



PLANNING COMMISSION AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Wednesday, July 16, 2025 @ 6:00 PM

The public is invited to attend these meetings in person
Attend by Phone: 1-844-992-4726 Meeting Access Code: 2481 767 9233

Meetings are broadcast on CTC ch 8, Charter ch 181, YouTube, AppleTV, Roku, and Amazon FireTV

1. **Call To Order**

2. **Roll Call**

___ D. Gorham ___ J. Grecula ___ D. Peterson ___ J. Powell ___ T. Erickson ___ J. Norwood ___
vacant

3. **Pledge of Allegiance**

4. **Approval Of Agenda - Voice Vote**

5. **Approval Of Minutes**

A. **Draft Minutes from the June 18th, 2025 Regular Meeting**

6. **Public Forum**

Time allocated for citizens to bring matters not on the agenda to the attention of the Commission -
Time limits may be imposed

7. **New Business**

A. **Consider Interim Use Permit Renewal for a Short-Term Rental - 1123 15th Ave NE**

B. **Consider Conditional Use Permit to Allow for the Construction of a Fellowship Hall (Worship Center) - 3rd Street PID 41040783**

C. **Consider Variance Request to Allow for a 6' Fence to be Installed in Front Yard - 14721 Riverside Dr**

D. **Consider Conditional Use Permit for a Fire Hall Addition and Variance Request for Impervious Surface and Bluff Setbacks - 23 Laurel St Brainerd Fire Department**

8. **Unfinished Business**

A. **Consider Proposed Ordinance to Amend Section 515-3 Allowed Uses; Appendix A Table of Uses**

B. Review Proposed Sign Ordinance

9. **Staff Reports**

(Verbal: Any Updates since Packet)

10. **Commission Member Reports**

11. **Adjourn**

Visit the City's Website at www.ci.brainerd.mn.us

MISSION

"Provide high quality, cost effective public services and leadership in creating a sustainable city"

PLANNING COMMISSION
Wednesday, June 18th, 2025

#1 Call to Order

Planning Commission Chair Norwood called the meeting of the Brainerd Planning Commission to order at 6:00 pm in the City Hall Council Chambers.

#2 Roll Call

Noted present were Commissioners Gorham, Grecula, Higgins, Erickson, and Norwood. Noted absent were Commissioners Peterson and Powell. Also noted as present was Community Development Director Kramvik.

#3 Pledge of Allegiance

Commission Chair Norwood opened the meeting with the Pledge of Allegiance to the flag.

#4 Approval of Agenda

MOVED AND SECONDED BY COMMISSIONERS GRECULA AND ERICKSON, DULY CARRIED, TO AMEND THE AGENDA BY MOVING NEW BUSINESS TO #7 AHEAD OF UNFINISHED BUSINESS.

#5 Approval of Minutes

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND GORHAM, DULY CARRIED, TO APPROVE THE MINUTES FROM THE MAY 21ST, 2025 REGULAR MEETING AS PRESENTED.

#6 Public Forum

The Chair opened the public forum at 6:01 pm.

No one came forward.

The Chair closed the public forum at 6:02 pm.

#7 New Business

7a. Consider Variance Requests to Allow Non-Screened Parking Lot and Reduced Setbacks – 525 Washington St.

Community Development Director Kramvik reviewed the application from Hy-Tec Construction. The requests are to allow a zero-foot setback and with no screening requirement on the back rear of the property for parking.

The Chair opened the public hearing at 6:08 pm.

The Chair recognized Jake Brandt, State Farm agent and the applicant who explained the rationale behind the variance request.

The Chair closed the public hearing at 6:10 pm.

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND HIGGINS, DULY CARRIED, TO RECOMMEND APPROVAL OF THE VARIANCE FOR REDUCED SETBACKS AND NON-SCREENED REAR PARKING AREA AT 525 WASHINGTON ST.

CDD Kramvik indicated this will be heard at the City Council meeting July 7th, 2025 at 7:30 pm.

7b. Consider Proposed Ordinance to Amend Section 515-3 Allowed Uses, Appendix A Table of Uses to Allow Office/Business in the GI District

Community Development Director Kramvik explained the reason for allowing an office/business in the GI District. He stated a potential applicant is interested in purchasing available industrial lots in Thiesse Drive Industrial Park for a dermatology business.

The Chair opened the public hearing at 6:16 pm.

No one came forward.

The Chair closed the public hearing at 6:17 pm.

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND GRECUA, DULY CARRIED, TO RECOMMEND APPROVAL OF THE ORDINANCE TO AMEND SECTION 515-3 ALLOWED USES, APPENDIX A TABLE OF USES TO ALLOW OFFICE/BUSINESS IN THE GENERAL INDUSTRIAL (GI) DISTRICT AS PRESENTED.

CDD Kramvik indicated this will be heard at the City Council meeting July 7th, 2025 at 7:30 pm.

7c. Consider Proposed Ordinance to Amend Section 515-4-11 Fence Standards

Community Development Director Kramvik stated there are certain situations on corner lots for backyard privacy fences and explained the scenarios that can cause issues.

Commissioners' discussion and questions took place.

The Chair opened the public hearing at 6:25 pm.

No one came forward.

The Chair closed the public hearing at 6:26 pm.

MOVED AND SECONDED BY COMMISSIONERS GORHAM AND ERICKSON, DULY CARRIED, TO RECOMMEND APPROVAL OF THE ORDINANCE TO AMEND SECTION 515-4-11 FENCE STANDARDS AS PRESENTED.

CDD Kramvik indicated this will be heard at the City Council meeting July 7th, 2025 at 7:30 pm.

7d. Review Proposed Sign Ordinance

Community Development Director Kramvik indicated there have been some complaints about some dilapidated signage in our downtown and major corridors. He stated some revisions have been made and are included in the packet as option 1-3. Staff are requesting input from the Commission on which option they recommend proceeding with.

Discussion took place and staff noted the changes to the proposed ordinance.

MOVED AND SECONDED BY COMMISSIONERS GORHAM AND ERICKSON, DULY CARRIED, TO RECOMMEND OPTION 1 - DISCUSSION OF THE AMENDED SECTION PERTAINING TO SIGNS TAKE PLACE AT THE NEXT MEETING.

#8 Unfinished Business

8a. Discuss Changes to Appendix A: Table of Uses

Community Development Director Kramvik reviewed the details of the recommended changes to the allowed use table to allow more uses to potential businesses and property owners with less restrictions.

Discussion took place and staff were directed to bring it back to the July Planning Commission meeting for a public hearing and approval.

#9 Staff Reports

Community Development Director Kramvik made the following updates:

- Country Manor senior living facility has broken ground on the project – CDD Kramvik attended the groundbreaking on June 10th
- The EDA has preliminarily approved a contribution of \$30,000 towards the Washington Street mitigation budget to help businesses through the 2-year construction process
- The EDA have also directed staff to develop a policy that would potentially waive up to \$450,000 in fees as an incentive for the construction of daycare facilities

#10 Commission Member Reports

None

#11 Adjournment

MOVED AND SECONDED BY COMMISSIONERS GORHAM AND HIGGINS, DULY CARRIED, TO ADJORN AT 7:08 PM.

James Norwood, Planning Commission Chair

MEMO



TO: Planning Commission
FROM: James Kramvik, Community Development Director
DATE: July 16th, 2025
RE: Consider Interim Use Permit Renewal for a Short-Term Rental at 1123 15th Ave NE

REQUEST

Public Hearing. Interim Use Permit applied by Jared Luhman Fish on behalf of Luhman Properties LLC for a short-term rental renewal at 1123 15th Ave NE, Brainerd, MN 56401.

Current/Valid Short-Term Rentals

Address	Zoning District	Type of STR
712 6 th St N	TN-1	VDU
1005 6 th St S	TN-2	VDU
9995 Island Dr	GL	VDU
502 Juniper St	TN-1	VDU
524 8 th S N	TN-1	VDU
714 7 th St S	TN-1	VDU
1123 15 th Ave NE	TN-1	VDU

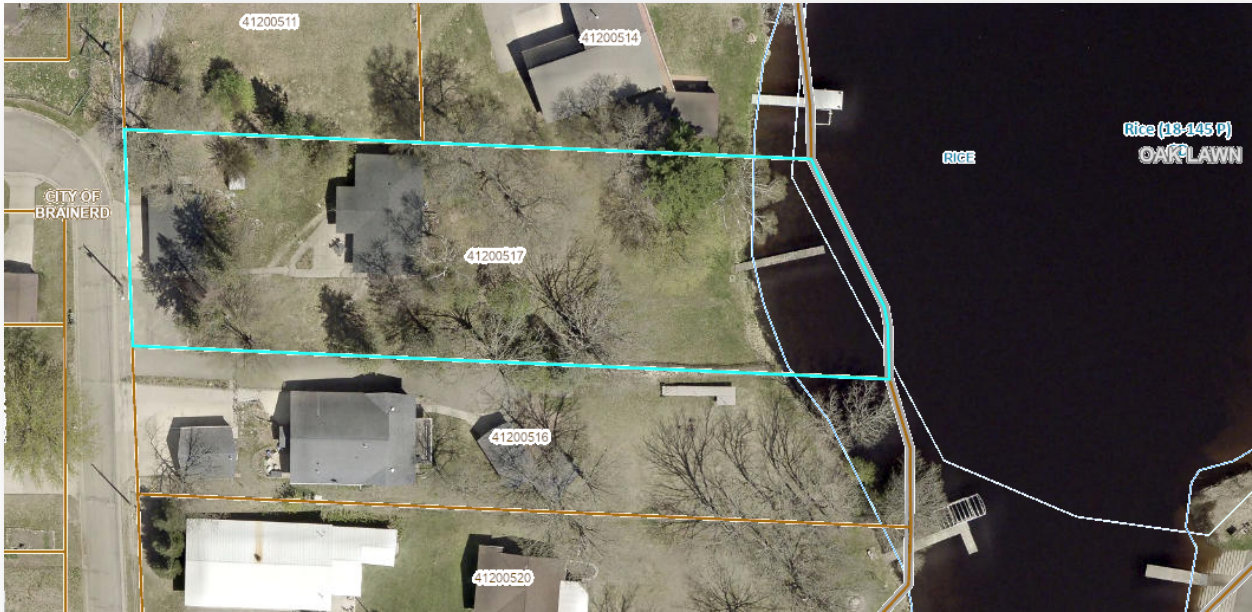
CONTEXT

Parcel Numbers: 41200517
Zoning District: Traditional Neighborhood-One (TN-1) District
Property Area: 28,690 SQFT

Adjacent Uses:
North: Single Family Dwelling
East: Rice Lake
South: Single Family Dwelling
West: Single Family Dwelling

Adjacent Zoning:
North: Traditional Neighborhood-One (TN-1) District
East: Rice Lake
South: Traditional Neighborhood-One (TN-1) District
West: Traditional Neighborhood-One (TN-1) District

AERIAL MAP



FINDINGS OF FACT

1. 1123 15th Ave NE. Brainerd, MN 56401 is located in a TN-1 (Traditional Neighborhood-One) District. The TN-1 District allows short-term rentals as an Interim Use according to Zoning Code [Appendix A: Table of Uses](#).
2. The applicant proposes to operate this short-term rental as a Vacation Dwelling Unit (VDU): A rental where the property owner is not a permanent resident of the unit, and the entire unit is rented without the property owner present during the rental period.
3. Renewal for an Interim Use Permit for an existing short-term rental at a premises shall be granted for a duration not to exceed twenty-four (24) months.
4. Short-term rentals must comply with the following minimum standards as required by the [Section 515-3-34](#) of the Zoning Code:
 - a. The maximum rental period shall not be more than 28 consecutive nights.
 - b. The permit holder (owner) of a short-term rental must apply for and receive an interim use permit.
 - i. *The applicant has applied for the renewal of the Interim Use Permit for the operation of a short-term rental.*
 - c. The application for an interim use permit shall include:
 - i. The number of bedrooms with dimensions and all other sleeping accommodations
 1. *The proposed short rental has four (4) bedrooms.*
 2. *The dimensions of each of these respective bedrooms are 12'x11', 12'x10', 10'x10', and 26'x12'.*

- ii. The number of off-street parking spaces available to guests.
 - 1. *There are four off-street parking spaces allocated to guests in the driveway and the applicant does not permit short term renters to utilize on-street parking.*
- iii. All accessory structures and outdoor recreational features available for guest use
 - 1. *The yard is available for guest use along with a fire pit. Guests are responsible for making sure that all the fires are completely extinguished when they are done tending them. If the property manager receives a call from a neighbor concerned about a fire that is unattended or too large, the manager will deal with it immediately.*
- iv. A pet, garbage, and noise policy.
 - 1. *There are no pets allowed on the property in their submitted policies noted as, "House Rules".*
 - 2. *Two garbage bins for use are located at the property with a capacity of six bags.*
 - 3. *There is a rule imposing quiet hours after 10:00 PM until 9:00 AM.*
- v. The permit holder shall post emergency contact information (police, fire, hospital) and show renters the location of fire extinguishers in the short-term rental unit.
 - 1. *Emergency contact information is posted.*
- d. A permit holder must disclose in writing to their renters the following information regarding property policies and City codes:
 - i. Contact Information. The managing agent or local contact's name, address, and phone number. The agent shall be available 24 hours a day, seven days a week, whenever the property is being rented. Property contact information will always be accessible to the public on the City of Brainerd website.
 - 1. *Mr. Fish is the responsible party for this rental unit, and he resides within 50 miles of the premises.*
 - ii. Occupancy. The maximum number of guests allowed at the property.
 - 1. *The posted rules for the short-term rental state a guest maximum of 11 guests and parties are prohibited. The property is advertised for 9 guests on Airbnb.*
 - iii. Vehicles. The maximum number of vehicles, recreational vehicles, and trailers allowed on the property and where they are to be parked. Parking in a yard that fronts a street as well as along an interior side of a house is required to be on an improved surface. Recreational vehicles shall not be parked in any right-of-way or utility easement. No vehicle or trailer shall be parked on a street more than forty-eight (48) continuous hours.

5. *Bedroom four is 312 SQFT which exceeds the requirement for a maximum of 3 guests per room.*
- f. *Total occupancy of the short-term rental is 9 guests based on the square footage calculation and zoning requirements.*
- g. Rooms used for sleeping shall be provided with egress windows and smoke detectors in locations that comply with the Minnesota State Building Code or the requirements of the Building Department, whichever is stricter.
 - i. *The rooms used for sleeping have egress windows and smoke detectors that comply with the Minnesota State Building Code and will be inspected by the Housing Inspector and the Fire Marshal.*
- h. The short-term rental shall be connected to city sewer and water or an approved septic system. A valid septic system certificate of compliance is required at the time of rental license issuance and annual renewal. A short-term rental shall have a full bathroom (sink, toilet, and tub or shower).
 - i. *The short-term rental is connected to the city sewer and water system. The building plans show a full bathroom with a toilet, tub/shower, and sink.*
- i. Additional occupancy by use of recreational vehicles, tents, accessory structures, or fish houses is not permitted.
 - i. *The applicant is not proposing occupancy by use of recreational vehicles, tents, accessory structures, or fish houses. Their policies for the property explicitly prohibit them.*
- j. The permit holder shall keep a report detailing use of the short-term rental by recording the full name, address, phone number and vehicle license number of the guest reserving the rental. A copy of the report shall be provided to the Zoning Administrator upon request.
- k. A short-term rental shall be a licensed rental unit by the City and shall meet the requirements of all statutes, rules, regulations, and ordinances including, but not limited to, the City of Brainerd's rental housing maintenance code. Each unit shall be inspected annually by the rental housing inspector and the Fire Marshal.
 - i. *The premises was inspected by the Housing Inspector and by the Fire Marshal.*
- l. The Planning Commission may impose conditions that will reduce the impacts of the proposed use on neighboring properties, public services, nearby water bodies, public safety, and safety of renters. Said conditions may include but not be limited to – fencing or vegetative screening, native buffer along the shoreline, noise standards, duration of permit, restrictions as to the docking of watercraft, and number of renters.
 - i. *As a result of the animal issue, staff recommend a one-year renewal. The animal issue was related to a long-term lease and not the short-term rental operation.*
 - ii. *The following conditions were applied to the previous interim use permit.*

1. *All outdoor lighting fixtures shall meet the standards of Section 515-4-8 Outdoor Lighting of the Zoning Code.*
 2. *All watercraft docked in the lake at the property shall be within the boundaries of 1123 15th Ave NE.*
 3. *Overnight guest vehicles and trailers must be parked in the driveway. Two additional vehicles may be parked on the street for daytime guests.*
 4. *Submission of the Lodging Tax report on a monthly basis to the Finance Department.*
- m. A permit holder must post their rental license permit number on all print, poster, or web advertisements.
- n. It is the owner's responsibility to apply for state and local sales tax numbers, including hotel and motel use sales tax. It is the owner's responsibility to contact the Minnesota Department of Health about lodging license requirements.
- i. *The application for short-term rentals includes an application for local sales tax that must be submitted to the City's Finance Department. It is the owner's responsibility to contact the MN Department of Health.*
- o. There are to be no more than forty (40) operational VDU's at any given time in the City and are granted on a first-come first-serve basis.
- i. There shall be no more than twenty (20) total VDU's permitted in the Town Center and Main Street District, and in all other zoning districts there shall be no more than ten (10) total VDU's permitted at any given time.
 1. Only one (1) building with a permitted VDU may be located on any platted block and shall not abut another property approved for a short-term rental.
 - a. *There are currently eight (7) VDU's in Brainerd.*
 - b. *This property is in the TN-1 District. Including this property, there are currently five (5) VDU's in the TN-1 District.*
 - c. *There are no other VDU's on this platted block.*

As of this writing, no party has contacted the Community Development Department regarding the Interim Use Permit. There was a prior complaint regarding an unleashed aggressive dog.

STAFF RECOMMENDATION

Staff recommends approval of the Interim Use Permit for one short term rental unit at 1123 15th Ave NE Brainerd, MN 56401 with the following conditions:

- 1) The Interim Use Permit for a short-term rental at 1123 15th Ave NE. Brainerd, MN 56401 terminates one year after approval.
- 2) The Interim Use Permit shall terminate upon sale or transfer of the property.
- 3) All outdoor lighting fixtures shall meet the standards of Section 515-4-8 Outdoor Lighting of the Zoning Code.

- 4) All watercraft docked in the lake at the property shall be within the boundaries of 1123 15th Ave NE.
- 5) Overnight guest vehicles and trailers must be parked in the driveway. Two additional vehicles may be parked on the street for daytime guests.
- 6) Submission of the Lodging Tax report on a monthly basis to the Finance Department.



Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401
218/828-2309/Fax 218-828-2316 www.ci.brainerd.mn.us

INTERIM USE PERMIT for SHORT-TERM RENTAL

Application Form (residential - \$350.00 / commercial - \$500.00 +\$500.00 escrow deposit) (This form must be filled out completely before your application will be accepted)

Property Address for this *Interim Use Permit*: 1123 15th Ave. NE Brainerd, MN 56401

I (We) the undersigned, do hereby respectfully request the Brainerd City Council to grant an Interim Use Permit to allow us to use the property as a short term rental

_____ at the property address listed above until the date of August, 1 2027

Legal Description (attach, if lengthy): Lot 9 Block _____ Addition _____
S. 160 FT OF LOT 9 EX. S. 65 FT THEREOF.

Property Owner: Luhman Properties LLC

Address: 23008 350th st Goodhue MN 55027
(Street) (City) (State) (Zip)

Contact Information #: 507-271-5968 _____
(Home) (Business)
_____ mike@mnreandm.com
(Fax) (E-mail)

Applicant: (if different than Property Owner) _____

Address: _____
(Street) (City) (State) (Zip)

Contact Information #: _____
(Home) (Business)
_____ (E-mail)

Contact Person: (if different than Property Owner) Michael Fish

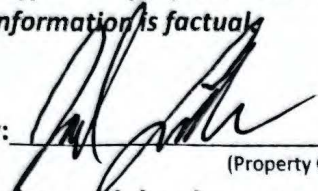
Address: Suite #205 14391 Baxter MN 56425
(Street) (City) (State) (Zip)

Contact Information #: 218 232 7079 _____
(Home) (Business)
_____ 218-232-7079
(Fax) (E-mail)
_____ mike@mnreandm.com

This Interim Use Permit may be approved if sufficient facts are presented at the Planning Commission and City Council meetings to support a finding that all of the attached criteria for granting an Interim Use Permit have been met.

Obtaining this *Interim Use Permit* does not absolve the applicant from obtaining all other applicable permits, such as Building Permits, MnDOT access permits, etc.

I (We) certify that I (we) have submitted all the required information to apply for an Interim Use Permit and that the information is factual.

Signed by:  _____
(Property Owner)

Date: 4-28-25

Jared Luhman

(Property Owner-Please print Name)

(Applicant-If different than owner)

Date: _____

(Applicant - Please print name)

**Interim Use Permit
Supporting Information**

The City Council may approve an Interim Use Permit if all of the "Criteria for Review of Interim Use Permits" are met. In order to facilitate review of this application for an *Interim Use Permit*, the applicant must address each of the "*Criteria*", referred to in Section 515-5-3 of the Zoning Ordinance.

1. **Public Health/Safety/Welfare.** The *Planning Commission* and the *City Council* shall review each application for the purpose of determining that each proposed use meets the following criteria referenced to in Section 515-5-2 and in addition, shall find adequate evidence that each use in its proposed location will address the following:
 - (a) The proposed use conforms to the district and conditional use provisions and all general regulations of this Ordinance.
 - (b) The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this section.
 - (c) The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.
 - (d) The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
 - (e) The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - (f) The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.
 - (g) The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.

