, which would include an amendment or re-write of the existing Administrative Citations chapter.

Financial Impact

Potential code amendment or re-write would be absorbed. Staff anticipates that if an administrative citation process is adopted for the City's Code Enforcement process, revenue related to the fines will be generated.

Discussion

Staff is asking for Council to have a discussion on this process and a potential code amendment or re-write.

Focus on Fridley Strategic Alignment

- | | |
|--|---|
| <input checked="" type="checkbox"/> Vibrant Neighborhoods & Places | <input type="checkbox"/> Community Identity & Relationship Building |
| <input type="checkbox"/> Financial Stability & Commercial Prosperity | <input type="checkbox"/> Public Safety & Environmental Stewardship |
| <input type="checkbox"/> Organizational Excellence | |

Attachments and Other Resources

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

-
- Chapter 22 Administrative Enforcement of Ordinance Violations
 - PowerPoint presentation to be presented at Council Conference Meeting

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

ADMINISTRATIVE FINES

AN INFORMATIONAL PRESENTATION

MAY 23, 2022



What is an Administrative Citation?

- An administrative citation is a civil fine that is issued in response to a violation of local ordinance as opposed to a criminal citation.
- Criminal citations can result in unintended consequences, such as the creation of a criminal record for business owners and residents who are cited and can also consume a lot of legal and city staff time.
- An administrative citation, through a fine is only imposed if the property owner doesn't correct the code violation by the correction date.

Advantages

- Not as time and resource demanding as the criminal citation route
 - The use of administrative fines can help to counteract the monetary costs of code enforcement
 - The revenues collected could be put towards legal aid/advice in the scenario of an appeal and other code enforcement costs
 - The use of administrative fines can work as a scare tactic and provide a more direct consequence that yields greater compliance
-
- Cambridge, Blaine, Coon Rapids all report a reduction in the length of a standard code enforcement case
 - Anoka, Blaine, Coon Rapids all reported a reduction in the amount of code enforcement cases



Cities that use Administrative Citations

- Brainerd
- Hopkins
- Coon Rapids
- East Bethel
- Oakdale
- St. Francis
- Isanti
- Blaine
- Andover
- Cambridge
- Minnetonka



Example Process

Brainerd:

1. "Order to Correct" Letter is sent. Violation and compliance deadline are outlined.
2. Failure to comply with the requests of an "Order to Correct" will result in an administrative citation (a fine with an order to correct the violation).
3. If failure to comply continues the City will abate the problem and the property will be assessed the costs and the fine.

Appeals:

1. A request for a hearing can be made and must be made within 10 days from the citation date.
2. The decision of the hearing officer is final and may only be appealed to the Minnesota Court of Appeals.
3. If the violation is upheld, the violator will have 30 days to correct the violation and pay the fines and hearing costs.

Extensions can be made to deadlines for those who can not complete the required work on time.



Example Administrative Citation First Letter

Coon Rapids



11155 Robinson Drive NW, Coon Rapids, MN 55433
Web: coonrapidsmn.gov Phone: 763-755-2880

Item 3.

ADMINISTRATIVE CITATION Long Grass & Weeds

Property Posted: _____

To: Owner/Occupant
Address: _____
Coon Rapids, MN

This is an Administrative Citation issued under Coon Rapids City Code Chapter 2-1100.

On _____ at _____ AM/PM, the grass and/or weeds at your property exceeded 8 inches in length and is in violation of City Code.

<u>Compliance Date</u> (deadline)	<u>Violation & Corrective Action</u>	<u>City Code Section & Summary</u>	<u>Penalty</u>
	Mow & maintain all grass and/or weeds in the front, back, and side yards to a length under 8 inches. This includes all boulevard areas.	8-503(2). Prohibited Activities and Nuisances - Weeds and grass over eight (8) inches are a nuisance and must be mowed.	\$300.00

To avoid the \$300 penalty, you must do one of the following:

1. Mow your grass **on or before** the Compliance Date noted above. You are responsible to mow all areas of your yard, including the front, back and side yards, in landscaped areas, and any boulevard areas.
2. Call to request a time extension for compliance. You must sign a time-extension agreement **on or before** the Compliance Date noted above.
3. Appeal the inspector's decision **on or before** the Compliance Date noted above.

