



PLANNING COMMISSION AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Wednesday, March 18, 2026 @ 6:00 PM

The public is invited to attend these meetings in person.

Attend by Phone: 1-469-250-2695 Meeting Access Code: 252 575 253#

Per MN Statutes 13D.02 Subd 1 Commissioners may participate by interactive technology.

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

1. **Call To Order**

2. **Roll Call**

___ M. Duval ___ D. Gorham ___ J. Grecula ___ D. Peterson ___ J. Powell ___ T. Erickson
___ VACANT

3. **Pledge of Allegiance**

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

5. **Approval Of Minutes**

A. **Draft Minutes from February 18th, 2026 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. **Unfinished Business**

A. **Shoreland Ordinance Update**

8. **New Business**

A. **Consider Conditional Use Permit Amendment - Dermatology Clinic 1410 & 1424 Thiesse Drive**

B. **Consider Interim Use Permit for the Operation of a Year-Round Warming Shelter - 1926 S 7th St**

C. **Consider Conditional Use Permit to Exceed Maximum Lot Size - 1017 Bluff Ave**

- D. **Consider Variance to Maintain a Non-Conforming Side Yard Setback to Replace an Existing Garage - 1513 Pennsylvania Ave.**
- E. **Planning Commission Itinerary**
- F. **Appoint Commission Member to Assist in Comprehensive Plan Update**
- 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, February 18, 2026

#1 Call to Order

Planning Commission Chair Gorham 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, Peterson, Duval, and Erickson. Noted absent was Commissioner Powell. Also noted as present was Community Development Director Kramvik.

#3 Pledge of Allegiance

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

#4 Approval of Agenda

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND GRECULA, DULY CARRIED, TO APPROVE THE AGENDA AS PRESENTED.

#5 Approval of Minutes

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND PETERSON, DULY CARRIED, TO APPROVE THE MINUTES FROM THE JANUARY 21ST, 2026 REGULAR MEETING.

#6 Public Forum

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

No one came forward.

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

#7 New Business

7a. Conditional Use Permit Request – Dermatology Clinic – 1410 & 1424 Thiesse Drive

Community Development Director Kramvik gave a review of the proposal to increase the amount of parking spaces allowed for the size of the building. The proposed building will be two stories and exceeds the maximum parking space calculation. He also noted that the applicant may expand to a third parcel adjacent in the future for potential growth of the dermatology clinic. This application does not include that parcel.

Commissioner discussion took place. It was asked about the potential for leasing space that was noted in the building.

The Chair opened the public hearing at 6:09 pm.

The Chair recognized Kristina Britton, 12545 County Road 139, Brainerd, who is the applicant and the dermatologist for the clinic. She stated the practice has outgrown their current space and they are very excited for the opportunity to expand in Brainerd. They need at least 3 parking spaces per provider for patients being seen. She stated the basement area may be used for a third-party rental or may be used for their own office or clinic space. The third parcel of land may be needed in the future for expansion if the business grows past their needs.

The Chair closed the public hearing at 6:15 pm.

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND PETERSON, DULY CARRIED, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT THAT ALLOWS FOR 65 OFF STREET PARKING SPACES AT 1410 AND 1424 THIESSE DRIVE BRAINERD AS PRESENTED.

Community Development Director Kramvik indicated this will be heard at the City Council meeting March 2nd at 7:30 pm for final decision.

7b. Variance Request from Setback Requirements – 2602 11th St SE

Community Development Director Kramvik explained the applicant approached the property owner about constructing mini storage on the east side of the property. The proposal is to subdivide the property, and the variance is from the setback requirements from the existing storage structures.

The Chair opened the public hearing at 6:18 pm.

The Chair recognized Kathy Thompson, owner of Brainerd Garages 1212 Industrial Park, who is applying for the variance to construct two mini storage buildings at 2602 11th St SE, Brainerd. She indicated she has owned Brainerd Garages for approximately 12 years, and the opportunity arose with Superior Fuel to split the lot to utilize existing buildings and add more mini storage.

The Chair closed the public hearing at 6:20 pm.

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND GRECULA, DULY CARRIED, TO RECOMMEND APPROVAL OF THE VARIANCE REQUEST FROM REAR YARD SETBACKS FROM EXISTING STRUCTURES AS PRESENTED.

CDD Kramvik indicated this will be heard at the City Council meeting March 2nd at 7:30 pm.

#8 New Business

8a. Review Comprehensive Plan Update Proposals

Community Development Director Kramvik explained there are three proposals that were received to choose from to evaluate. The companies or individuals were based upon, but not limited to, the following:

- The consultant's approach to and understanding of the Scope of Work.
- The consultant's experience with similar contracts and clients and provide a representative document.
- The experience and qualifications of the proposed staff in providing similar services and what their roles would be on the update.
- The extent to which previous client's projects have been delivered on schedule and in budget.

Commissioners voted for their choice of first, second, and third as noted in the table.

Client	Duval	Grecula	Peterson	Erickson	Gorham
WSB	2	3	3	1	3
Swanson Haskamp	1	1	1	3	1
Bolton & Menk	3	2	2	2	2

MOVED AND SECONDED BY COMMISSIONERS GRECULA AND DUVAL, DULY CARRIED, TO CONVEY THE PLANNING COMMISSION RESULTS TO THE CITY COUNCIL FOR THEIR FINAL DECISION.

#9 Staff Reports

Community Development Director Kramvik made the following updates:

- Staff met with the MN DNR regarding the Shoreland Ordinance for updates to be considered at the March meeting (questions were asked re: the shoreland regulations we are proposing vs. Crow Wing County's regulations)
- City Council is considering an Orderly Annexation agreement for properties along Riverside Drive

#10 Commission Member Reports

Commissioner Duval is attending the GreenStep Data Center presentation remotely Thursday February 26th and asked about any quorum regulations.

Commissioner Erickson indicated there were good questions raised at the Council meeting last night regarding the proposed annexation.

#11 Adjournment

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND PETERSON, DULY CARRIED, TO ADJORN AT 6:40 PM.

Don Gorham, Planning Commission Chair

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: March 18th, 2026

RE: Shoreland Ordinance Memo

INTRODUCTION

The Planning Commission directed staff to work with the MN DNR to investigate if lot widths and sizes are negotiable for non-riparian sewered lots in the Traditional Neighborhood and Contemporary Neighborhood Zoning Districts. The current DNR standard for lot widths and sizes are not consistent with the Brainerd Zoning Code or the City's historic development patterns. The MN DNR recommended that staff perform a survey of properties located in the shoreland district prior to making a request. In addition, staff also requested an impervious surface increase from 25% to 40%.

Staff prepared a final ordinance as directed by the Planning Commission with reduced lot widths and lot sizes with concessions in other areas of the Code. The letter to the DNR is attached to this agenda item. After review by the MN DNR, the DNR requested that in order to approve the reduced lot sizes and widths additional regulations would be necessary that would make a significant difference in overall water quality of the lake. Staff have attached Crow Wing County's Stormwater Management Packet and Shoreline Rapid Assessment Model that the City would most likely adopt if the Planning Commission would like to move forward with the request.

The DNR has requested the following additional regulations:

- 1) For permit applications where properties have >15% impervious coverage, require stormwater management plans for the property. A similar concept is already being implemented in some surrounding cities/counties including the City of Fifty Lakes, City of Nisswa, and Crow Wing County.
- 2) For permit applications where properties have >20% impervious coverage, require shoreline "no-mow"/"no maintenance" buffer strips on 70% of the lot width. The width of the buffer would be determined by a Shoreline Rapid Assessment Model (SRAM). Such a model is already being implemented in some surrounding counties including Crow Wing and Cass Counties.
- 3) For shoreline alteration permits that consider rock riprap installation, create additional standards that include the following provisions (similar provisions are in both Cass County and City of Fifty Lakes):

- a. Rock riprap landward of the ordinary high-water level will only be allowed with a permit in situations where bio-engineering practices (vegetation) are not feasible.
- b. Permits approvals for rock riprap landward of the ordinary high-water level shall also include requirements to establish vegetative shoreline buffers (landward of the riprap) with the width to be determined by a Shoreline Rapid Assessment Model.

If directed to include the additional requirements for shoreland properties, staff would also request the following concessions from the MN DNR:

- 1) Increase height of structures from 25' to 35'
- 2) Allow guest cottages on single family home lots that meet the minimum lot size requirements in the ordinance
- 3) Reduce the lot size requirement for single-family homes on riparian non-sewered from 40,000 SF to 20,000 SF, which meets minimum standard requirements for General Development Lakes
- 4) Allow for 35% open space for residential PUD's

Jacob Frie of the MN DNR will present the benefits of the additional requirements at the March 18th Planning Commission meeting and can answer any questions of the Planning Commission.

STAFF RECOMMENDATION

Consider the no-mow buffer from the MN DNR and direct staff to proceed with one of the following options:

- 1) Amend the current draft ordinance to include the MN DNR's requests and continue to negotiate with the MN DNR; or
- 2) Amend the draft ordinance to include only the statutory requirements without the inclusion of the MN DNR's requests.

Staff plans to finalize the shoreland ordinance and hold a public hearing at the April 15th Planning Commission meeting.

Minnesota Department of Natural Resources – Ecological & Water Resources
1601 Minnesota Drive
Brainerd, MN 56401

March 11, 2026

James Kramvik
Community Development Director
501 Laurel Street
Brainerd, MN 56401

RE: Review of City of Brainerd's Proposed Implementation Flexibility Requests

Dear James:

We have reviewed the City of Brainerd's letter/request received on 2/20/2026 seeking implementation flexibility pursuant to Minnesota Rules 6120.2800 subp. 3. The DNR has 60 days from the date of receipt to approve or deny the request(s) pursuant to Minnesota Rule 6120.2800 subp. 3 D(1).

Summary of City's requests

As we understand, the city's specific requests appear to be the following:

- On non-riparian General Development lake lots within the sewered Contemporary Neighborhood (CN) and Traditional Neighborhood (TN) zoning districts, reduce lot sizes in the following ways:
 - Single family: from state minimum 10,000 sq. ft to a proposed 7,000 sq. ft
 - Duplex: from a state minimum 17,500 sq. ft to a proposed 10,000 sq. ft
 - Triplex: from a state minimum 25,000 sq. ft to a proposed 13,000 sq. ft
 - Quad: from a state minimum 32,500 sq. ft to a proposed 16,000 sq. ft
- On non-riparian General Development lake lots within the sewered Contemporary Neighborhood (CN) and Traditional Neighborhood (TN) zoning districts, reduce lot widths in the following ways:
 - Single family: from state minimum 75' to a proposed 50'
 - Duplex: from a state minimum 135' to a proposed 75'
 - Triplex: from a state minimum 190' to a proposed 100'
 - Quad: from a state minimum 245' to a proposed 125'
- On non-riparian General Development lake lots within the sewered Contemporary Neighborhood (CN) and Traditional Neighborhood (TN) zoning districts, increase impervious surface maximums in the following way:
 - From a state maximum 25% to a proposed 40% allowance.
- On all riparian lots within the Shoreland Overlay District:
 - Allow for a total combination of 400 sq. ft patio, pool, and/or hut tub in SIZ 2 where state minimum standards do not allow for structures to be anywhere within the structural setback from the OHW of the particular shoreland classified lake or river (unless as a water-oriented accessory structure as defined by state shoreland rules).

In exchange, the City proposes to offset the above-mentioned deviations with higher standards in the following ways:

- Require an approved and implemented stormwater management for all patio/hot tub/pool permits located in SIZ 2.
- Only allow watercraft access ramps, approach roads, and access related parking areas (with a permit) on lakes without public access.
- Prohibit the use of permeable pavement to exceed local standards.
- Require that a lot must be at least 100 feet from the OHWL to qualify as non-riparian.
- Require that all unsewered lots on GD lakes be at least 40,000 sq. ft in size.
- Require stormwater management plans to be submitted and implemented on all permits whose properties exceed 20% impervious surface coverage.
- Limit the size of water-oriented accessory structures to 120 sq. ft.

Summary of DNR's Response

During review, we looked at two separate areas of consideration: (1) whether the specific areas of flexibility were warranted and reasonable, and (2) whether the specific off-setting higher standards being proposed were clear and offered high-enough degrees of environmental protection to fully off-set proposed deviations. The DNR offers the following response and next steps regarding these two analyses:

- (1) Are the specific flexibility requests warranted and reasonable?
 - a. DNR RESPONSE: yes, the four (4) major areas of flexibility request (patios/pools/hot tubs, lot sizes, lot widths, and impervious coverage) are warranted and reasonable given the information the City provided about existing lot dimensions and impervious coverage, analysis of the extent of existing development and the fact that except for patios/pool/hot tubs, requests are limited to non-riparian lots of record.
 - b. NEXT STEPS: Proceed with requesting implementation flexibility for the four (4) major areas identified in the City's 2/20/2026 request letter.
- (2) Are the off-setting higher standards clear and offer a high enough degree of environmental protection to fully off-set proposed deviations?
 - a. DNR RESPONSE: No, not at this time. The City's proposed off-setting standards lack clear implementation strategies for increasing the amount of natural shorelines in the City, which are a priority for improving water quality in the State of Minnesota. Across Minnesota, we are losing 1-2% of our natural shorelines per-decade. Already, since intensive development of lakeshore property began several decades ago, we've already lost 40-50% of natural shorelines across the state (see: [Minnesota's Vanishing Natural Shorelines: A Loss that Contributes to Degraded Lake Quality](#)). Natural shorelines filter out phosphorus, nitrogen, and sediment from surrounding land, and contribute to reducing pollution and improving water quality. They also control erosion, offer wildlife habitat, and- when implemented thoughtfully, can offer aesthetic appeal. County Comprehensive Water Quality Plans across the state have identified goals and strategies that include targeted no-mow buffer and stormwater management plan implementations. Gilbert Lake, for example, has a declining water quality trend as identified in the Mississippi-Brainerd One Watershed-One Plan: ([Gilbert-Lake-Plan](#)). Strategies to improve water quality on Gilbert Lake – and other lakes within the watershed, include implementing stormwater management plans and installed shoreline buffers ("no mow") along lakeshore property.

- b. NEXT STEPS: To receive approval from DNR for proposed implementation flexibility requests, work towards implementing natural shoreline off-setting higher standards in the following ways:
- Target and prioritize off-setting higher standards for riparian parcels in all of the City's proposed Shoreland Overlay District. This includes the city's already-proposed water-oriented accessory structure (WOAS) size limitations, requirements for stormwater management plans for patios/pools in SIZ 2, restricting the use of permeable pavement systems, and limiting private access ramps to those lakes with no public access.
 - For permit applications where properties have >15% impervious coverage, require stormwater management plans for the property. A similar concept is already being implemented in some surrounding cities/counties including the City of Fifty Lakes, City of Nisswa, and Crow Wing County.
 - For permit applications where properties have >20% impervious coverage, require shoreline "no-mow"/"no maintenance" buffer strips on 70% of the lot width. The width of the buffer would be determined by a Shoreline Rapid Assessment Model (SRAM). Such a model is already being implemented in some surrounding counties including Crow Wing and Cass Counties.
 - For shoreline alteration permits considering rock riprap installation, create additional standards that include the following provisions (similar provisions are in both Cass County and City of Fifty Lakes):
 - Rock riprap landward of the ordinary high water level will only be allowed with a permit in situations where bio-engineering practices (vegetation) are not feasible.
 - Permits approvals for rock riprap landward of the ordinary high water level shall also include requirements to establish vegetative shoreline buffers (landward of the riprap) with the width to be determined by a Shoreline Rapid Assessment Model.

After making additional modifications to the proposed ordinance revisions, please send to me for additional review. If all looks good, we can provide a formal conditional approval letter so that the City can proceed forward with formal approval processes. We look forward to continuing to work with the City of Brainerd as it works towards our shared goals of establishing reasonable standards that both accommodate future development all while protecting they City's shoreland area.

Sincerely,

Jacob Frie
Area Hydrologist
MN DNR – Division of Ecological and Water Resources

CC:

Darrin Hoverson, DNR District Manager
Ordinance.review.dnr@state.mn.us

Attachments: *Request for Implementation Flexibility - Brainerd Shoreland Ordinance - 2/20/2026*



www.ci.brainerd.mn.us

To: Jacob Frie, Area Hydrologist, Minnesota DNR
From: City of Brainerd
Date: December 20, 2026
Re: Request for Implementation Flexibility – Brainerd Shoreland Ordinance

Mr. Frie,

In preparation of the City of Brainerd's draft shoreland overlay zoning ordinance being sent to the DNR for final review, this correspondence is intended to document the City's request for implementation flexibility in accordance with Minnesota Rules 6120.2800 Subp. 3. Flexibility from the State's shoreland rule provisions are requested due to unique characteristics of land in Brainerd that abuts public water bodies.

The shoreland areas are primarily along three public water bodies in Brainerd (Rice Lake, Gilber Lake, and the Mississippi River) and are nearly fully developed. Allowing flexibility for development and redevelopment along the shoreland, specifically in the Traditional and Contemporary Neighborhood Zoning Districts, will result in new restoration efforts, improved management of stormwater runoff, and enhanced stewardship of the lakes. The City is specifically requesting an increase impervious surface maximum requirements and reduced lot dimensional standards for non-riparian sewerer lots in the subject zoning districts. Details containing the requested special standards/flexibility are contained in an accompanying attachment. The attachment also includes offsetting/higher standards in exchange for the requested flexibility.

The City looks forward to continue working with the DNR on establishing reasonable standards that both accommodate future development and protects Brainerd's shoreland. Please contact me if you have any questions 218-454-3408.

Thank you,

James L. Kramvik

Community Development Director

PROPOSED HIGHER STANDARDS

Watercraft access ramps, approach roads, and access related parking areas require shoreland alteration permits and are permitted for private residential lots only on lakes without Public Accesses to help stop the spread of aquatic invasive species. (Section J.13 of Appendix A)

Prohibition on use of permeable pavement to exceed standards. (Sections J.2,3,12, and 13)

Requiring that a lot must be at least 100 feet from the OHWL to qualify as a non-riparian lot. (Section H)

Requiring that all unsewered lots on GD lakes be at least 40,000 SF. These standards are more restrictive than the minimum statewide standards (Section H.A)

Properties may exceed 20% impervious surface with an approved and implemented stormwater plan approved by the City Engineer (Section H.P)

Limit water orientated accessory structures in SIZ1 to 120 SQFT. (Section J.5)

PROPOSED DEVIATIONS

Allow for a combined 400 SQFT for patios, pools, and hot tubs in SIZ2 with an approved and implemented stormwater plan approved by the City Engineer. (Section J.2)

Allow for reduced lot sizes and lot widths for GD Lakes for lots that are non-riparian and sewerred in the Traditional Neighborhood and Contemporary Neighborhood Zoning Districts. (Sections H.I&J)

Allow for increased impervious surface maximum requirements for lots that are non-riparian and sewerred in the Traditional Neighborhood and Contemporary Neighborhood Zoning Districts. (Section H.R)

STATISTICAL ANALYSIS

Staff reviewed one hundred twenty-one properties located in northeast Brainerd that are non-riparian sewerred lots located in the Rice Lake Shoreland Overlay District. Rice Lake is considered a General Development Lake, which means any property located within 1,000 FT of the ordinary high-water level is in the shoreland overlay district and is subject to additional requirements.

properties statistics:

Lot frontage (mean) - 77.94 FT

Lot frontage (mode) - 50 FT (52 properties)

Lot area (mean) - 12,128.82 SF

Lot area (mode) - 6,500 SF – 7,500 SF (59 Properties)

Impervious surface (mean) - 3196.51 SF

Impervious surface % (mean) - 31.48%

Properties Exceeding 40% - 20 Properties



STORMWATER MANAGEMENT

**Information • Best Management Practices •
Plan Requirements**

This packet will help you:

LEARN ABOUT STORMWATER & STORMWATER MANAGEMENT	3
LEARN ABOUT BEST MANAGEMENT PRACTICES (BMPs)	5
FIGURE OUT THE DO'S AND DON'TS	9
USE YOUR IMPERVIOUS WORKSHEET TO CALCULATE THE STORAGE VOLUME NEEDED	10
CREATE A SITE PLAN	12
UNDERSTAND THE NEXT STEPS	20



Stormwater Management

WHAT IS STORMWATER?