(con't)

1123 15th Ave NE Brainerd GENERAL HOUSE RULES

All guests are responsible for reviewing and following all basic house rules. Any violation of these rules MAY result in immediate eviction and forfeiting of all monies. Any breach of House Rules (including extraordinary cleaning) will also result in a charge to the credit card on file for no less than \$250 & up to \$500 per violation plus damage to property. This Charge will be discussed with the guest beforehand and processed on the card on file or billed out to the responsible guest with a 30 net demand for payment.

We want you to have an enjoyable stay! However, the following rules are necessary to protect our guests, neighbors, property, and make it possible for us to continue running as a successful short-term rental. Most guests appreciate and understand the general house rules. Let us know if you have questions. We always accommodate when we can.

Let us start by stating that we ask every guest to have the utmost consideration for our neighbors and community. After all, they did not choose to live next to a vacation rental. Many enjoy and appreciate the guests that rent from us. Some are not so appreciative, so we make our best effort. We must work closely with our neighbors and community if we are going to be able to continue to provide Short Term Rental opportunities for years to come.

Aside from the sign in the yard, all neighbors have our cell phone number and have been asked to call or text 24/7 with any concerns. We also strongly encourage our owners to have a ring camera on the front door. We want everyone to have a good time; however, our basic house rules must be followed. Problems for us are rare, but if you have questions please reach out.

SMOKING OR VAPING INSIDE

Smoking and vaping are strictly prohibited. A guest who smokes in a property without authorization will be charged for carpet cleaning and deodorizing if any evidence of smoking is found.

FIREWORKS

Fireworks of any kind ignited on the property are not allowed. There is just too much clean up, accidental damage, and neighbor complaints to allow fireworks of any kind.

PETS

There are no pets allowed on the property.

Illegal Drugs or other Illicit Activity

No drugs or illegal activity is allowed on the property. Any suspected illegal activity will be immediately turned over to the authorities.

HARD TO CLEAN MESSSES

Confetti, glitter, balloons, silly string are not allowed on the property. Please be very careful that gum does not get on furniture, pillows etc. Small, excessive debris of any kind thrown around

the property can make housekeeping very difficult and expensive. We reserve the right to run an extra charge on the CC on file if there is an unreasonable mess left for housekeeping.

YARD DEBRIS

Any garbage or debris thrown in the yard may cause environmental issues and severely impact our relations with neighbors. This most definitely includes water balloons & garbage left in the yard. Water balloons are strictly prohibited, and we ask that you please clean up any outside mess.

GARBAGE

Two garbage cans are provided at the home for each stay. This covers about six bags of trash, which is more than enough for most groups. Please let us know if for some reason you have an excess of garbage. We must hire someone to come and pick up the excess garbage and dispose of it. We do ask that guests let us know if they do have an extraordinary amount of garbage and we ask that they cover the cost of removal. See your specific house rules for pick up times.

UNAUTHORIZED GUESTS OVERNIGHT

Only registered guests can be on the property after dark. See the GUESTS section for more details. We are strictly regulated by the Short-Term License as to how many guests are allowed. This is based on the size of the home. Please be respectful of our rules so our owners do not get in trouble. We prohibit any tents or camping in yards.

NEIGHBOR OR POLICE CALL

Avoiding a complaint or nuisance call by the neighbors or incident involving the police are the reason for all the other rules! The four most common calls we receive are for 1) Too many guests 2) Noise pollution 3) Unauthorized dogs 4) Too many cars. PLEASE ask us if you have questions concerning any of the house rules. Of course, we take each individual situation into account and work closely with our guests to ensure fairness.

EXCESSIVE OR INDECENT NOISE

All neighbors have been given a cell phone number and asked to call or text 24/7 if they have issues. We know you're coming to enjoy your time and that may involve making some noise. However, please be considerate of our neighbors. Quiet hours are 10 PM to 9 AM. Loud music, at any time or music with obscene language or containing explicit sexual content is prohibited. Constant screaming or yelling with obscene language is prohibited. We have some neighbors with small children who may be offended at any loud obscenities. We appreciate your patience and cooperation with this issue.

SELF TANNING LOTION, FINGERNAIL POLISH & REMOVER

Accidents happen and fingernail polish/remover & Self-tanning lotion is prohibited from all properties. It destroys towels, bed linens, and permanently stains furniture.

EXTRA DAYTIME GUESTS

If you do plan to have company during your stay you **MUST** get prior approval from Management. Daytime guests must never exceed more than the number of registered guests and must be off the property by nightfall.

PARKING

Our rental license allows up to one vehicle per bedroom. There can be no parking on a public road or in a yard. Please let us know if there is a need to make an exception. This is a common complaint call from neighbors, and we need to follow the rules.

USE OF AMENITIES

Due to liability and insurance concerns only guests who are listed on the rental agreement and registered as guests are allowed to use any amenities.

OPERATION OF ATVs & SNOWMOBILES

No motorized vehicles of any kind are allowed at this rental. (expectation of course if he vehicle used to transport guest to the property)

USE OF FIREARMS

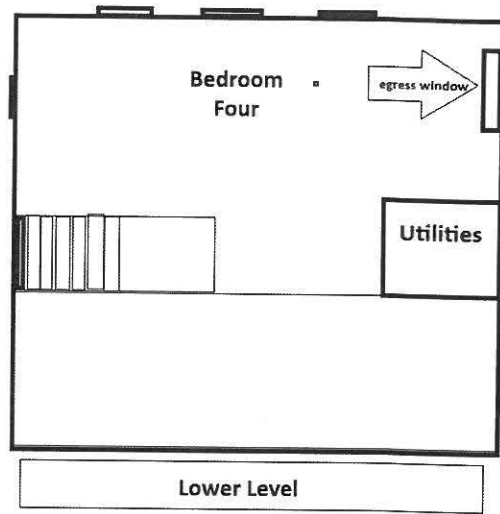
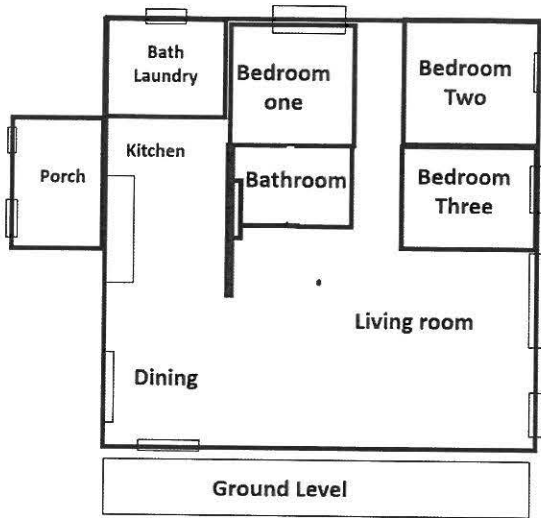
As much as we support your right to carry and use firearms, a short-term rental is not the place for them. MN RE&M strictly prohibits firearms from all properties.

OUTSIDE FIRES

We provide a great firepit for our guests to use. It is very important that guests use proper fire safety. When things get dry and the wind picks up flames can easily flare up, get blown into nearby grass and start a serious fire. Guests are responsible for making sure that all fires are completely extinguished when they are done tending them. If we get a call from a neighbor concerned about a fire that is unattended or too large, we must deal with it immediately by calling the guest and asking them to put it out. If they are not reached, all costs of having someone come to put the fire out will be billed to the guest's credit card on file.

LARGE GROUPS, MEETINGS, PARTIES

The Guest must not hold events (such as parties, celebrations, or meetings that exceed the capacity of the home) Any of these cases will allow the Owner to terminate the Agreement without providing a refund of any payment the Guest has paid for the booking and the Owner will not be legally responsible to find any alternative accommodation.



Bedroom 1: 12x11 (132 sq ft)

Max Proposed Sleeping 3 (queen + twin pullout)

Bedroom 2: 12x10 (120 sq ft)

Max Proposed Sleeping 2 (queen bed)

Bedroom 3: 10x10 (100 sq ft)

Max proposed Sleeping 2 (queen bed)

Bedroom 4: 26 x 12 (312 sq ft)

Max Proposed Sleeping 4 (queen plus two twins)

Total Max Proposed Sleeping for STR License: 11



July 1st, 2025

Jared Luhman
23008 350th St.
Goodhue MN, 55027

Dear Mr. Luhman,

Your complete application and payment for an Interim Use Permit for a short-term rental at 1123 15th Ave NE was received by staff on May 5th. The current Interim Use Permit for 1123 expires on August 5th. Staff have received documented issues regarding animal nuisance complaints against the property and need a full year of evaluation prior to consideration of a new Interim Use Permit.

Municipalities are required to approve or deny an application for an Interim Use Permit within 60 days of the complete application submittal which is July 3rd, 2025 for your application. Minnesota State Statute allows municipalities to extend this review period by another 60 days for approval or denial of Interim Use Permits. The City of Brainerd is extending the time limit by an additional 30 days to act on your request for an Interim Use Permit at 1123 15th Ave NE to operate a short-term rental, which moves the deadline to August 1st, 2025. The City of Brainerd is extending the time limit to fully review the property for one year before considering approval of a new Interim Use Permit. The public hearing and recommendation for the Interim Use Permit will take place at the July 16th Planning Commission meeting and final consideration of the permit will occur at the July 21st City Council meeting.

Sincerely,

James Kramvik
Community Development Director
City of Brainerd

Cc: Mike Fish, MN Real Estate and Management

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Jared Luhman on behalf of Luhman Properties LLC has submitted an Interim Use Permit renewal to operate a short-term rental at 1123 15th Ave NE. Brainerd, MN 56401. The property included in this application is described as:

*Lot 9 AUDITORS SUBDIVISION OF NW 20-45-30 S. 160 FT OF LOT 9 EX. S 65 FT
THEREOF
P.I.N. 41200517
Section 20, Township 045, Range 030*

The property is zoned TN-1 (Traditional Neighborhood One) District. [Appendix A: Table of Uses](#) of the Zoning Code requires an Interim Use Permit for the operation of a short-term rental in a TN-1 District as regulated by Section 515-3-34 Short-Term Rentals. Information on the proposed short-term rental is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, July 16th, 2025, in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the Interim Use Permit.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2307.

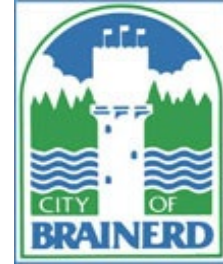
Dated this 01 day of July, 2025



James L. Kramvik
Community Development Director

Publication Date: July 5, 2025

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: July 16th, 2025

RE: Consider Conditional Use Permit on NW 3rd St to Construct a Place of Worship for Lakes Area Christian Fellowship

INTRODUCTION

Kris Kulju has submitted a request on behalf of Lakes Area Christian Fellowship for a Conditional Use Permit for parcel 41040783, which is located between (NW 3rd St and NW 2nd St) and (Jackson St and James St.). The property is currently owned by My Neighbor to Love Coalition. The purpose of this request is to construct a place of worship to hold services by Lakes Area Christian Fellowship.

PUBLIC HEARING. Conditional Use Permit

CONTEXT

Parcel Number: 41040783

Zoning District: Traditional Neighborhood 2 (TN-2) District

Property Area: 12,598 SQFT

Adjacent Uses: North: Vacant Land owned by MNTL
East: Twelve-Plex owned by MNTL
South: Vacant Land owned by MNTL
West: Vacant Land owned by MNTL

Adjacent Zoning: North: TN-2 (Traditional Neighborhood 2) District
East: TN-2 (Traditional Neighborhood 2) District
South: TN-2 (Traditional Neighborhood 2) District
West: TN-2 (Traditional Neighborhood 2) District

AERIAL MAP



FINDINGS OF FACT

1. **PID 41040783** is located in a TN-2 (Traditional Neighborhood 2) District. Zoning Ordinance [Section 515-3 \(Allowed Uses\) Appendix A: Table of Uses](#) permits places of worship & related buildings as a conditional use in the TN-2 District.
 - a. *The applicant proposes the construction of a 30 foot x 60 foot fellowship hall to hold services by Lakes Area Christian Fellowship.*
2. According to [Section 515-6-2.C.8 Definitions of Use, Standards and Terms](#) the definition of a place of worship as a building, together with its accessory buildings and uses, where persons regularly assemble for religious worship and which building, together with its accessory buildings and uses, is maintained, and controlled by a religious body organized to sustain public worship.
3. [Table 515-2-9.1. TN-2 Dimensional Standards – Density, Lot Size, Coverage and Height Standards](#)
 - a. Lot Size (minimum) – 4,000 SQFT
 - b. Front Yard Setback (range) – 0’ – 20’ if Commercial
 - c. Side Yard Setback – 5’/10’ corner
 - d. Rear Yard Setback – 10’
 - i. *The proposed structure is positioned 16’ from the front yard setback.*
 - ii. *The proposed structure is positioned 18’ and 12’ from the side yard setbacks.*
 - iii. *The proposed structure meets all setback requirements of the TN-2 District.*
4. [Table 515-4-12 Off Street Parking](#)
 - a. Places of Worship.
 - i. *According to Section 515-4-12.3 Parking Space Minimum - Commercial uses in the TN-2 District do not require off-street parking spaces.*
 - ii. *The applicant proposes that parishioners park on NW 3rd Street.*
5. [Criteria for Granting Conditional Use Permits](#). In granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety, morals and general welfare of occupants or surrounding lands. Among other things, the City Council shall make the following findings where applicable.
 - a. The proposed use conforms to the Zoning District and is a permitted Conditional Use identified on Appendix A: Table of Uses.
 - i. *Places of worship are permitted in the TN-2 District as a Conditional Use.*
 - ii. *The TN-2 Zoning District is intended to provide for compact, pedestrian-oriented mix of residential and neighborhood-serving commercial uses. This District reinforces the existing pattern of small, connected lots, blocks and street and supports development and redevelopment consistent with this pattern.*
 - b. The proposed use meets the regulations and standards established in this Ordinance.
 - i. *There are no special standards associated with this use.*
 - c. The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.

Zoning District, and to achieve the goals of the City's Comprehensive Plan. In determining such conditions, special consideration shall be given to protecting nearby properties from objectionable views, noise, traffic, and other characteristics associated with such uses.

As of this writing, no party has contacted the Community Development Department with concerns about the Conditional Use Permit application for the construction of a place of worship.

STAFF RECOMMENDATION

1. Hold a public hearing
2. Staff recommend approval of the Conditional Use Permit as presented.



Community Development Department

City Hall - 501 Laurel Street Brainerd, MN 56401

218-828-2307

www.ci.brainerd.mn.us

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

	RESIDENTIAL	COMMERCIAL
CONDITIONAL USE PERMIT	<input type="checkbox"/> (\$350.00)	<input checked="" type="checkbox"/> (\$500.00 + \$500.00 escrow deposit)
REZONING	<input type="checkbox"/> (\$350.00)	<input type="checkbox"/> (\$500.00)
VARIANCE	<input type="checkbox"/> (\$350.00)	<input type="checkbox"/> (\$500.00 + \$500.00 escrow deposit)
ZONING TEXT AMENDMENT	<input type="checkbox"/> (\$250.00)	<input type="checkbox"/> (\$400.00)

PROPERTY ADDRESS: (PID: 41040783) TRD 3rd St. NW. Brainerd, MN 56401

LEGAL DESCRIPTION: Lot(s): 001 Block: West Brainerd Addition: Plat - 09198 West Brainerd (attach description if lengthy) 00N

Property Owner Name: My Neighbor to Love Coalition - (Lakes Area Christian Fellowship has purchase agreement)

Street Address: P.O. Box 581 City: NISSWA State: MN Zip Code 56468

Phone Number: 218-821-7875 Fax: E-mail: vicky@mntlc.org

Applicant Name: (If different than Property Owner) Lakes Area Christian Fellowship

Street Address: 8660 Ferumont Rd City: Lake Shore State: MN Zip Code: 56468

Phone Number: 218-821-7875 Fax: E-mail: vickyjo.kinney@yahoo.com koolyou6@yahoo.com

Description of Request: Lakes Area Christian Fellowship would like to build a Fellowship Hall (place of worship) on 3rd St. NW, Brainerd

Vicky Kinney Property Owner Signature

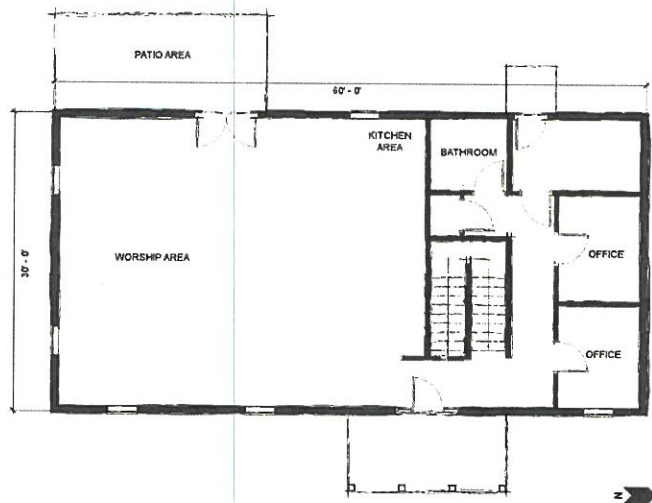
6-26-2025 Date

Vicky Kinney (Please print name)

[Signature] Applicant Signature

6-26-2025 Date

Kris Kutler (Please print name)



LEVEL 01 FLOOR PLAN
1/2" = 1'-0"



LAKES AREA CHRISTIAN FELLOWSHIP
FELLOWSHIP HALL

PRELIMINARY SET

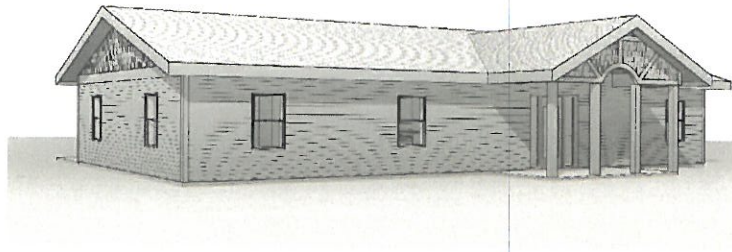
DATE: 07/20/2014

PROJECT NUMBER:

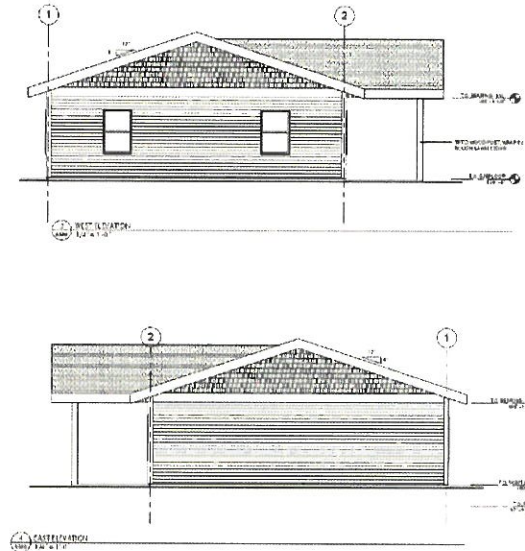
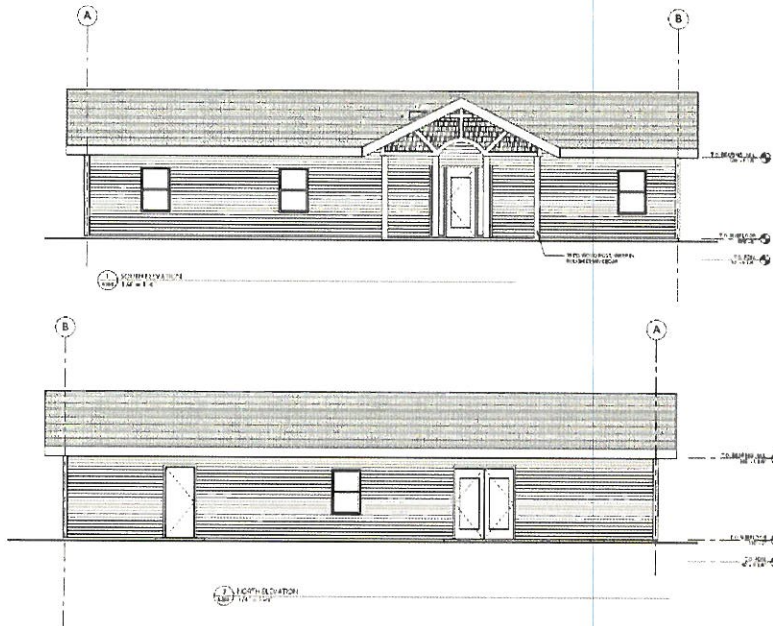
PROJECT:	
NO.	DATE

LEVEL 01 FLOOR PLAN

A110



EXTERIOR		
EXTERIOR SIDING	WHITE	
EXTERIOR FINISH	EXTERIOR PAINT (W/ 10% GLOSS) - WHITE	
DOORS	WOOD, 6'0" X 2'0" (6'0" X 2'0")	WOOD FINISH
WINDOWS	6'0" X 4'0" (6'0" X 4'0")	WHITE
ROOF	ASPH/FLT SHINGLES (12/12)	ASPH/FLT
FLOOR	CONCRETE	CONCRETE
CEILING	9'0" X 12'0" (9'0" X 12'0")	CONCRETE
WALLS	CONCRETE	CONCRETE
FOUNDATION	CONCRETE	CONCRETE
MECHANICAL	CONCRETE	CONCRETE
ELECTRICAL	CONCRETE	CONCRETE
PLUMBING	CONCRETE	CONCRETE