Refer to the attached Administrative Citation Program brochure for the Notice of Appeal form, including instructions for requesting a time extension, and additional information.

Please note that if your property is not mowed by the Compliance Date listed above, \$300 will be charged to the property taxes in the form of a Special Assessment. The City may mow your property. **If a second or subsequent Long Grass & Weeds Citation is issued this season, even if you mow prior to the Compliance Date, a penalty of \$150 will be charged.**

If you are age 60 or over and need assistance with maintaining your yard, ACCAP Chores & More is available. The program does minor home repairs, housekeeping and seasonal chores such as mowing. They are done at a nominal suggested donation with subsidy for those in need. Call 763-783-4767 for more information and availability.

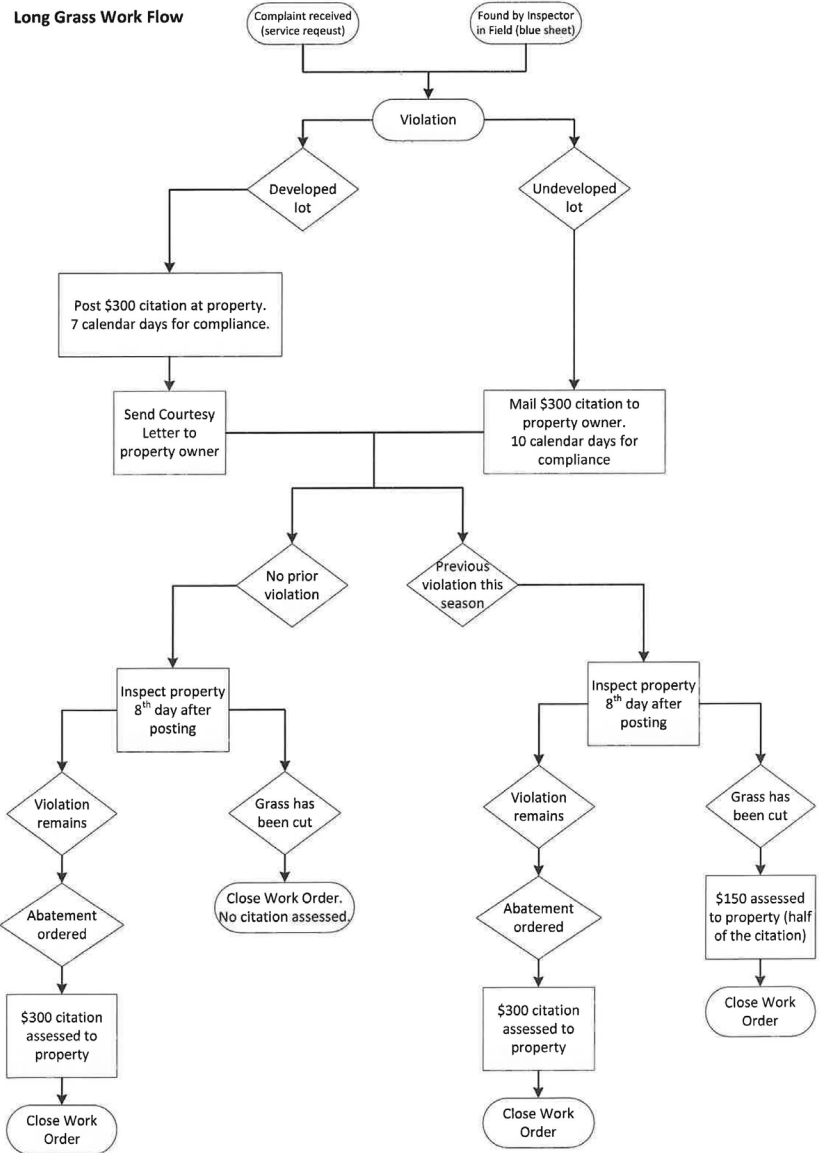
You can view the full City Code online at www.coonrapidsmn.gov or you can obtain the City Code Section regarding lawn maintenance at Coon Rapids City Hall at 11155 Robinson Dr NW, Coon Rapids, MN 55433.