Stormwater is rain water than does not soak into the ground and typically runs off from hard surfaces such as roofs, driveways, sidewalks, patios, and lawns into nearby waters before the ground is able to absorb and filter it. High volumes of water & sediment are washed into our lakes and streams along with pollutants (such as gasoline, oils, heavy metals, debris, bacteria) and nutrients carried by this runoff. *NOTE: Phosphorus is one nutrient often found in stormwater runoff and is especially common on fertilized lawns. In lakes and rivers, one pound of phosphorus can produce 300-500 lbs of algae growth!*

WHAT IS STORMWATER MANAGEMENT?

The goal of Stormwater management is to capture the first 1 inch of a major rain event, preventing it from flowing into lakes, rivers, and wetlands, therefor reducing nutrient loading, turbidity (suspended sediments), and debris. Capturing runoff and allowing it to filter through the ground helps clean and purify the rainwater. Stormwater management can be as complex as an engineered storage pond or as simple as a rain garden. There are many ways to manage stormwater and help reduce the amount of pollutants, nutrients, and debris that go into our waters.

HOW CAN I HELP?

Our lakes and public waters are the centerpiece of Crow Wing County. You can help by educating yourself on the flow of rainwater and melting snow on your property and learn the best ways to capture that runoff before it goes into our lakes. You can help keep Crow Wing County “Minnesota’s favorite place!”

If you have questions please contact Land Services at 218-824-1010 or landservices@crowwing.us



Stormwater Management

WHAT IS A STORMWATER MANAGEMENT PLAN? Stormwater Management Plans use existing natural features, constructed features, and intentionally placed Best Management Practices (BMPs) to capture the storage volume of runoff calculated by the impervious worksheet. A Stormwater management plan needs to meet the minimum requirements for permanent on-site treatment of 1 inch of stormwater runoff for all impervious surfaces on the property. A well implemented Stormwater Management Plan can not only function to protect our waters and prevent erosion, but can add beauty and property value to your home.

WHEN IS A STORMWATER MANAGEMENT PLAN REQUIRED? Crow Wing County Land Use Ordinance requires a Stormwater Management Plan for property located in the Shoreland Protection Zone (0-500 ft. from a lake, 250 ft. from a river, and 300 ft. from the Mississippi) with impervious surfaces that exceed 15%. All commercial development, Conditional Use Permits (CUPs), and Plats also require a Stormwater Management Plan. A Stormwater Management Plan may also be required as a condition of a public hearing, i.e., a variance or, for meeting other certain performance standards.

HOW DO I CREATE A STORMWATER MANAGEMENT PLAN? This packet will help you learn about Best Management Practices (BMP's are the physical elements that make up your plan), identify the areas that require treatment, help you figure out which BMPs meet requirements and are best for your property, create a site plan, submit the Stormwater Management Plan, and finally, know what to do after your plan is approved.

NOTE: You are always able to consult with or hire a professional landscaper to create a plan for you. The Crow Wing Soil & Water Conservation District at 218-828-6197 or crowwingswcd.org can also provide you with additional technical information about Stormwater Management practices and benefits.

If you have questions please contact Land Services at 218-824-1010 or landservices@crowwing.us



Stormwater Best Management Practices (BMPs)

Crow Wing County requires that stormwater runoff be managed onsite where feasible. BMPs, such as berms, rain gardens, infiltration basins, and swales are often easier to install, less expensive, look better, and can work as well as ponds, pipes, and larger conveyance systems. In addition, directing runoff to existing natural depressions, drainage ways, and vegetated soil surfaces is a simple way to treat runoff and prevent erosion. A number of different approaches may be necessary given lot constraints and topo-graphic limitations.

DRIPLINE TRENCH: Also called Drip Edge Landscaping or an Infiltration Trench, it is used to collect and infiltrate rooftop runoff. These systems store the runoff until it soaks into the soil and protects your house by reducing back splash.

Note: Dripline trenches work best in sand and gravel soils that can quickly disperse a large volume of water. They should not be used on structures with improperly sealed foundations, as flooding may result.



RAIN GARDEN: Intentionally placed gardens planted with native shrubs, flowers, grasses, and perennials in a shallow depression designed to hold water during a rain event.

Note: a Rain Garden should be located in a place that can collect as much runoff as possible. The best areas are where water naturally drains but doesn't hold water. It should also be located at least 5—15 feet away from your home.



GUTTERS AND RAIN BARRELS: Gutters are used to direct water from roofs to larger stormwater management areas. Rain Barrels are recommended for small scale water retention to use in gardens.

Note: Gutters need to be maintained and downspout placement is important to ensure proper management of the runoff. Runoff should be directed to an infiltration basin, rain barrels, French drain, rain gardens, or other appropriate rainwater collection system.



If you have questions please contact Land Services at 218-824-1010 or landservices@crowwing.us

Stormwater Best Management Practices (BMPs)

PERVIOUS PAVEMENT: A specific type of pavement or blocks engineered with a high porosity that allows rainwater to pass through into the ground below.

Note: 100% impervious credit if engineered; designed and inspected by a licensed professional engineer (unless less than 400 sq. ft.), volume requirement of 1 inch rain event, 3 feet of separation to saturated soil, and follows Minnesota Stormwater Manual guidelines. A maintenance plan is required.



INFILTRATION BASIN: Basins where soils are typically amended to allow for infiltration of stormwater.

Note: Side slopes should be 3:1 or flatter (4:1 preferred) and inlets and outlets should be stabilized.



STORMWATER PONDS: Ponds engineered for larger sites that use settling as a way to contain sediment and pollution.

Note: Stormwater ponds are typically installed as an end-of-pipe BMP at the downstream end of the treatment train. Due to their size and versatility, stormwater ponds are often the only management practice employed at a site and therefore must be designed to provide adequate water quality and water quantity treatment for all regulated storms.



VEGETATED SWALE: Used to convey runoff from impervious surfaces to treatment areas such as rain gardens or basins.

Note: These broad and shallow channels are vegetated along the bottom and sides of the channel. Swales can be an important tool for retention and detention of stormwater runoff.



Stormwater Best Management Practices (BMPs)

SHORELINE BUFFER: A 10, 15, or 20 foot area of natural no-mow vegetation that spans the shoreline outside of the allowed recreational use area and behind any beach or rip rap.

REQUIRED IF IMPERVIOUS EXCEEDS 20%



A natural shoreline buffer can be the placement of shrubs, trees, and other native plants along a lakeshore or simply an area that is not mowed or maintained. These buffers can reinforce the natural shoreline as an additional filter for run off and lawn pollutants before it reaches your lakeshore. Natural shorelines are essential to the eco systems that sustain wildlife and fish. The roots from larger shrubs and trees can absorb nutrients and serve to slow erosion while the leaves shade your shoreline keeping water temperatures cooler for wildlife. A natural shoreline reduces runoff, erosion, and sedimentation. **Natural shoreline buffers can be filled with attractive plants and shrubs that add beauty to your landscape and shoreline and help retain your property value with practices that contribute to high water quality and less erosion.**

Note: A shoreline buffer is required if impervious surfaces exceed 20 percent of the property area. These buffers help contain stormwater and provide habitat for wildlife. A Crow Wing County Environmental Services Specialist will tell you the specific minimum width your buffer needs to be based on a Shoreline Rapid Assessment (SRAM) of your shoreline.

Appendix C: SHORELINE RAPID ASSESSMENT MODEL



Crow Wing County's Shoreline Rapid Assessment Model (SRAM) is a tool for quickly and objectively determining the degree of natural vegetation along a shoreline and the amount of natural buffer required to meet Ordinance requirements. With this model, the Shore Impact Zones (SIZ-1 & SIZ-2) are evaluated for natural vegetative cover and a cumulative score is tallied. Vegetative restoration that may be necessary must be performed according to Article 27.

Shoreline:

Condition of Shoreline	Score:
Stable shoreline	0
< 25% of shoreline is eroding or unstable	-1
25-50% of shoreline is eroding or unstable	-2
50-75% of shoreline is eroding or unstable	-3
> 75% of shoreline is eroding or unstable	-4

Ground cover:

% Naturally Vegetated Cover in SIZ 1	Points:
< 25% natural ground cover	1
25-50% natural vegetative cover	3
50-75% natural vegetated cover	5
> 75% natural vegetated cover	7

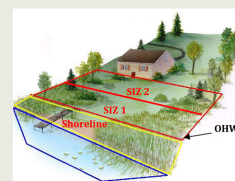
% Naturally Vegetated Cover in SIZ 2	Points:
< 25% natural ground cover	1
25-50% natural vegetative cover	2
50-75% natural vegetative cover	3
> 75% natural vegetated cover	4

Trees / shrubs:

% Naturally Vegetated Cover in SIZ 1	Points:
< 25% of surface is covered by shrubs and trees	1
25-50% of surface is covered by shrubs and trees	3
50-75 % of surface is covered by shrubs and trees	5
> 75% of surface is covered by shrubs and trees	7

% Naturally Vegetated Cover in SIZ 2	Points:
< 25% of surface is covered by shrubs and trees	1
25-50% of surface is covered by shrubs and trees	2
50-75 % of surface is covered by shrubs and trees	3
> 75% of surface is covered by shrubs and trees	4

Landowner _____ Permit or Parcel Number _____
 Score _____ (Max Score = 22)
 Environmental Services Staff Signature _____ Date _____



If score is 0-5:

- Leave a 20' No Mow Buffer & possible other mitigation efforts

If score is 6-10:

- Leave a 15' No Mow Buffer

If score is 11-15:

- Leave a 10' No Mow Buffer

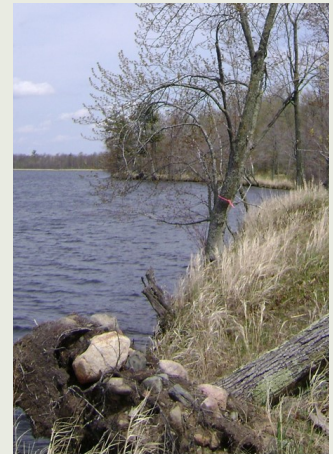
Above buffers shall allow for an access area to lake, per Ordinance requirements

If you have questions please contact Land Services at 218-824-1010 or landservices@crowwing.us

Stormwater Best Management Practices (BMPs)

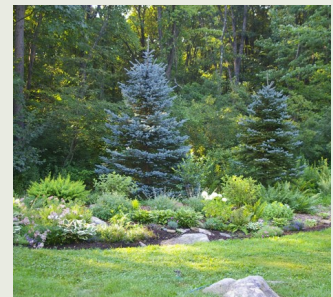
HISTORIC ICE RIDGES: A natural berm or ridge created by the action of ice over a two or more year period. Historic Ice Ridges should not be altered and portions can only be removed with a shoreland alteration permit.

Note: Ice ridges can limit the damage to water quality by acting as a filter for runoff from the yard. Because vegetation often grows on the ice ridges, these strips of land also serve as a barrier, limiting the damage from shoreline erosion.



BERMS: A mound of earth with sloping sides that is located between areas of approximately the same elevation.

Note: A constructed berm should be 6 to 12 inches in height and designed to manage stormwater through infiltration, runoff mitigation, and erosion control.



The advantages and disadvantages of each BMP must be weighed against physical site constraints, management goals (flood control and/or water quality improvements) and costs to determine the optimum approach. The physical characteristics of the drainage area make some BMPs more beneficial than others. In fully developed areas or on small sites, the use of BMPs that require a lot of land, such as ponds and basins, may not be practical. Vegetative BMPs may not be suitable for some sites due to space limitations and economic restrictions. Consult with a professional landscaper or the Crow Wing Soil & Water Conservation District for more technical advice and information on plants and trees at 218-828-6197 or crowwingswcd.org.



Stormwater Management Plan

Do's

- Design your plan so that stormwater stays on your property.
- Use a variety of BMPs to meet your goals.
- Maintain an appropriate separation between water retention areas and groundwater - 2 ft. minimum; 3 ft. is best practice.
- Make your plan aesthetically pleasing as well as functional.
- Submit your plan meeting the minimum requirements on pg. 13 of this packet.
- Implement the plan within 2 years of an approved Land Use permit, or as otherwise directed by the county.

Don'ts

- Do not direct stormwater directly into a wetland.
- Do not use a public road's ditch, Right of Way (ROW), or pond.
- Do not direct stormwater onto an adjoining property that you own that could be sold as a separate lot.
- Do not direct stormwater onto a neighbors property without a recorded stormwater maintenance easement.
- Do not run stormwater into public waters - Lakes, rivers, or streams.
- Do not direct stormwater towards septic drain fields where possible.

There are three components to a complete Stormwater Management Plan submission. The following pages will break down each step into these areas.

1. IMPERVIOUS WORKSHEET

2. SITE PLAN

3. FEE

If you have questions please contact Land Services at 218-824-1010 or landservices@crowwing.us



Stormwater Management Plan

1. IMPERVIOUS WORKSHEET

Crow Wing County requires a completed impervious worksheet to be retained for record for all permits subject to a Stormwater Management Plan. Most likely, County Staff has already completed the impervious worksheet when you applied for a permit, and is attached to your permit. This form helps calculate the amount of stormwater in cubic feet (storage volume), and the depth and dimensions desired for water retention needed to treat your property. It calculates the phosphorus reduction your Stormwater Management Plan will reduce going into our lakes and, if using rain barrels, can help you figure out how many you should have.

The top portion of the impervious worksheet lists all existing impervious structures including walk paths, impermeable landscaping and driveways.

Landowner / Parcel #: _____ Date: _____

Lot Impervious Surface Coverage & Landscaping for Stormwater Worksheet

Please use the table below to calculate your impervious surface coverage. Impervious coverage is limited to 25% of the total lot area. Calculate out all that apply to your situation. If a structure has odd dimensions or if using to size stormwater basins, multiple rows / sheets may be needed. If total imp. of irregular structure or driveway is known, just multiply by 1.

<u>Existing Structures</u>	<u>Length (ft)</u>		<u>Width (ft)</u>		<u>Total (in sq. feet)</u>
House, garage, shed Boathouse Greenhouse Other (Dog Kennel, etc.)	34 (ft)	X	30 (ft)	=	1,020 (sq ft)
	30 (ft)	X	13 (ft)	=	390 (sq ft)
	24 (ft)	X	24 (ft)	=	576 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
<i>Driveways* & Landscaping:</i>					
Driveway*, Parking Area, Apron, Boat Ramp, Sidewalk, Patio, Paving Stones, Landscaping (incl. plastic), Other	5,233 (ft)	X	1 (ft)	=	5,233 (sq ft)
	87 (ft)	X	1 (ft)	=	87 (sq ft)
	34 (ft)	X	10 (ft)	=	340 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
<i>Total Existing Impervious</i>					7,646 (sq ft)

If you have questions please contact Land Services at 218-824-1010 or landservices@crowwing.us



Stormwater Management Plan

The bottom portion of the worksheet lists the impervious square footage of your proposed project. Once that portion is filled out, the combined total of existing and proposed impervious surfaces is divided by the total lot area in square feet. This is your impervious percentage and when that exceeds 15%, a Stormwater Management Plan is required. When it exceeds 20%, a shoreline buffer will also be a required BMP component of your Stormwater Management Plan. Impervious surfaces cannot exceed 25% in the Shoreland District and other residential zoned areas.

NOTE: See Article 41; Tables 41.1-41.3 of the CWC Ordinance or call Land Services at 218-824-1010 for impervious limits for Commercial, Developments, Resorts, and other types of property.

<u>Proposed Structures</u>				
House, garage, shed Boathouse Greenhouse Other (Dog Kennel, etc.)	30 (ft)	X	11 (ft)	= 330 (sq ft)
	19 (ft)	X	10 (ft)	= 190 (sq ft)
	(ft)	X	(ft)	= 0 (sq ft)
	(ft)	X	(ft)	= 0 (sq ft)
	(ft)	X	(ft)	= 0 (sq ft)
<u>Driveways* & Landscaping:</u>		<i>*Assumes a 12' wide driveway unless evidence to the contrary</i>		
Driveway*, Parking Area, Apron, Boat Ramp, Sidewalk, Patio, Paving Stones Landscaping (incl. plastic), Other	(ft)	X	(ft)	= 0 (sq ft)
	(ft)	X	(ft)	= 0 (sq ft)
	(ft)	X	(ft)	= 0 (sq ft)
	(ft)	X	(ft)	= 0 (sq ft)
Total Proposed Impervious				520 (sq ft)
Total Lot Area (sq. ft.) = 46,173	Total existing Impervious			= 7,646 (sq ft)
	Total w/new Impervious			= 8,166 (sq ft)
	% existing impervious			= 16.6 %
	% w/new impervious			= 17.7 %

Simple Calculator for Approximating Size of Stormwater Practice & Amount of Phosphorus Reduction:

Total w/ new impervious:		Storage volume: Gal / Cu ft (= gal / 7.48)		Bottom size (sq ft) of infiltration area by depth							
				3"	6"	9"	12"	15"	18"		
8,166	X	0.623 / 0.083 Gal / Cu ft	=	5,087 Gal	678 Cu ft	2,711 cu ft x 4	1,356 cu ft x 2	901 cu ft x 1.33	678 cu ft x 1	542 cu ft x 0.8	454 cu ft x 0.67
Total exst imp	=	7,646	X	0.0000366	=	0.28	Existing phosphorous loading (lbs/yr)				
Tot w/new imp	=	8,166	X	0.0000366	=	0.30	Phosphorous reduction w/ stormwater mgmt				
For rain barrels, use this formula to determine size/amount needed:				Roof area (sq ft)		X	0.5625	=	0	Gallons generated from a 1" rain event	

If you have questions please contact Land Services at 218-824-1010 or landservices@crowwing.us



Stormwater Management Plan

Simple Calculator for Approximating Size of Stormwater Practice & Amount of Phosphorus Reduction:

Total w/ new impervious:				Storage volume:		Bottom size (sq ft) of infiltration area by depth					
				Gal / Cu ft (= gal / 7.48)		3"	6"	9"	12"	15"	18"
8,166	x	0.623 / 0.083 Gal / Cu ft	=	5,087 Gal	678 Cu ft	2,711 cu ft x 4	1,356 cu ft x 2	901 cu ft x 1.33	678 cu ft x 1	542 cu ft x 0.8	454 cu ft x 0.67
Total exst imp	=	7,646	x	0.0000366	=	0.28	Existing phosphorous loading (lbs/yr)				
Tot w/new imp	=	8,166	x	0.0000366	=	0.30	Phosphorous reduction w/ stormwater mgmt				
For rain barrels, use this formula to determine size/amount needed:				Roof area (sq ft)		x	0.5625	=	0	Gallons generated from a 1" rain event	

To calculate the required stormwater storage volume – Using the impervious worksheet, take the total impervious (or the impervious portion in which you want to treat) in sq. ft. and multiply it by 0.083. This will give you the total cubic feet of rain that needs to be treated for a 1" rain event. Then, to calculate the size of the basin, take the storage volume (in cu. ft.) and follow the formula in the table under the depth of the basin desired. For example, (Cu Ft [Total Impervious Area x .0833]) x 4 for a 3" deep basin, x 2 for a 6" basin, and x 1.33 for a 9" basin etc. This will give you the required surface area in square feet for a 3", 6", or 9" basin. *NOTE: The form online auto-calculates this information as shown in the example above.* You can also calculate the amount of phosphorus loading your property generates right now and how much you can reduce by the implementation of your stormwater management plan. The very last line on the form will help determine size and amount of rain barrels needed.