LAKES AREA CHRISTIAN FELLOWSHIP
FELLOWSHIP HALL

PRELIMINARY SET

DATE: 08/20/2014

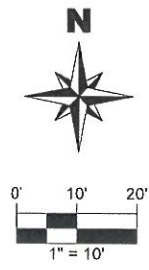
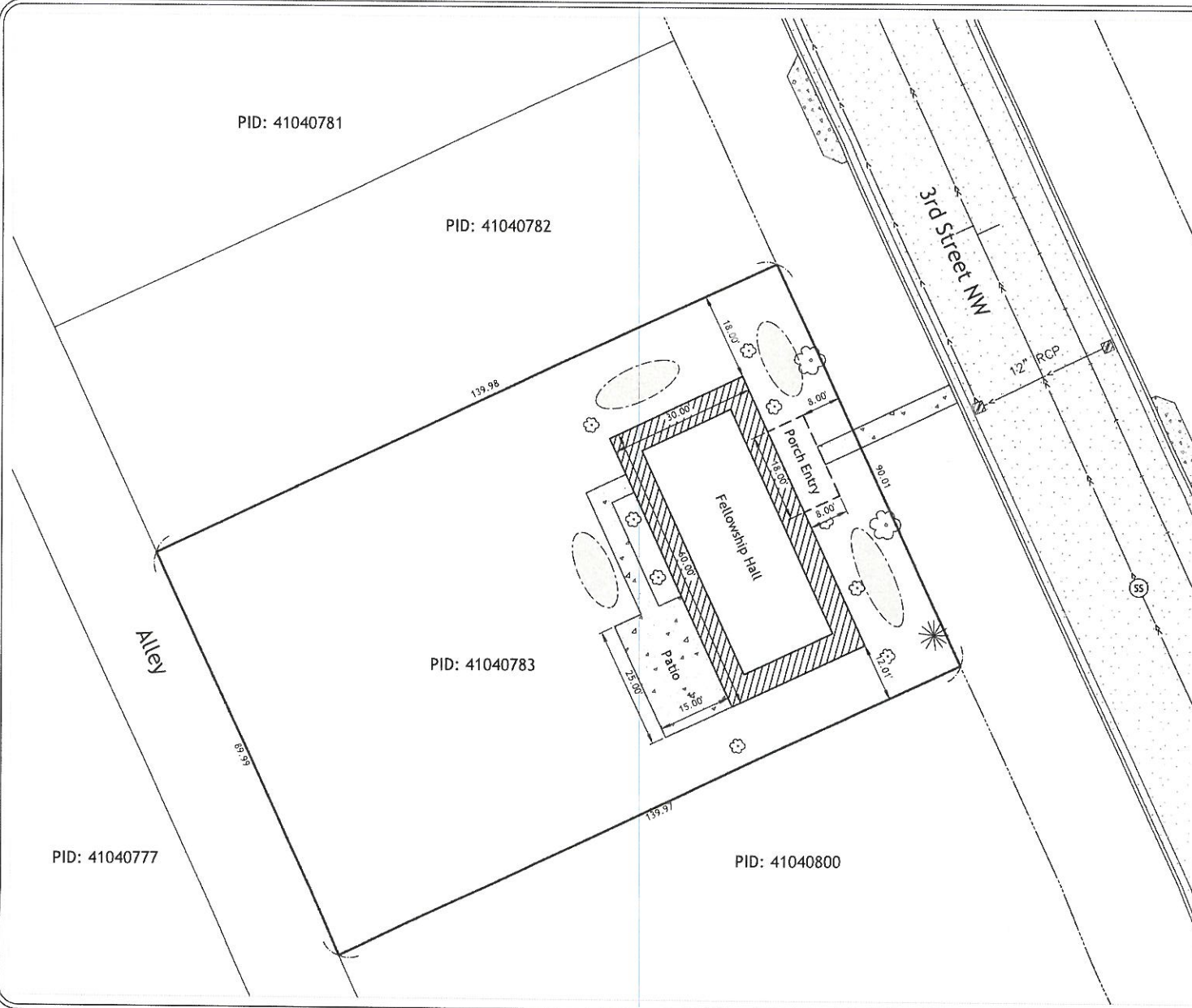
PROJECT: 14-001

NO. 1

BUILDING ELEVATIONS

A300

P:\Projects\411040777\411040777.dwg (2/2) 1/25/2018 10:14:44 AM © 2018 KRAMER LEAS DELLO, P.C.



LEGEND:

- PROJECT BOUNDARY
- ADJOINING BOUNDARY
- ROAD RIGHT OF WAY
- EXISTING CURB & GUTTER
- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING WATER MAIN
- EXISTING BITUMINOUS
- EXISTING CONCRETE
- PROPOSED BUILDING
- PROPOSED CONCRETE
- EXISTING SANITARY MANHOLE
- EXISTING CATCH BASIN
- PROPOSED DECIDUOUS TREE
- PROPOSED SHRUB
- PROPOSED EVERGREEN TREE
- PROPOSED RAIN GARDEN/DITCH AREA

NO.	REVISION	DATE

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
 Signature: Title: Partner, L.C. No. 34464
 PROJECT NO. JNNWV2501



FELLOWSHIP HALL
LAKES AREA CHRISTIAN FELLOWSHIP
SECTION 04, TOWNSHIP 133, RANGE 28
CITY OF BRAINERD, CROW WING COUNTY, MN
SITE PLAN SKETCH

DATE	04/02/13	DRAWN	TJP	SCALE	AS SHOWN

Sheet No. 1

Lakes Area Christian Fellowship would like to build a Fellowship Hall (place of worship) in a TN-2 zone, which we understand is an allowed use with a Conditional Use Permit. We have a purchase agreement contingent upon approval of a CUP for the lot – PID # 41040783 - on 3rd Street NW, Brainerd, currently owned by My Neighbor to Love Coalition.

Several churches are located downtown or in Baxter, but there are no places to worship together in NW Brainerd, which makes it an ideal location for us. Community outreach is an important aspect of our ministry, and we see opportunities with apartment complexes, the mobile home park, and the new housing for the homeless being built in the area.

Fellowship meetings will generally be held once a week along with other gatherings throughout the week, such as Bible studies, prayer groups, small group meetings, and other activities.

To reduce parking lot space, we intend to use on-street parking areas which will be plentiful on both sides of 3rd Street.

Landscaping on the 90' x 135' lot will include the required 3 trees and 6 shrubs. One tree will be an evergreen - either a Spruce or Norway Pine (4' in height). The other 2 trees will be deciduous such as Maple, Oak, or Linden (1.5-inch diameter). Shrubs and/or perennials will be of a variety, depending on the amount of sun in each planting area (such as False Indigo, Ninebark, Spirea, Hydrangea, etc.- 2-to-5-gallon size).

Catch basins and/or rain gardens will manage rainwater coming through gutters and drain spouts. These will be located around the building.

Exterior lighting will be managed and located on the structure.

The Fellowship Hall we wish to construct is 30 feet x 60 feet with a full basement. It will also have a covered 8-foot x 18-foot front porch area.

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a Conditional Use Permit to construct a place of worship for Lakes Area Christian Fellowship to hold services. The property is located on NW 3rd Street between James Street and Jackson Street.

The property is legally described as:


*WEST BRAINERD LOT 1 BLOCK N AND THE ADJACENT N'LY ½ OR VACATED
ROBERT STREET
PID 41040783
Section 04, Township 133, Range 028*

The property is zoned TN-2 (Traditional Neighborhood) District, and Zoning Ordinance Section 515-3 (Allowed Uses) Appendix A: Table of Uses shows places of worship and related buildings is a Conditional Use in the TN-2 District. A copy of the site plan is on file for review with the Community Development Department.

A Public Hearing to consider this conditional use permit will be conducted by the Brainerd Planning Commission at 6:00 p.m. on Wednesday, July 16th, 2025 in the City Council Chambers at 501 Laurel St., Brainerd, MN 56401.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2307.

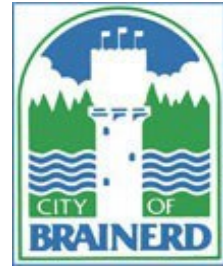
Dated this 01 day of July, 2025



James L. Kramvik
Community Development Director

Publication Date: July 5th, 2025

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: July 16th, 2025

RE: Variance from Fence Height Standards – 14721 Riverside Drive

REQUEST

PUBLIC HEARING. Variance at 14721 Riverside Dr to exceed the fence height in the front yard.

Colin Francis has submitted a variance request at 14721 Riverside Drive to exceed the 4' allowed fence height in the front yard. The applicant is requesting a 6' tall wood privacy fence along Riverside Drive, approximately 150' in length to alleviate the high volume of traffic at that corner of Riverside and Beaver Dam Rd.

CONTEXT

Parcel Number(s): 41040524

Zoning District: CN-1 (Contemporary Neighborhood One)

District Property Area: Approx. 4.72 acres

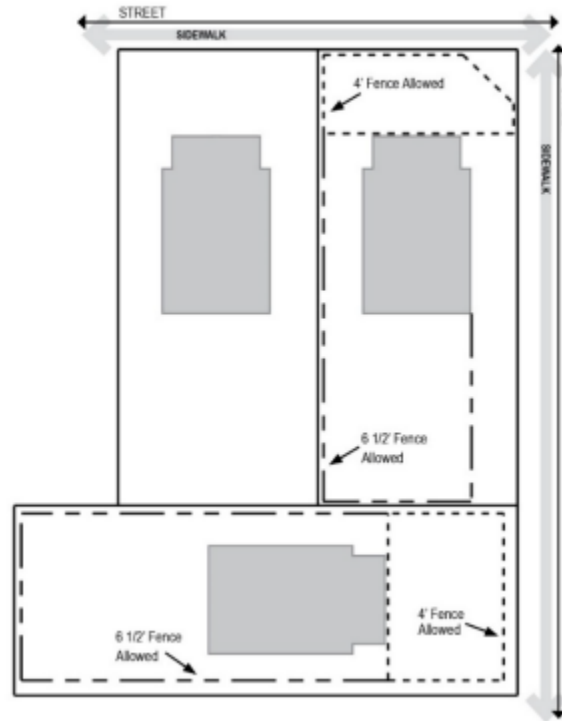
Adjacent Uses: North: Assisted Living Facility
East: Residential
South: Residential
West: Residential

Adjacent Zoning: North: CN-1 (Contemporary Neighborhood 1) District
East: CN-1 (Contemporary Neighborhood 1) District
South: CN-1 (Contemporary Neighborhood 1) District
West: CN-1 (Contemporary Neighborhood 1) District

high volume of traffic at that corner of Riverside Dr. and Beaver Dam Rd. An additional 20' fence segment is proposed along the applicants driveway as depicted in the site plan.

- ii. The proposed fence will be located in the front yard beyond the front façade 25' from the back of the curb according to the site plan.

Figure 515-4-11.1 Fence Height Lot Diagrams



2. [Section 515-5-4.B.3](#), General Provisions and Evaluation Criteria. – Variances shall only be permitted:
 - a. When they are in harmony with the general purposes and intent of the ordinance
 - i. The purpose of the CN-1 District is intended for predominantly single-family detached residential uses and associated accessory uses. Lots in this District are typically developed with front-loaded garages, with larger private yard spaces. The lots are wider with principal structures setback and connected to public right-of-way with a private driveway.
 1. *The CN-2 Zoning District is intended for predominantly single-family detached residential uses and associated accessory uses. Some single-family attached and multi-family uses may be present woven throughout this District. Lots in this District are typically developed with front-loaded garages and principal structures setback and connected to public right-of-way with a private driveway.*
 2. *This is a single-family home on a large parcel of property along Riverside Dr. and Beaver Dam Rd. Fences are an accessory use in the CN-2 District.*
3. [Section 515-5-4.B.4](#), Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance;
 - a. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and

- i. *Traffic volume along Riverside Dr. and Beaver Dam Rd. is far greater than most properties zoned CN-2 in the City of Brainerd.*
 - ii. *This property abuts the right turn lane on Beaver Dam Rd, which greatly affects the privacy of the property.*
 - iii. *Riverside Drive and Beaver Dam Rd are County Highways. The segment of Riverside Drive between the intersection and the roundabout on Jackson Street is a Major Collector.*
 - b. The variance, if granted, will not alter the essential character of the locality.
 - i. *The construction of this privacy fence will not alter the character of the locality, but will provide a sense of privacy for the property owner.*
 - ii. *The proposed fence does not abut a neighboring property and will have no effect on the property to the West.*
 - iii. *The fence will not affect the aesthetics of the home as the property has significant vegetation, especially during summer months.*
 - c. Economic considerations alone do not constitute practical difficulties.
 - i. *The practical difficulties are not economically driven.*
- 4. Section 515-5-4. B.5, The Board may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
 - a. *Staff sent the notice of hearing directly to the Crow Wing County transportation office as the fence is located near Crow Wing County highway right of way.*
 - b. *Crow Wing County requested that the applicant works with the Highway Department for fence placement prior to installation.*

At the time of this writing, no other party has contacted the Community Development Department regarding the variance request.

STAFF RECOMMENDATION

- 1. Hold a public hearing.
- 2. Staff recommend approval of the variance request as presented with the condition that the applicant works with the County Highway Department for fence placement prior to installation.



Community Development Department

City Hall -- 501 Laurel Street Brainerd, MN 56401

218-828-2307

www.ci.brainerd.mn.us

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

RESIDENTIAL

COMMERCIAL

CONDITIONAL USE PERMIT

(\$350.00)

(\$500.00 + \$500.00 escrow deposit)

REZONING

(\$350.00)

(\$500.00)

VARIANCE

(\$350.00)

(\$500.00 + \$500.00 escrow deposit)

ZONING TEXT AMENDMENT

(\$250.00)

(\$400.00)

PROPERTY ADDRESS: 14721 Riverside Dr

LEGAL DESCRIPTION: Lot(s): 22 Block: 0 Addition: River Heights
(attach description if lengthy)

PID 91040524

Property Owner Name: Colin Francis and Megan Roth Francis

Street Address: 14721 Riverside Dr City: Brainerd State: MN Zip Code 56401

Phone Number: 612 229 7453 Fax: E-mail: francis.colin37@gmail.com

Applicant Name: (If different than Property Owner)

Street Address: City: State: Zip Code:

Phone Number: Fax: E-mail:

Description of Request: Installation of a 6' tall wood privacy fence for privacy from adjacent high traffic road (Riverside Dr). The fence would be partially screened by trees and shrubs and would be 25'+ from back of curb.

Colin Francis

Property Owner Signature

6/28/25

Date

Colin Francis

(Please print name)

Applicant Signature

Date

(Please print name)



NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Colin Francis has submitted a variance request at 14721 Riverside Drive to exceed the 4' allowed fence height in the front yard. The applicant is requesting a 6' tall wood privacy fence along Riverside Drive, approximately 150' in length to alleviate the high volume of traffic at that corner of Riverside and Beaver Dam Rd. The property included in this application is summarized as:

*RIVER HEIGHTS THAT PART OF LOT 21 LYING N AND W OF CSAH NO.20
P.I.N. 41040524
Section 04, Township 133, Range 028*

The property is located in the CN-1 (Contemporary Neighborhood 1) District. A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, July 16th, 2025 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the variance request.

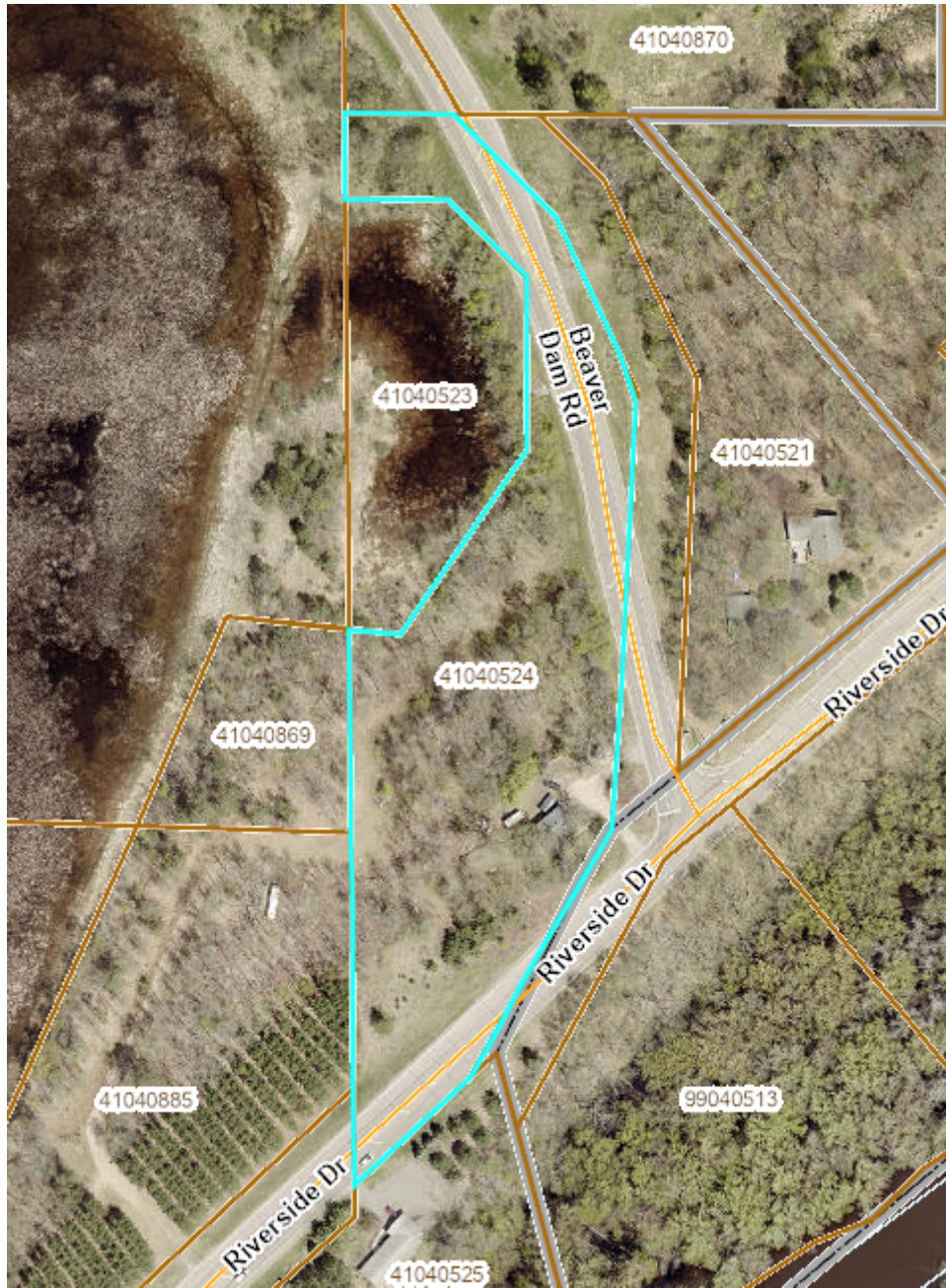
Any individual needing special accommodations or would like more information about this request, please call (218) 828-2307.

Dated this 01 day of July, 2025



James Kramvik
Community Development Director

Publication Date: July 5, 2025



MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: July 16th, 2025

RE: Consider Conditional Use Permit and Variance Request for the Brainerd Fire Department – 23 Laurel Street

REQUEST

PUBLIC HEARING. Conditional Use Permit is for a building addition to the Brainerd Fire Hall, which is a public/semipublic use in the Shoreland Zone.

Variance request is to exceed the impervious surface limit within 300’ of the ordinary high-water level and for the proposed addition of the Fire Hall in the bluff as indicated on the site plan.

The Brainerd Fire Department and Hy-Tec Construction have submitted the applications.