Inspectors are often not in the office. Please call the number below if you would like to speak with an inspector regarding this citation.

Long Grass Inspector
763-951-7202

Example Workflows

Coon Rapids



Who Can Issue Administrative Citations. Item 3.

Minnetonka

- ✓ Administrative hearing officer

Isanti

- ✓ Peace Officers, Code Enforcement, Comm. Dev. Director, City Planner, Animal Control Officer, Building Official

Blaine

- ✓ Police Officer, any city employee with written permission from City Manager

Coon Rapids

- ✓ Housing Programs/Services
 - Two inspectors that issue citations
 - Rental licensing, rental complaints, hoarding houses, and interior property issues
- ✓ Property Maintenance:
 - Two inspectors that issue citations
 - Exterior code enforcement

Anoka

- ✓ Peace officers, CSO's, Park Rangers, Property Maintenance Coordinator, Zoning Administrator, Fire Marshal, Building Official

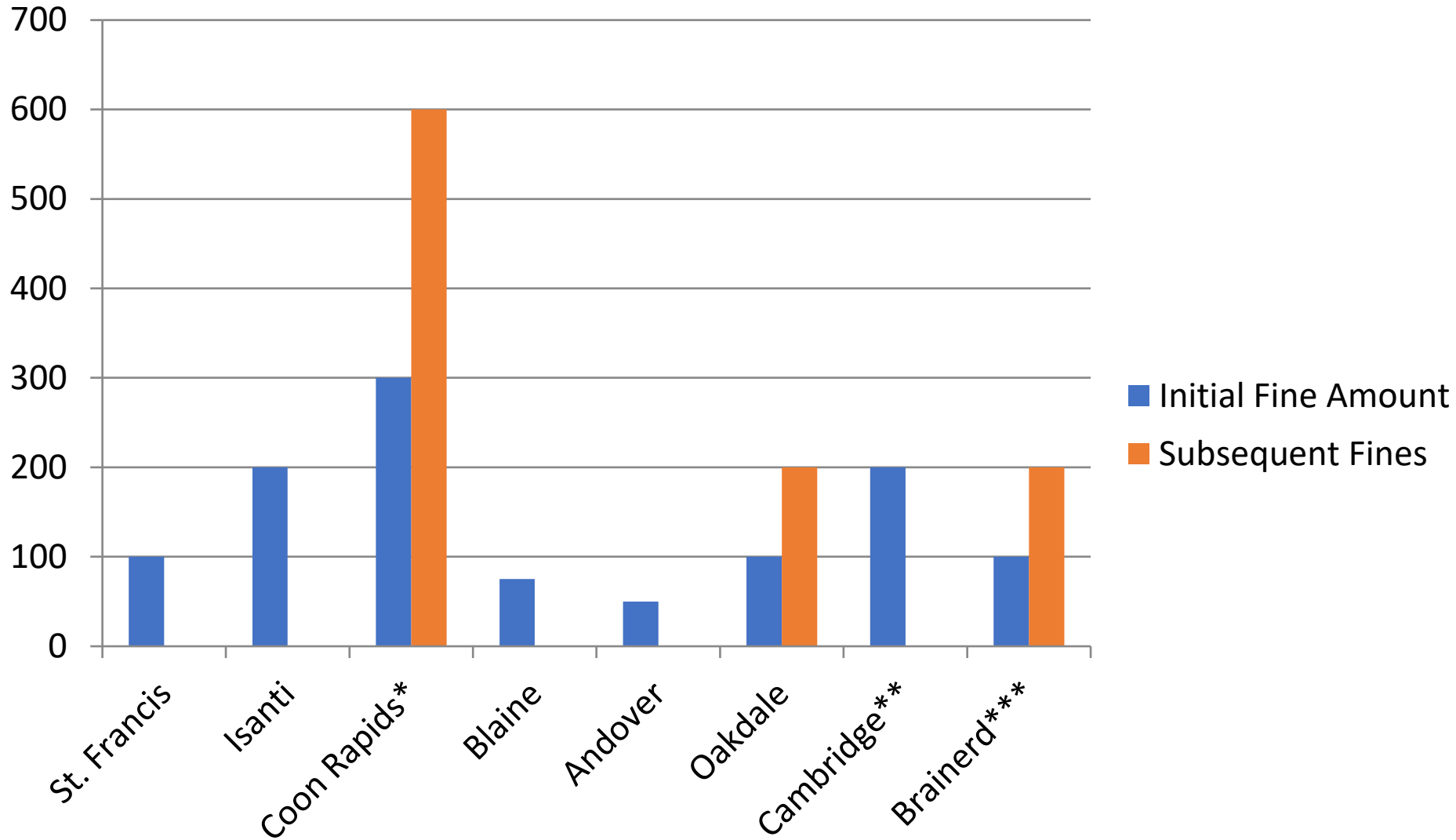
Cambridge

- ✓ Anyone that the city administrator authorizes can administer administrative citations

Oakdale

- ✓ Code enforcement officer and building official

Fine Amounts



*Coon Rapids: Item 3.
 Each subsequent fine doubles with a max. fine of \$2,400

**Cambridge:
 \$300 for exterior structure violations

***Brainerd:
 Max fine of \$2,000, and a \$500 fine for biting animals, diseased animals, and dangerous dogs

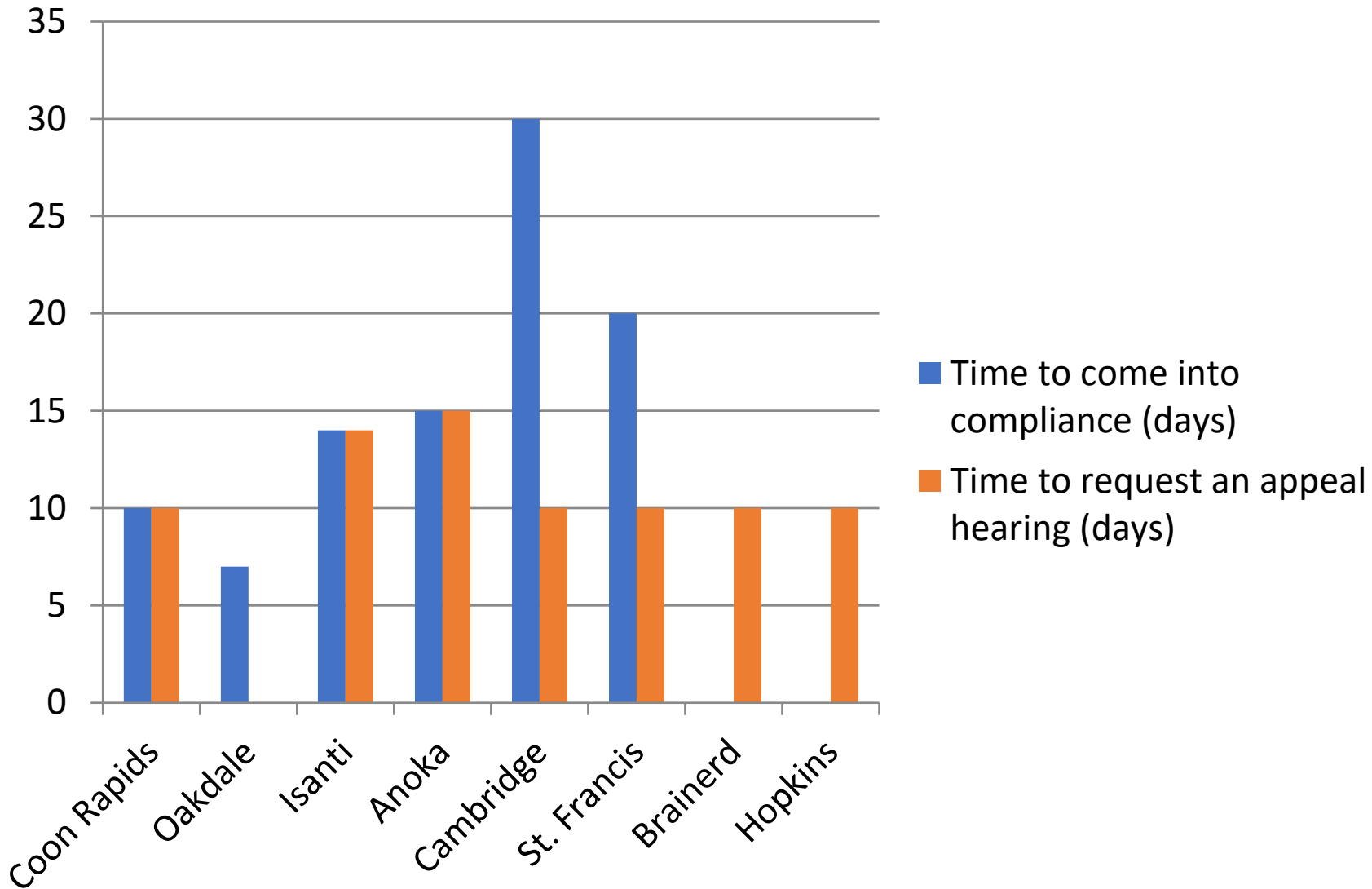
◇ Minnetonka has four levels of violations (\$50, \$75, \$150, \$400). In the event of failing to pay, a 10% fee of the fine is added every 30 days.