2. SITE PLAN

Once you've gathered information from your impervious worksheet, you will know how much stormwater that needs to be treated and where this stormwater is already naturally flowing. Then you can start to understand what BMPs will work for your property and where the placement of these water retention areas should be placed. BMPs should be reasonably located to treat runoff. For example, gutters directing



Stormwater Management Plan

rainwater to a basin located nearby but away from the house. Plans for a Stormwater Management Plan are similar to the site plans submitted for a Land Use Permit, i.e., new house, shed, etc. They can be hand drawn, computer generated, or a mix of both. For our example, we'll hand draw a site plan using the minimum requirements listed below.

SITE PLAN - MINIMUM REQUIREMENTS

- ☐ 1. North arrow along with property boundary and information
- ☐ 2. Existing and proposed impervious areas, i.e., structures, drive ways, patios, etc.
- ☐ 3. Drainage arrows indicating the flow of water on the property and off impervious surfaces.
- ☐ 4. Location of well(s) and septic drainfields or mounds.
- ☐ 5. Location of permanent stormwater retention areas.
- ☐ 6. Indicate the required stormwater storage volume as calculated on the impervious worksheet and where/how you intend to capture runoff - The amount of stormwater each feature will capture. List the depth, width and length of permanent storm water management areas and buffers.
- ☐ 7. Identify and highlight gutter placement on structures.

If you have questions please contact Land Services at 218-824-1010 or landservices@crowwing.us



Stormwater Management Plan

IMPERVIOUS EXAMPLE

Landowner / Parcel #: STORMWATER EXAMPLE

Date: 2020

Lot Impervious Surface Coverage & Landscaping for Stormwater Worksheet

Please use the table below to calculate your impervious surface coverage. Impervious coverage is limited to 25% of the total lot area. Calculate out all that apply to your situation. If a structure has odd dimensions or if using to size stormwater basins, multiple rows / sheets may be needed. If total imp. of irregular structure or driveway is known, just multiply by 1.

<u>Existing Structures</u>	<u>Length (ft)</u>		<u>Width (ft)</u>		<u>Total (in sq. feet)</u>
House, garage, shed Boathouse Greenhouse Other (Dog Kennel, etc.)	32 (ft)	X	63 (ft)	=	2,016 (sq ft)
	16 (ft)	X	16 (ft)	=	256 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
<u>Driveways* & Landscaping:</u>					
Driveway*, Parking Area, Apron, Boat Ramp, Sidewalk, Patio, Paving Stones, Landscaping (incl. plastic), Other	3,332 (ft)	X	1 (ft)	=	3,332 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
Total Existing Impervious					5,604 (sq ft)
<u>Proposed Structures</u>					
House, garage, shed Boathouse Greenhouse Other (Dog Kennel, etc.)	26 (ft)	X	58 (ft)	=	1,508 (sq ft)
	10 (ft)	X	32 (ft)	=	320 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
<u>Driveways* & Landscaping:</u>					
Driveway*, Parking Area, Apron, Boat Ramp, Sidewalk, Patio, Paving Stones Landscaping (incl. plastic), Other	<i>*Assumes a 12' wide driveway unless evidence to the contrary</i>				
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
Total Proposed Impervious					1,828 (sq ft)
Total Lot Area (sq. ft.) = 42,152	Total existing Impervious =				5,604 (sq ft)
	Total w/new Impervious =				7,432 (sq ft)
	% existing impervious =				13.3 %
	% w/new impervious =				17.6 %

Simple Calculator for Approximating Size of Stormwater Practice & Amount of Phosphorus Reduction:

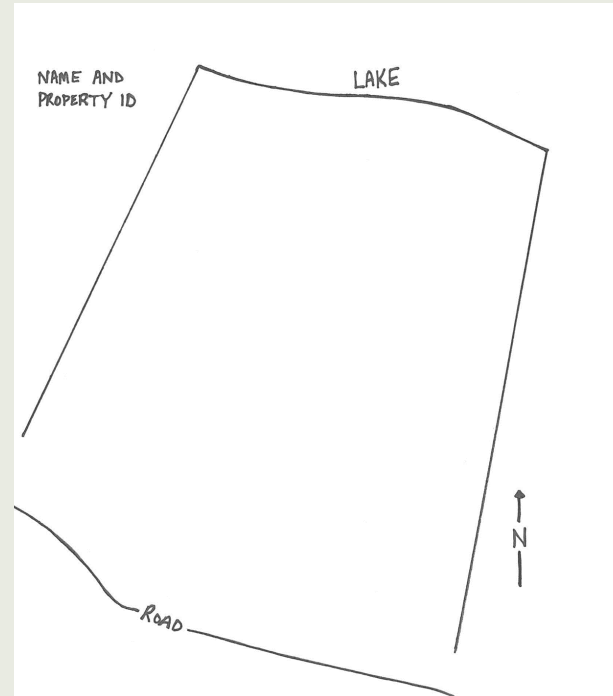
Total w/ new impervious:			Storage volume: Gal / Cu ft (= gal / 7.48)		Bottom size (sq ft) of infiltration area by depth						
					3"	6"	9"	12"	15"	18"	
7,432	x	0.023 / 0.083 Gal / Cu ft	=	4,630 Gal	617 Cu ft	2,467 cu ft x 4	1,234 cu ft x 2	820 cu ft x 1.33	617 cu ft x 1	493 cu ft x 0.8	413 cu ft x 0.67
Total exst imp	=	5,604	x	0.0000366	=	0.21	Existing phosphorous loading (lbs/yr)				
Tot w/new imp	=	7,432	x	0.0000366	=	0.27	Phosphorous reduction w/ stormwater mgmt				
For rain barrels, use this formula to determine size/amount needed:			Roof area (sq ft)		x	0.5625	=	0	Gallons generated from a 1" rain event		

If you have questions please contact Land Services at 218-824-1010 or landservices@crowwing.us

Stormwater Management Plan

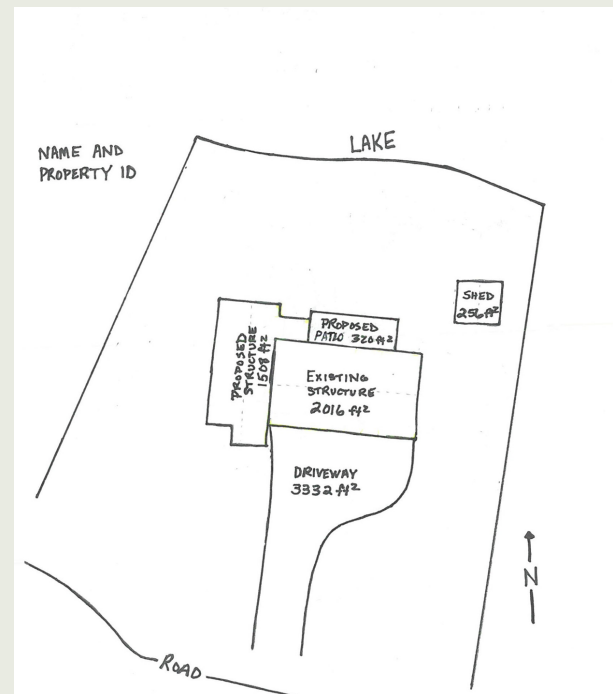
STEP ONE: North Arrow and Property Boundary

- Draw the property boundary, noting where lakes, roads, and other items are located
- Draw a North Arrow
- Write your name and property information on the site plan.



STEP TWO: Existing and Proposed Impervious Structures and Surfaces:

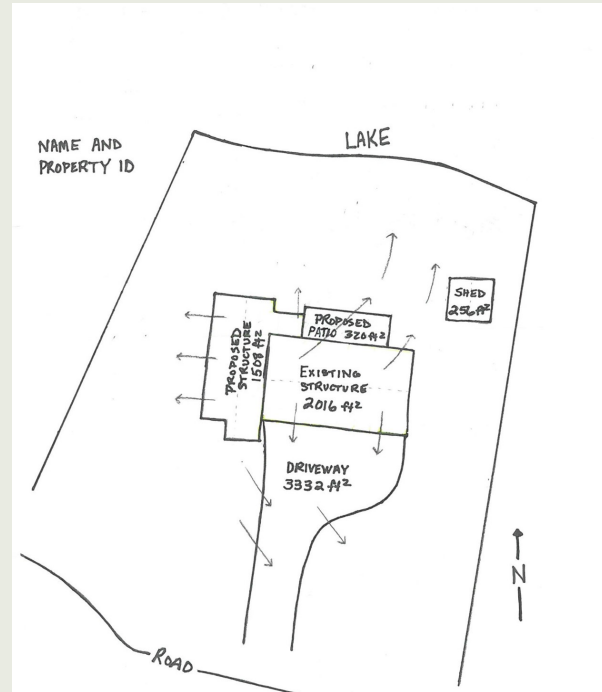
- Draw structures, driveways, walk paths, and all other impervious surfaces on your site plan.
- List dimensions and/or square footage of each item.



Stormwater Management Plan

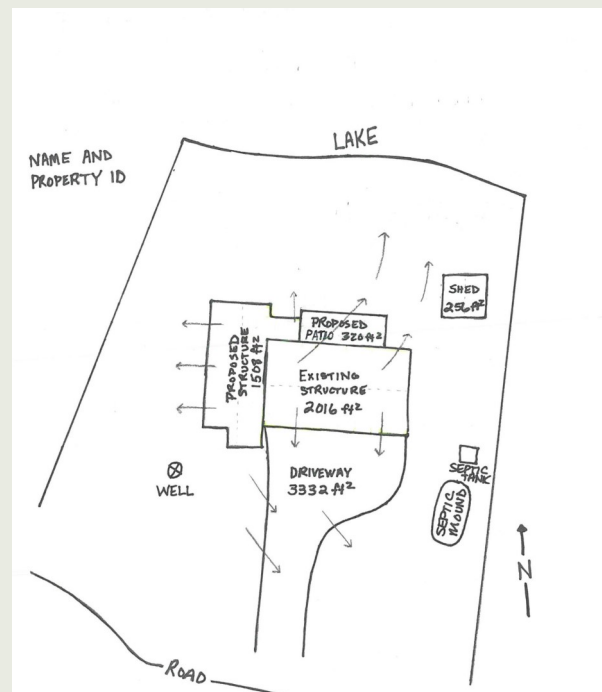
STEP THREE: Drainage Arrows

- Draw arrows on your site plan indicating the flow of water on your property and off of impervious surfaces.
- You can also add contour lines - they are helpful, but not required.



STEP FOUR: Location of any Wells and Septic Systems

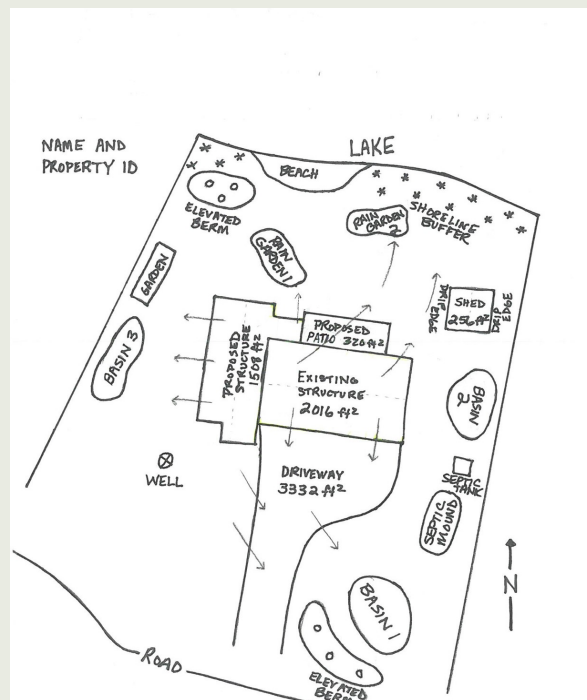
- Draw and label the location of the septic mound or drainfield and tank.
- Draw and label the location of the well.



Stormwater Management Plan

STEP FIVE: Stormwater Retention Areas and other BMPs

- Draw the location of both existing and permanent stormwater retention areas.
- Indicate what type of BMP you are using for each BMP feature.
- If your plan requires a Shoreline Buffer see additional details on pg. 7.



STEP SIX: THE AMOUNT OF STORMWATER CAPTURED INCLUDING DEPTH, WIDTH, AND LENGTH OF BMPs

Knowing the flow of water on the property, we can see that the stormwater from the driveway will spill down into basin 1. The impervious surface of the driveway is 3332 sq. ft. That number is multiplied by .083 ($3332 \times .083 = 276.55$) and equals the storage volume (in cubic feet) of stormwater needed to be treated in that area. Multiplying that number by 2 ($276.55 \times 2 = 553.10$), as shown in the table on the bottom of the worksheet, will give you the area needed for a 6 inch basin. So, the basin will need to be about 22 x 26 sq. ft. and 6 inches deep to accommodate the runoff from the driveway. Do these calculations with each impervious surface as shown below. List these calculations and any other notes on your site plan or on a separate sheet of paper and include them with your site plan. *Note: Gravel and dirt driveways are impervious.*

Stormwater Management Plan

Basin 1 - 22x26x6" Treats 286 cu. ft. from driveway runoff (3332 x .083 x 2)

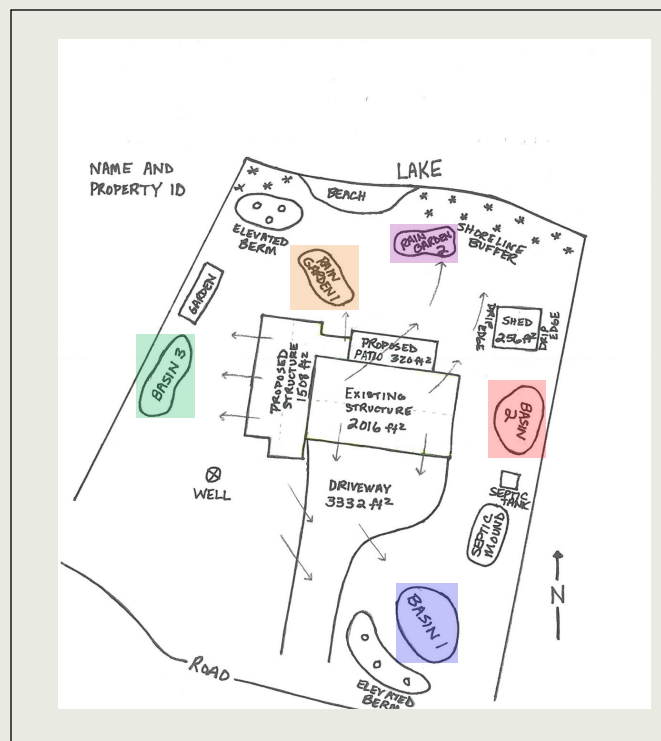
Basin 2 - 18X22X6" Treats 198 cu.ft. from house and shed (2272 x .083 x 2)

Basin 3 - 25X10X3" Treats 62.5 cu. ft. from W. side addition (754 x .083 x 4)

Rain Garden 1 - 12X12X6" Treats 72 cu.ft. from gutters lakeside (754 x .083 x 2)

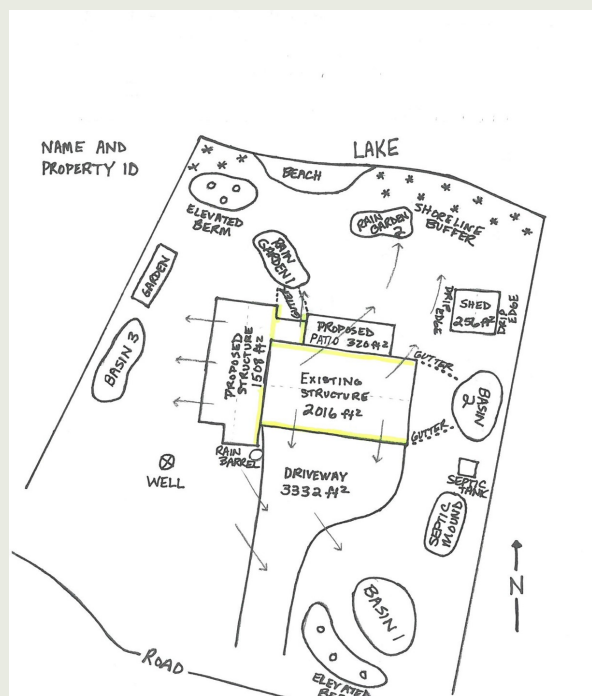
Rain Garden 2 - 8X7X6" Treats 28 cu. ft. from the proposed patio (320 x .083 x 2)

TOTALS
Treats 646.5 cu.ft. where 617 cu.ft. is required



STEP SEVEN: IDENTIFY AND HIGHLIGHT GUTTER PLACEMENTS ON STRUCTURES

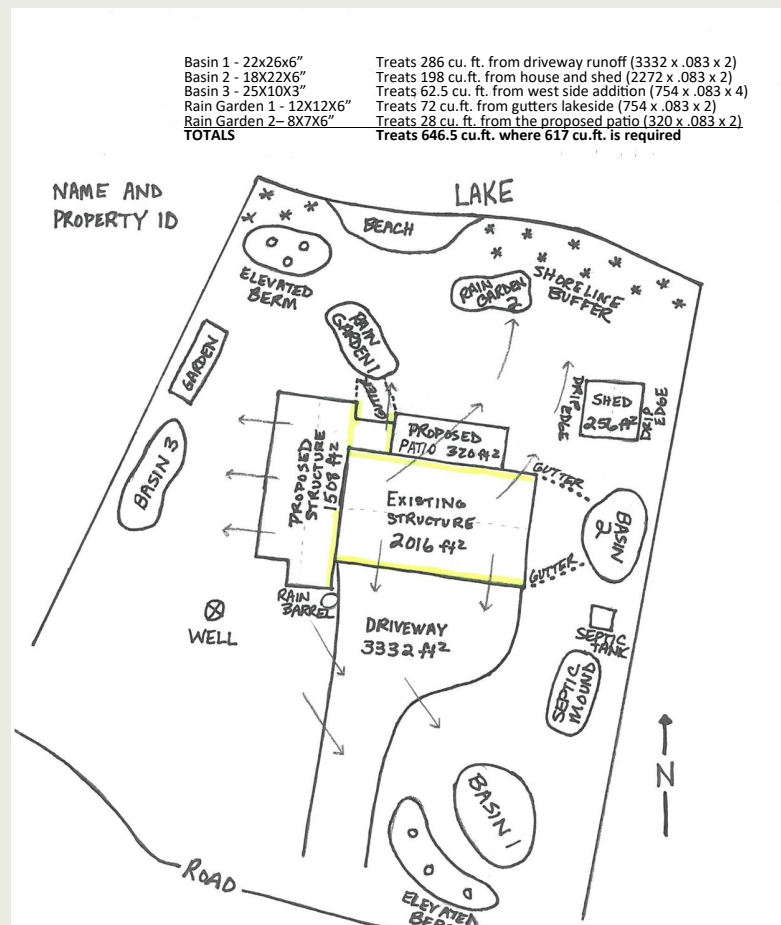
- Use a highlighter to indicate location of gutters on structures.
- Draw a dotted line indicating the flow of water from the downspouts.



Stormwater Management Plan

FINISHED SITE PLAN

- Review plan, making sure you've considered the "Do's & Don'ts" on pg. 9
- Make sure you include your calculations either on the plan or attached to the plan.
- Look over your design to make sure it meet minimum requirements.



3. FEE

There is a \$100 fee for reviewing and approving your Stormwater Management Plan and is usually paid when you apply for your Land Use Permit. If you have not paid, please remit payment to Crow Wing County Land Services. However, If you have an existing Stormwater Management Plan it can be reviewed at no cost. If it meets minimum requirements there is no fee and no further action is required. An upgrade of your plan will incur the \$100.00 fee and will be subject to standard permit approval including a site visit and follow-up by Crow Wing County Staff.

If you have questions please contact Land Services at 218-824-1010 or landservices@crowwing.us



The Next Steps - Approval & Implementation

SUBMISSION AND APPROVAL

Once your site plan has been submitted and your fee paid, an Environmental Services Specialist will review your plan and conduct a site visit before approving your plan. They will contact you if they have any questions or if your plan does not meet minimum requirements.