CONTEXT

Parcel Number: 41250507

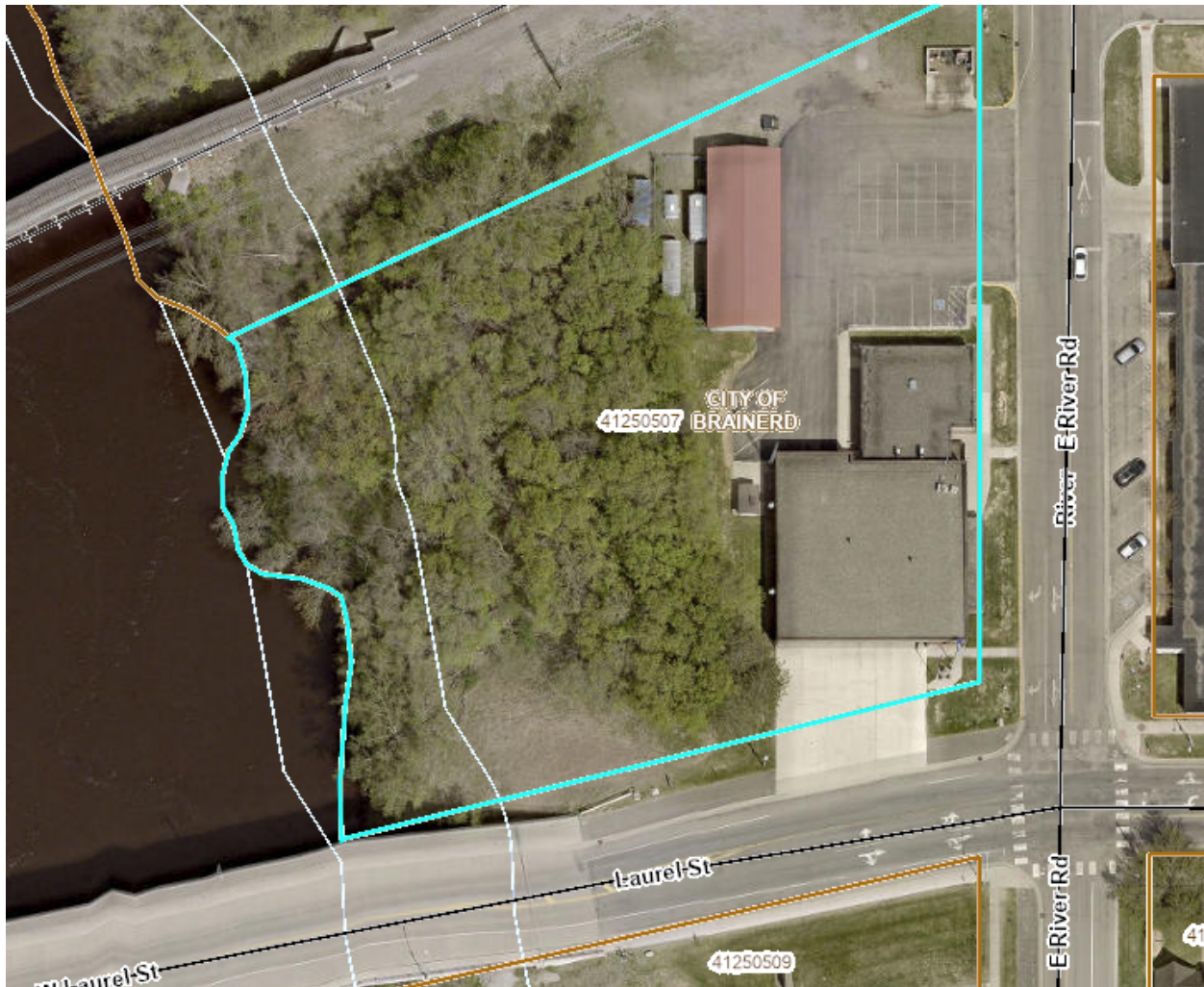
Zoning District: Town Center (TC) District
Shoreland Overlay District

Property Area: Approximately 94,154 square feet or 2.16 acres
Impervious Surface: Approximately 31,928 square feet

Adjacent Uses: North: Railroad Property
East: Police Department
South: Offices
West: Mississippi River

Adjacent Zoning: North: TC (Town Center) District
East: TC (Town Center) District
South: TC (Town Center) District
West: Mississippi River

AERIAL MAP



FINDINGS OF FACT – CONDITIONAL USE PERMIT

1. The property at 23 Laurel Street Brainerd, MN 56401 is in TC (Town Center) District. Zoning Ordinance [515-3 Allowed Uses, Appendix A: Table of Uses](#) allows for government and public buildings as a permitted use in the TC District.
2. 23 Laurel Street is adjacent to the Mississippi River and is primarily in the shoreland zone.
 - a. For forested rivers and streams the shoreland zone is 300 feet from a river or stream.
3. [Section 530 – Shoreland Management Regulations](#) allows for public, semipublic uses in the shoreland zone as a conditional use.
 - a. *The applicant proposes to expand the Brainerd Fire Hall to meet the emergency service needs of Brainerd/ Baxter and the surrounding area.*
 - b. *As stated by the applicant “The proposed renovation of BFD Station #1 would improve the overall workflow, facility security, and the considerations of firefighter health and wellness. The remodel will include additional apparatus floor space to*

the NW, a single point of entry for the public with a lobby, modern features for firefighter health considerations like an area for turnout gear off the apparatus floor in a controlled environment, a decontamination area for gear and equipment, and a decontamination shower and bathroom for firefighters accessible off the apparatus floor. Decontamination is very important as cancer is the #1 cause of firefighter deaths. Carcinogens are one of the reasons for the increased risk of cancer, which are found in smoke, soot, chemicals and diesel exhaust. We need to protect the gear we wear and thoroughly clean our equipment, so we are not unnecessarily exposed to these chemicals. One of the 5 pillars of recruiting and retaining firefighters is Environment; creating a space where firefighters want to be and feel comfortable and welcome. We want them to spend time at the station.

4. [Criteria for Granting Conditional Use Permits](#). In granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety, morals and general welfare of occupants or surrounding lands. Among other things, the City Council shall make the following findings where applicable.
 - a. The proposed use conforms to the Zoning District and is a permitted Conditional Use identified on Appendix A: Table of Uses.
 - i. Fire Halls are a permitted use in the TC District but do require a conditional use permit in the shoreland zone.
 - ii. The purpose of the TC (Town Center) District is to encourage the continuation of a viable, traditional downtown area by allowing retail, service, office and entertainment facilities and public and semi-public uses as well as multi-family dwelling units.
 - b. The proposed use meets the regulations and standards established in this Ordinance.
 - i. *The applicant has also applied for a variance from the impervious surface standards in the shoreland zone and to construct the proposed addition into the bluff as depicted in the site plan.*
 - ii. *The applicant will be required to plant additional shrubs as part of the building permit application.*
 1. [According to Section 515-4-10.3.b](#) One (1) shrub is required for every 300 square feet of total building floor area up to 10,000 square feet.
 2. *The proposed expansion will add approximately 3,000 square feet of building floor area which will require 10 additional shrubs.*
 - iii. The proposed use meets all other regulations and standards established in this ordinance.
 - c. The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.
 - i. *The structure will not be dangerous, injurious, or noxious to the surrounding properties.*
 - d. The proposed use shall be sited, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.

1. *The existing building is orientated towards East River Road and Laurel Street which is consistent with surrounding properties.*
 - a. *The new entrance will be on East River Road which is consistent with the Brainerd Police Department.*
 2. *The building consists primarily of brick siding which is consistent with the TC District.*
 - a. *The proposed addition primarily consists of brick siding which will match the existing building character.*
 3. *The proposed additional will require an additional 10 shrubs. A landscape plan will be required prior to issuance of the building permit.*
- e. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
1. *The proposed use is consistent with the environment and the neighborhood, as this has been the location of the Fire Hall for numerous years and is near other public/ semi-public buildings that consist of brick siding.*
 - a. *Other public/ semi-public buildings in the near vicinity include Crow Wing County Land Services, Crow Wing County Social Services, Crow Wing County Court House and Jail, the Sheriff's Office, the Brainerd Police Department, and Brainerd City Hall.*
- f. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
1. *The property is not near a residential neighborhood and staff have no concerns regarding parking.*
- g. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.
1. **Land Use Goal 2:** Through thoughtful planning, maintain the unique identity of the city and all the appropriate land uses that support it.
 - a. **Policy 1:** Support development that enhances the identity and community character of Brainerd.
 - b. **Policy 2:** Promote reinvestment in the city's main highway corridors and downtown.
 2. **Public Safety Goal 1:** Brainerd will protect and provide for the safety of residents and visitors.
 - a. **Policy 2:** Strategically plan for and implement maintenance and expansion in a fiscally and environmentally responsible manner.
 - b. **Policy 4:** Sustain fire protection through a combination of up-to-date facilities and fleet vehicles, technology, outreach, and community engagement initiatives.
5. Conditions. In reviewing applications for conditional use permits, the City may attach whatever reasonable conditions are deemed necessary to mitigate anticipated adverse impacts associated with the proposed use, to protect the value of property within the Zoning District, and to achieve the goals of the City's Comprehensive Plan. In determining

such conditions, special consideration shall be given to protecting nearby properties from objectionable views, noise, traffic, and other characteristics associated with such uses.

a. *Staff recommend that no other conditions are needed for the proposed project as the proposed expansion will not affect adjacent properties.*

6. Criteria for Conditional Uses - Shoreland Management Regulations. Conditional uses allowable within shoreland areas shall be subject to the review and approval procedures, and criteria and conditions for review of conditional uses established community wide. The following additional evaluation criteria and conditions apply within shoreland areas:

a. Evaluation criteria. A thorough evaluation of the water body and the topographic, vegetation, and soils conditions on the site must be made to ensure:

i. The prevention of soil erosion or other possible pollution of public waters, both during and after construction;

1. *The City Engineer will require a site plan prior to issuance of the building permit that will prevent soil erosion and pollutants from entering the Mississippi River.*

ii. The visibility of structures and other facilities as viewed from public waters is limited;

1. *The bluff to the west of the Fire Hall is heavily forested which limits visibility to the structure.*

2. *The proposed addition to the west side of the building will be located on an existing parking lot.*

iii. The site is adequate for water supply and on-site sewage treatment; and

1. *The Fire Hall is connected to municipal utilities.*

iv. The types, uses, and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercraft.

1. *The proposed project/ use will not generate additional watercraft.*

b. Conditions attached to conditional use permits. The City Council, upon consideration of the criteria listed above and the purposes of this ordinance, shall attach such conditions to the issuance of the conditional use permit as it deems necessary to fulfill the purposes of this Ordinance. Such conditions may include, but are not limited to, the following:

i. increased setbacks from the ordinary high-water level;

ii. limitations on the natural vegetation to be removed or the requirement that additional vegetation be planted; and

iii. special provisions for the location, design, and use of structures, sewage treatment systems, watercraft launching and docking areas, and vehicle parking areas.

1. *Staff recommend no additional conditions as the proposed addition will not affect the Mississippi River or those traveling the Mississippi River.*

FINDINGS OF FACT – VARIANCE REQUEST

7. The applicant has submitted a request for a variance to exceed the impervious surface limit of the shoreland district and for the proposed addition of the Fire Hall in the bluff as indicated on the site plan.
 - i. *The applicant proposes adding 700 square feet of impervious surface as depicted on the site plan. The primary addition is located on an existing asphalt parking lot which adds no additional impervious surface.*
 - ii. *The applicant proposes to construct the west addition of the Fire Hall 16.79 feet beyond the top of the bluff as depicted in the site plan. The area considered for the addition is currently level and used for parking.*
8. Section 530.09 Subd. 5.b.1 states impervious surface coverage of lots must not exceed 25 percent of the lot area nor 0% of the Shore Impact zone.
 - a. Existing Impervious Surface Percentage = 33.9%
 - b. Proposed Impervious Surface Percentage = 34.7%
 - i. *The applicant proposes adding 700 square feet of impervious surface as depicted on the site plan. The primary addition is located on an existing asphalt parking lot which adds no additional impervious surface.*
 - ii. *The structure is not located in the shore impact zone.*
 - iii. *Prior to the issuance of the building permit the City Engineer would review the stormwater and grading plan to ensure no additional runoff would be directed towards the bluff and the Mississippi River. The City Engineer has no concerns at this time.*
9. Section 530.09 Subd.2.a.2&3 states that structures must be set back 30 feet from the top of the bluff and that structures and accessory facilities, except stairways and landings, must not be placed within bluff impact zones.
 - a. *The applicant proposes to construct the NW addition of the Fire Hall 16.79 feet beyond the top of the bluff as depicted in the site plan.*
10. Section 515-5-4.B.3, General Provisions and Evaluation Criteria – Variances shall only be permitted:
 - a. When they are in harmony with the general purposes and intent of the ordinance and:
 - i. *Fire Halls are a permitted use in the TC District but require a conditional use permit in the shoreland zone.*
 - ii. *The purpose of the TC (Town Center) District is to encourage the continuation of a viable, traditional downtown area by allowing retail, service, office and entertainment facilities and public and semi-public uses as well as multi-family dwelling units.*
 - b. When the variances are consistent with the Comprehensive Plan.
 1. **Land Use Goal 2:** Through thoughtful planning, maintain the unique identity of the city and all the appropriate land uses that support it.
 - a. **Policy 1:** Support development that enhances the identity and community character of Brainerd.

- b. **Policy 2:** Promote reinvestment in the city’s main highway corridors and downtown.
 - 2. **Public Safety Goal 1:** Brainerd will protect and provide for the safety of residents and visitors.
 - c. **Policy 2:** Strategically plan for and implement maintenance and expansion in a fiscally and environmentally responsible manner.
 - d. **Policy 4:** Sustain fire protection through a combination of up-to-date facilities and fleet vehicles, technology, outreach, and community engagement initiatives.
 - a. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.
- 2. [Section 515-5-4.B.4](#), Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.;
 - a. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
 - i. *The existing Fire Hall was built in the 1980’s and needs significant upgrades to better serve the communities’ emergency service needs and for the safety of the fire fighters.*
 - ii. *The existing Fire Hall and parking lot are located beyond the top of the bluff. The proposed addition to the NW corner of the building, which extends 16.79 feet into the bluff, must be located as proposed to connect to the main floor space. An alternate location for the NW addition is not possible based on the existing layout of the Fire Hall, specifically the Engine room.*
 - b. The variance, if granted, will not alter the essential character of the locality.
 - i. *This variance, if granted, will not substantially alter the character of the locality as the proposed use is consistent with other surrounding public/ semi-public uses*
 - ii. *The building and proposed addition consists primarily of brick siding which is consistent with the TC District.*
 - c. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
 - i. *The practical difficulties are not related to economic considerations.*
- 3. [Section 515-5-4. B.5](#), The Commission may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
 - a. *Staff recommend no additional conditions.*

As of this writing, no party has contacted the Community Development Department for more information on the Conditional Use Permit and Variance application for the proposed addition.

STAFF RECOMMENDATION

1. Hold a Public Hearing
2. Recommend approval of the Conditional Use Permit for 23 Laurel Street as presented.
3. Recommend approval of the Variance requests for 23 Laurel Street as presented.



Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218-828-2307

www.ci.brainerd.mn.us

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

RESIDENTIAL

COMMERCIAL

CONDITIONAL USE PERMIT	<input type="checkbox"/>	(\$350.00)	<input checked="" type="checkbox"/>	(\$500.00 + \$500.00 escrow deposit)
REZONING	<input type="checkbox"/>	(\$350.00)	<input type="checkbox"/>	(\$500.00)
VARIANCE	<input type="checkbox"/>	(\$350.00)	<input checked="" type="checkbox"/>	(\$500.00 + \$500.00 escrow deposit)
ZONING TEXT AMENDMENT	<input type="checkbox"/>	(\$250.00)	<input type="checkbox"/>	(\$400.00)

PROPERTY ADDRESS: 23 Laurel St, Brainerd, MN 56401

LEGAL DESCRIPTION: Lot(s): 001 Block: 001 Addition: Shortridge Addition
(attach description if lengthy)

Property Owner Name: City of Brainerd

Street Address: 501 Laurel Street **City:** City of Brainerd **State:** MN **Zip Code** 56401

Phone Number: (218)-828-2307 **Fax:** _____ **E-mail:** tholmes@ci.brainerd.mn.us

Applicant Name: (If different than Property Owner) _____

Street Address: _____ **City:** _____ **State:** _____ **Zip Code:** _____

Phone Number: _____ **Fax:** _____ **E-mail:** _____

Description of Request: _____

Application for conditional use permit in Shoreland Zone of government building (Fire Dept).

Variance for impervious surface area within 300' of apparent O.H.W and Bluff Building Setback

in Shoreland Zone.

Tim Holmes

Property Owner Signature

6/24/2025

Date

Tim Holmes, City of Brainerd, Fire Chief

(Please print name)

Tim Holmes

Applicant Signature

6/24/2025

Date

Tim Holmes, City of Brainerd, Fire Chief

(Please print name)

AGENCY REVIEW CHECKLIST

Your request may require review by one or more of the agencies listed below. The City of Brainerd will determine which agencies will need to review your application and provide that agency with the notice of public hearing regarding your application:

BRAINERD FIRE DEPARTMENT

Attn: Fire Chief; 23 Laurel St; Brainerd, MN 56401; 218-828-2312; fire@ci.brainerd.mn.us

BRAINERD POLICE DEPARTMENT

Attn: John Davis, 225 East River Road; Brainerd, MN 56401; 218-829-2805; john.davis@ci.brainerd.mn.us

BRAINERD PUBLIC UTILITIES

Attn: Todd Wicklund, Director.; P.O. Box 373; Brainerd, MN 56401; 218-829-8726; twicklund@bpu.org

BWSR (MN Board of Water and Soil Resources)

Attn: Chris Pence; 1601 Minnesota Dr; Brainerd, MN 56401; 218-828-2383; chris.pence@state.mn.us

CITY OF BAXTER

Attn: Josh Doty; Community Development Director, 13190 Memorywood Dr; Baxter, MN 56425; 218-454-5100

CROW WING COUNTY HIGHWAY DEPARTMENT

Attn: Tim Bray, County Engineer; 16589 County Rd 142; Brainerd, MN 56401; 218-824-1110/FAX 218-824-1111 tim.bray@crowwing.us

CROW WING COUNTY SOIL AND WATER CONSERVATION DISTRICT

Attn: Melissa Barrick; 322 Laurel St-Ste. 13; Brainerd, MN 56401; 218-828-6197/FAX 828-6095 melissa.barrick@crowwingswcd.org

CROW WING COUNTY SURVEYOR'S OFFICE

322 Laurel St Ste 14.; Brainerd, MN 56401; 218-824-1124/FAX 824-1126

HRA

Attn: Eric Charpentier, 324 E. River Rd.; Brainerd, MN 56401; 218-828-3705/FAX 828-8817; eric@brainerdhra.org

MISSISSIPPI HEADWATERS BOARD

322 Laurel Street Ste 5; Brainerd, MN 56401; 218-824-1307/FAX 824-1104 mhb@mississippiheadwaters.org

MINNESOTA DEPARTMENT OF TRANSPORTATION

Attn: Steve Voss; 7694 Industrial Park Rd.; Baxter, MN 56425; 218-828-5779; steve.voss@state.mn.us

MINNESOTA DEPARTMENT OF NATURAL RESOURCES

Attn: Wade Miller; 1601 Minnesota Dr.; Brainerd, MN 56401; 218-828-2605/FAX 828-6043; wade.miller@state.mn.us

MINNESOTA POLLUTION CONTROL AGENCY

Attn: Reed Larson; 7678 College Rd-Ste. 105; Baxter, MN 56425; 218-828-2492/FAX 828-2594 Reed.Larson@state.mn.us

U.S. ARMY CORPS OF ENGINEERS

10867 E. Gull Lake Dr.; Brainerd, MN 56401; 651-290-5772

CERTIFICATE OF SURVEY

LOT 1, BLOCK ONE, SHORTRIDGE ADDITION, SECTION 26, TOWNSHIP 45, RANGE 31, CROW WING COUNTY, MINNESOTA.

EXISTING LEGAL DESCRIPTIONS:

(According to Doc. No. 328839)

Lot One (1) of Block One (1) of Shortridge Addition except that part described as follows: Commencing at the Northwest corner of Laurel Street and Bluff Avenue as now located, thence North along the West line of said Bluff Avenue as now located for a distance of 171 feet as the place of beginning, thence North along the West line of said Bluff Avenue as now located for a distance of 75 feet, thence at right angles West 150 feet, thence at right angles South 75 feet, thence at right angles East 150 feet to the place of beginning. The avenue and street herein referred to are according to the recorded plat of the original townsite of Brainerd on file in the office of the Register of Deeds for County of Crow Wing and State of Minnesota.

AND

(According to Doc. No. 328840)

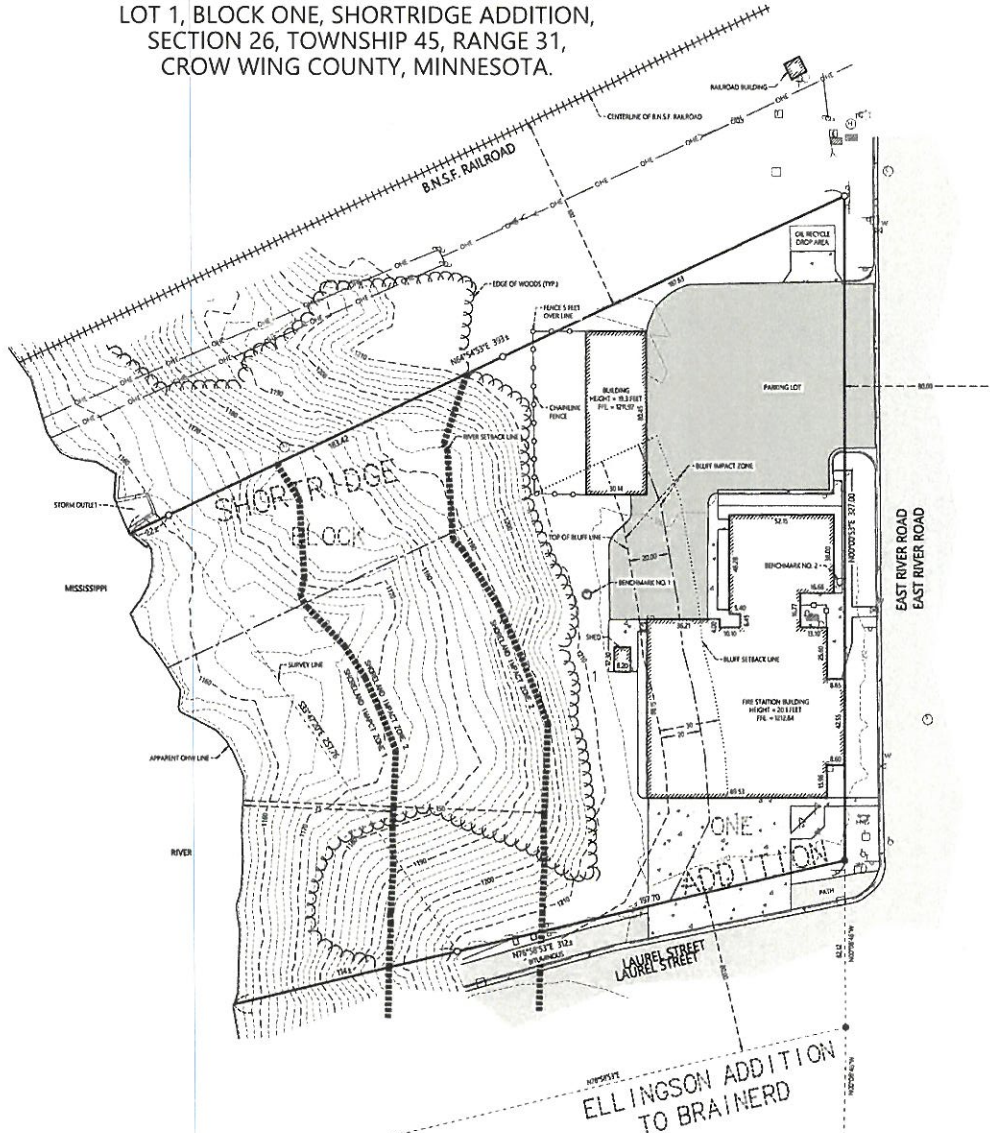
That part of Lot One (1) of Block One (1) of Shortridge Addition described as follows: Commencing at the Northwest corner of Laurel Street and Bluff Avenue as now located, thence North along the West line of said Bluff Avenue as now located for a distance of 171 feet as the place of beginning, thence North along the West line of said Bluff Avenue as now located for a distance of 75 feet, thence at right angles West 150 feet to the place of beginning. The avenue and street herein referred to are according to the recorded plat of the original townsite of Brainerd on file in the office of the Register of Deeds for County of Crow Wing and State of Minnesota.