Fines Amount, Cont.

- Fines that are not paid are assessed to property taxes
- Total collection amounts in 2018:
 - Coon Rapids: \$169,500
 - Cambridge: \$3,150
- Most cities have a maximum value in which the fines can amount to:
 - Cambridge: \$2,000
 - Coon Rapids: \$2,400



Compliance Timelines



- All cities reported working with citizens and the willingness to grant extensions given the varying conditions of each case

- ◊ Minnetonka: 30 days to pay fine (no time to allow for compliance), 14 days to appeal



Cases Opened and Closed

COON RAPIDS	2014	2015	2016	2017	2018
Cases Opened	1,800	1,542	1,540	1,211	1,609
Cases Closed	1,116	1,110	1,217	932	1,255
Compliance (%)	62%	72%	79%	77%	78%



How Fridley Could Use Administrative Citations

- ✓ Inoperable/unlicensed vehicles
- ✓ Vehicle parking
- ✓ Solid waste placement/storage
- ✓ If compliance is not met after the deadline established by the first letter a fine will be administered
- ✓ \$300 fine
- ✓ \$150 fine for excess use of City resources (same or similar violation within a year)



CHAPTER 33 ADMINISTRATIVE ENFORCEMENT OF ORDINANCE VIOLATIONS

33.01 PURPOSE

33.02 APPLICATION

33.03 ENFORCEMENT AND ADMINISTRATIVE CITATION ISSUANCE

33.04 ADMINISTRATIVE HEARINGS

33.05 PENALTIES AND PAYMENT

33.06 EXEMPTION

33.01 PURPOSE

The City Council seeks to offer an alternative method of enforcement for City Code violations rather than relying solely on the judiciary for such relief. The formal judicial process does not provide an environment to adequately address the unique and sensitive issues that are involved in City Code violations, including, but not limited to: neighborhood concerns, livability issues, economic impact, public safety, physical limitations of the offenders, and the stigma and unintended consequences of being charged with or convicted of a misdemeanor offense. In addition, the methodical process of the court system process may not be conducive to dealing with the violations in a prompt and timely manner.

In order to provide more flexibility in addressing City Code violations on an individual basis that will be more efficient and effective and to ensure a process for administrative relief before engaging the judicial system, the City Council finds that an alternative enforcement process is necessary. Therefore, to protect the health, safety and welfare of the citizens of Fridley, the City Council intends to create a process for the use and imposition of administrative civil penalties that will provide the public and the City with an effective, alternative method for addressing City Code violations.