IMPLEMENTATION

Your Stormwater Management Plan will be required to be completely implemented by the time your Land Use Permit expires; usually two years unless otherwise directed by the County. However, it is favorable to have the implementation of your Stormwater Management Plan coincide with the completion of your project.

FOLLOW UP

Environmental Services will routinely follow up on your both your approved Land Use Permit and your Stormwater Management Plan.

VISIT

crowwing.us/waters

**FOR MORE INFORMATION ON PROTECTING OUR WATERS AND
STORMWATER MANAGEMENT**

If you have questions please contact Land Services at 218-824-1010 or landservices@crowwing.us

Landowner / Parcel #: _____

Date: _____

Lot Impervious Surface Coverage & Landscaping for Stormwater Worksheet

Please use the table below to calculate your impervious surface coverage. Impervious coverage is limited to 25% of the total lot area. Calculate out all that apply to your situation. If a structure has odd dimensions or if using to size stormwater basins, multiple rows / sheets may be needed. If total imp. of irregular structure or driveway is known, just multiply by 1.

<u>Existing Structures</u>	<u>Length (ft)</u>		<u>Width (ft)</u>		<u>Total (in sq. feet)</u>
House, garage, shed Boathouse Greenhouse Other (Dog Kennel, etc.)	(ft)	X	(ft)	=	(sq ft)
	(ft)	X	(ft)	=	(sq ft)
	(ft)	X	(ft)	=	(sq ft)
	(ft)	X	(ft)	=	(sq ft)
	(ft)	X	(ft)	=	(sq ft)
<i>Driveways* & Landscaping:</i>					
Driveway*, Parking Area, Apron, Boat Ramp, Sidewalk, Patio, Paving Stones, Landscaping (incl. plastic), Other	(ft)	X	(ft)	=	(sq ft)
	(ft)	X	(ft)	=	(sq ft)
	(ft)	X	(ft)	=	(sq ft)
	(ft)	X	(ft)	=	(sq ft)
<i>Total Existing Impervious</i>					(sq ft)
<u>Proposed Structures</u>					
House, garage, shed Boathouse Greenhouse Other (Dog Kennel, etc.)	(ft)	X	(ft)	=	(sq ft)
	(ft)	X	(ft)	=	(sq ft)
	(ft)	X	(ft)	=	(sq ft)
	(ft)	X	(ft)	=	(sq ft)
	(ft)	X	(ft)	=	(sq ft)
<i>Driveways* & Landscaping:</i> <i>*Assumes a 12' wide driveway unless evidence to the contrary</i>					
Driveway*, Parking Area, Apron, Boat Ramp, Sidewalk, Patio, Paving Stones Landscaping (incl. plastic), Other	(ft)	X	(ft)	=	(sq ft)
	(ft)	X	(ft)	=	(sq ft)
	(ft)	X	(ft)	=	(sq ft)
	(ft)	X	(ft)	=	(sq ft)
<i>Total Proposed Impervious</i>					(sq ft)
Total Lot Area (sq. ft.) =		Total existing Impervious		=	(sq ft)
		Total w/new Impervious		=	(sq ft)
		% existing impervious		=	%
		% w/new impervious		=	%

Simple Calculator for Approximating Size of Stormwater Practice & Amount of Phosphorus Reduction:

Total w/ new impervious:			Storage volume:		Bottom size (sq ft) of infiltration area by depth						
			Gal / Cu ft (= gal / 7.48)		3"	6"	9"	12"	15"	18"	
x	0.623 / 0.083 Gal / Cu ft	=	Gal	Cu ft	cu ft x 4	cu ft x 2	cu ft x 1.33	cu ft x 1	cu ft x 0.8	cu ft x 0.67	
Total exst imp	=	x	0.0000366	=	Existing phosphorous loading (lbs/yr)						
Tot w/new imp	=	x	0.0000366	=	Phosphorous reduction w/ stormwater mgmt						
For rain barrels, use this formula to determine size/amount needed:			Roof area (sq ft)		x	0.5625	=	Gallons generated from a 1" rain event			

Appendix B: SHORELINE RAPID ASSESSMENT MODEL



Crow Wing County's Shoreline Rapid Assessment Model (SRAM) is a tool for quickly and objectively determining the degree of natural vegetation along a shoreline and the amount of natural buffer required to meet Ordinance requirements. With this model, the Shore Impact Zones (SIZ-1 & SIZ-2) are evaluated for natural vegetative cover and a cumulative score is tallied. Vegetative restoration that may be necessary must be performed according to Article 27.

Shoreline:

Condition of Shoreline	Score:
Stable shoreline	0
< 25% of shoreline is eroding or unstable	-1
25-50% of shoreline is eroding or unstable	-2
50-75% of shoreline is eroding or unstable	-3
> 75% of shoreline is eroding or unstable	-4

Ground cover:

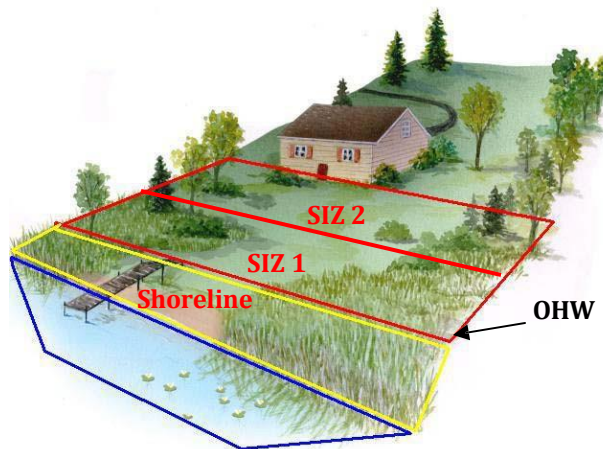
% Naturally Vegetated Cover in SIZ 1	Points:
< 25% natural ground cover	1
25-50% natural vegetative cover	3
50-75% natural vegetated cover	5
> 75% natural vegetated cover	7

% Naturally Vegetated Cover in SIZ 2	Points:
< 25% natural ground cover	1
25-50% natural vegetative cover	2
50-75% natural vegetative cover	3
> 75% natural vegetated cover	4

Trees / shrubs:

% Naturally Vegetated Cover in SIZ 1	Points:
< 25% of surface is covered by shrubs and trees	1
25-50% of surface is covered by shrubs and trees	3
50-75 % of surface is covered by shrubs and trees	5
> 75% of surface is covered by shrubs and trees	7

% Naturally Vegetated Cover in SIZ 2	Points:
< 25% of surface is covered by shrubs and trees	1
25-50% of surface is covered by shrubs and trees	2
50-75 % of surface is covered by shrubs and trees	3
> 75% of surface is covered by shrubs and trees	4



If score is 0-5:

- Leave a 20' No Mow Buffer & possible other mitigation efforts

If score is 6-10:

- Leave a 15' No Mow Buffer

If score is 11-15:

- Leave a 10' No Mow Buffer

Above buffers shall allow for an access area to lake, per Ordinance requirements

Score _____ (Max Score = 22)

Environmental Services Staff Signature _____ Date _____

**ORDINANCE
NO. 15XX**

**AN ORDINANCE AMENDING SECTIONS 530 SHORELAND MANAGEMENT
REGULATIONS OF THE CITY CODE AND 515-2 ZONING DISTRICTS, 515-5 RULES AND
ADMINISTRATION AND 515-6 RULES AND DEFINITIONS OF THE ZONING CODE**

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

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

SECTION ONE Purpose: The purpose of a shoreland zoning district is to protect the quality of
surface waters and preserve the environmental and economic values of shorelands by
regulating development and land use along lakes and rivers. These districts manage aspects
like lot sizes, building setbacks, and land alterations to prevent pollution, minimize flood
damage, maintain natural characteristics, and ensure the wise use of water resources.

SECTION TWO: Section 530 Shoreland Management Regulations of Chapter Five of the City
Code is hereby repealed in its entirety.

SECTION THREE: Section 515-2 Zoning Districts are hereby amended by adding 515-2-22
Shoreland Overlay in its entirety to the Zoning Code as indicated in Appendix A of this Ordinance.

SECTION FOUR: Section 515-5 – Rules and Administration is hereby amended by adding 515-
5-7.J Shoreland Planned Unit Developments in its entirety to the Zoning Code as indicated in
Appendix B of this Ordinance. The current section 515-5-7.J and all subsequent Sections in 515-
5-7 shall be reformatted in succeeding order.

SECTION FIVE: Section 515-5 – Rules and Administration is hereby amended by adding the
following underlined language to Section 515-5-2.B.6 Criteria for Granting Conditional Use
Permits.

j. In addition to the above criteria, conditional uses within the shoreland areas shall be subject to
a thorough evaluation of the water body and the topographic, vegetation, and soils conditions on
the site must be made to ensure:

- a. the prevention of soil erosion or other possible pollution of public waters, both during
and after construction;
- b. the visibility of structures and other facilities as viewed from public waters is limited;
- c. the site is adequate for water supply and on-site sewage treatment; and
- d. 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.

SECTION SIX: Section 515-6-2.A Definitions of Nouns, Person, and Regulatory Bodies shall be
amended by adding the following underlined language in alphabetical order.

Commissioner. The commissioner of the Department of Natural Resources.

SECTION SEVEN: Section 515-6-2.B Definitions of Structure, Measurement and Dimension shall be amended by adding the following underlined language in alphabetical order.

Bluff impact zone. A bluff and land located within 20 feet from the top of a bluff.

Boardwalk. A temporary or permanent above-grade constructed linear walkway, located above the OHW, not to exceed 6 feet in width and used to cross wetlands for the purposes of accessing shorelines/public waters.

Boathouse. A structure designed and used solely for the storage of boats or boating equipment.

Boat Slip. A space adjacent to a dock or between two docks or piers where one boat may be moored.

Camper. - A structure capable of providing shelter and mounted on a self-propelled vehicle.

Dock. A narrow platform or structure extending waterward from the shoreline (below OHW) intended for ingress and egress for moored watercraft or seaplanes or to provide access to deeper water for swimming, fishing, or other water-oriented recreational activities.

Failing System. Any subsurface sewage treatment system that discharges sewage to a seepage pit, cesspool, drywell or leaching pit, and any system with less than the required vertical separation as described in Minnesota Rule 7080.1500 Subparts. 4 (D & E).

Guest Cottage. A structure used as a dwelling unit that may contain sleeping spaces and kitchen and bathroom facilities in addition to those provided in the primary dwelling unit on a lot.

Lot, Riparian. A lot that abuts public waters.

Lot, Non-Riparian. A lot that does not abut public waters.

Patio. An open recreation area adjacent to a dwelling, or free standing, that is covered with a pervious or an impervious surface such as asphalt, paving stones, wood, or other approved material.

Public waters. Any waters as defined in Minnesota Statutes, Section 103G.005, Subdivision 15.

Rear Lot Zone (RLZ). Land located between the structure setback line and the landward boundary of the shoreland district.

Rip-Rap. Coarse stones randomly and loosely placed along the shoreline meeting the standards of this Ordinance.

Shore Impact Zone 1 (SIZ 1). Land located between the ordinary high-water level (OHWL) of public waters and a line parallel to it at a setback of 50 percent of the required structure setback. The shore impact zone serves as all or part of the shoreline buffer.

Shore Impact Zone 2 (SIZ 2). Land located between shore impact zone 1 and the structure setback line.

Shoreland. Land located within the following distances from public waters: 1,000 feet from the ordinary high water level of a lake, pond, or flowage; and 300 feet from a river or stream, or the landward extent of a floodplain designated by ordinance on a river or stream, whichever is greater. The limits of shorelands may be reduced whenever the waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the Commissioner.

Significant historic site. Any archaeological site, standing structure, or other property that meets the criteria for eligibility to the National Register of Historic Places or is listed in the State Register of Historic Sites, or is determined to be an unplatted cemetery that falls under the provisions of Minnesota Statutes, section 307.08. A historic site meets these criteria if it is presently listed on either register or if it is determined to meet the qualifications for listing after review by the Minnesota state archaeologist or the Director of the Minnesota Historical Society. All unplatted cemeteries are automatically considered to be significant historic sites.

Toe of the bluff. The lower point of a 50-foot segment with an average slope exceeding 18 percent.

Top of the bluff. The higher point of a 50-foot segment with an average slope exceeding 18 percent.

Water Oriented Accessory Structure. A small, above ground building or other improvement, except stairways, fences, docks, pergolas attached to a deck or patio and retaining walls, which, because of the relationship of its use to a surface water feature, reasonably needs to be located closer to the public waters than the normal structure setback. Examples of such structures and facilities include equipment storage buildings, gazebos, screen houses, free-standing pergolas, fish houses, pump houses, patios, and detached decks.

SECTION EIGHT: Section 515-6-2.C Definitions of Use, Standards and Terms shall be amended by adding the following underlined language in alphabetical order.

Campground or recreational camping vehicle park. - A development that is used for the purpose of providing five or more sites for nonpermanent overnight use by campers using tents, trailers, recreation camping vehicles, or other temporary shelters.

Dirt Moving. Any movement, excavation, grading, or filling of dirt on a lot.

Extractive use. The use of land for surface or subsurface removal of sand, gravel, rock, industrial minerals, other nonmetallic minerals, and peat not regulated under Minnesota Statutes, sections 93.44 to 93.51.

Forest land conversion. The clear cutting of forested lands to prepare for a new land use other than reestablishment of a subsequent forest stand.

Ice Ridge, Annual. A linear mound of lakebed materials pushed up onto the lakeshore by the action of ice within a calendar year.

Ice Ridge, Historic. A linear mound of lakebed materials pushed up onto the lakeshore by the action of ice over a period of two or more years upon which well-established herbaceous and woody vegetation is growing.

Industrial use. The use of land or buildings for the production, manufacture, warehousing, storage, or transfer of goods, products, commodities, or other wholesale items.

Intensive vegetation clearing. The complete removal of trees or shrubs or ground cover in a contiguous patch, strip, row, or block.

No Maintenance Buffer. A strip of land on a riparian parcel adjacent to a public water upon which vegetation is to be maintained in its natural state, and not be mowed, cut or removed shorter than 8 inches in height and is consistent with the standards set forth in the Department's Shoreline Rapid Assessment Model.

Pervious Surface. A surface that allows inflow of rainwater into the underlying construction or soil.

Sensitive Resource Management. The preservation and management of areas unsuitable for development in their natural state due to constraints such as shallow soils over groundwater or bedrock, highly erosive or expansive soils, steep slopes, susceptibility to flooding or occurrence of flora or fauna in need of special protection.

Sensitive Shoreland District. A land use district established to accommodate limited residential uses, agricultural uses, and forest management activities in the shoreland zone while conserving sensitive land areas on which more intensive development would adversely affect water quality, wetlands, lakes, shorelines, slopes, wildlife habitat, biological ecosystems, or scenic and natural values.

Water-Oriented Commercial Use. The use of land for commercial purposes, where access to and use of surface water feature is an integral part of the normal conducting of business. Marinas, resorts, and restaurants with transient docking facilities are examples of such use

SECTION NINE: 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 – _____

515-2-22 Shoreland Overlay (S)

- A. **Purpose of Shoreland Overlay District.** The purpose of the Shoreland Overlay Zoning District is to protect the quality of surface waters and preserve the natural characteristics of shoreland areas by regulating development along lakes and rivers. This includes managing lot sizes, building placement, and alterations to the shoreline to minimize environmental impact. Shoreland is land located 1,000 feet from the ordinary high water level of a lake, pond, or flowage and 300 feet from a river or stream.
- B. **Jurisdiction.** The shore lands of the city are hereby designated as a shore land overlay district pursuant to the authorization contained in the Minnesota statutes chapter 103F; Minnesota regulations parts 6120.2500 through 6120.3900; and the planning and zoning enabling legislation in Minnesota statutes chapter 462. The provisions of this Ordinance shall apply to the shorelands of the public water bodies as classified in this Section G Table 515-2-22-1 of this Ordinance and to private water bodies greater than 10 acres in size. For the purposes of this ordinance, “public waters” includes private water bodies greater than 10 acres in size.
- C. **Compliance.** The use of any shoreland of public waters; the size and shape of lots; the use, size, type and location of structures on lots; the installation and maintenance of water supply and waste treatment systems, the grading and filling of any shoreland area; the cutting of shoreland vegetation; and the subdivision of land shall be in full compliance with the terms of this ordinance and other applicable regulations.
- D. **Interpretation.** In their interpretation based on the most current information available and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by State Statutes.
- E. **Severability.** If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall not be affected thereby.
- F. **Abrogation and Greater Restrictions.** It is not intended by this Ordinance to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Ordinance imposes greater restrictions, the provisions of this Ordinance shall prevail. All other Ordinances inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency only and the stricter state guidelines shall apply.
- G. **Public Waters Classifications.**

Table 515-2-22.1. S Public Waters Classifications

Lakes		
A	General Development Lakes (list here and designate on official Zoning map)	Rice Lake: 18-145 Gilbert Lake: 18-320 Unnamed Basin: 18-537
B	Natural Environment (list here and designate on official zoning map)	Mud Lake: 18-321 - Sec 29 and 30 T1234N R28W Buffalo Lake: 18-152 - Sec 2 and 3 T44N R31W 1 unnamed lake: 18-535
Rivers and Streams		
D	Forested Rivers (list river names here and show boundaries of district on official zoning map)	Mississippi River: T45N R30W Sect 18,19 - T45N R31W Sect 24,25,35,36 - T133 R28W Sect 4,9 - T134 R28W Sect 34
E	Remote Rivers (list stream names here and show boundaries of district on official zoning map)	Whitley's Creek (M-100)
F	Tributary Streams (list stream names here and show boundaries of district on official zoning map)	Little Buffalo Creek: T45N R31W Sect 35,36 - T45N R30W Sect 31 Tributary to Lt Buffalo Creek - T45N R30W Sect 31 - T44N R30W Sect 6 Gilbert Lake Creek - T134 R28W Sect 28 - Buffalo Creek (M-098)
G	All protected watercourses in the City of Brainerd shown indicated on the Official Protected Waters Inventory Map-List for Crow Wing County, a copy of which is hereby adopted by reference, not given a classification in this Section shall be considered "Tributary" ; https://files.dnr.state.mn.us/waters/watermgmt_section/pwi/CROW_PWILIST.PDF	

H. **S Zoning District Dimensional Standards.** The following dimensional requirements shall apply to all shorelands of all public waters within the city. [Lots must be at least 100 feet from the OHWL to qualify as a non-riparian lot.](#)

Table 515-2-22.2. S Dimensional Standards – Density, Lot Size, Coverage and Height Standards