SURVEY NOTES

1. The E911 address of the subject property is: 23 Laurel Street, Brainerd, MN.
2. Property Identification Number: 41250507
3. Total Acreage: 2.1± acres.
4. The Mississippi River is classified as a <Lake Type per MN DNR> river.
5. The property is zoned "Town Center" according to the Brainerd City zoning map. Building set distances are:
 - a. Right-of-Way: 50 feet
 - b. Side Yard: 0-10 feet
 - c. River: 150 feet
 - d. Bluff: 30 feet
6. This survey was completed without the benefit of a title commitment or opinion. There may be easements or other limiting factors not shown on this survey which affect the subject property.
7. The underground utilities shown on this survey are according to observed evidence only. Widseth assumes no responsibility for the completeness and accuracy of these locations. Further locations and verifications are recommended before any construction or excavation.
8. The fieldwork was performed in the month of May 2025.

IMPERVIOUS SURFACE COVERAGE:

TOTAL PROPERTY AREA = 92,321± SQ. FT.
 IMPERVIOUS SURFACES:
 • BUILDING SURFACES = 13,108 SQ. FT.
 • BITUMINOUS SURFACES = 12,589 SQ. FT.
 • CONCRETE SURFACES = 5,694 SQ. FT.
 ○ TOTAL IMPERVIOUS COVERAGE = 31,390 SQ. FT.
 $31,390 / 92,321 = 0.3399 \times 100 = 34.0\% \text{ IMPERVIOUS COVERAGE}$





SCALE IN FEET
0 30 60

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE CROW WING COUNTY COORDINATE DATUM (NAD83)

ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988

BENCHMARK NO. 1 IS LOCATED ON THE TOP OF WELL. ELEVATION = 1213.25

BENCHMARK NO. 2 IS LOCATED ON THE TOP NUT OF HYDRANT. ELEVATION = 1215.04

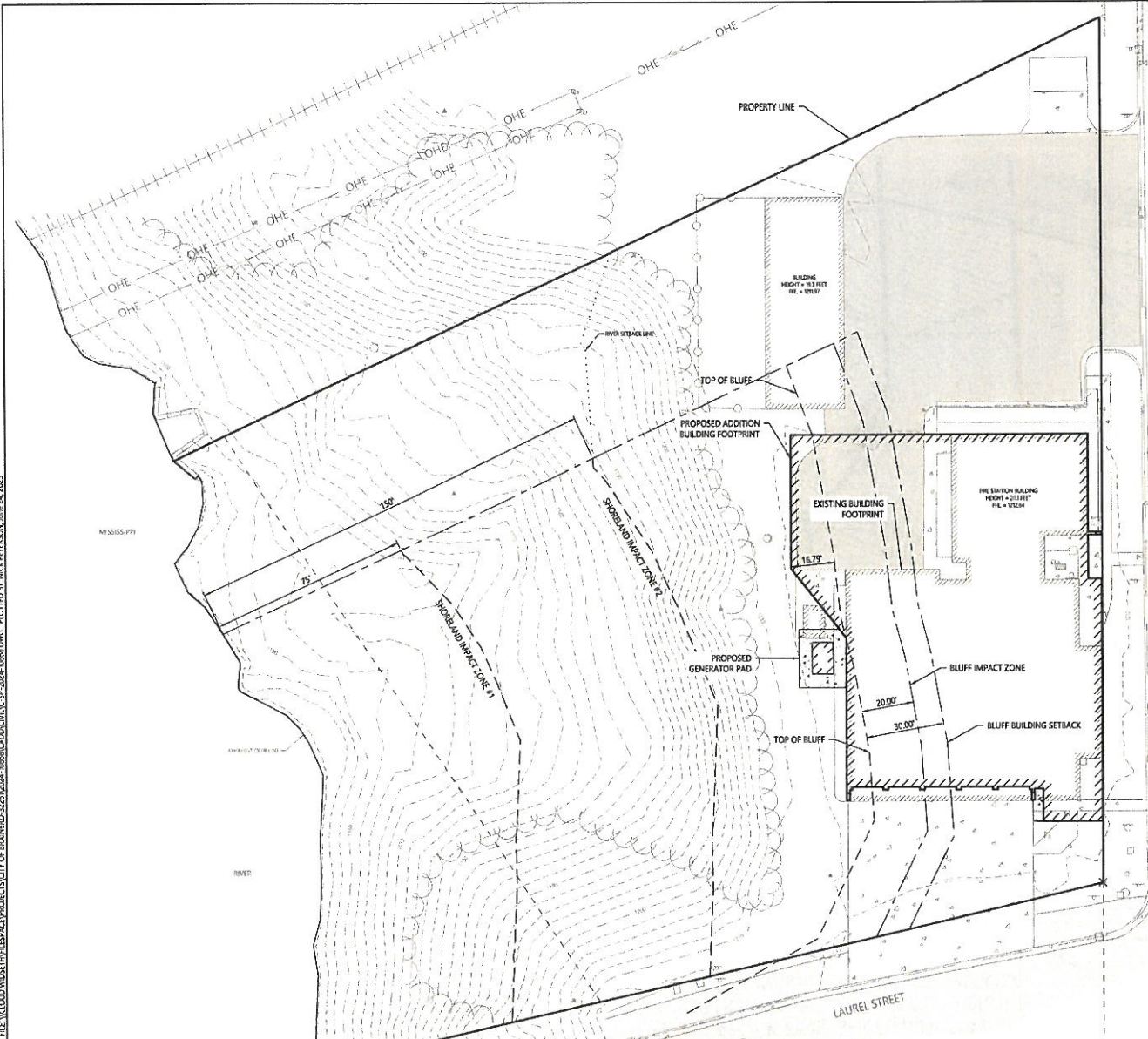
LEGEND

- DENOTES FOUND IRON MONUMENT
- DENOTES 1/2 INCH DIAMETER BY 18 INCH LONG IRON PIPE SET AND MARKED BY ILS # (NUMBER)
- ▭ BITUMINOUS PAVEMENT
- ▭ CONCRETE PAVEMENT
- ▭ CURB & GUTTER
- EDGE OF WOODS
- ⊥ FLAG POLE
- GUY WIRE ANCHOR
- SIGN - DOUBLE POST
- SIGN - SINGLE
- FENCE - CHAINLINK
- FENCE - WOOD
- ++++ RAILROAD
- ⊙ GROUND LIGHT (FLOODLIGHT)
- ⊙ LIGHT POLE
- ⊙ ELECTRICAL METER
- ⊙ PEDESTAL
- ⊙ ELECTRIC POLE
- ⊙ TRANSFORMER
- OVERHEAD ELECTRIC WIRE
- MANHOLE
- CATCH BASIN
- ⊙ INLET STRUCTURE
- MANHOLE
- ⊙ HYDRANT
- ⊙ WATER MAIN VALVE
- ⊙ COMMUNICATIONS TOWER

<b style="font-size: 24pt;">WIDSETH <small>ARCHITECTS • ENGINEERS • SCIENTISTS • SURVEYORS</small>	DRAWN BY: ABS	DATE:	AMENDMENT DESCRIPTION:	PREPARED FOR:
	CHECKED BY: CMC	DATE: 06/24/2025		
I HEREBY CERTIFY THAT THIS PLAT SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A QUALIFIED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.				
CHAD M CONNER LIC. NO. 41643				
CITY OF BRAINERD PROJECT #: 2024-10669				

CITY OF BRAINERD CUP AND VARIANCE

IMPERVIOUS AREA	
TOTAL PROPERTY AREA	SQ.F.T. 92,321
EXISTING IMPERVIOUS	SQ.F.T. 31,287
EXISTING PERVIOUS	SQ.F.T. 60,934
EXISTING IMPERVIOUS %	34%
PROPOSED IMPERVIOUS	SQ.F.T. 32,930
PROPOSED PERVIOUS	SQ.F.T. 59,391
PROPOSED IMPERVIOUS %	36%
EXISTING IMPV WITHIN 300' OF RIVER	SQ.F.T. 27,680
PROPOSED IMPV WITHIN 300' OF RIVER	SQ.F.T. 28,114



EAST RIVER ROAD

LAUREL STREET



WIDSETH
ARCHITECTS • ENGINEERS • SCIENTISTS • SURVEYORS

DRAWN BY: JXX
CHECKED BY: JXX

EVERYBODY HAS THE RIGHT TO SPEAK, BUT NOT EVERYBODY HAS THE RIGHT TO BE HEARD.
SIGNER NAME: _____ LIC. NO.: _____ NUMBER: _____ DATE: MM/DD/YYYY

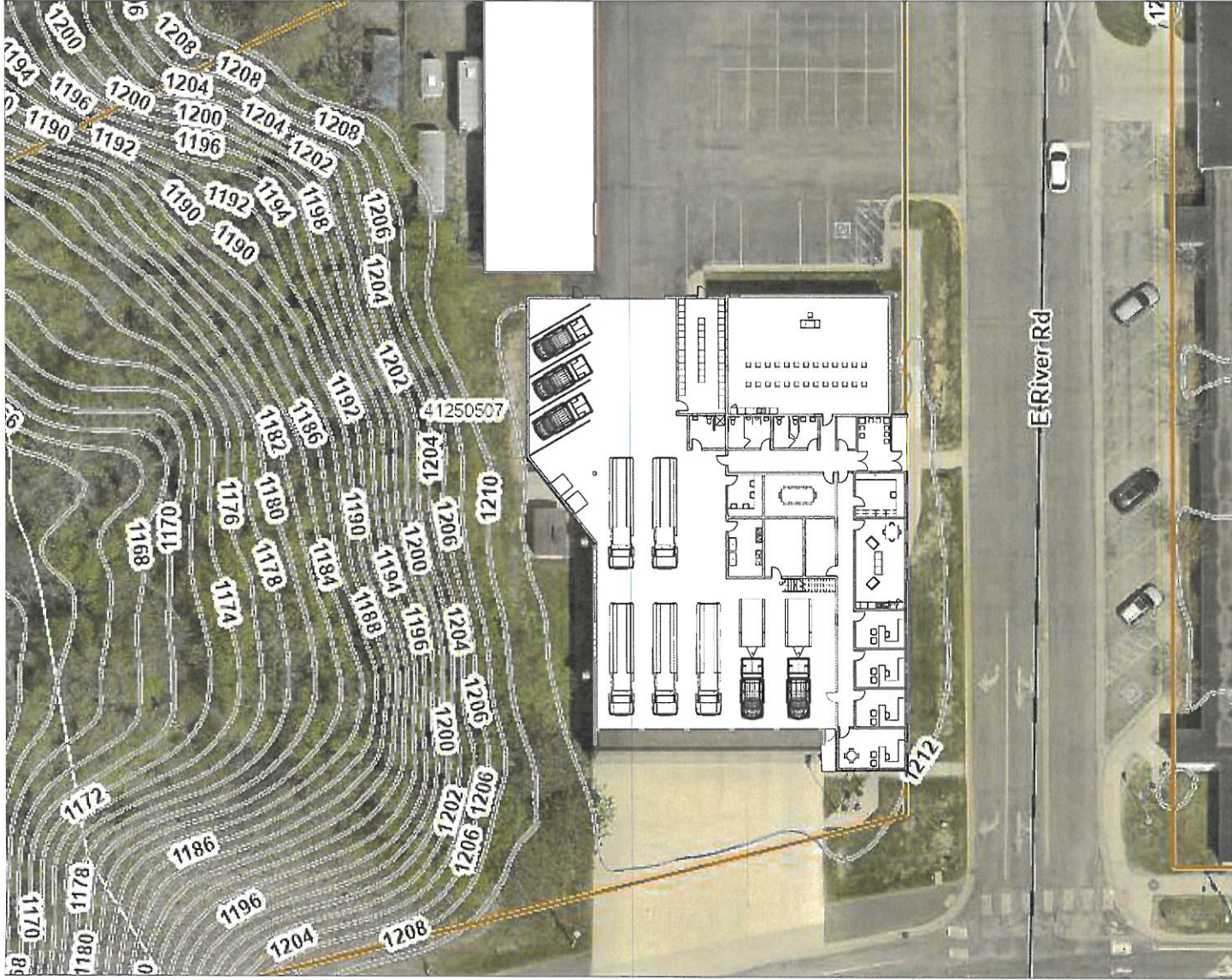
DATE	REV#	REVISIONS DESCRIPTION

CITY OF BRAINERD CUP AND VARIANCE

SITE PLAN

1
PROJECT # 2024-0001

© 2025 WIDSETH, P.L.L.C. (CLOUD WIDSETH) P.L.L.C. PROJECT: CITY OF BRAINERD, CUP AND VARIANCE, PLOTTED BY: NICK PETERSON, June 24, 2025



SITE PLAN
1/24/14



PRELIMINARY DESIGN

BRUNNER PD REMODEL AND ADDITION
CITY OF BRUNNER
120 LAUREL ST BRUNNER, MN 56001

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SITE PLAN

WIDSETH
ARCHITECTS • ENGINEERS • SCIENTISTS • SURVEYORS

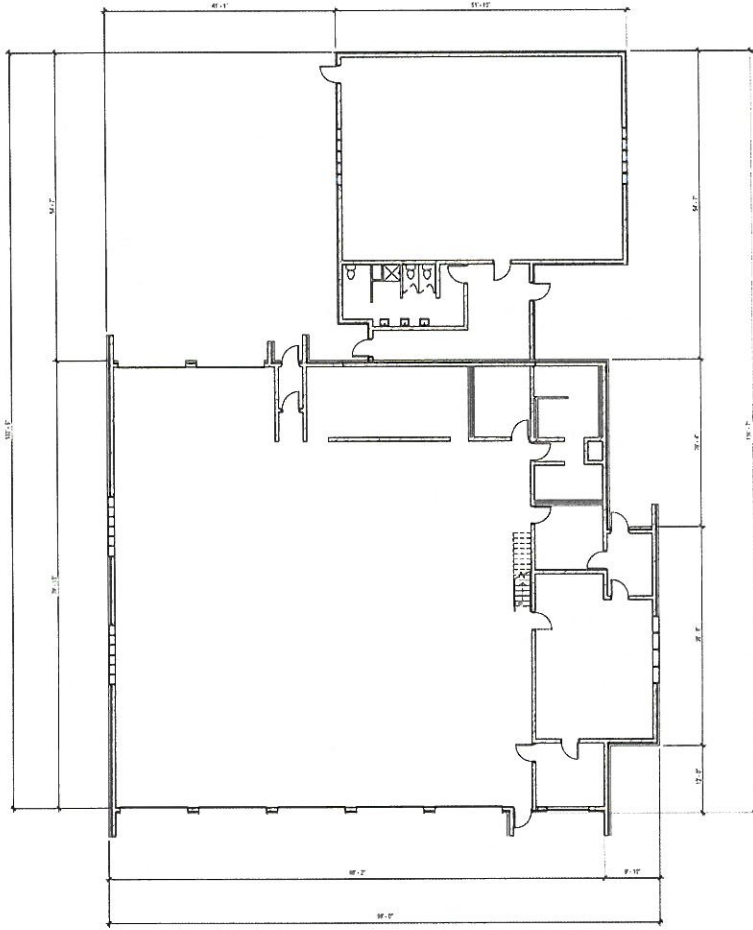
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IN CHARGE 2/24/14/12

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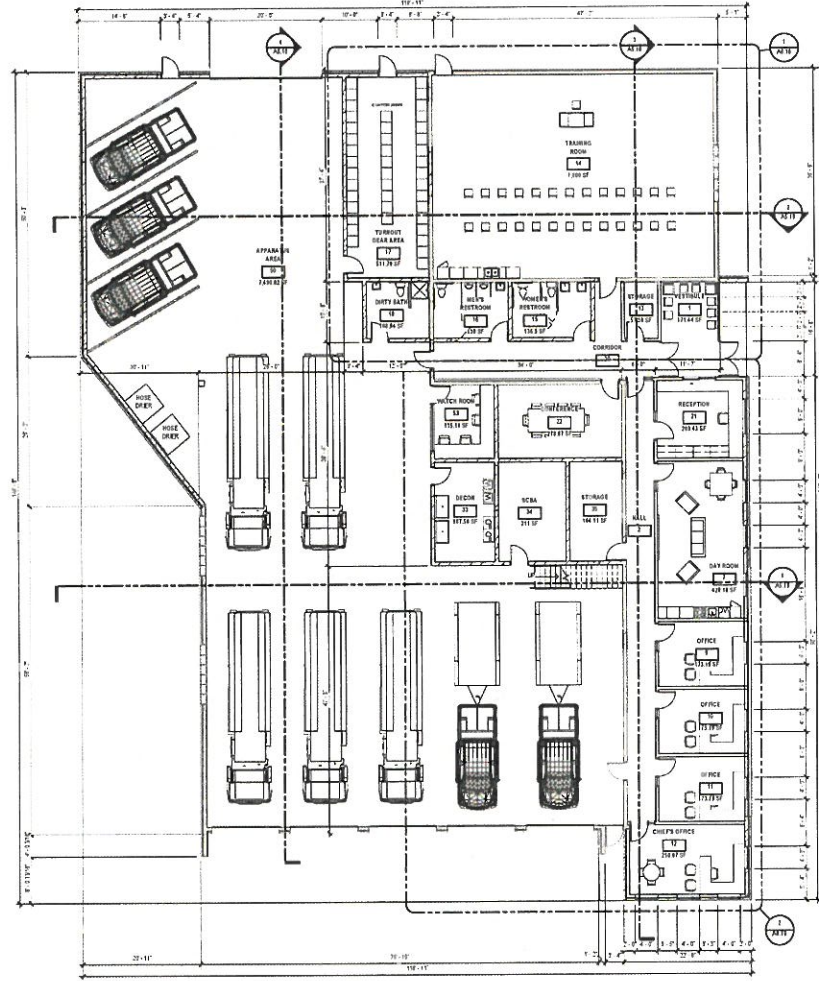
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CHECKED BY MA
IN CHARGE 2/24/14/12

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1 EXISTING FLOOR PLAN
REV: 1.0

EXISTING FIRST LEVEL 9,480 SF



2 PROPOSED FLOOR PLAN
REV: 1.0

PROPOSED FIRST LEVEL 13,991 SF



PRELIMINARY DESIGN

BRANDED REUBEN DEL AND ADDITION
OFFICE SPACE
21 LAUREL ST BRANDED, IAN 56401
FIRST LEVEL FLOOR PLAN

SHEET NO:
A1.20

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JOB NAME: 2023-1052

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JOB NAME: 2023-1052

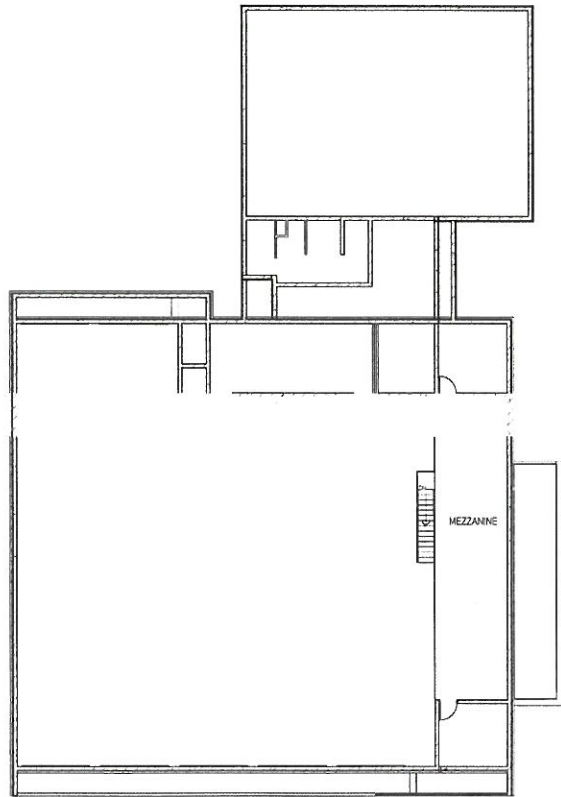
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JOB NUMBER: 2023-1052
JOB NAME: 2023-1052