HISTORY

Adopted by Ord. [1384](#) on 10/12/2020

33.02 APPLICATION

The administrative procedures and penalties in this section may, in the discretion of the City, be used for any violation of the City Code or any violation of the terms and conditions of a City approval, including permits and licenses, required and granted under the City Code, and traffic offenses designated in Minnesota Statute § 169.999, in the amount designated in Minnesota Statute § 169.999, as it may be amended from time to time.

Except as expressly provided in this section, the provisions of this section may be used concurrently with or in addition to any other procedure or remedy, criminal or civil, the City may pursue under City Code, State law, or Federal law. Nothing herein restricts the right of the City to enter property immediately or to seek other remedies in emergency or other situations as authorized by City Code, State law, or Federal law. Where differences occur between provisions of this section and other applicable City Code sections, this section controls to the extent of such differences. No provision of the City Code that provides a criminal procedure or penalty, or an administrative or civil procedure or penalty, for a violation of the City Code shall preclude the application of this section in its entirety to such violation.

The penalties and procedures provided in this section shall be applicable to every section and chapter of the City Code. The penalties and procedures provided by this section shall apply to any amendment of the City Code, whether or not such penalty is reenacted in the amendment, unless otherwise provided in such amendment.

HISTORY

Adopted by Ord. [1384](#) on 10/12/2020

33.03 ENFORCEMENT AND ADMINISTRATIVE CITATION ISSUANCE

Item 3.

A. Authority to Enforce. Only peace officers may issue Administrative Citations pursuant to Minnesota Statute § 169.999 related to traffic violations. The City shall not issue an Administrative Citation as authorized by Minnesota Statute § 169.999 to the holder of a commercial driver's license or the driver of a commercial vehicle in which the administrative violation was committed.

Any other violation of City Code may result in an Administrative Citation. Any persons employed by the City and designated by the City Manager to enforce the City Code are authorized to issue such citations. The City may only issue an administrative citation upon a determination of a violation of any regulation identified in Section 33.02. The City Manager, or their designee, is authorized to promulgate rules and forms to implement these procedures.

B. Administrative Citation.

1. Any person with authority to enforce the City Code may, upon a reasonable belief that there has been a violation thereof, issue an Administrative Citation to the violator or party responsible for the violation in one of the following ways:

- a. By personal service upon the owner of the property or an occupant of suitable age residing at the property where the violation occurred, or in the case of a business or corporation, the citation may be served upon a manager on the premises or to a corporate officer;
- b. By first class mail to a person identified in Subsection (B)(1)a of this section;
- c. By posting the citation in a conspicuous place on or near the main entrance when it reasonably appears the property is occupied but the occupants are not available or willing to accept personal service, and where the property is not a licensed rental dwelling;
- d. By posting the citation in a conspicuous place on or near the main entrance and mailing by first class mail a notice of the citation to the owner of record where it reasonably appears the property is vacant or abandoned;
- e. By posting the citation in a conspicuous place on or near the main entrance and mailing by first class mail, notice of the citation to the licensee when the property is a rental dwelling licensed by the City; or
- f. By posting the citation in a conspicuous place on a motor vehicle when the vehicle is vacant.

2. The City shall notify a recipient of an Administrative Citation of their right to contest the citation as outlined in Section 33.04. The City shall also appoint a neutral third party to hear and rule on challenges to administrative citations authorized by the City Code.

3. The failure to pay an Administrative Penalty or petition for an Administrative Hearing within 14 business days after the citation is issued, or failure to attend a scheduled Administrative Hearing, constitutes a waiver of the violator's right to a future Administrative Hearing and is an admission of the violation.

4. Any administrative fines assessed pursuant to Minnesota Statute § 169.999 shall be disbursed in accordance with Minnesota Statute § 169.999, subd. 5.

HISTORY

Adopted by Ord. [1384](#) on 10/12/2020

33.04 ADMINISTRATIVE HEARINGS

Item 3.