Lot Dimensions	Natural Environmental Lakes	Recreational Development Lakes	General Development Lakes	Forested Rivers	Tributary Streams	Remote River
A Riparian Lot Size - Unsewered (minimum)						
Single Family	80,000 SF	40,000 SF	20,000 SF 40,000 SF	(no minimum)	(no minimum)	(no minimum)
Duplex	120,000 SF	80,000 SF	40,000 SF	(no minimum)	(no minimum)	(no minimum)
Triplex	160,000 SF	120,000 SF	60,000 SF	(no minimum)	(no minimum)	(no minimum)
Quad	200,000 SF	160,000 SF	80,000 SF	(no minimum)	(no minimum)	(no minimum)
B Riparian Lot Frontage on All Roads and Water Frontage - Unsewered (minimum)						
Single Family	200'	150'	100'	200'	100'	300'
Duplex	300'	225'	180'	300'	150'	450'
Triplex	400'	300'	260'	400'	200'	600'
Quad	500'	375'	340'	500'	250'	750'
C Non-riparian Lot Size – Unsewered (minimum)						
Single Family	80,000 SF	40,000 SF	40,000 SF	(no minimum)	(no minimum)	(no minimum)
Duplex	160,000 SF	80,000 SF	80,000 SF	(no minimum)	(no minimum)	(no minimum)
Triplex	240,000 SF	120,000 SF	120,000 SF	(no minimum)	(no minimum)	(no minimum)
Quad	320,000 SF	160,000 SF	160,000 SF	(no minimum)	(no minimum)	(no minimum)
D Non-riparian Lot Frontage on All Roads and Water Frontage - Unsewered (minimum)						
Single Family	200'	150'	150'	200'	100'	300'
Duplex	400'	265'	265'	300'	150'	450'
Triplex	600'	375'	375'	400'	200'	600'
Quad	800'	490'	490'	500'	250'	750'
E Riparian Lot Size - Sewered (minimum)						
Single Family	40,000 SF	20,000 SF	15,000 SF	(no minimum)	(no minimum)	(no minimum)
Duplex	70,000 SF	35,000 SF	26,000 SF	(no minimum)	(no minimum)	(no minimum)
Triplex	100,000 SF	50,000 SF	38,000 SF	(no minimum)	(no minimum)	(no minimum)
Quad	130,000 SF	65,000 SF	49,000 SF	(no minimum)	(no minimum)	(no minimum)
F Riparian Lot Frontage on All Roads and Water Frontage - Sewered (minimum)						
Single Family	125'	75'	75'	200'	75'	300'
Duplex	225'	135'	135'	300'	115'	450'
Triplex	325'	195'	195'	400'	150'	600'
Quad	425'	255'	255'	500'	190'	750'
G Non-riparian Lot Size - Sewered (minimum)						
Single Family	20,000 SF	15,000 SF	10,000 SF	(no minimum)	(no minimum)	(no minimum)
Duplex	35,000 SF	26,000 SF	17,500 SF	(no minimum)	(no minimum)	(no minimum)
Triplex	52,000 SF	38,000 SF	25,000 SF	(no minimum)	(no minimum)	(no minimum)
Quad	65,000 SF	49,000 SF	32,500 SF	(no minimum)	(no minimum)	(no minimum)

H Non-riparian Lot Frontage on All Roads and Water Frontage - Sewered (minimum)							
	Single Family	125'	75'	75'	200'	75'	300'
	Duplex	220'	135'	135'	300'	115'	450'
	Triplex	315'	190'	190'	400'	150'	600'
	Quad	410'	245'	245'	500'	190'	750'
I	Non-riparian Lot Size - Sewered CN & TN Zoning Districts						
	Single Family	20,000 SF	15,000 SF	7,000 SF	(no minimum)	(no minimum)	(no minimum)
	Duplex	35,000 SF	26,000 SF	10,000 SF	(no minimum)	(no minimum)	(no minimum)
	Triplex	52,000 SF	38,000 SF	13,000 SF	(no minimum)	(no minimum)	(no minimum)
	Quad	65,000 SF	49,000 SF	16,000 SF	(no minimum)	(no minimum)	(no minimum)
J	Non-riparian Lot Frontage on All Roads and Water Frontage - Sewered CN & TN Zoning Districts (minimum)						
	Single Family	125'	75'	50'	200'	75'	300'
	Duplex	220'	135'	75'	300'	115'	450'
	Triplex	315'	190'	100'	400'	150'	600'
	Quad	410'	245'	125'	500'	190'	750'
K	Dwelling units per acre requirements in the underlying zoning district shall not apply to the Shoreland Overlay District.						
Building Setback Standards		Natural Environmental Lakes	Recreational Development Lakes	General Development Lakes	Forested Rivers	Tributary Streams	Remote River
Building setback from ordinary high-water mark (minimum)							
G	Unsewered Structures	150'	100'	75'	150'	100'	200'
	Sewered Structures	150'	75'	50'	100'	75'	100'
H	Front Yard Setback	Dimensional standards regulated by underlying zoning district.					
I	Side Yard Setback	Dimensional standards regulated by underlying zoning district.					
J	Rear Yard Setback	Dimensional standards regulated by underlying zoning district.					
Additional Structure Setbacks							
K	Top of Bluff (feet) (minimum)	30'					
L	Unplatted Cemetery (feet) (minimum)	50'					
M	Right-of-way line of federal, state, or county highway (feet) (minimum)	50'					
N	Right-of-way line of town road, public street, or other roads not classified	20'					
Sewage System Setback Standards from OHW (MINIMUM)							
O	Sewage systems setback	150'	75'	50'	100'	75'	150'
Other Standards							
P	Properties may exceed 20% impervious surface with an approved and implemented stormwater plan approved by the City Engineer.						
Q	Impervious Surface Coverage (maximum)	25%					
R	Impervious Surface Coverage (maximum) Non-riparian Sewered CN & TN Zoning Districts	40%					

S	All structures in residential districts height (feet) (maximum)	25'
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I. Land Development Restrictions

1. **Placement of Structures on Lots.** When more than one setback applies to a site, structures and facilities must be located to meet all setbacks. Where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered with a variance to conform to the adjoining setbacks from the ordinary high-water level, provided the proposed building site is not located in a shore impact zone or in a bluff impact zone.
2. **Bluff Impact Zones.** Structures and accessory facilities, except stairways and landings, may not be placed within bluff impact zones.
3. **Steep Slopes.** The Zoning Administrator must evaluate possible soil erosion impacts and development visibility from public waters before issuing a permit for construction of sewage treatment systems, roads, driveways, structures or other improvements on steep slopes. When determined necessary, conditions must be attached to issued permits to prevent erosion and to preserve existing vegetation screening of structures, vehicles, and other facilities as viewed from the surface of public waters, assuming summer, leaf-on vegetation.
4. **Setbacks and Screening for Uses Without Water-Oriented Needs.** Non-residential uses without water-oriented needs must be located on lots or parcels without public waters frontage or, if located on lots or parcels with public waters frontage, must either be set back twice the normal ordinary high-water level setback or be substantially screened from view from the water by vegetation or topography, assuming summer, leaf-on conditions.
5. **High Water Elevations.** Structures must be placed above high water elevations in accordance with the floodplain regulations. Water-oriented accessory structures may have the lowest floor placed lower than the elevation determined in this item if: 1) the structure is constructed of flood-resistant materials to the elevation; 2) electrical and mechanical equipment is placed above the elevation; and 3) if long duration flooding is anticipated, the structure is built to withstand ice action and wind-driven waves and debris.
6. **Significant Historic Sites.** No structure may be placed on a significant historic site, as identified by the Minnesota Historical Society, in a manner that affects the value of the site unless adequate information about the site has been removed and documented in a public repository.

J. Land Uses.

1. Shoreland district land uses are regulated as:
 - a. Permitted uses (P). These uses are allowed, provided all standards in this ordinance are followed.
 - b. Conditional uses (C). These uses are allowed through a conditional use permit.
 - c. Interim uses (I). These uses are allowed through a conditional use permit.
 - d. Not permitted uses (N). These uses are prohibited.
 - e. When the Shoreland Overlay (S) district is in conflict with the base zoning district, the more restrictive use classification shall prevail.

Table 515-2-22.3. S Land Uses for Lake and River Classifications

Land Uses	Natural Environmental Lakes	Recreational Development Lakes	General Development Lakes	Forested Rivers	Tributary Streams	Transition Rivers
Single residential	P	P	P	P	P	P
Duplex, triplex, quad residential	C	P	P	P	P	P
Guest Cottage	P	P	P	P	P	P
Commercial	C	P	P	C	P	C
Residential PUD	C	C	C	C	C	C
Water-dependent (Resorts are also Commercial PUDs)	C	C	C	C	C	C
Commercial PUD (Expansion of PUD involving up to six additional units or sites allowed as a permitted use provided the provisions of Section 10.0 are satisfied.)	C	C	C	C	C	C
Solar Power Facilities (principal land use)	C	C	C	C	C	C
Parks & historic sites	C	C	C	C	C	C
Public, semipublic	C	P	P	C	P	C
Industrial	N	C	C	C	C	N
Agricultural: cropland and pasture	P	P	P	P	P	P
Agricultural feedlots: New	N	N	N	N	N	N
Agricultural feedlots: Expansion or resumption of existing	C	C	C	C	C	C
Forest management	P	P	P	P	P	P
Forest land conversion	C	C	C	C	C	C
Extractive use	I	I	I	I	I	I
Mining of metallic minerals and peat	I	I	I	I	I	I

2. **Standards for Water-Oriented Commercial, Industrial, Public and Semi-Public Uses.** Surface water-oriented commercial, industrial, public and semi-public uses with similar needs to have access to and use of public waters may be located on parcels or lots with frontage on public waters. Those uses with water-oriented needs must meet the following standards:
- In addition to meeting impervious coverage limits, setbacks and other zoning standards in this Code, the uses must be designed to incorporate topographic and vegetative screening of parking areas and structures.
 - Uses that require short-term watercraft mooring for patrons must centralize these facilities, design them to avoid obstructions of navigation, and to be the minimum size necessary to meet the need.

- c. Uses that depend on patrons arriving by watercraft may use signs and lighting to convey needed information to the public, subject to the following general standards:
 - i. No advertising signs or supporting facilities for signs may be placed in or upon public waters. Signs conveying information or safety messages may be placed in or on public waters by a public authority or under a permit issued by the County Sheriff.
 - ii. Signs may be placed, when necessary, within SIZ 1 and SIZ 2 if they are designed and sized to be the minimum necessary to convey needed information. The signs must only convey the location and name of the establishment and the general types of goods or services available. The signs must not contain other detailed information, such as product brands and prices, must not be located higher than ten (10) feet above the ground, and must not exceed thirty-two (32) square feet in size. If illuminated by artificial lights, the lights must be downcast and shielded or directed to prevent illumination out across public waters.
- d. Outside lighting may be located within SIZ 1 and SIZ 2 or over public waters if it is used primarily to illuminate potential safety hazards and is downcast and shielded or otherwise directed to prevent direct illumination out across public waters. This does not preclude use of navigational lights.

3. Special Residential Lot Provisions

- a. Subdivisions of duplexes, triplexes, and quads are conditional uses on Natural Environment Lakes and must also meet the following standards:
 - i. Each building must be set back at least 200 feet from the ordinary high water level;
 - ii. Each building must have common sewage treatment and water systems in one location and serve all dwelling units in the building;
 - iii. Watercraft docking facilities for each lot must be centralized in one location and serve all dwelling units in the building; and
 - iv. No more than 25 percent of a lake's shoreline can be in duplex, triplex, or quad developments.
- b. One guest cottage may be allowed on lots meeting or exceeding the duplex lot area and width dimensions presented in this Code, provided the following standards are met:
 - i. For lots exceeding the minimum lot dimensions of duplex lots, the guest cottage must be located within an area equal to the smallest duplex-sized lot that could be created including the principal dwelling unit;
 - ii. A guest cottage must not cover more than 700 square feet of land surface and must not exceed 25 feet in height; and
 - iii. A guest cottage must be located or designed to reduce its visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks or color, assuming summer leaf-on conditions.
 - ~~iv. Lots which contain a two-, three-, four- or multi-family dwelling shall not be allowed a guest cottage or guest quarter.~~
- c. Lots intended as private controlled accesses to public waters, or as recreation areas for use by owners of non-riparian lots within subdivisions, are prohibited.

4. Agricultural Use Standards

- a. The shore impact zone for parcels with permitted agricultural land uses is equal to a line parallel to and 50 feet from the ordinary high-water level.

- b. General cultivation farming, grazing, nurseries, horticulture, truck farming, sod farming, and wild crop harvesting are permitted uses if steep slopes and shore and bluff impact zones are maintained in permanent vegetation or operated under an approved conservation plan (Resource Management Systems) consistent with the field office technical guides of the local soil and water conservation districts or the United States National Resource Conservation Service.
5. **Forest Management Standards**
- a. The harvesting of timber and associated reforestation must be conducted consistent with the provisions of the Minnesota Non-point Source Pollution Assessment-Forestry and the provisions of the Water Quality in Forest Management “Best Management Practices in Minnesota”.
6. **Extractive Use Standards**
- a. Extractive uses require a conditional use permit.
 - b. Site Development and Restoration Plan. An extractive use site development and restoration plan must be developed, approved, and followed over the course of operation of the site. The plan must address dust, noise, possible pollutant discharges, hours and duration of operation, and anticipated vegetation and topographic alterations. It must also identify actions to be taken during operation to mitigate adverse environmental impacts, particularly erosion, and must clearly explain how the site will be rehabilitated after extractive activities end.
 - c. Setbacks for Processing Machinery. Processing machinery must be located consistent with setback standards for structures from ordinary high-water levels of public waters and from bluffs.
7. **Mining of Metallic Minerals**
- a. Mining of metallic minerals, as defined in Minnesota Statutes, sections 93.44 to 93.51, shall be a conditional use provided the provisions of Minnesota Statutes, sections 93.44 to 93.51, are satisfied.

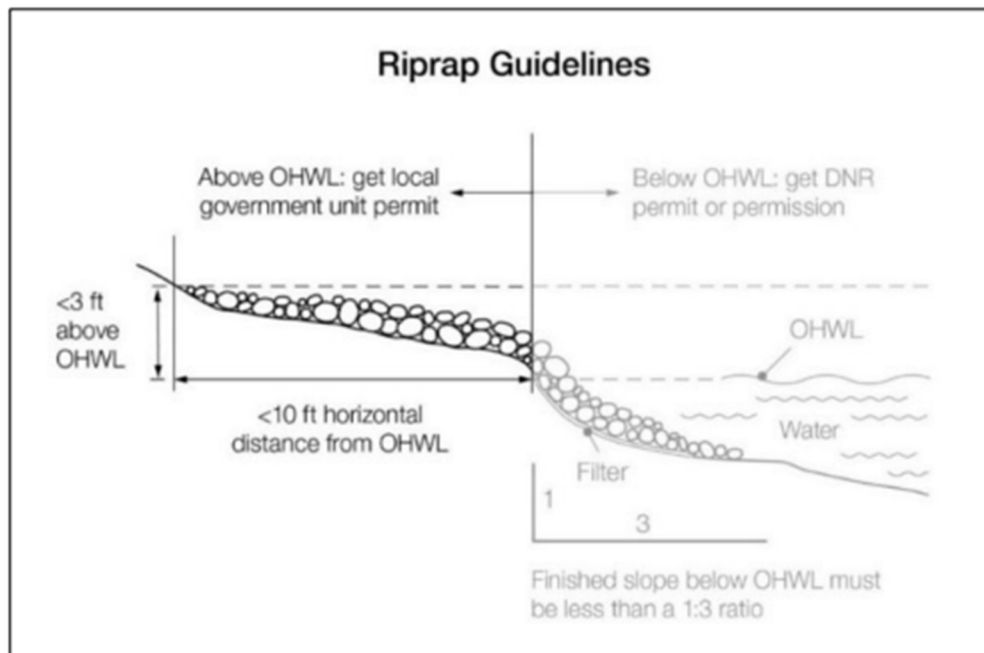
K. Riparian Shoreland Alterations

- 1. **Decks.** Construction of new decks shall require a shoreland alteration permit, building permit, and comply with the following standards:
 - a. Decks adjacent to dwellings shall meet structure setbacks in Table 515-2-22.1 of this Section.
 - b. A 4-foot walkway located beyond the minimum required setback required for dwellings, or within said setback when attached or immediately adjacent to a building, constructed for the purpose of providing access to an entrance door on a dwelling, may be added without a shoreland alterations permit and without regard to its setback to the ordinary high-water level, but may need a building permit.
 - c. Decks should be constructed as to be pervious, allowing water to reach a pervious surface below the deck. Decks not meeting this requirement shall be considered impervious surfaces.
 - d. Setbacks of decks. Deck additions may be allowed without a variance to a structure not meeting the required setback from the ordinary high water level if all of the following criteria are met:
 - i. The structure existed on the date the structure setbacks were established;
 - ii. A thorough evaluation of the property and structure reveals no reasonable location for a deck meeting or exceeding the existing ordinary high water level setback of the structure;
 - iii. The deck encroachment toward the ordinary high water level does not exceed 15 percent of the existing setback of the structure from the ordinary high water level or is no closer than 30 feet from the OHWL, whichever is more restrictive; and
 - ~~e.~~iv. The deck is constructed primarily of wood, and is not roofed or screened.

2. **Patios.** Patios placed within the structure setback require a shoreland alteration permit and shall comply with the following standards:
 - a. Not be located in SIZ 1 except as a water-oriented accessory structure according to this Section;
 - b. Be free standing;
 - c. Have no railings;
 - d. Be a maximum of 250 square feet in size. Up to 400 square feet in size is allowed with an approved and implemented stormwater plan approved by the City Engineer;
 - e. The combined footprint of patios, swimming pools and hot tubs in SIZ 2 may not exceed 400 square feet;
 - f. Not be more than one foot above natural ground level.
 - g. [Permeable pavers are considered impervious.](#)
3. **Stairways, Walkways, Lifts and Landings.** Stairways, walkways, lifts, and landings for public water access shall require shoreland alteration permits and comply with the following standards:
 - a. Preferred to topographic changes. Stairways, walkways, and lifts are the preferred alternative to major topographic alterations for achieving access up and down bluffs and steep slopes to shore areas.
 - b. Only one stairway or walkway shall be allowed within a shore or bluff impact zone. The combination of stairways and walkways to traverse a shore or bluff impact zone shall be allowed, provided they are constructed in a continuous manner without diverting in different directions. A parcel may contain one lift in addition to any allowed stairway/walkway. Within SIZ 1, both the lift and the walkway/stairway must be located within the allowable cleared vegetation standards of this Section.
 - c. Maximum width. Stairways and lifts shall not exceed four feet in width on residential lots. Up to eight-foot-wide stairways may be permitted on water-oriented commercial lots.
 - d. The maximum impervious surface limits for the lot shall not be exceeded. [Permeable pavers are considered impervious.](#)
 - e. Landings. Landings for stairways and lifts on residential lots must not exceed 32 square feet in area and be integral to the function of the stairway and not constitute a deck. Landings for stairways and lifts on water-oriented commercial lots must not exceed 64 square feet in area and be integral to the function of the stairway and not constitute a deck.
 - f. Canopies or roofs are not allowed on stairways, lifts, or landings.
 - g. Stairways, lifts, and landings may be either constructed above the ground on posts or pilings or placed into the ground, provided they are designed and built in a manner that ensures control of soil erosion.
 - h. Facilities such as ramps or mobility paths for handicapped access to shoreline areas may be allowed, provided that:
 - i. The department determines that there is no other reasonable way to achieve access; and
 - ii. The dimensional and performance standards of this section are met; and
 - iii. The requirements of Minnesota Rules, Chapters 1307 and 134 are met.
4. **Accessory Structures.**
 - a. The placement and total cumulative area that all accessory structures may occupy on a lot shall be subject shall be regulated by the applicable zoning district underlying this shoreland overlay district.
 - b. Accessory structures without water-oriented needs must be located on lots or parcels without public waters frontage, or, if located on lots or parcels with public waters frontage, must meet primary structure setbacks from the ordinary high-water level and all other setback requirements of this Code.