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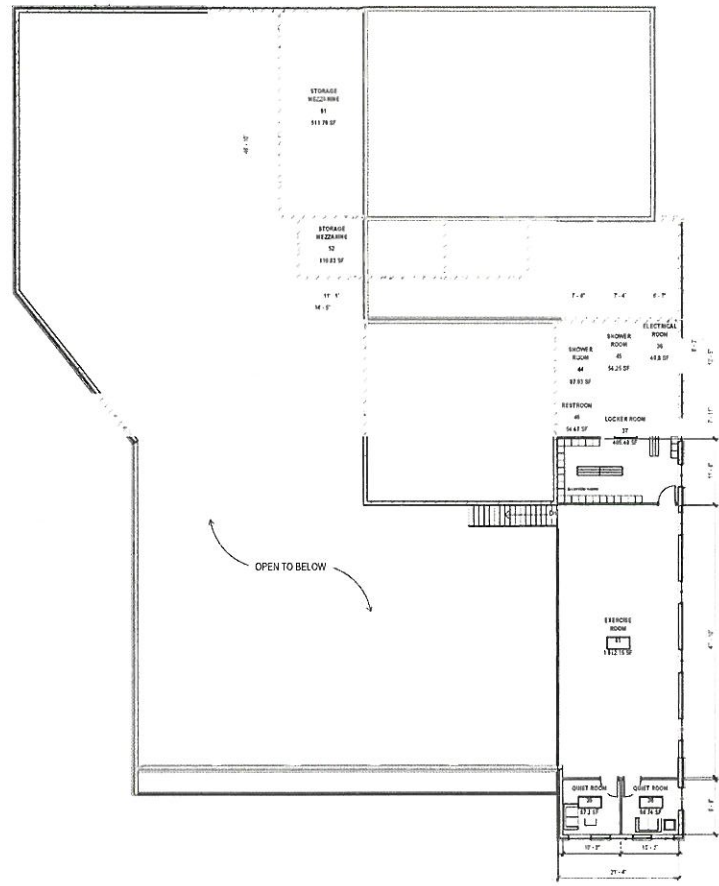
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JOB NUMBER: 2023-1052
JOB NAME: 2023-1052

WIDSETH
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1 EXISTING SECOND LEVEL FLOOR PLAN

MEZZANNE 961 SF



2 PROPOSED SECOND LEVEL FLOOR PLAN

EXERCISE AREA MEZZANNE 1,156 SF
STORAGE MEZZANNE 533 SF

ETH
ARCHITECTS + SURVEYORS

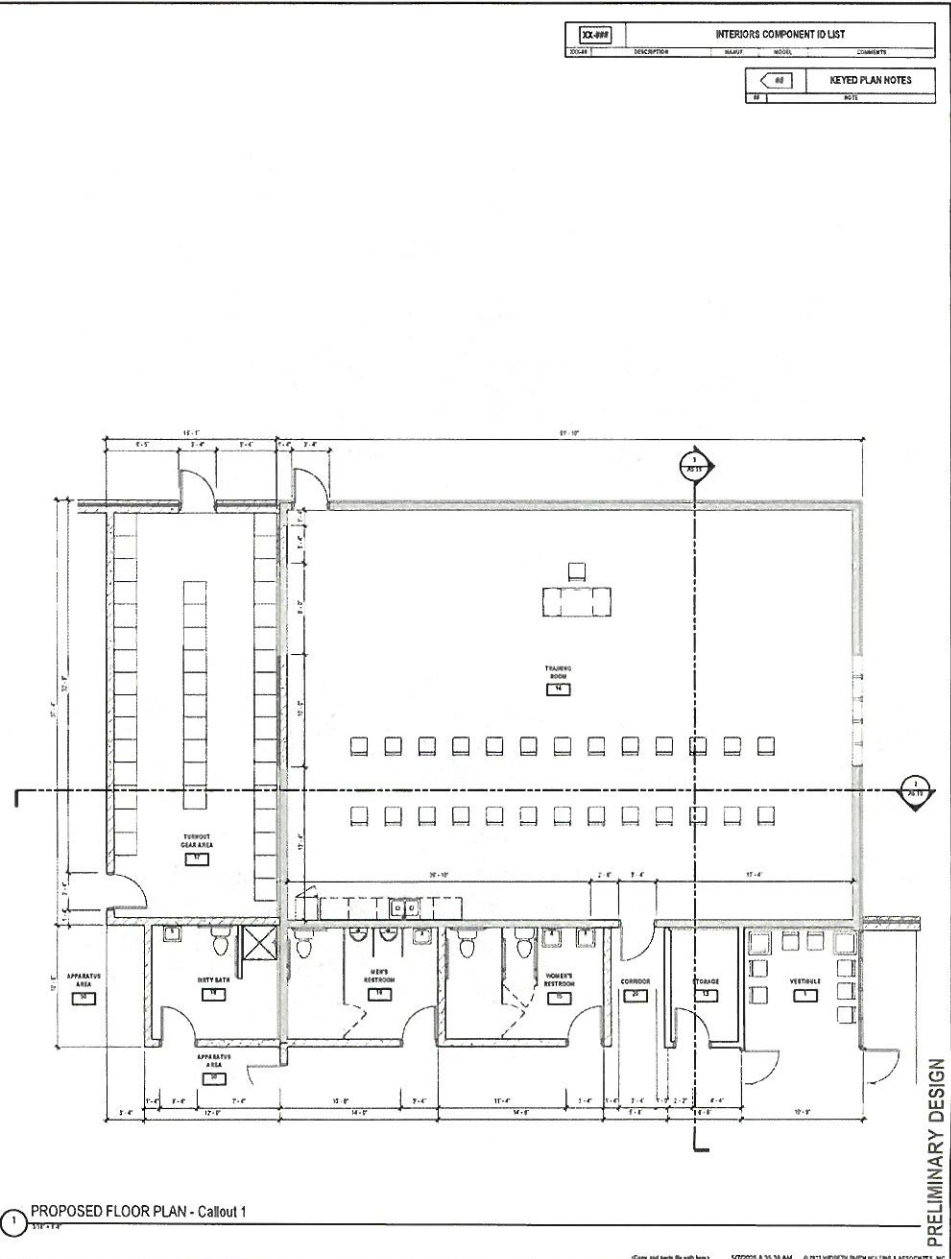
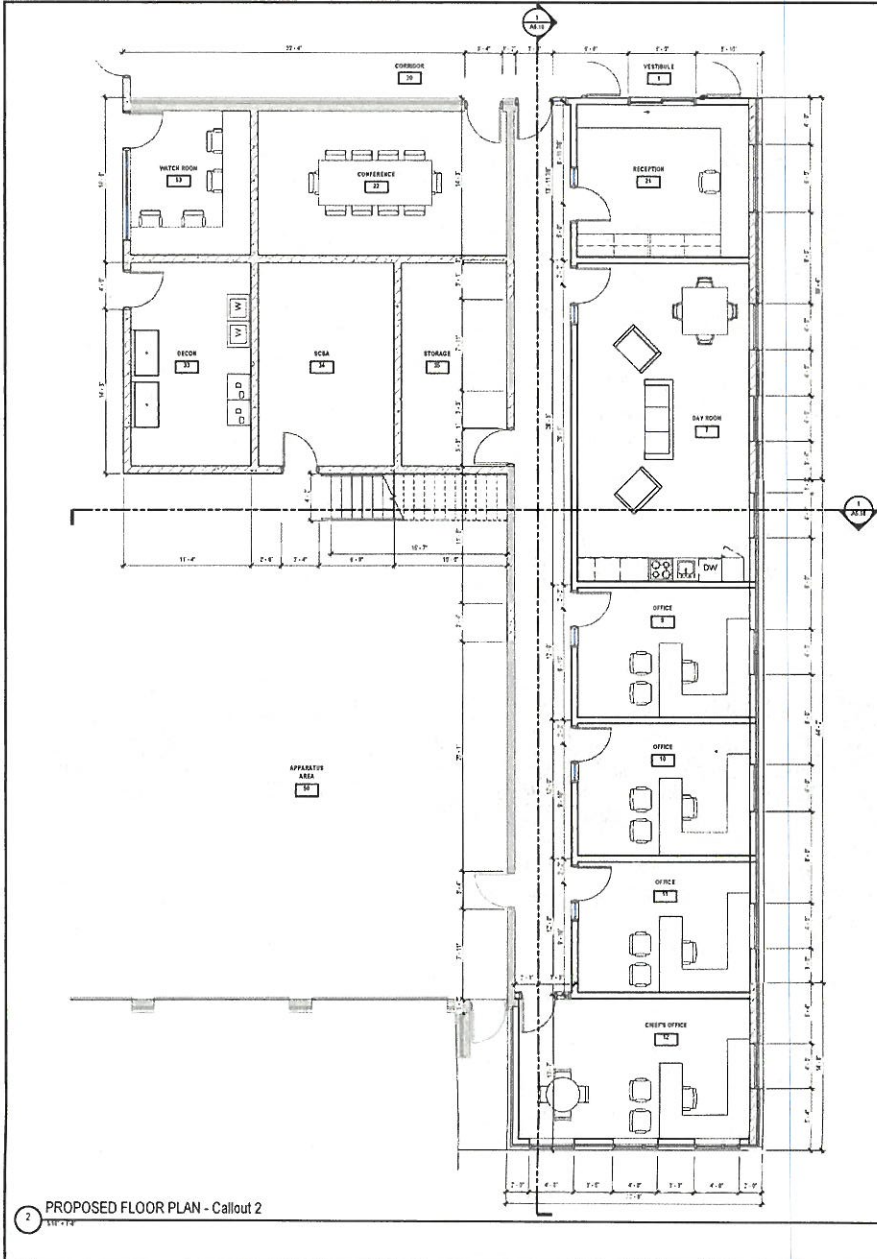
PRELIMINARY DESIGN

BRAUNERD PD REMODEL AND ADDITION
CITY OF BRAUNERD
23 LAUREL ST BRAUNERD, MN 56401
SECOND LEVEL FLOOR PLAN

DATE	10-20-20	SCALE	AS NOTED	DRAWN BY	JAE	CHECKED BY	JAE
PROJECT NO.	2024-1022A	SHEET NO.		DESIGNED BY		APPROVED BY	
CLIENT	CITY OF BRAUNERD	DATE		PROJECT MANAGER		PROJECT ENGINEER	
PROJECT NAME	BRAUNERD PD REMODEL AND ADDITION	PROJECT LOCATION		PROJECT ARCHITECT		PROJECT SURVEYOR	
PROJECT ADDRESS	23 LAUREL ST BRAUNERD, MN 56401	PROJECT PHONE		PROJECT FAX		PROJECT EMAIL	
PROJECT CONTACT		PROJECT WEBSITE		PROJECT SOCIAL MEDIA		PROJECT OTHER	

A1.21

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INTERIORS COMPONENT ID LIST			
SYMBOL	DESCRIPTION	QUANTITY	COMMENTS
11	KEYED PLAN NOTES		

2 PROPOSED FLOOR PLAN - Callout 2

1 PROPOSED FLOOR PLAN - Callout 1

WIDSETH
ARCHITECTS • ENGINEERS • SCIENTISTS • SURVEYORS

DATE	SCALE	PROJECT	DATE
2024.10.22	1/8" = 1'-0"	BRANNED FD REMODEL AND ADDITION	2024.10.22
DESIGNED BY	CHECKED BY	PROJECT NO.	DATE
		24-001	10/22/24

PRELIMINARY DESIGN

BRANNED FD REMODEL AND ADDITION
CITY OF BRAINARD
22 LAUREL ST BRAINARD, MN 56401

A6.10

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ARCHITECTS • ENGINEERS • SCIENTISTS • SURVEYORS

BY: PROJECT ARCHITECT
DATE: 2014-05-22
SCALE: AS SHOWN
DRAWN BY: JHE
CHECKED BY: JHE
JOB NUMBER: 2014-0522

DATE: 2014-05-22
SCALE: AS SHOWN
DRAWN BY: JHE
CHECKED BY: JHE
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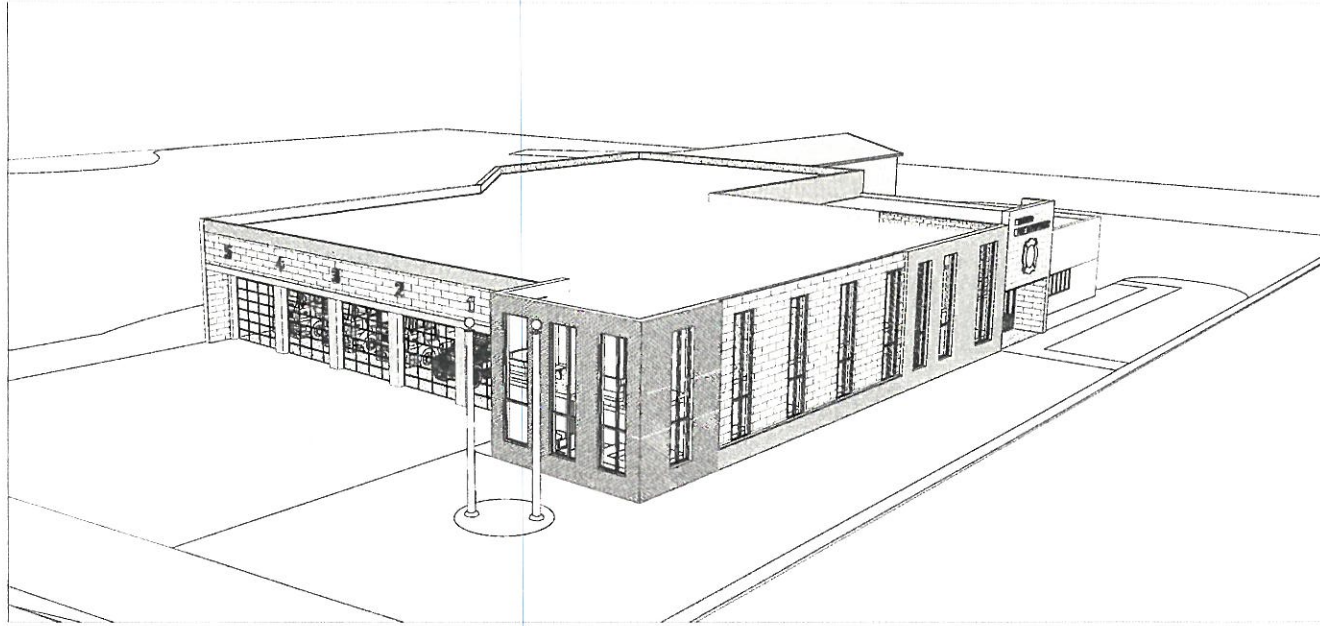
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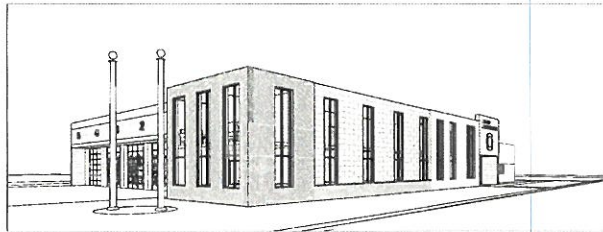
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PRELIMINARY DESIGN

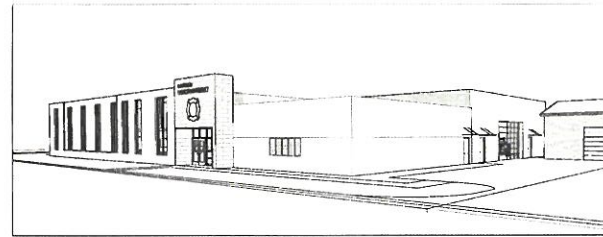
SCIENCE PD REMODEL AND ADDITION
21 LAUREL ST BRANFORD, NH 05401



1 VIEW 1



2 VIEW 2



3 VIEW 3

NO.	DATE	DESCRIPTION

DATE: 08/11/15	SCALE: AS SHOWN
DRAWN BY: JAK	CHECKED BY: JAK
PROJECT: BRANNERD FD REMODEL AND ADDITION	DATE: 08/11/15

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that the Brainerd Fire Department has submitted a request for a Conditional Use Permit and Variance for 23 Laurel Street, Brainerd. The CUP request is for an addition to the Fire Department, which is a public/ semipublic use in the Shoreland Zone. The request for the variance is to exceed the impervious surface limit within 300' of the ordinary high-water level and to build the addition in the bluff as indicated on the site plan. The property included in this application is described as:

*SHORTRIDGE ADDITION LOT 1 BLOCK 1
Parcel#: 41250507
Section 25, Township 045, Range 031*

The property is located in the TC (Town Center) Zoning District.

A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, July 16th, 2025 in the Council Chambers at Brainerd City Hall, 501 Laurel Street, to consider the Conditional Use Permit and Variance request.

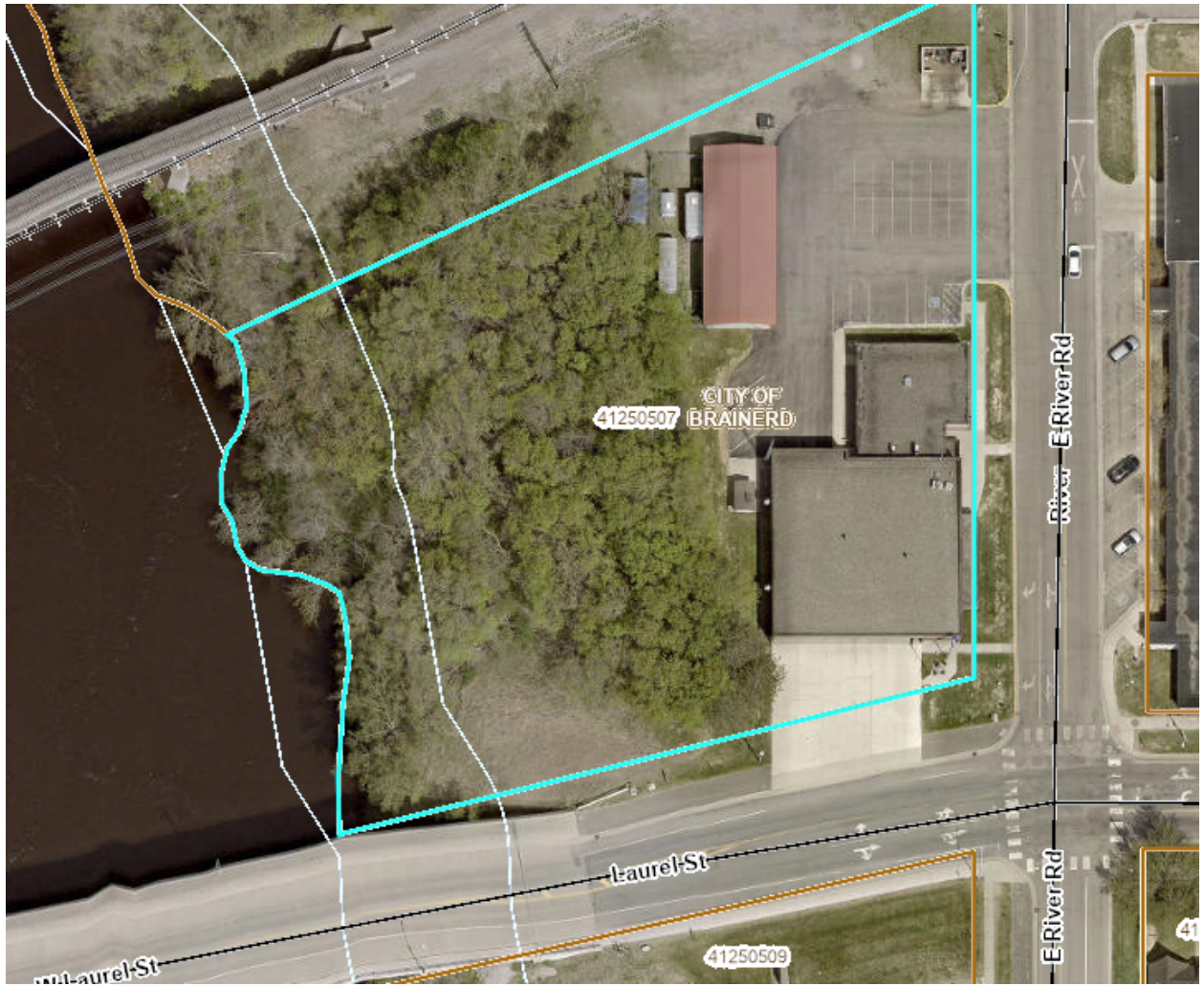
Any individual needing special accommodations or would like more information about this request, please call (218) 828-2307.

Dated this 01 day of July, 2025



James L. Kramvik
Community Development Director

Publication Date: July 5th, 2025



MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: July 16th, 2025

RE: Allowed-Use Table Memo

INTRODUCTION

Staff reviewed the [Section 515-3 Appendix A: Table of Uses](#) and have provided an amended table for the Planning Commission to review and discuss. Staff spent significant time reviewing the General Industrial District and uses that have specific regulations outlined in [Section 515-3 Allowed Uses](#). Residential uses were expanded in the new zoning code, but many commercial uses remained the same.

Deregulating uses by allowing more uses or removing a uses conditional status will be beneficial to businesses that are looking to either move to Brainerd or expand within the community.

Staff also received a request to allow cannabis cultivation in an existing greenhouse. Staff included this change in the proposed amendment, and the Commission was in general favor of the idea. The current Zoning Code only allows cannabis cultivation in the General Industrial Zoning District as a Conditional Use Permit regardless of whether growing occurs inside or outside. As proposed, cannabis cultivation would be allowed to occur in greenhouses in additional Zoning Districts.

The Planning Commission reviewed the amended Allowed Use Table at the June 18th meeting and directed staff to hold a public hearing at the next meeting.

STAFF RECOMMENDATION

- 1) Hold a public hearing.
- 2) Recommend approval of the proposed ordinance which amends Section 515-3 Appendix A: Table of Uses.