- A. Request for Hearing. Anyone in violation of any section of the City Code may either pay the Administrative Penalty, as defined by Section 33.05, or petition the City for an Administrative Hearing pursuant to Section 33.04(E).
- B. Hearing Examiner. The position of Hearing Examiner is hereby created. The City Manager, or their designee, may, at their discretion, contract with third parties for the furnishing of all services of the Hearing Examiner as contained in this chapter and set the rate of compensation therefor.
- C. Qualifications. The Hearing Examiner shall be an individual trained in law; however, it shall not be required that the Hearing Examiner be currently licensed to practice law in the State of Minnesota.
- D. Duties. The Hearing Examiner shall have the following duties:
1. Set dates and hear all contested cases;
 2. Take testimony from all interested parties;
 3. Examine all facts, evidence and testimony presented;
 4. Make a complete record of all proceedings including findings of fact and conclusions of law; and
 5. Affirm, dismiss or modify the Administrative Citation and/or the Administrative Penalty assessed.
- E. Hearing Procedure. Any person issued an Administrative Citation within the City of Fridley may petition the City, in writing, for an Administrative Hearing before a Hearing Examiner.
1. All such petitions shall identify with specificity the basis for the objection to the Administrative Citation and the interpretation of the City Code, as well as summarizing any evidence the petitioner intends to present. Such requests shall be filed in writing to the City Manager, or their designee, within 14 business days after the ordinance violation citation is issued.
 2. The City will confirm request of an Administrative Hearing and include information on the Administrative Citation Hearing Fee as outlined in this ordinance. This fee will be refunded if the Administrative Citation is dismissed, but not if affirmed or modified.
 3. All Administrative Hearings will take place at the Fridley Civic Campus (7071 University Avenue NE, Fridley, MN 55432) between 8:00 a.m. and 8:00 p.m. Monday through Friday. The Hearing Examiner may schedule an alternative date and time upon the written consent of all parties subject to the Administrative Hearing.
 4. The Hearing Officer shall provide all parties involved with a Notice of Hearing at least seven business days prior to the Administrative Hearing.
 5. All Administrative Hearings will be recorded with an audio recording device. A transcript of the Administrative Hearing will be transcribed and retained pursuant to the Minnesota Government Data Practices Act.
 6. The Hearing Examiner will take testimony from the petitioner and any corroborating witnesses who wish to testify. The Hearing Examiner will then take testimony from the City. Both the petitioner and the City may appear with legal counsel.

7. The Rules of Evidence do not apply. The Hearing Examiner will determine the admissibility of any evidence and/or testimony.
8. The Hearing Examiner shall render a written decision to affirm, dismiss or modify the City's Administrative Citation. Within 15 business days after the Administrative Hearing, the Hearing Examiner shall provide written findings of fact, conclusions of law and if applicable, issue a timeline to pay any penalties and fees. The decision of the Hearing Examiner shall be final.
9. Judicial review. An aggrieved party may obtain judicial review of a final decision of the Hearing Examiner in a court of competent jurisdiction within the time limit prescribed by law.
- F. Failure to Appear. The failure to attend the hearing constitutes a waiver of the petitioner's rights to an Administrative Hearing and an admission of the violation. The Hearing Examiner may waive this result upon good cause shown. "Good cause" may be determined by the Hearing Examiner and may include: death in the immediate family or documented incapacitating illness of the accused; a court order requiring the petitioner to appear for another hearing at the same time; and lack of proper service of the administration citation or notice of the hearing.
- G. Failure to Pay Is Separate Violation. The following are separate violations of the City Code, punishable as misdemeanors in accordance with State law:
1. Unless a notice of appeal has been timely filed, failure to pay the fine within the time required after issuance of an Administrative Citation.
 2. Failure to pay a fine imposed by a Hearing Examiner within 30 days after it was imposed, or such other time as may be established by the Hearing Examiner, unless judicial review has been sought for the matter in accordance with State law.