- c. Private swimming pools located above or below the ground and hot tubs located above or below the ground shall require a permit as an accessory structure and must meet all applicable setbacks. Private swimming pools and hot tubs located in the ground are prohibited in shore impact zone 1 but shall be allowed in shore impact zone 2 and the rear lot zone. The combined footprint of patios, swimming pools and hot tubs in shore impact zone 2 may not exceed 400 square feet.
 - d. New boathouses and boat storage structures that do not meet the setback requirements of this Code are prohibited.
 - e. Existing boathouses and boat storage structures may be repaired or replaced pursuant to Minn. Stat. §394.36, subd. 4.
5. **Water-Oriented Accessory Structures.** One water-oriented accessory structure that does not meet the structure setbacks in Table 515-2-22.2 of this Code may be placed with a shoreland alterations permit on a water-oriented residential or commercial lot provided the following standards are met:
- a. For riparian commercial properties the structure or facility shall not exceed 15 feet in height and cannot occupy an area greater than 200 square feet;
 - b. For riparian residential properties the structure or facility shall not exceed 12 feet in height and cannot occupy an area greater than 120 square feet;
 - c. The minimum setback of the structure or facility from the OHWL level shall be 20 feet;
 - d. The structure or facility is treated to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks or color, assuming summer, leaf-on conditions;
 - e. The structure shall not be used for human habitation;
 - f. The structure shall not include bathroom facilities.
 - g. The structure shall not be located within a bluff impact zone;
6. **Retaining Walls**
- a. A retaining wall may be installed with a shoreland alteration permit in SIZ 1 or 2 provided the following standards are met:
 - i. The City Engineer determines that there is no other alternative to control erosion.
 - ii. No tier of the retaining wall shall exceed four feet in height without a plan signed by a Minnesota licensed professional engineer.
 - iii. A retaining wall is not required to meet a side yard setback provided it does not adversely affect adjoining property.
 - b. A retaining wall may be installed without a permit behind the structure setback provided that:
 - i. It does not significantly alter the character of the property or does not create runoff or erosion problems.
 - ii. A retaining wall is not required to meet a side yard setback provided it does not adversely affect adjoining property.
7. **Shoreline Recreation Use Areas.** Intensive vegetation clearing for the purpose of creating a new shoreline recreation use area within shore impact zone 1 is allowed with an approved shoreland alteration permit. The dimensions of a shoreline recreation use area shall be determined as follows:
- a. Only one shoreline recreation use area is allowed on each lot and the recreation use area must not exceed 30% of the total lot width and 25 feet landward from the ordinary high-water level in depth. The maximum width of a shoreline recreation use area created under this Article shall not exceed 60 feet.

- b. Invasive species removal or the removal of trees or branches that pose a safety hazard or are diseased is allowed;
 - c. Vegetation must be maintained to screen structures with trees and shrubs so that the structures are substantially screened from view during summer, leaf-on conditions;
 - d. Sand Blankets pursuant to this Code shall be located in the shoreline recreation use area;
 - e. Stairways, lifts and landings pursuant to this Code shall terminate or be adjacent to the shoreline recreation use area;
 - f. Permitted paths pursuant to this Code shall terminate or be adjacent to the shoreline recreation use area.
8. **Rip-Rap.** Placement of natural rock riprap, including the necessary grading of the shoreline and placement of a filter blanket, shall require a shoreland alteration permit and comply with the following standards:
- a. Only natural rock (cannot average less than 6 inches or more than 30 inches in diameter) may be used that is free of debris that may cause pollution or siltation. Concrete is not allowed;
 - b. A filter of crushed rock, gravel, or filter fabric material must be placed underneath the rock;
 - c. The minimum finished slope waterward of the OHWL must be no steeper than 3 to 1 (horizontal to vertical);
 - d. The riprapped area must be no more than 200 linear feet of shoreline along lakes and wetlands or, along shorelines of streams, must be less than five times the average width of the affected watercourse;
 - e. The landward extent of the riprap must be within ten feet of the ordinary high-water level;
 - f. The height of the riprap above the ordinary high-water level shall not exceed three feet (see figure below);



- g. The installation of riprap must not be located in wetlands.

- h. The installation of riprap must not result in a violation of this Code (dirt moving, historic ice ridges, vegetation alterations, recreation use areas, bluff and steep slope standards, etc.), or any other Shoreland District performance standard.
 - i. The installation of riprap is subject to the requirements of, and/or permitting by, the Minnesota Department of Natural Resources (DNR).
 - j. Riprap shall only be allowed when erosion is evident.
9. **Boardwalks and Bridges.**
- a. Boardwalks over non-public waters are permitted in SIZ1, SIZ2, and RLZ with an approved shoreland alteration permit.
 - b. Boardwalks located in shoreland or non-shoreland areas are the preferred method of accessing public waters across riparian wetlands. Boardwalks constructed on posts or pilings (temporary or permanent) shall not be considered fill pursuant to MN Rules 8420.0111 Subpart 26. Boardwalks may incorporate railings and shall comply with the following standards:
 - i. Be constructed perpendicular to the shoreline to the greatest extent possible;
 - ii. Not have a canopy, roof, or be enclosed;
 - iii. Not extend into adjoining riparian use areas;
 - iv. Meet property line setbacks;
 - v. Be no wider than 6 feet;
 - vi. Structure supports, other than posts or pilings, shall be constructed above the wetland surface and decking shall be constructed a minimum of 12" above the wetland surface;
 - vii. Comply with MN Rules 6115.0210 for docks and access below the OHWL ; and
 - viii. Comply with the Floodplain Regulations.
10. **Dirt Moving**
- a. The standards in this Section shall apply to all dirt moving activities within the Shoreland District. Except as specified below, dirt moving activities shall require permits and may require a site plan, scope of work, and additional supporting documents including, but not limited to, surveys, wetland delineation reports, engineered grading plans with profile view, engineered drainage plans including erosion and sediment control and stormwater management plans.
 - b. The following activities shall not require a shoreland alteration permit but must meet the provisions of this Article.
 - i. **Dirt moving associated with construction of structures.** Grading, filling, or excavations necessary for construction of structures or septic systems, if part of an approved permit, shall not require a separate shoreland alteration permit.
 - ii. **Small landscaping projects.** Placement of up to 10 cubic yards of soil for the creation of a lawn or yard as long as the fill / dirt moving is not located within a bluff impact zone or shore impact zone 1.
 - iii. **Private roads or driveways.** The construction of a driveway, access road, or parking area provided that they:
 - a. Meet the structure setback from the ordinary high-water level from public waters.
 - b. Are properly screened from public waters.

- iv. **Approved agricultural road.** Agricultural roads for machinery, livestock crossings, or shoreline stabilization on agricultural land with a stabilization plan approved by the Engineering Department.
 - v. **Approved agricultural improvements.** The construction of livestock watering ponds, agricultural manure treatment facilities and conservation projects approved by the Natural Resource Conservation Service (NRCS), Soil and Water Conservation District (SWCD) and / or other regulatory agencies, only in the RLZ.
 - vi. **Wetland Replacement Plan.** A shoreland alteration permit is not required if a wetland replacement plan, exemption, or no-loss has been approved pursuant to Minnesota Rules Chapter 8420.
 - vii. **Normal Agricultural Practices.** To include but not be limited to tillage, planting, harvesting, fencing and proper disposal of animal mortalities pursuant to all state and federal agricultural regulations.
 - viii. **Existing Sand Blankets / Beaches.** A shoreland alteration permit shall not be required to place 10 cubic yards of sand annually on an existing sand blanket / beach on residential parcels located in the shoreland district. A shoreland alteration permit shall be required for new sand blankets or expansions to existing sand blankets and shall be subject to this Code.
- c. **Standards for Grading and Filling. Activities in the Shore Impact Zone 1 (SIZ1)** Dirt moving activities in shore impact zone 1 shall require shoreland alteration permits and meet the following standards unless the activity is exempt in this Code:
- i. **Sand Blanket**
 - a. The maximum dimensions shall not exceed 30 percent of the total lot width by 25 feet landward from the OHWL and shall be located within the shoreline recreation use area. The maximum width of a sand blanket created under this Article shall not exceed 200 feet. A sand blanket may also be located in shore impact zone 2 and the rear lot zone.
 - b. The slope of the area to be covered by the sand blanket shall be less than 10 percent. The sand shall be clean with minimal amounts of organic materials.
 - c. Sand blankets shall be limited to 10 cubic yards annually with a shoreland alteration permit.
 - ii. **Upland Fill.**
 - a. For residential properties in the shoreland district the following standards shall apply:
 - i. A maximum of 30 cubic yards of dirt moving may be permitted.
 - b. For commercial and industrial properties in the shoreland district the following standards shall apply:
 - i. General Development Lakes: 30 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width.
 - ii. Recreational Development Lakes: 30 cubic yards of dirt moving may be permitted for each 150 feet of shoreline width.

- iii. Natural Environment Lakes: 30 cubic yards of dirt moving may be permitted for each 200 feet of shoreline width.
 - iv. Natural Environment – Special Shallow Lakes: 30 cubic yards of dirt moving may be permitted for each 250 feet of shoreline width.
 - v. Forested Rivers: 30 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width.
 - vi. Tributary Streams: 30 cubic yards of dirt moving may be permitted for each 200 feet of shoreline width.
 - vii. Total cubic yards of dirt moving in SIZ1 includes that placed as a sand blanket, if applicable.
 - viii. Applications for all properties to move larger quantities of dirt for all public water classifications in SIZ1 shall be processed as conditional uses.
- c. **Wetland Fill.** No wetland fill shall be allowed in SIZ 1 except as allowed under MN Rules Chapter 8420.0420 Subpart 8 A (1) d.
- iii. **Annual ice ridges.** Annual ice ridges may be regraded to their original shoreline contour without a shoreland alteration permit provided that the work is completed in the year in which the annual ice ridge occurred. Any such regrading shall meet the following standards:
 - a. There shall be no topsoil or vegetative matter deposited in the lake.
 - b. Any dirt moving from re-grading the annual ice ridge that is used on the remainder of the property shall require a shoreland alteration permit.
 - c. Depositing any sand below the OHWL is subject to DNR public waters permit rules.
 - d. Temporary erosion and sediment control best management practices shall be implemented.
- iv. **Historic Ice Ridges.** On those ice ridges with well-established vegetative cover, alterations for lake access shall require a shoreland alteration permit and comply with the following standards:
 - a. One alteration site is allowed per conforming residential lot, single nonconforming lot of record, or per group of contiguous nonconforming lots in the same ownership.
 - b. On residential lots, the bottom width shall not exceed 15 feet, with side slopes no steeper than 2:1 at each end.
 - c. On waterfront commercial lots, the maximum bottom width shall be 25 feet with 2:1 side slopes at each end.
 - d. Berms of not less than 12 inches above grade level or diversions not less than 12 inches below grade level shall be placed landward of all ice ridge alterations to prevent erosion from upland runoff.
 - e. A stormwater management plan must be approved by the City Engineer prior to any dirt moving.
 - f. All disturbed material shall be graded landward or removed from the site.

- g. Any alteration below the OHWL may require approval from the Department of Natural Resources and / or U.S. Army Corps of Engineers.
- d. **Upland Fill in the Shore Impact Zone 2 (SIZ2).** Dirt moving activities in shore impact zone 2 shall require shoreland alteration permits and meet the following standards unless the activity is exempt in this Code:
 - i. For residential properties in the shoreland district the following standards shall apply:
 - a. A maximum of 50 cubic yards of dirt moving may be permitted. Applications to move larger quantities shall be processed as conditional uses.
 - ii. For commercial and industrial properties in the shoreland district the following standards shall apply:
 - a. General Development Lakes: 50 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width.
 - b. Recreational Development Lakes: 50 cubic yards of dirt moving may be permitted for each 150 feet of shoreline width.
 - c. Natural Environment Lakes: 50 cubic yards of dirt moving may be permitted for each 200 feet of shoreline width.
 - d. Natural Environment – Special Shallow Lakes: 50 cubic yards of dirt moving may be permitted for each 250 feet of shoreline width.
 - e. Forested Rivers: 50 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width.
 - f. Tributary Streams: 50 cubic yards of dirt moving may be permitted for each 200 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.
 - g. Total cubic yards of dirt moving in SIZ2 includes that placed as a sand blanket, if applicable.
 - h. Applications for all properties to move larger quantities of dirt for all public water classifications in SIZ2 shall be processed as conditional uses.
 - iii. **Wetland Fill.** No wetland fill shall be allowed in SIZ 2 except as allowed under MN Rules Chapter 8420.0420 Subpart 8 A (1) d.
- e. **Upland Fill in the Rear Lot Zone (RLZ).** Dirt moving activities in the rear lot zone shall require shoreland alteration permits and meet the following standards and meet the following standards unless the activity is exempt in this Code:
 - i. For residential properties in the shoreland district: A maximum of 100 cubic yards of dirt moving may be permitted per calendar year.
 - ii. For commercial and industrial properties in the shoreland district the following standards shall apply:
 - a. General Development Lakes: 100 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width.
 - b. Recreational Development Lakes: 100 cubic yards of dirt moving may be permitted for each 150 feet of shoreline width.

- c. Natural Environment Lakes: 100 cubic yards of dirt moving may be permitted for each 200 feet of shoreline width.
 - d. Natural Environment – Special Shallow Lakes: 100 cubic yards of dirt moving may be permitted for each 250 feet of shoreline width.
 - e. Forested Rivers: 100 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width.
 - f. Tributary Streams: 100 cubic yards of dirt moving may be permitted for each 200 feet of shoreline width.
 - g. Total cubic yards of dirt moving in RLZ includes that placed as a sand blanket, if applicable.
 - h. Applications for all properties to move larger quantities of dirt for all public water classifications in RLZ shall be processed as conditional uses.
- iii. **Wetland Fill.** No wetland fill shall be allowed in RLZ except as allowed under MN Rules Chapter 8420.0420 Subpart 8 A (1) d.
- f. **General Dirt Moving Standards.** All dirt moving activities shall comply with the following standards.
 - i. No more than one dirt moving permit shall be allowed on the same property in any three-year period. This limitation shall apply to each of the SIZ1, SIZ2 and RLZ areas separately.
 - ii. Soil used as fill shall be free of state-regulated contaminants.
 - iii. Exposure of bare ground. Dirt moving must be designed to ensure that the smallest amount of bare ground is exposed for the shortest period of time.
 - iv. Erosion and sediment control best management practices as required by the Department shall be used during and immediately after construction.
 - v. Permanent vegetative coverage shall be established within 21 days of the completion of construction, or when vegetation establishment is not possible, other protective measures such as erosion control fabric or mulch blankets shall be installed until permanent vegetation can be established.
 - vi. Dirt moving in a bluff impact zone is prohibited, except for the placement of stairways, lifts, or landings permitted under this Code.
 - vii. Steep slope stabilization. Dirt moving on steep slopes may be permitted with a stormwater and erosion control plan approved by the City Engineer.
- 11. **Removal of Natural Vegetation.** Vegetation alteration necessary for the construction of structures and sewage treatment systems and the construction of roads and parking areas regulated by this Code are exempt from the vegetation alteration standards that follow:
 - a. Removal or alteration of vegetation, except for agricultural and forest management uses as regulated in this Code, respectfully, is allowed subject to the following standards:
 - i. Intensive vegetation clearing within the shore impact zone 1, shore impact zone 2, and bluff impact zones and on steep and long gradual slopes is not allowed. Intensive vegetation clearing for forest land conversion to another use outside of these areas is allowable as a conditional use if an erosion control and sedimentation plan is developed and approved by the soil and water conservation district in which the property is located.

- ii. In shore and bluff impact zones and on steep slopes, limited clearing of trees and shrubs and cutting, pruning, and trimming of trees is allowed to provide a view to the water from the principal dwelling site and to accommodate the placement of stairways and landings, picnic areas, access paths, livestock watering areas, and beach and watercraft access areas, provided that:
 - a. The screening of structures, vehicles, or other facilities as viewed from the water, assuming summer, leaf-on conditions, is not substantially reduced;
 - b. Along rivers, existing shading of water surfaces is preserved; and
 - c. The above provisions are not applicable to the removal of trees, limbs, or branches that are dead, diseased, or pose safety hazards.

12. Placement and Design of Roads, Driveways, and Parking Areas.

- a. Public and private roads and parking areas must be designed to take advantage of natural vegetation and topography to achieve maximum screening from view from public waters. Documentation must be provided by a qualified individual that all roads and parking areas are designed and constructed to minimize and control erosion to public waters consistent with the field office technical guides of the local soil and water conservation district, or other applicable technical materials.
 - b. Roads, driveways, and parking areas must meet structure setbacks and must not be placed within bluff and ~~shore impact zones~~ SIZ1, when other reasonable and feasible placement alternatives exist. If no alternatives exist, they may be placed within these areas and must be designed to minimize adverse impacts.
 - ~~b.c.~~ The maximum impervious surface limits for the lot shall not be exceeded. Permeable pavers are considered impervious.
13. **Watercraft Access Ramps.** Watercraft access ramps, approach roads, and access related parking areas require shoreland alteration permits and shall comply with the following standards:
- a. Are permitted for private residential lots only on lakes without Public Accesses.
 - b. May be permitted for water-oriented commercial uses on any lake classified General Development or Recreational Development.
 - c. Shall not include asphalt in shore impact zone 1.
 - d. Shall not exceed 15 feet in width from the lake to the structure setback line.
 - e. Construction complies with all stormwater management provisions of this Code.
 - f. The maximum impervious surface limits for the lot are not exceeded. Permeable pavers are considered impervious.

14. **Connections to Public Waters.** Excavations, where the intended purpose is connection to public water, such as boat slips, canals, lagoons and harbors, must be controlled by local shoreland controls. Permission for excavations may be given only after the Commissioner of Natural Resources has approved the proposed connection to public waters.
15. **Use of Fertilizer.** The Use of fertilizer, pesticides, or animal wastes in shoreland districts must conform to Minnesota Statutes, chapters 18B, 18C, 18D, and 103H, and be consistent with the latest best management practices developed for such use by the Minnesota Department of Agriculture and Pollution Control Agency.

J. Shoreland Planned Unit Developments

1. **Purpose.** To protect and enhance the natural and scenic qualities of shoreland areas during and after development and redevelopment of high density residential and commercial uses.
2. **Types of PUDs Permissible.** Planned unit developments (PUDs) are allowed for new projects on undeveloped land, redevelopment of previously built sites, or conversions of existing buildings and land. Deviation from the minimum lot size standards of this ordinance is allowed if the standards in this Section are met.
3. **Processing of PUDs.** Planned unit developments in the shoreland district must be processed as a conditional use and comply with the provisions of this section in addition to those standards outlined elsewhere in the zoning and subdivision regulations. When there is a conflict in requirements, the more stringent of the requirements shall be applied. An expansion to an existing commercial PUD involving 6 or less new dwelling units or sites since the date this ordinance was adopted is permissible as a permitted use provided the total project density does not exceed the allowable densities calculated in the project density evaluation procedures in this Section. Approval cannot occur until all applicable environmental reviews are complete.
4. **Density Determination.** Proposed new or expansions to existing planned unit developments must be evaluated using the following procedures.
 - a. Step 1. Identify Density Analysis Tiers. Divide the project parcel into tiers by drawing one or more lines parallel to the ordinary high water level at the following intervals, proceeding landward:

Table 515-5-7.1. Density Analysis Tiers.

Waterbody Classification	No Sewer (ft)		Sewer (ft)
General Development Lakes – 1st tier	200		200
General Development Lakes – all other tiers	267		200
Recreational Development Lakes	267		267
Natural Environment Lakes	400		320
All Rivers	300		300

- b. Step 2. Calculate Suitable Area for Development. Calculate the suitable area within each tier by excluding all road rights-of way or easements, wetlands, bluffs, or land below the ordinary high-water level of public waters.
- c. Step 3. Determine Base Density:
 - i. For residential PUDs, divide the suitable area within each tier by the minimum single residential lot area for lakes to determine the allowable number of dwelling units, or base density, for each tier. For rivers, if a minimum lot area is not specified, divide the tier width or river frontage by the minimum single residential lot width.
 - ii. For commercial PUDs:
 - a. Determine the average area for each dwelling unit or dwelling site within each tier. Include both existing and proposed dwelling units and sites in the calculation.
 - i. For dwelling units, determine the average inside living floor area of dwelling units in each tier. Do not include decks, patios, garages, or porches and basements, unless they are habitable space.
 - ii. For dwelling sites (campgrounds), determine the area of each dwelling site as follows:

- iii. For manufactured homes, use the area of the manufactured home, if known, otherwise use 1,000 sf.
- iv. For recreational vehicles, campers or tents, use 400 sf.
- b. Select the appropriate **floor area/dwelling site area ratio** from the following table for the floor area or dwelling site area determined in Step 3: Determine Base Density for Commercial PUDs.