**ORDINANCE
NO. 15XX**

**AN ORDINANCE AMENDING SECTION 515-3 APPENDIX A TABLE OF USES OF THE
ZONING CODE**

WHEREAS, a public hearing was held by the Planning Commission as required by the Zoning Code, on July 16th, 2025

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Brainerd, Minnesota, as follows:

SECTION ONE Purpose: The purpose of this ordinance is to expand and deregulate uses in all zoning districts to make new development and expansion easier for businesses and developers.

SECTION TWO: Section 515-3 Appendix A Table of Uses (Exhibit A) is hereby amended as indicated, with deleted language struck out and new language underlined:

SECTION THREE: This ordinance shall take effect and be in full force one week from and after its publication.

Adopted this _____ day of _____, 2025

MIKE O'DAY
President of the Council

Approved this _____ day of _____, 2025

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator

Published: One Time – _____

EXHIBIT A

BRAINERD, MN Section 515-3 ALLOWED USES. APPENDIX A: TABLE OF USES

APPENDIX A: TABLE OF USES

P - Permitted
AP - Administrative Permit
C - Conditional Use Permit
I - Interim Use Permit
Blank - Not Permitted

ZONING DISTRICT	Section Reference	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
RESIDENTIAL USES																	
Agriculture uses, <u>barns, stables, and silos</u>		P	P														
Accessory buildings under 200 SF	515-4-6	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	P
Accessory buildings over 200 SF	515-4-6	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Accessory Dwelling Unit (ADU)		P	P	P	P/C	P/C	P/C	P	P/C								
Home businesses	515-3-21	P	P	P	P	P	P	P	P		P	P					
Home businesses not meeting criteria	515-3-21	AP	AP	AP	AP	AP	AP	AP	AP		AP	AP	AP				
In home day care, serving no more than 14 persons		AP	AP	AP	AP	AP	AP	AP	AP								
Multi-family attached dwelling units (5+ Units)						C		C	P			C				C	
Mixed-Use Building, including residential uses not on main floor								C	C		C	C	C				
Model Homes	515-3-25	P	P	P	P	P	P	P	P	P	P	P	P				
Personal storage of recreational vehicles & equipment	515-3-33	P	P	P	P	P	P	P	P								
Recreational Facilities for private residential use		P	P	P	P	P	P	P	P								
Senior housing	515-3-35					P		P	P			C	C			CP	
Single Family Detached Dwelling Unit	515-4-2	P	P	P	P	P	P	P	P			C				C	
Single Family Attached Dwelling Unit (2 Units)	515-4-2		P	P	P	P	P	P	P							C	
Single Family Attached Dwelling Unit (23-4 Units)					P	P	P	P	P			C	C			C	

APPENDIX A: TABLE OF USES
Adopted 07.05.2022

EXHIBIT A

BRAINERD, MN Section 515-3 ALLOWED USES. APPENDIX A: TABLE OF USES

ZONING DISTRICT	Section Reference	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
COMMERCIAL/GENERAL BUSINESS USES																	
Adult Establishments and/or Uses	515-3-4														C		
Animal hospital, veterinary clinic, or kennels	515-3-5	<u>C</u>	<u>C</u>					C	C	C	C			C	C		
Armories										C					P		
Auto dealership	515-3-6									C	C			<u>GP</u>	<u>GP</u>		
Bed and breakfasts	515-3-9	C	C	C	C	C	C	C	C		<u>C</u>	C	C				
Boarding houses, <u>Dormitories, and Similar Uses</u>						<u>G</u>		<u>G</u>	<u>G</u>							<u>C</u>	
Brew Pub/Brewery (off-sale, on-sale, taproom, tasting room, etc.), cidery, microdistillery, cocktail room	515-3-10							<u>G</u>	C	C	C	C	C	P	P		
Cannabis Retail Dispensary	515-3-12								C	P/C	P/C	P/C	P/C	P/C	P/C		
Car wash accessory to motor vehicle sales	515-3-15							<u>C</u>		P	P			P	P		
Commercial animal kennels	515-3-5	<u>G</u>	<u>G</u>												<u>G</u>		
Commercial car washes (drive-up, mechanical and self service)	515-3-15									C	C			<u>C</u>	<u>GP</u>		
Commercial day care facilities	515-3-16	C	C	C	C	C	C	C	C	<u>GP</u>	<u>GP</u>	<u>GP</u>	C	<u>GP</u>	<u>GP</u>	<u>GP</u>	
Commercial greenhouses supporting the operations of a restaurant or floral shop	515-3-17							I	I	I	I	I	I	<u>I</u>	<u>I</u>		
Commercial riding stables	515-3-18	C															
Commercial/Retail establishments								P	P	P	P	P	P	P	<u>P</u>		
Commercial laundry facilities								C	C	P	P	<u>P</u>		P	<u>P</u>		
Contractor offices										C	C			P	P		
Cultural facilities such as museums, art centers, or art institute								P	P	P	P	P	P	P	<u>P</u>	P	

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Adopted 07.05.2022

EXHIBIT A

BRAINERD, MN
Section 515-3 ALLOWED USES.
APPENDIX A: TABLE OF USES

ZONING DISTRICT	Section Reference	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P	
Drive-through Businesses	515-3-19							C	C	P	P	GP	C	P	P			
Financial Institutions such as banks and credit unions										P	P	P	P	P	P			
Food Trucks (Transient food unit)	515-3-41									AP	AP	AP	AP	AP	AP	AP	AP	
Funeral homes, mortuaries								C	C	C	C	C	C	C	P			
Health clubs/Gyms/Indoor Recreation Facilities								P	P	P	P	P	P	P	P	P		
Hospitality businesses limited to hotels, motels, conference/convention/reception facilities, and similar uses	515-3-22							C	P	P	P	P	P	P	P			
Hospitality businesses — extended stay	515-3-22																	
Liquor sales, on sale										P	P	P	P	P	P			
Liquor sales, off sale									P/C	P	P	P	P	P	P			
Motor vehicle fuel sales	515-3-26							C	C	GP	C	C		P	GP			
Nurseries, greenhouses (commercial), including the indoor cultivation of cannabis (commercial),	515-3-17	P	P					C	C	C	C			C	GP			
Nursing homes & similar group housing	515-3-27					C		C	C	C	C					C		
Off street parking lots or parking garages (as principal use)	515-3-32 515-4-12							C	C	C	C	C	C	C	P			
Office businesses – (general use, medical clinic)								GP	GP	P	P	P	P	P	P			
Outdoor dining facilities accessory to a restaurant	515-3-29							AP	AP	AP	AP	AP	AP	AP	AP			
Parking Lots lots incidental to the principal uses on a contiguous property	515-3-32	P	P	P	P	P	P	GP	GP	GP	GP	GP	GP	GP	GP	GP	PG	P
Pawn shops								P	P	P	P	P	P	P	P			
Personal services such as barber/beauty shop, nail salon, tanning salon, therapeutic massage and spas.								P	P	P	P	P	P	P	P			

APPENDIX A: TABLE OF USES
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EXHIBIT A

BRAINERD, MN Section 515-3 ALLOWED USES. APPENDIX A: TABLE OF USES

ZONING DISTRICT	Section Reference	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
Private clubs & lodges								C	C	C	C	C	C	C	<u>P</u>		
Recreation Centers (large health clubs, gyms, etc.) exceeding 30,000 SF										C	<u>C</u>	<u>C</u>		C	P	<u>C</u>	
Restaurants – sit down, take out or delivery (no drive-up window)								P	P	P	P	P	P	<u>P</u>	<u>P</u>		
Retail businesses contained within a principal building								P	P	P	P	P	P	P	<u>P</u>	<u>P</u>	
Seasonal Merchandise Sales include fruit/vegetables, Christmas trees, plants and ancillary products in which less than one half of the product retailed is initially planted and raised therein – <u>farmers markets</u>								<u>AP</u>	<u>AP</u>	AP	AP	AP	<u>AP</u>	<u>AP</u>	<u>AP</u>	<u>AP</u>	<u>AP</u>
Senior center						C		C	C	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Short term rentals (VRBO, Air BnB, etc.)	515-3-36	I	I	I	I	I	I	I	I		<u>I</u>	I	I				
Signs	515-3-37	See Section 515-3-37 for Permit Requirements															
Specialty food shops	515-3-38							P	P	P	P	P	P	<u>P</u>	<u>P</u>		
State licensed residential facilities (serving 7-16 persons)						C		C	C	C	C						
Studios – art, dance, music, design, photography, etc								<u>CP</u>	<u>CP</u>	P	P	P	P	<u>P</u>	<u>P</u>		
Taxi or bus dispatch sites										P	P			P	P		
Telecommunication towers	515-3-44													AP	AP		
Temporary mobile towers.	515-3-44													AP	AP		
Temporary roadside stands		P	P	<u>P</u>													
Temporary/seasonal outdoor promotional events and sales	515-3-40							AP	AP	AP	AP	AP	AP	AP	<u>AP</u>		
Theaters – except drive-in										P	P	P	P	<u>P</u>	<u>P</u>		
PUBLIC/SEMI-PUBLIC USES																	

APPENDIX A: TABLE OF USES
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EXHIBIT A

BRAINERD, MN Section 515-3 ALLOWED USES. APPENDIX A: TABLE OF USES

ZONING DISTRICT	Section Reference	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
Boarding Schools								C	C	C	C	C		<u>C</u>	<u>P</u>	<u>C</u>	
Business or trade school when conducted entirely within a building								C	C	P	P	C	C	<u>P</u>	<u>P</u>	<u>P</u>	
Cemeteries																C	<u>C</u>
Colleges and universities										C	C					P	
Government & public buildings (including utility buildings and structures)			C	C	C	C	C	C	C	P	P	P	P	P	P	P	P
Hospitals						C		C	C	C	C	<u>C</u>			<u>P</u>	P	
Forest and game management areas		<u>GP</u>	<u>P</u>													P	P
Places of worship & related buildings		C	C	C	C	C	C	C	<u>GP</u>	P	P	<u>GP</u>	<u>GP</u>	P	P	P	
Public & private schools		C	C	C	C	C	C	C	C	<u>GP</u>	C	<u>GP</u>	<u>C</u>	<u>GP</u>	<u>GP</u>	P	
Public recreation areas and buildings		P	P	P	P	P	P	P	P	<u>P</u>	<u>C</u>	C	C	<u>P</u>	<u>P</u>	P	<u>P</u>
Public, semi-public recreational buildings, community centers		C	C	C	C	C	C	C	C	<u>C</u>	<u>C</u>	C	C	<u>C</u>	<u>P</u>	P	
Temporary classroom buildings (public or private schools)					I	I	I	I	I	I	I	I	I	I	I	I	
Trade/specialty schools.														C	<u>GP</u>	<u>P</u>	
Warming shelters	515-3-43									I	I	I		I		I	
INDUSTRIAL AND UTILITY USES																	
Auto wrecking or salvage yard, junk yard, used auto parts, and similar uses.	515-3-8														C		
Automobile and truck repair – major and minor (including body shops)	515-3-7									C	C	C		C	<u>GP</u>		
Billboard signs	515-3-37													I	I		
Bulk liquid storage (including crude oil, gasoline, liquid fertilizer, or other liquid storage)	515-3-11														C		

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BRAINERD, MN
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ZONING DISTRICT	Section Reference	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
Cannabis Cultivation <u>(outside)</u> , Manufacturing, and Related Activity	515-3-13														C		
Coal, tar, creosote, concrete or asphalt processing or distillation and acid manufacturing.	515-3-14														C		
Commercial/retail sales accessory to the principal manufacture, processing or wholesaling of products manufactured on, processed on or wholesaled from the premises.														P	P		
Commercial stockyards and slaughtering of animals provided that the use complies with all Federal regulations including USDA rules and regulations.															C		
Machine shops; paper products from previously processed paper; electronics assembly and testing; commercial printing and publishing establishments; laundry, dry cleaning or dyeing plants; food/beverage processing; cosmetics/toiletries; drugs and pharmaceuticals; beverage bottling; recycling center; woodworking (indoors)														P	P		
Construction equipment sales and repair										C				P	P		
Electrical/Plumbing/Heating/Air Conditioning products and parts										C				P	P		
Equipment rental (indoor)										P	P			P	P		
Essential services	515-3-20	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Kilns, forges or other heat processes fired by means other than electricity.															C		
Light manufacturing <u>(indoors)</u>										C	C			P	P		
Metal Sales such as steel and other raw materials														P	P		
Mini self-storage facilities.	515-3-23														GP		

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BRAINERD, MN
Section 515-3 ALLOWED USES.
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ZONING DISTRICT	Section Reference	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
Mining and extraction	515-3-24	I															
Outdoor service, sales and rental as a principal or accessory use.	515-3-30									<u>C</u>	<u>C</u>	<u>C</u>		<u>CP</u>	<u>CP</u>		
Outdoor storage accessory to a principal use with enclosed building.	515-3-30									C				C	P		
Outdoor storage as a principal use	515-3-30														I		
Personal wireless service towers	515-3-44	C	C	C	C	C	C	C	C	AP	AP	AP	AP	AP	AP	<u>AP</u>	
Outdoor wood burning furnaces, placement and operation	515-3-31														C		
Radio & television antennas	515-3-44	AP	AP	AP	AP	AP	AP	AP	AP	<u>AP</u>	<u>AP</u>	<u>AP</u>	<u>AP</u>	<u>AP</u>	<u>AP</u>	<u>AP</u>	<u>AP</u>
Radio and television receiving antennas, <u>ground mounted</u> satellite dishes, TV Receive Only (TVRO) three (3) meters or less in diameter, short-wave dispatching antennas, or those necessary for the operation of electronic equipment including radio receivers, ham radio transmitters and television receivers	515-3-44	<u>AP</u>	<u>AP</u>	<u>AP</u>	<u>AP</u>	<u>AP</u>	<u>AP</u>	<u>AP</u>	<u>AP</u>	AP	AP	AP	AP	AP	AP	<u>AP</u>	<u>AP</u>
Radio and television studios										C	C			P	P	<u>P</u>	
Sale of parts and sale and repair of tires for construction equipment and semi tractor trailers														P	P		
Sales and distribution of propane, acetylene, helium, CO2 and similar tanks															P		
Refuse/garbage collection, recycling and incineration	515-3-34														C		
Regional pipelines		C												C	C		
Research and development laboratories										<u>P</u>				P	P		
Residence for night watchman or other security personnel														AP	AP		

EXHIBIT A

BRAINERD, MN
Section 515-3 ALLOWED USES.
APPENDIX A: TABLE OF USES

ZONING DISTRICT	Section Reference	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
Self-service laundromat with dry cleaning pick up and drop off								C	C	P	P	P		P	P		
Small engine and boat repair								C	C	C	C			P	P		
Solar energy systems, structures		AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP
Storage, utilization or manufacture of materials which could decompose by detonation, including but not limited to dynamite, trinitrotoluene (TNT), nitroglycerine, guncotton, blasting caps and cartridge primers.	515-3-39														C		
Testing labs for water and soil, rocks/minerals and air quality										P	P			P	P		
Tire vulcanizing and recapping.															P		
Truck and semi-tractor/trailer sales and repair	515-3-7													C	P		
Truck terminals.	515-3-42														CP		
Warehousing, distribution facilities and wholesale businesses.														C	P		
Wind energy conversion system		I	I												I	I	I

NOTICE OF HEARING

Notice is hereby given that the City of Brainerd Planning Commission will be conducting a public hearing to consider a proposed ordinance amending Section 515-3 Allowed Uses, Appendix A: Table of Uses of the Zoning Code. The purpose of this ordinance is to expand and deregulate uses among all zoning districts in the City of Brainerd.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, July 16th, 2025 in the Council Chambers at Brainerd City Hall, 501 Laurel Street, to consider the Conditional Use Permit and Variance request.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2307.

Dated this 1st day of July, 2025



James Kramvik
Community Development Director

Publication Date: July 5th, 2025

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: July 16th, 2025

RE: Sign Ordinance Memo

INTRODUCTION

Staff have received complaints about signage aesthetics in our major corridors and downtown. Signage is an important aspect of the overall characteristics of a commercial area and sub-standard signage can detract from the appearance and create negative perceptions to visitors. All signs are regulated by Section 515-3-37 for the Zoning Code. The purpose of the ordinance is to maintain, enhance, and improve the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community. The ordinance regulates size and location but does not regulate material. Banner signs made of canvas or vinyl have increased in Brainerd and the aesthetics have become an issue. Signs should serve to communicate for the business but should be held to a standard as they also play an important role in attracting visitors and new businesses to an area.

The EDA made a motion to recommend the Planning Commission review Sign Standards specifically for the Commercial Corridor, Town Center, and Main Street Zoning Districts. Staff also included some additional items for consideration.

Note: The EDA is considering using available funds to help businesses improve their signage with a possible 50% matching grant. Prior to offering the grant, the EDA would like the City to consider signage design standards

At the last meeting, The Planning Commission formed a general consensus that window paint should be allowed for window signage along with vinyl graphics. In addition, property owners shall remove signs within 60 days that are found to be unreadable, unsafe, unsecured, abandoned, unlawful or in disrepair.

SIGN ILLUMINATION

The Planning Commission directed staff to research potential lighting standards for outdoor signage. Staff included potential language in the proposed ordinance for the Commission to consider. Other municipalities include specific lighting thresholds; however, staff does not recommend including these standards in the Code as lighting thresholds are difficult to measure and will make approvals for new signage difficult.

Existing Language:

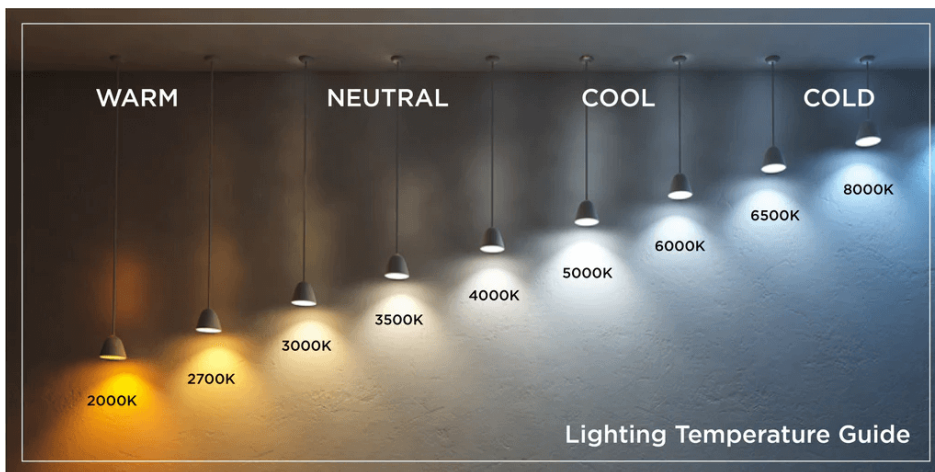
Illuminated signs shall be shielded to prevent lights from being directed at oncoming traffic in such brilliance that it impairs the vision of the driver and may not interfere with or obscure traffic signs or signals. Lighting may not illuminate any adjacent properties, buildings, or streets.

Proposed Additional Language:

- 1) All outdoor sign lighting that is ON both day and night shall be controlled with a dimmer that provides the ability to automatically reduce sign lighting power by a minimum of 65 percent during nighttime hours. Signs that are illuminated at night and for more than 1 hour during daylight hours shall be considered ON both day and night.
- 2) The intensity of sign lighting shall not exceed that necessary to illuminate and make legible a sign from the closest adjacent public right of way.
- 3) The light source for all outdoor sign lighting shall not exceed 4,000 Kelvin.
- 4) Neon lights, strings or lines of LED lighting, other electrically activated gas tubing or similar lighting placed around the perimeter of a sign is prohibited. Neon tubing may only be allowed to illuminate or outline wording, copy, or logos within a sign face.

Lighting Threshold Language (Not Recommended):

- 1) Signs using an LED (light emitting diode) light source shall not exceed a luminance level of five hundred (500) candela per square meter (nits) between sunset and sunrise, and shall not exceed a luminance level of five thousand (5,000) candela per square meter between sunrise and sunset.
- 2) All signs with illumination shall be equipped with a mechanism that automatically adjusts the brightness to ambient lighting conditions (e.g., dusk) to ensure that the sign's intensity does not exceed 0.3 foot-candle above ambient light levels as measured from one hundred feet (100') from the sign's face.



STAFF RECOMMENDATION

- 1) Discuss illumination requirements.
- 2) Direct staff to make any changes.
- 3) Direct staff to hold a public hearing at the next Planning Commission meeting.

BRAINERD, MN
Chapter 515 ZONING

515-3-38 Signs

A. **Findings, Purpose, and Intent.** It is not the purpose or intent of this Sign Ordinance to regulate the message displayed on any sign, nor is it the purpose or intent of this Ordinance to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building. The purpose and intent of this Ordinance is to:

1. The City Council hereby finds as follows:
 - a. Signs provide an important medium through which individuals may convey a variety of messages.
 - b. Exterior signs have a substantial impact on the character and quality of the environment.
 - c. Signs can create traffic hazards, aesthetic concerns, and detriments to property values, thereby threatening the public health, safety, and welfare.
 - d. As defined by Section [515-6] of this Ordinance, a sign is any letter, word or symbol, poster, picture, statuary, reading matter or representation in the nature of advertisement, announcement, message or visual communication, whether painted, posted, printed, affixed or constructed, including all associated brackets, braces, supports, wires and structures, which is displayed for informational or communicative purposes.
 - e. The City's zoning regulations have included the regulation of signs in an effort to provide adequate means of expression and to promote the economic viability of the business community, while protecting the City and its citizens from a proliferation of signs of type, size, location and character that would adversely impact upon the aesthetics of the community and threaten the health, safety and welfare of the community. The regulation of the physical characteristics of signs within the City has had a positive impact on traffic safety and the appearance of the community.
2. The purpose and intent of this Ordinance is to:
 - a. Regulate the number, location, size, type, illumination, and other physical characteristics of signs within the City in order to promote the public health, safety, and welfare.
 - b. Maintain, enhance, and improve the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community.
 - c. Improve the visual appearance of the City while providing for effective means of communication, consistent with constitutional guarantees and the City's goals of public safety and aesthetics.
 - d. Provide for fair and consistent enforcement of the sign regulations set for herein under the zoning authority of the City.