HISTORY

Adopted by Ord. [1384](#) on 10/12/2020

33.05 PENALTIES AND PAYMENT

- A. Application. An Administrative Citation may be issued in conjunction with, or in lieu of, any other remedy available to the City.
- B. Administrative Penalties and Fees. The City Council shall adopt by ordinance a schedule of penalties and fees for violations of City Code and the enforcement of this chapter.
1. Any penalties and fees for those Administrative Citations issued pursuant to Minnesota Statute § 169.999, subd. 1, shall be not exceed the limits described in Minnesota Statute § 169.99, subd. 5.
 2. Unless expressly provided otherwise in the City Code, each day a violation exists constitutes a separate administrative offense.
 3. When an Administrative Citation is issued and served as described in Section 33.03(B) of this Chapter, the party receiving service has up to 14 business days to pay the Administrative Citation fee as outlined in Chapter 11 of the Fridley City Code. If payment is not received, or an Administrative Hearing is not requested within 14 business days of the citation being issued, a late fee will be incurred. The Administrative Penalty Late Fee is outlined in Chapter 11 of the Fridley City Code.
- C. Payment Process.

1. A party who has received an Administrative Citation must, within 14 business days after an Administrative Citation is issued, pay the amount of any fine set forth therein, unless that party has requested an Administrative Hearing as authorized by this chapter. If the Administrative Citation penalty is upheld in full or in part by the Hearing Examiner, the petitioner must make payment to the City within 14 business days of the issuance of the Hearing Examiner’s decision, unless another term is prescribed therein.
2. Any fine may be paid in person at City Hall, by mail or by other method set forth by the City.
3. Payment of any fine shall be deemed a final admission of the violation, and thereafter the City shall not bring a criminal charge for the same violation. Ongoing or continuing violations shall constitute a new violation for each day that it is occurring.
4. Payment of a fine shall not excuse the failure to satisfy compliance orders referenced in the Administrative Citation and such payment shall not bar further enforcement activity by the City for a continuing violation, including without limitation, the issuance of additional Administrative Citations.

D. If an Administrative Penalty imposed by an Administrative Citation is not paid within the time specified, it constitutes a personal obligation of the violator and a lien upon the real property upon which the violation occurred, if the property or improvements on the property were the subject of the violation and the property owner was responsible for that violation.

E. Assessment. Any persons employed by the City and designated by the City Manager to enforce the City Code shall keep a record of the costs of ordinance violations and shall provide detailed reports to the City Manager or their designee regarding all matters related to each violation. In the event the Administrative Penalty is unpaid and it is not possible for the City to place a lien on any real property, the City may list the total unpaid charges for each assessment against each separate lot or parcel to which they are attributable. The City Council may then spread the charges or any portion thereof against the property involved as a special assessment under other pertinent statutes, for certification to the County Auditor and collection the following year along with current taxes. Such assessment shall be payable in a single installment or by up to ten equal annual installments as the City Council may provide, pursuant to Minnesota Statute § 429.101.

F. License and Permit Issuance. Failure to pay an Administrative Penalty shall be grounds for suspending, revoking or not renewing a license or permit related to the violation. During the time that an Administrative Penalty remains unpaid, no City approval will be granted for a license, permit, or other City approval sought by the violator or for property under the violator's ownership or control. For purposes of this restriction, any company that is owned in whole or in part by the violator shall also be considered to be subject to these restrictions, regardless of corporate structure.

G. Disposition of Penalties. All penalties collected pursuant to this Chapter shall be paid to the City Treasurer and deposited in the appropriate fund and with the appropriate parties.

H. Maximum Penalty. As noted in Section 33.05(B)(2), each day a violation exists is a separate offense. The maximum amount of an Administrative Penalty charged for a single offense, as determined by the City, may not exceed twice the maximum fine authorized by State law for misdemeanor offenses, or the maximum fine authorized by State law for an administrative process.

HISTORY
 Adopted by Ord. [1384](#) on 10/12/2020

33.06 EXEMPTION

This section of the City Code shall apply to all violations of the City Code, except for those situations where applicable sections of the City Code and/or State law prescribe other procedures or rules.

HISTORY
Adopted by Ord. [1384](#) on 10/12/2020

Item 3.