Table 515-5-7.2. Floor Area/ Dwelling Site Area Ratio.

Inside Living Floor Area or Dwelling Site Area (sf)	General Development Lakes w/Sewer – all tiers General Development Lakes w/no sewer – 1 st tier Agricultural, Urban and Tributary Rivers	General Development Lakes w/no sewer – all other tiers Recreational Development Lakes Forested and Transition Rivers	Natural Environment Lakes Remote Rivers
≤ 200	.040	.020	.010
300	.048	.024	.012
400	.056	.028	.014
500	.065	.032	.016
600	.072	.038	.019
700	.082	.042	.021
800	.091	.046	.023
900	.099	.050	.025
1,000	.108	.054	.027
1,100	.116	.058	.029
1,200	.125	.064	.032
1,300	.133	.068	.034
1,400	.142	.072	.036
≥ 1,500	.150	.075	.038

- c. Multiply the suitable area within each tier determined in Step 2, Calculate Suitable Area for Development, by the floor area or dwelling site area ratio to yield the total floor area or dwelling site area for each tier to be used for dwelling units or dwelling sites.
 - i. Divide the total floor area or dwelling site area for each tier calculated in the above paragraph by the average inside living floor area for dwelling units or dwelling site area determined in Step 3 for commercial PUD's. This yields the allowable number of dwelling units or dwelling sites, or base density, for each tier.
- iii. Allowable densities may be transferred from any tier to any other tier further from the waterbody, but must not be transferred to any tier closer to the waterbody.
- d. Step 4. Determine if the Site can Accommodate Increased Density:

- i. The following increases indicated in *Table 515-5-7.3* to the dwelling unit or dwelling site base densities determined in Step 3, Determine Base Density, are allowed if the design criteria of this Section are satisfied as well as the following standards:
 - a. Structure setbacks from the ordinary high water level:
 - i. Are increased to at least 50 percent greater than the minimum setback; or
 - ii. The impact on the waterbody is reduced an equivalent amount through vegetative management, topography, or additional acceptable means and the setback is at least 25 percent greater than the minimum setback.

Table 515-5-7.3. Increase Maximum Density.

Shoreland Tier	Maximum density increase within each tier (percent)
1 st	50
2 nd	100
3 rd	200
4 th	200
5 th	200

5. Design Criteria. All PUDs must meet the following design criteria.

- a. General Design Standards.
 - i. All residential planned unit developments must contain at least five dwelling units or sites.
 - ii. On-site water supply and sewage treatment systems must be centralized and meet the standards of this ordinance. Sewage treatment systems must meet the setback standards of *Table 515-2-22.2. S Dimensional Standards*.
 - iii. Dwelling units or dwelling sites must be clustered into one or more groups and located on suitable areas of the development.
 - iv. Dwelling units or dwelling sites must be designed and located to meet the dimensional standards in *Table 515-2-22.2. S Dimensional Standards*.
 - v. Shore recreation facilities:
 - a. Must be centralized and located in areas suitable for them based on a suitability analysis.
 - b. The number of spaces provided for continuous beaching, mooring, or docking of watercraft must not exceed one for each allowable dwelling unit or site in the first tier (notwithstanding existing mooring sites in an existing commercially used harbor).
 - c. Launching ramp facilities, including a small dock for loading and unloading equipment, may be provided for use by occupants of dwelling units or sites located in other tiers.
 - vi. Structures, parking areas, and other facilities must be treated to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks, color, or other means acceptable to the local unit of government, assuming summer, leaf-on conditions. Vegetative and topographic screening must be preserved, if existing, or may be required to be provided.

- vii. Accessory structures and facilities, except water oriented accessory structures, must meet the required structure setback and must be centralized.
 - viii. Water-oriented accessory structures and facilities may be allowed if they meet or exceed design standards contained in this ordinance and are centralized.
- b. Open Space Requirements.
 - i. Open space must constitute at least 50 percent of the total project area and must include:
 - a. Areas with physical characteristics unsuitable for development in their natural state; Areas containing significant historic sites or unplatted cemeteries; Portions of the SIZ preserved in its natural or existing state as follows:
 - i. For existing residential PUD's, at least 50 percent of the SIZ.
 - ii. For new residential PUDs, at least 70 percent of the SIZ.
 - iii. For all commercial PUD's, at least 50 percent of the SIZ.
 - ii. Open space may include:
 - a. Outdoor recreational facilities for use by owners of dwelling units or sites, by guests staying in commercial dwelling units or sites, and by the general public;
 - b. Subsurface sewage treatment systems if the use of the space is restricted to avoid adverse impacts on the systems; and
 - c. Non-public water wetlands.
 - iii. Open space shall not include:
 - a. Dwelling sites or lots, unless owned in common by an owners association;
 - b. Dwelling units or structures, except water-oriented accessory structures or facilities;
 - c. Road rights-of-way or land covered by road surfaces and parking areas;
 - d. Land below the OHWL of public waters; and
 - e. Commercial facilities or uses.
- c. Open Space Maintenance and Administration Requirements.
 - i. Open space preservation. The appearance of open space areas, including topography, vegetation, and allowable uses, must be preserved and maintained by use of deed restrictions, covenants, permanent easements, public dedication, or other equally effective and permanent means. The instruments must prohibit:
 - a. Commercial uses (for residential PUD's);
 - b. Vegetation and topographic alterations other than routine maintenance;
 - c. Construction of additional buildings or storage of vehicles and other materials; and
 - d. Uncontrolled beaching of watercraft.
- d. Erosion Control and Stormwater Management.

- i. Erosion control plans must be developed and must be consistent with the provisions of this ordinance. Erosion control plans approved by a soil and water conservation district may be required if project size and site physical characteristics warrant.
 - ii. Stormwater management facilities must be designed and constructed to manage expected quantities and qualities of stormwater runoff.
 - a. For residential PUDs, impervious surface for the entire project site must not exceed 25%.
 - b. For commercial PUDs, impervious surfaces within any tier must not exceed 25 percent of the tier area.
6. **Conversions.** Local governments may allow existing resorts or other land uses and facilities to be converted to residential PUDs if all of the following standards are met:
- a. Proposed conversions must be evaluated using the same procedures for residential PUDs involving new construction. Inconsistencies between existing features of the development and these standards must be identified;
 - b. Deficiencies involving water supply and sewage treatment, structure color, impervious coverage, open space, and shore recreation facilities must be corrected as part of the conversion or as specified in the conditional use permit;
 - c. Shore and bluff impact zone deficiencies must be evaluated and reasonable improvements made as part of the conversion. These improvements must include, where applicable, the following:
 - i. Removal of extraneous buildings, docks, or other facilities that no longer need to be located in shore or bluff impact zones;
 - ii. Remedial measures to correct erosion, improve vegetative cover and improve screening of buildings and other facilities as viewed from the water; and
 - iii. Conditions attached to existing dwelling units located in shore or bluff impact zones that preclude exterior expansions in any dimension or substantial alterations. The conditions must also provide for future relocation of dwelling units, where feasible, to other locations, meeting all setback and elevation requirements when they are rebuilt or replaced.
 - d. Existing dwelling unit or dwelling site densities that exceed standards of this ordinance may be allowed to continue but must not be allowed to be increased, either at the time of conversion or in the future. Efforts must be made during the conversion to limit impacts of high densities by requiring seasonal use, improving vegetative screening, centralizing shore recreation facilities, installing new sewage treatment systems, or other means.

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: March 18th, 2026

RE: Consider Conditional Use Permit Amendment to Allow Additional Off-Street Parking Spaces at 1410 and 1424 Thiesse Drive

REQUEST. Conditional Use Permit Amendment to allow for additional off-street parking spaces above the 65 spaces approved at the March 2nd City Council meeting at 1410 and 1424 Thiesse Drive to allow for the construction of a dermatology clinic. The applicant is requesting a total of 90 off-street parking spaces.

PUBLIC HEARING. Conditional Use Permit Amendment

APPLICANT: River Birch Investments LLC.

River Birch Investments LLC, 12545 County Road 139, Brainerd, has requested an amendment to the original CUP for additional off- parking spaces, as there was a miscommunication that the approved CUP allowed the applicant to exceed the maximum number of off-street parking spaces without restrictions. At the time of the original CUP application, the applicant had not finalized their site/ civil plans. Upon further review, the applicant would like to increase the amount of off-street parking spaces to 90 total spaces allow for staff and patient parking.

CONTEXT

Parcel Number: 41060502 and 41060503

Zoning District: General Industrial (GI) District

Property Area: Approx. 3.75 acres

Adjacent Uses: North: Vacant Industrial
East: Vacant Industrial
South: County Residential Farmland
West: Residential

Adjacent Zoning: North: General Industrial (GI) District
East: General Industrial (GI) District
South: County
West: General Industrial (GI) District

AERIAL MAP



FINDINGS OF FACT – CONDITIONAL USE PERMIT

1. The properties at 1410 and 1424 Thiesse Drive are located in the Industrial Park in the GI (General Industrial) Zoning District.
2. Zoning Ordinance [Section 515-4-12 Off Street Parking](#) states one (1) parking space is allowed for every 150 square feet of building footprint area. The applicant is requesting additional parking spaces for the two-story dermatology clinic. Any proposed off-street parking facility exceeding the maximum parking space calculation may only be allowed to exceed the maximum number of spaces if the building has more than one level with a Conditional Use Permit.
 - a. *The applicant is requesting a total of 90 off-street parking spaces.*
 - b. *The applicant has been approved for 65 off-street parking spaces. They would like to amend the CUP to add additional parking upon finalizing the site plan.*
 - i. *A new site plan has been provided along with a letter from the applicant requesting additional spaces.*

- c. *The proposed building footprint for the facility (main entrance) is 7,806 SF which allows for 52 spaces without an approved Conditional Use Permit.*
 - i. *The total surface area for the building is 12,750 SF.*
 - 1. *Off-street parking spaces are calculated by building footprint and not total surface area. However, if the total surface area was used for calculations it would equate to 85 spaces.*
 - a. *The applicant's request for 90 off-street parking spaces is reasonable for the size of the building.*
 - ii. *ADA spaces do not count towards the allowable number of off-street parking spaces.*
- 3. **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. *In accordance with the City of Brainerd Zoning Code Table of Uses, office/businesses uses are permitted in the GI District.*
 - b. The proposed use meets the regulations and standards established in this Ordinance.
 - i. *An approved CUP allows for properties to exceed the parking lot maximum if the buildings in more than one story in height.*
 - 1. *Off street parking facilities will be utilized for multiple staff and patients of the dermatology clinic along with potential tenants in the basement.*
 - 2. *The applicant is also planning for a potential future building on an adjacent lot to the East.*
 - ii. *The preliminary design meets all regulations and standards of the zoning code with exception of the lower parking lot design.*
 - 1. According to [Section 515-4-10.G.8](#) - When internal parking rows contain twenty (20) or more parking stalls, landscape islands shall be provided so that there is not a continuous row of over ten (10) parking spaces.
 - a. *The parking lot revised design meets the landscape island requirement.*
 - 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 proposed development will not 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.
 - i. *The proposed plan meets all landscape requirements of the Zoning Code.*

- ii. *The proposed building meets the design requirements of the Zoning Code and has stone accents that will enhance the aesthetics of the area.*
 - e. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - i. *The proposed building will enhance the visual impression of the neighborhood.*
 - ii. *FedEx, a nearby business, has a large parking lot and loading facility similar to other industrial uses.*
 - f. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 - i. *The proposed off-street parking facility will be adequate for patients and staff of the dermatology clinic.*
 - ii. *The proposed facility is not in a walkable/ bikeable area of the City and on-street parking is not typically utilized in industrial zoning districts.*
 - 1. *Off-street parking for patients and staff is essential for medical facility operations.*
 - iii. *The property is not near residential uses.*
 - g. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the [Comprehensive Plan](#).
 - i. *Economic Development Goal 1 of the Comprehensive Plan: Support infill and redevelopment throughout Brainerd as a strategic component of growth:*
 - 1. *Policy 1: Drive infill development and redevelopment towards areas where current infrastructure is present, or places where high levels of blight or disinvestment exist.*
 - a. *Development of vacant properties in the Industrial Park is an important economic priority of the City.*
 - b. *The property is located in an area where current infrastructure exists.*
4. **Section 515-2.B.7 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. Such conditions may include, but are not limited to, the following:
- a. Increasing the required lot size or yard setback dimension.
 - b. Limiting the height, size, or location of buildings.
 - c. Regulating ingress and egress to the property and the proposed structures thereon with particular references to vehicle and pedestrian safety and convenience, traffic flow and control, and access in case of fire or another catastrophe.
 - d. Regulating the street width.
 - e. Increasing the number of required off-street parking spaces.
 - f. Limiting the number, size, location, or lighting of signs.

- g. Requiring a berm, fencing, screening, landscaping, or other facilities to protect adjacent or nearby property.
- h. Requiring dedication of some open or green space.
- i. Regulating the appearance of the facilities or site so that they are harmonious with the neighborhood and City.

As of this writing, no parties have contacted the Community Development Department for more information on the Conditional Use Permit application for the proposed parking lot expansion for the dermatology clinic at 1410 and 1424 Thiesse Drive, Brainerd.

STAFF RECOMMENDATION

Staff recommend approval of the Conditional Use Permit Amendment that allows for 90 off-street parking spaces.



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: 1424 THIESSE DR, BRAINERD, MN 56401

LEGAL DESCRIPTION: Lot(s): 14.2 Block: 5 Addition: BRAINERD INDUSTRIAL PARK 1ST
(attach description if lengthy) PIN 41060503 : 41060502 ADDITION

Property Owner Name: RIVER BIRCH INVESTMENTS LLC

Street Address: 12545 COUNTY RD 139 City: BRAINERD State: MN Zip Code 56401

Phone Number: 218-831-1898 Fax: _____ E-mail: ADMIN@CENTRALMNDEMO.COM

Applicant Name: (If different than Property Owner) _____

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

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

Description of Request: AMEND APPROVED CUP FOR ADDITIONAL PARKING
STALLS

[Signature]

Property Owner Signature

3/3/2026

Date

KRISTINA M. BRITTON, MD

(Please print name)

Applicant Signature

Date

(Please print name)

CENTRAL MINNESOTA
—DERMATOLOGY—

March 6, 2026

Dear Planning Committee Members and Councilmembers,

I want to start by thanking you for reviewing and approving our CUP application and apologize for the oversight requiring us to submit an amendment requesting additional parking spaces. We did not realize that Council approval of the CUP is for a specific number of parking spaces and that the plans we submitted to the City with our Public Financing Application for the \$1/acre subsidy program would be used to determine the number for approval. The original plans that we submitted included a very preliminary drawing of the parking lot that represents the number of parking spaces we have available at our current location. In finalizing our floor plans, we have also modified our parking lot design to reflect a more accurate estimation for both our immediate and future parking needs. Copies of the updated plans are enclosed.

We are currently approved for 65 parking spaces and request approval for 90 non-ADA stalls. I realize that without context this seems extraordinarily high, but please allow me to provide some explanation of how we arrived at this number.

- ✓ As a rule of thumb for medical offices, you should plan 3-4 patient parking stalls per provider. As our patient schedules are very fast paced, we calculated 4 stalls per provider and included two additional spots in the event a complicated patient visit puts the provider behind schedule. Our new building will easily accommodate 5 providers a day, which calculates 22 parking spaces.
- ✓ We offer a skin cancer treatment that requires the patient to remain in our office for approximately 2.5 hours. Due to space restrictions in our current location, we only have a maximum of 9 specific appointment times available each week in which we can offer this treatment. In our new building, we will have the space to accommodate multiple patients receiving treatment at once with staggered start times, offering more convenience and accessibility for our patients. However, with such an extended stay at the clinic during the treatment, we would need an additional 6 parking stalls to accommodate times when all appointment spots are filled.
- ✓ We are considering adding another skin cancer treatment option at our clinic that would also require the patient to remain at the clinic for several hours while receiving the treatment. In planning for the possibility of adding this service, we need to include an additional 8 parking stalls.
- ✓ For our cosmetic providers we are factoring in 2 patient parking spaces for each provider. With having space for 6 cosmetic providers at any given time, we calculate the need for 12 parking spaces.
- ✓ We have designed the new building with enough space to expand the availability of our current services as well as add services and treatment options for our patients in the Brainerd Lakes area. If we grow to the maximum potential of our building space, we anticipate that we will need approximately 30 parking spaces for our employees.

CENTRAL MINNESOTA
—DERMATOLOGY—

- ✓ We have a portion of the lower level that will be unfinished and either rented to a future tenant or converted into additional clinic space to allow us to add another provider. We have calculated 8 additional parking spaces for either the tenant's employees and patients/customers or for additional employee and patient parking if we add another provider.
- ✓ We have factored in 4 spaces for parking needs that can't be predicted. For example, we have patients that stop into the clinic without an appointment to pick up prescriptions or products, make payments, schedule appointments, drop off paperwork, have questions or request to speak with a nurse. We occasionally have patients that have someone accompany them to their appointment but drive separately. We also are considering the winters in which there is a very high volume of snowfall and a few of the parking spaces can't be used as they are partially covered with snowbanks.

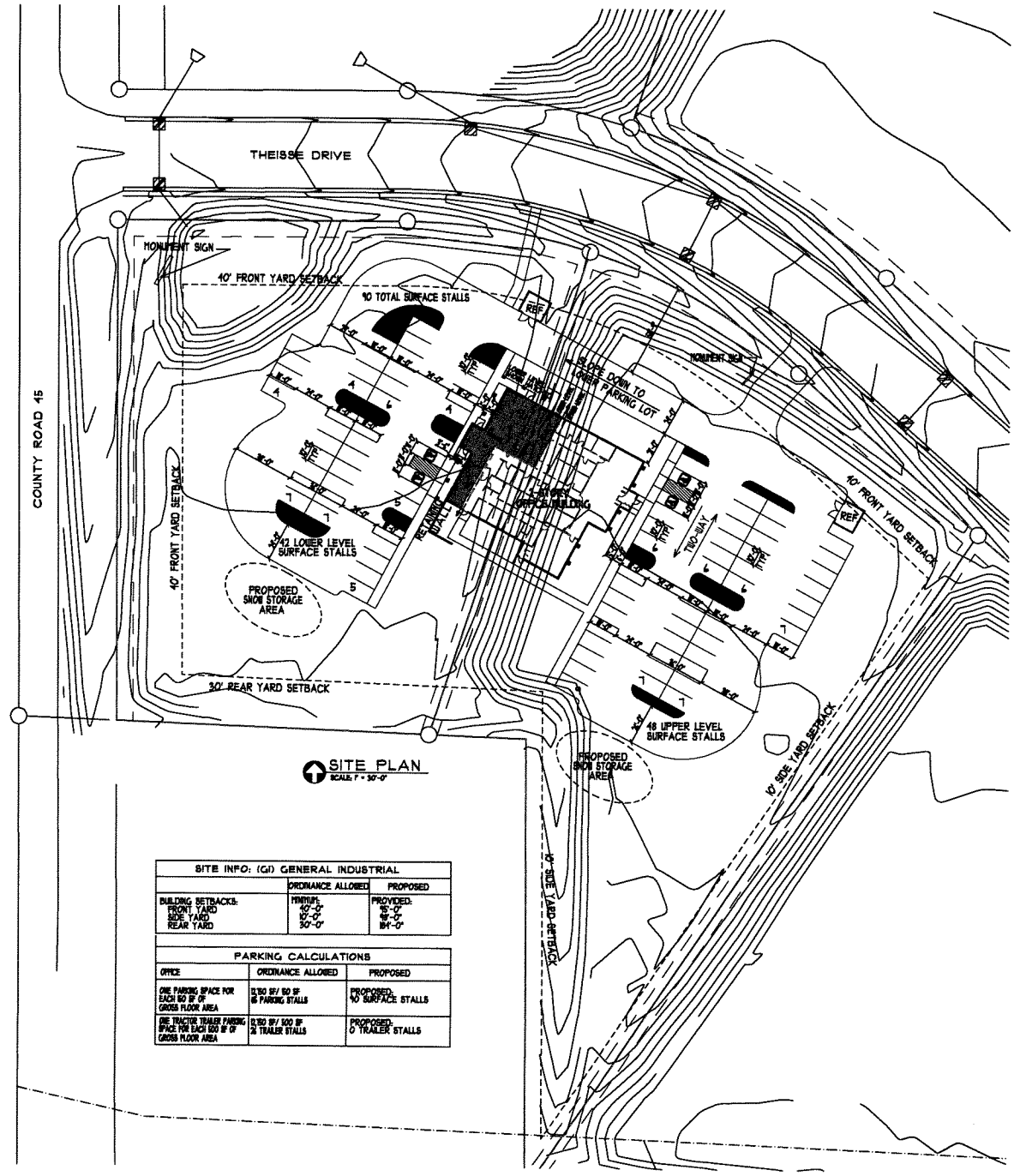
Our goal is to be very thoughtful in the design of our building to allow for potential growth while also ensuring that at any given time there is enough parking to avoid any frustration for our patients. It would be very shortsighted of us to have a large enough building to expand access and services without planning enough parking spaces to accommodate the staff and patient volume associated with the growth.