B. **Effect.** A sign may be erected, mounted, displayed, or maintained in the City if it is in conformance with the provisions of this Ordinance. The effect of this Ordinance, as more specifically set for herein, is to:

1. Allow a wide variety of sign types in commercial zones, and a more limited variety of signs in other zones, subject to the standards set forth in this Sign Ordinance.
2. Allow certain small, unobtrusive signs incidental to the principal use of a site in all zones when in compliance with the requirements of this Sign Ordinance.
3. Prohibit signs whose location, size, type, illumination, or other physical characteristics negatively affect the environment and where the communication can be accomplished by means of having a lesser impact on the environment and the public health, safety, and welfare.
4. Provide for the enforcement of the provisions of this Sign Ordinance.

C. **Severability.** If any section, subsection, sentence, clause, or phrase of this Sign Ordinance is for any reason held to be invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of this sign Ordinance. The City Council hereby declares that it would have adopted the sign Ordinance in each section,

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subsection, sentence, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

D. Permit Required. No sign shall be erected, altered, improved, reconstructed, maintained, or moved in the City without first securing a Sign Permit from the City:

1. The content of the message or speech displayed on the building and/or sign shall not be reviewed or considered in determining whether to approve or deny a Sign Permit.
2. Application for an Administrative Permit shall be filed by the property owner or designated agent with the City on forms to be provided by the City.
3. Application for a Permit shall contain the following information unless waived by the City:
 - a. Names and addresses of the applicant owners of the sign and lot.
 - b. Address at which any signs are to be erected.
 - c. Lot, block, and addition at which the signs are to be erected and the street on which they are to front.
 - d. Type and size of sign (e.g., wall sign, pylon sign, monument sign).
 - e. A Sketch Plan to scale showing the location of lot lines, building structures, parking areas, existing and proposed signs, and any other physical features.
 - f. Inventory of existing on-site signage (size, height, location).
 - g. Plans, location and specifications and method of construction and attachment to the buildings or placement method of the ground.
 - h. Copy of stress sheets and calculations showing that the structure is designed for dead load and wind pressure in any direction in the amount required by this and all other laws and Ordinances of the City.
 - i. Written consent of the owner or lessee of any site on which the sign is to be erected.
 - j. Any Electrical Permit and/or Building Permit required and issued for the sign.
 - k. A detailed description of any electronic or electrical components that are proposed to be added to the sign.
 - l. Other information to demonstrate compliance with this and all other Ordinances of the City.
4. The Sign Permit application shall be accompanied by a fee. Fees for the review and processing of Sign Permit applications shall be imposed in accordance with the fee schedule established by City Ordinance.
5. The City shall notify the applicant, in writing, of an incomplete application within fifteen (15) days of the date of submission.
6. The City shall review the application and related materials and shall determine whether the proposal is in compliance with all applicable evaluation criteria, Ordinances and applicable performance standards set forth in this Ordinance within sixty (60) days of submission of a complete application pursuant to MN State Statutes Section 15.99. If the work that is authorized under a permit has not been completed within sixty (60) days after the date of issuance, the permit shall be null and void.
7. All signs, including electric wiring, supporting structure, guy wires or chains, shall be properly maintained and kept in safe condition. A sign or sign structure which is deteriorated, unsafe, defaced or otherwise altered shall be repaired, repainted, or replaced by the permit holder or property owner on which the sign is located.

E. Permit Not Required. The following signs shall not require a permit and are allowed in addition to those signs allowed by Section [J] of this Subsection. These exemptions however shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance and its compliance with the provisions of this Ordinance or any other law or Ordinance regulating the same.

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1. The changing of the display surface on an existing sign.
2. Signs, subject to the following:
 - a. Signs shall only be located on private property with the permission of the property owner.
 - b. Signs shall be placed no less than fifteen (15) feet from the back of the curb and shall not be within the sight visibility triangle or located within the Right-of-Way.
 - c. Ground mounted signs shall not exceed six (6) square feet in area and shall not exceed three (3) feet in height.
 - d. No more than two (2) ground mounted signs and two (2) flags are allowed per property.
 - i. Additional signs of any size are permitted beginning forty-six (46) days before the State primary in a State general election year until ten (10) days following the State general election, and ninety-one (91) days prior to any special election until ten (10) days following the special election.
 - e. Signs shall not be illuminated.
3. One (1) temporary off-premises sign on private property six (6) square feet or less in size, not to exceed three (3) feet. Temporary signs shall be allowed for a period of seven (7) days.
4. Signs located within the public right-of-way are regulated by Chapter [VIII] of the City Code.
5. Official signs.

F. Prohibited Signs. The following signs are prohibited:

1. Any sign, signal, marking or device which purports to be or is an imitation of or resembles any official traffic control device or railroad sign or signal, or emergency vehicle signs, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.
2. All signs over three hundred (300) square feet in area.
3. All off-premises signs greater than six (6) square feet in area.
4. Changeable copy signs, except as specifically allowed by Subsection [J].
5. Content classified as "obscene" as defined by Minnesota State Statutes Section [617.241].
6. Flashing or rotating signs.
7. Signs painted, attached or in any other manner affixed to trees or similar natural surfaces, or attached to utility poles, bridges, towers, or similar public structures.

G. Violations. Any person who violates, disobeys, omits, neglects, or refuses to comply with, or resists the enforcement of any of the provisions of this Ordinance shall, upon conviction thereof, be guilty of a petty misdemeanor. Persons violating this Section may be fined in addition to other penalties for Ordinance violations allowed by this Ordinance. Any sign violation of this Section may be subject to immediate removal by the City, at the expense of the owner, without notice to the property owner or owner of the sign if different than the property owner. Each day that the violation continues is a separate offense.

1. This Ordinance shall be administered and enforced by the Zoning Administrator. The Zoning Administrator may institute in the name of the City any appropriate actions or proceedings against a violator.
2. Inspection. All signs for which a permit is required shall be subject to inspection by the Zoning Administrator.
3. The City reserves the right to require the removal at the owner's expense of any sign when the requirements of this Section are not completely followed and adhered to, or if a sign is not properly maintained or falls into a state of disrepair. The City shall not have any obligation or liability to replace any sign when removed by the City.

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H. **Substitution.** The owner of any sign which is otherwise allowed by this sign Ordinance may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. Conversion back to commercial copy is permitted as allowed in each Zoning District. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.

I. **General Regulations.**

1. All freestanding and monument signs shall be set back three (3) feet from any property line and outside of the site visibility triangle. No portion of the sign shall extend into the public right-of-way or an easement.
2. Wall signs may extend no more than 24 inches from the building façade and may encroach into the public right-of-way where there is a zero-building setback.
3. The installation of electrical signs shall be subject to the State Electrical Code. Electrical service to a freestanding sign shall be underground.
4. No sign shall be attached or be allowed to hang from any building until all necessary wall attachments have been approved by the City Building Official.
5. No signs, guys, stays or attachments shall be erected, placed, or maintained on trees nor interfere with any electric light, power, telephone or telegraph wires or the supports thereof.
6. Illuminated signs shall be shielded to prevent lights from being directed at oncoming traffic in such brilliance that it impairs the vision of the driver and may not interfere with or obscure traffic signs or signals. Lighting may not illuminate any adjacent properties, buildings, or streets.
 - a. All outdoor sign lighting that is ON both day and night shall be controlled with a dimmer that provides the ability to automatically reduce sign lighting power by a minimum of 65 percent during nighttime hours. Signs that are illuminated at night and for more than 1 hour during daylight hours shall be considered ON both day and night.
 - b. The intensity of sign lighting shall not exceed that necessary to illuminate and make legible a sign from the closest adjacent public right of way.
 - c. The light source for all outdoor sign lighting shall not exceed 4,000 Kelvin.
 - a.d. Neon lights, strings or lines of LED lighting, other electrically activated gas tubing or similar lighting placed around the perimeter of a sign is prohibited. Neon tubing may only be allowed to illuminate or outline wording, copy, or logos within a sign face.
- 6.7. Portable signs which are designed to be transported, including by trailer or on its own wheels, even though the wheels of such sign may be removed are permitted within GC, CC, ME, and GI Zoning Districts subject to the following:
 - a. A Sign Permit is issued for the sign that shall require a non-refundable fee as set by Ordinance, together with a bond or cash deposit is issued for the sign.
 - b. In the event the sign is not removed within two (2) business days of the permit expiration date, the bond or cash deposit shall be forfeited as a penalty.
 - c. Permits shall be for periods not to exceed 60 consecutive days of each 90-calendar day period for one premises, or a total of 120 days in a calendar year.
 - d. One (1) temporary sign is allowed on the premises at one time.
 - e. Temporary signs permitted by Subsection [D] of this Ordinance shall be exempt from the requirements of this Section.

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8. Banner signs are prohibited in all zoning districts except on a temporary basis. One banner sign per building wall shall be permitted in the TN-2, CC, GC, TC, MS, ME, and GI Zoning Districts for a period of 60 days per calendar year.

e.a. Banner signs will be part of the allowable sign area percentage and shall not exceed the maximum area percentage specified for each zoning district.

7.9. No sign or sign structure shall be erected or maintained that prevents free ingress or egress from any door, window, or fire escape. No sign or sign structure shall be attached to a standpipe or fire escape.

8.10. A freestanding sign or sign structure constructed so that the faces are not back-to-back, shall not have an angle separating the faces exceeding twenty degrees (20°) unless the total area of both sides added together does not exceed the maximum allowable sign area for that District.

9.11. The area within the frame of a sign shall be used to calculate the square footage except that the width of a frame exceeding twelve (12) inches shall constitute sign face, and if such letters or graphics be mounted directly on a wall or fascia or in such way as to be without a frame the dimensions for calculating the square footage shall be the area extending six (6) inches beyond the periphery formed around such letters or graphics in a plane figure bounded by straight lines connecting the outermost points thereof. Each surface utilized to display a message or to attract attention shall be measured as a separate sign and shall be calculated in the overall square footage. Symbols, flags, pictures, wording, figures, or other forms of graphics painted on walls, awnings, free-standing structures, suspended by balloons, or kites or on persons, animals, or vehicles are considered a sign and are included in calculating the overall square footage.

10.12. The top of a wall sign, including its superstructure, if any, shall be no higher than the top of the roof of the building to which such sign may be attached.

11.13. Projecting signs may be allowed in commercial districts provided that:

- a. There is a minimum of eight (8) feet of clearance under the base of the sign to the ground below.
- b. The sign does not project more than five (5) feet beyond the wall to which it is mounted, may not project over any vehicular drive aisle or traveled portion of a public or private street and may not project over a public right-of-way except within the CC, TC, and MS Zoning Districts.
- c. The area of the projecting sign is not more than fifty (50) percent of the maximum area allowed for an individual wall sign in the respective zoning district in Subsection [J.9 and J.10] of this Subsection.

12.14. Roof signs shall be allowed in commercial and industrial districts provided that:

- a. The height of the sign shall not exceed the height of the roof.
- b. The sign design shall be consistent with the building character and integrated into the building architecture.

15. Signs are not allowed to encroach into or over MnDOT right-of-way without MnDOT approval.

16. Any sign that is found to be unreadable, unsafe, unsecured, abandoned, unlawful or in disrepair shall be repaired or removed by the property owner or lessee within 60 days.

17. All signs or sign messages shall be removed by the owner or lessee of the premises upon which a sign is located when the business it advertises is no longer conducted therein.

13.18. A real estate sign is limited to up to nine square feet in residential districts and up to 32 square feet in commercial districts. A real estate sign must be removed within ten days after sale or rental of property.

J. **District Regulations.** In addition to the signs allowed by this Subsection, the following signs shall be allowed within the specific Base Zoning Districts:

1. Non-residential uses within the RL, GL, CN and TN Base Zoning Districts.

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- a. Except for the uses specified in Appendix A: Table of Uses, one (1) sign shall be allowed per parcel provided that:
 - i. The total area of the sign shall not exceed thirty-two (32) square feet.
 - ii. A freestanding sign shall be limited to a maximum height of six (6) feet.
2. Signs shall be allowed for a subdivision or multiple family development of five (5) or more lots or dwelling units provided that:
 - a. One (1) sign shall be allowed at each street entrance. Entrances less than one hundred (100) feet apart are not permitted individual entrance signs.
 - b. The area of each sign shall not exceed twenty-four (24) square feet.
 - c. Freestanding signs shall be limited to a maximum height of six (6) feet.
 - d. Illumination of the sign shall be as regulated in [I.6.] of this Subsection.
 - e. For sign(s) requiring regular long-term maintenance, the sign(s) shall be located on common space of sufficient size and area to accommodate said structure. The property owner or association shall be responsible for maintenance of the sign.
 - f. One (1) wall sign up to sixteen (16) square feet is permitted for each multifamily development.
 - g. The area around the sign shall be landscaped in such a manner to accent and enhance the sign while remaining sensitive to the natural features of the site. Detailed site and landscape plans shall be included with each sign permit application and shall be subject approval by the Zoning Administrator.
 - h. The design and construction of area identification signs shall be done with the highest commercial quality materials and workmanship to keep maintenance and upkeep costs to a minimum and to minimize the potential for vandalism. Area identification signs are to be aesthetically pleasing when designed and constructed. The sign shall be compatible with nearby structures in the area. Detailed construction plans and a materials list shall be included with each Sign Permit application and shall be subject approval by the Zoning Administrator.
3. Additional signs shall be allowed upon approval of a Final Plat for a subdivision having not less than five (5) lots provided that:
 - a. One (1) sign shall be allowed per project or subdivision or one (1) sign for each frontage to a public street, whichever is greater.
 - b. The area of the sign shall not exceed thirty-two (32) square feet.
 - c. Freestanding signs shall be limited to a maximum height of eight (8) feet.
 - d. The sign shall not be displayed for a period to exceed twenty-four (24) months from the date a permit is issued for the sign or until building permits have been issued for eighty-five (85) percent of the lots or dwelling units within the subdivision, whichever is less restrictive.
4. Government buildings and structures, public, quasi-public or private recreation buildings, public parks and recreation areas, public and private educational institutions limited to accredited elementary, middle, senior high schools, or colleges and universities, and places of worship shall be allowed the following signs:
 - a. Not more than two (2) wall signs shall be permitted on the front wall. The combined total area of such sign or signs shall not exceed the lesser of fifteen (15) percent of the area of the front face (including doors and windows).
 - b. For each principal building on a lot, there shall not be more than one (1) freestanding monument sign except on a corner lot where two signs, one facing each street, shall be permitted. No such signs shall exceed one hundred (100) square feet in area. Monument signs may not exceed twelve (12) feet in height. The monument sign may include a changeable copy sign as part of the allowable sign area.

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5. The changeable copy sign may be a wall, freestanding, or monument sign. The changeable copy sign area shall be counted as part of the total sign area allowed within the Base Zoning District.
6. No more than one (1) changeable copy sign per parcel.
7. A dimmer switch shall be installed which limits illumination brilliance of the sign during nighttime hours to no more than five hundred (500) lumens. Nighttime hours shall be considered to be from dusk to dawn.
8. Minimum height of the sign shall be eight (8) feet as measured from grade to the bottom of the sign.
 - a. Temporary signage is subject to the provisions of Subsection [D and I] of this Ordinance.
9. Within the TN-2 District the following additional regulations shall apply:
 - a. All residential use regulations in accordance with Appendix A: Table of Uses.
 - i. Each parcel shall be allowed one (1) wall sign up to two (2) square feet in area and one (1) freestanding sign up to 12 square feet in area.
 - ii. The height of a freestanding sign shall not exceed six (6) feet.
10. Within the [CC, GC, MS, TC, ME, GI] Districts the following additional regulations shall apply:
 - a. The total area of building signs displayed on a parcel shall not exceed 15 percent of the building façade on which the sign is to be located fronting not more than two (2) public streets.
 - b. A 100 square foot sign up to 25 feet tall is permitted for a parcel with street frontage of 100 feet or less.
 - i. In GI, CC, and GC Zoning Districts, one (1) square foot of sign area may be added to the permitted 100 square foot sign area for each one (1) foot of street frontage over 100 feet. A sign up to 300 square feet is permitted.
 - ii. Parcels in the GI, CC, and GC Zoning Districts with more than 300 feet of street frontage may have one (1) additional sign for each additional 300 feet of street frontage. Signs shall be located at least 300 feet apart.
 - c. Sign area for parcels permitted more than one (1) sign is equal to the total feet of street frontage. If more than one (1) sign is used, the total sign area allowed shall be distributed between permitted signs.
 - d. Each sign shall be 300 feet apart and each sign may not exceed 300 square feet in area.
 - e. Signs shall be located on the street frontage for which its sign area is determined.
11. Wall, Canopy and Marquee Signs. Wall, canopy, or marquee signs may occupy up to fifteen (15) percent of a building façade fronting a public street or alley. ~~Up to an additional 16 square feet may be used for awning signs.~~
 - a. Materials. Sign materials shall be consistent or compatible with the original construction materials and architectural style of the building facade on which they are to be displayed. Natural materials such as wood and metal shall be permitted.
 - b. Position. Wall, projecting or overhanging signs shall be positioned so as to create an integral design feature of the building to complement and enhance the building's architectural features. Signs shall not obscure or destroy architectural details such as stone arches, glass transom panels or decorative brickwork.
 - 11-c. Window Signs. Window signs shall not be counted towards the allowable wall signage area but shall consist of vinyl material and/or paint.
 - d. In addition to the signs allowed without a permit pursuant to this Section, two signs are allowed per business within the CC, TC, and MS Zoning Districts. The two allowed signs must be one three-dimensional wall sign, awning or canopy sign, or a projecting sign.
 - i. Three-dimensional wall signs include raised lettering, framing, ect...

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ii. Sign shall be used to display the primary name of the business only.

12. Awning or Canopy Signs. Letters may be painted or otherwise affixed to any permissible awning or canopy as follows:

- a. One sign per canopy fascia fronting onto a public street.
- b. Be within the physical dimensions of the awnings or canopy fascia.

13. Accessory signs to gas sales in conjunction with automobile service stations or convenience stores are permitted provided that:

- a. *Gasoline and Price Sign.* One (1) sign (single or double faced) per frontage on a public street, suitable for apprising persons of the total sign price per gallon. The area of such price sign shall not exceed 16 square feet on either side. Each such sign shall be affixed to the standard of a ground sign or light fixture and shall state the total price. No sign posting an incomplete price or less than the total sales price is permitted.
- b. Signs denoting operating instructions associated with self-service gas facilities including gas pump, air supply and car washes are exempt from the maximum sign area standards of this Subsection.

14. Changeable Copy Signage.

- a. The changeable copy sign may be a wall, freestanding, or monument sign. The changeable copy sign area shall be counted as part of the total sign area allowed within a respective Zoning District.
- b. No more than one (1) changeable copy sign per parcel.
- c. A dimmer switch shall be installed which limits illumination brilliance of the sign during nighttime hours to no more than five hundred (500) lumens. Nighttime hours shall be considered to be from dusk to dawn.
- d. Minimum height of the sign shall be eight (8) feet as measured from grade to the bottom of the sign.

15. In addition to the freestanding sign allowed by this Subsection, convenience food uses with drive through facilities may display additional signs, provided that:

~~a. Not more than one (1) sign is allowed.~~

~~b.a.~~ The sign shall be single sided with an area not to exceed fifty (50) square feet.

~~e.b.~~ The height of the sign shall not exceed six (68) feet including its base or pole measured from grade to the top of the structure.

~~e.c.~~ The sign shall not encroach into any principal building setback and shall be located directly adjacent to the drive through aisle and oriented in such a manner so that the sign provides information to the drive through patrons only and does not impair site visibility or obstruct circulation.

16. Multiple Occupancy Commercial and Industrial Buildings including Business/Commercial Centers:

- a. Except as provided for in this Subsection, individual tenants of a multiple occupancy building within a commercial or industrial zoning district may display separate wall, canopy, or marquee signs when a tenant's business has an exclusive exterior entrance subject to the following requirements:
 - i. The number of wall signs shall be limited to one (1) per tenant space, except one (1) sign per exterior wall may be displayed for the tenant of a corner suite or a suite that extends through a building this having two (2) exterior walls facing a public right-of-way.
 - ii. The total area of all wall signs shall not exceed fifteen (15) percent of the tenant bay.
 - iii. Signs shall be located on the exterior wall of the tenant space to which the Sign Permit is issued but are not required to face a public street.
- b. In addition to wall and free-standing signs, canopy and marquee signs are allowed provided that:

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- i. Occupy up to an additional sixteen (16) square feet on a building façade fronting a public street or alley.
 - ii. Letters are painted or otherwise affixed to any permissible awning or canopy as follows:
 - a. One (1) sign per canopy fascia fronting onto a street.
 - b. Be within the physical dimensions of the awnings or canopy fascia.
 - c. Business/Commercial Centers may erect one (1) free standing sign per street frontage, not to exceed two (2) freestanding signs per site (single or double faced).
 - d. Changeable copy signs are allowed in accordance with this Subsection.
- K. **Non-Conforming Signs.** A nonconforming sign lawfully existing upon the effective date of this Section shall be regulated in accordance with this Section.