I appreciate your time in reviewing both this explanation of our parking lot calculation as well as the amended CUP. We are very excited to commence the construction of our new project and look forward to working with the City of Brainerd as a commercial property owner.

Sincerely,



Kristina M. Britton, MD



SITE PLAN
SCALE: 1" = 50'-0"

SITE INFO: (GJ) GENERAL INDUSTRIAL		
	ORDINANCE ALLOWED	PROPOSED
BUILDING SETBACKS:		
FRONT YARD	MINIMUM 10'-0"	PROVIDED: 15'-0"
SIDE YARD	10'-0"	15'-0"
REAR YARD	30'-0"	15'-0"
PARKING CALCULATIONS		
OFFICE	ORDINANCE ALLOWED	PROPOSED
ONE PARKING SPACE FOR EACH 150 SF OF GROSS FLOOR AREA	1,150 SF / 80 SF = 14 PARKING STALLS	PROPOSED: 40 SURFACE STALLS
ONE TRUCK/ TRAILER PARKING SPACE FOR EACH 150 SF OF GROSS FLOOR AREA	1,150 SF / 150 SF = 8 TRAILER STALLS	PROPOSED: 0 TRAILER STALLS

COLE GROUP ARCHITECTS, LLC.
311 Park Avenue South
Suite 200
St. Paul, MN 55101
Phone: 612.222.1111
www.colegrouparchitects.com

PROPOSED:
CENTRAL MINNESOTA DERMATOLOGY
BRainerd, MN

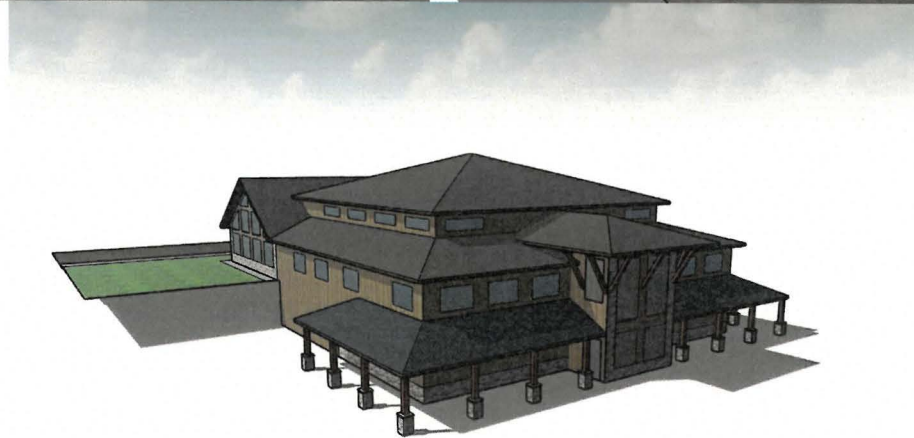
DESIGNED BY: []
REVISED BY: []
DATE: []

PROJECT No: 24001
Issue Date:
Document Set: PRELIMINARY

A010

These documents were submitted to public review and the public comments were considered. The project was approved by the City of St. Paul Planning Commission and the Board of Aldermen on 11/11/2014. The project was approved by the City of St. Paul Planning Commission and the Board of Aldermen on 11/11/2014. The project was approved by the City of St. Paul Planning Commission and the Board of Aldermen on 11/11/2014.

GENERAL CONTRACTOR:
KEYSTONE DESIGN BUILD, INC.



**CMD Preliminary Set
1.2.2026**

**1424 Thiesse Drive
Brainerd, MN 56401**



KEYSTONE
DESIGN BUILD INC.
320.253.3301

Guy
CENTRAL MINNESOTA
— **DERMATOLOGY** —

CLIENT

ISSUE
1.12.2026
RE-ISSUE

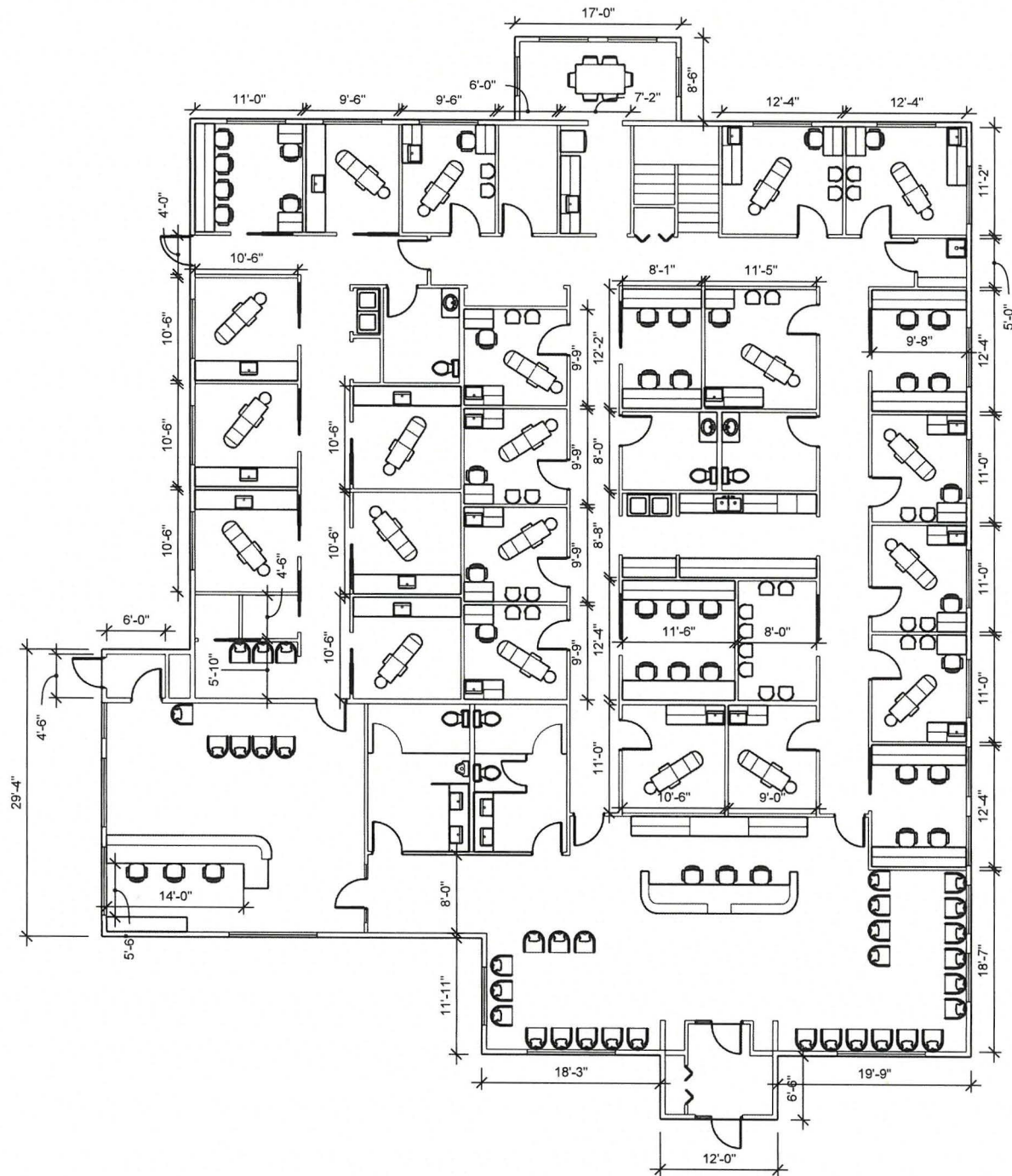
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01



KEYSTONE
DESIGN BUILD, INC.

CM
CENTRAL MINNESOTA
DERMATOLOGY

CLIENT

ISSUE
1.12.2026
RE-ISSUE

PROJECT NO.

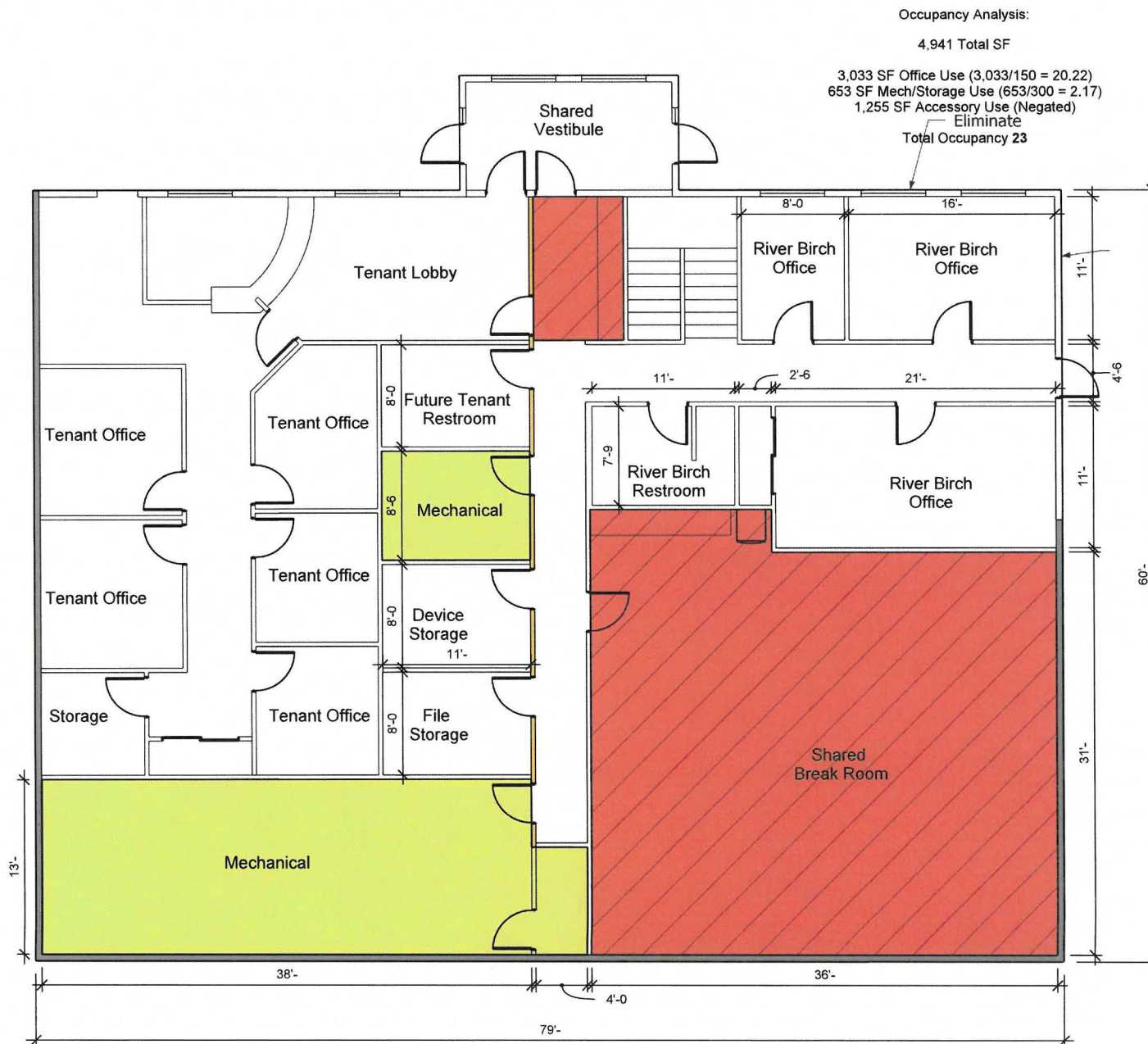
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DESCRIPTION
Floor Plan
Main Level

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03



KEYSTONE
DESIGN BUILD, INC.

CLIENT
CENTRAL MINNESOTA
DERMATOLOGY

CLIENT

ISSUE
1.12.2026
RE-ISSUE

PROJECT NO.

PROJECT
CMD

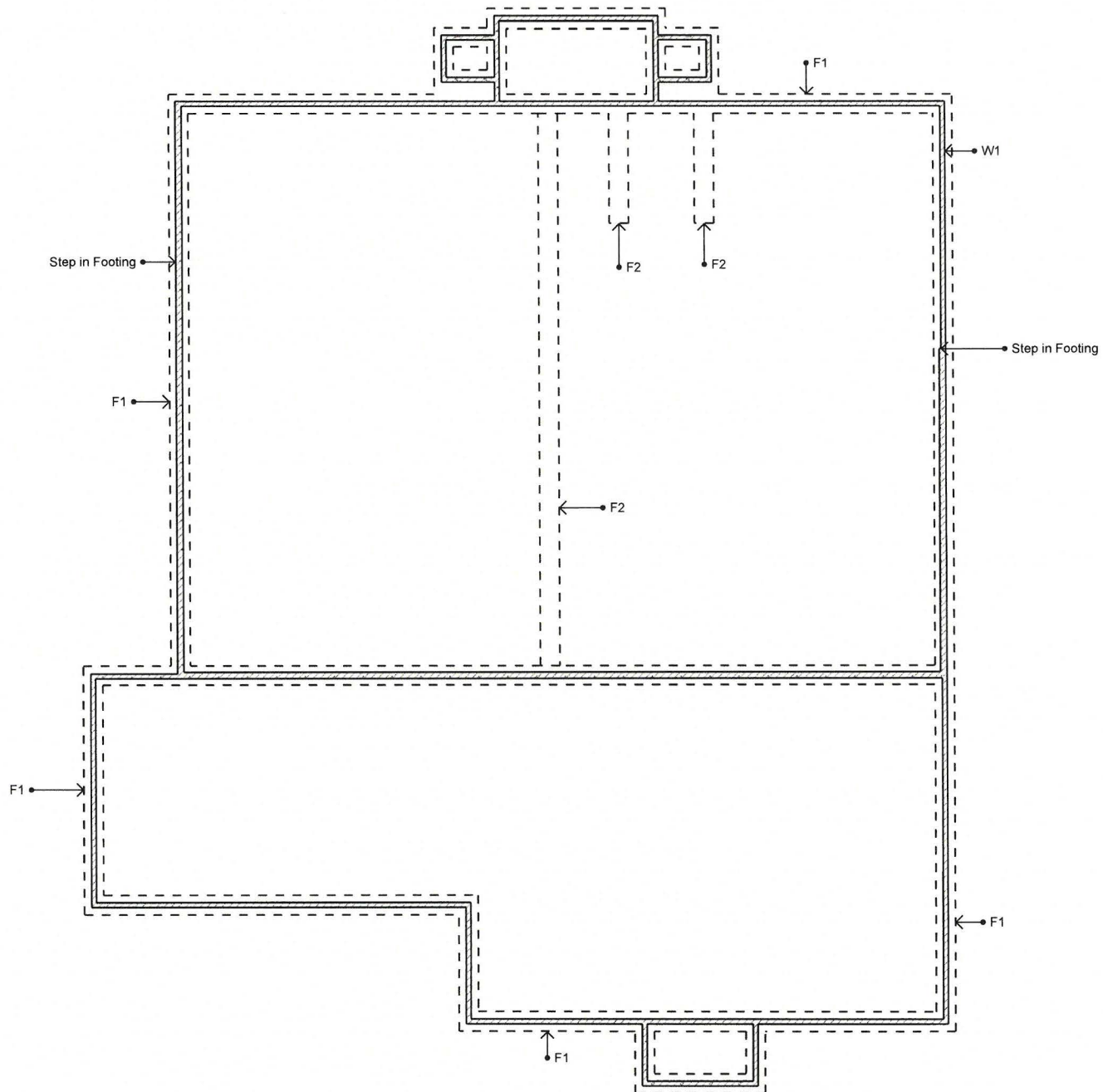
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DESCRIPTION
Floor Plan
Lower Level

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04

Footing Schedule				
Mark	Width	Length	Depth	Reinf.
F1	2'-0"	Cont.	1'-0"	(2) #5 Cont.
F2	2'-0"	Cont.	1'-0"	(2) #5 Cont.

Foundation Schedule				
Mark	Width	Length	Hor. Reinf.	Vert. Reinf.
W1	8"	Cont.	#5 @ 18" O.C.	#5 @18" O.C.



KEYSTONE
DESIGN BUILD, INC.

CLIENT
CENTRAL MINNESOTA
DERMATOLOGY

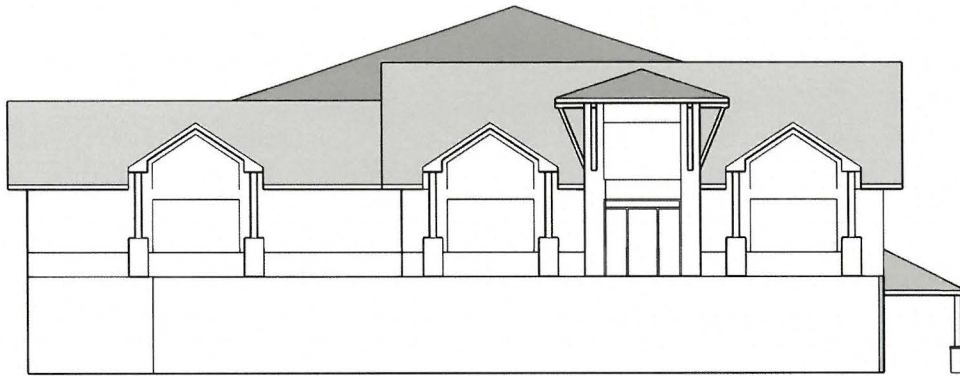
ISSUE
1.12.2026
RE-ISSUE

PROJECT NO.
PROJECT
CMD

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SK
DESCRIPTION
Foundation
Plan

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05



Front Elevation



Rear Elevation



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cmd
CENTRAL MINNESOTA
DERMATOLOGY

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ISSUE
1.12.2026
RE-ISSUE

PROJECT NO.

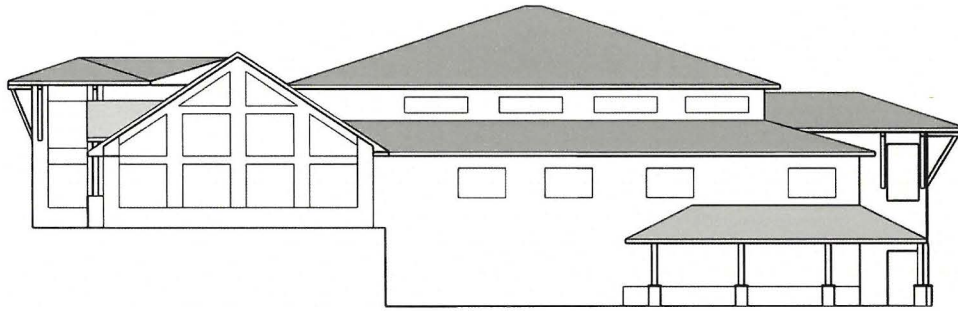
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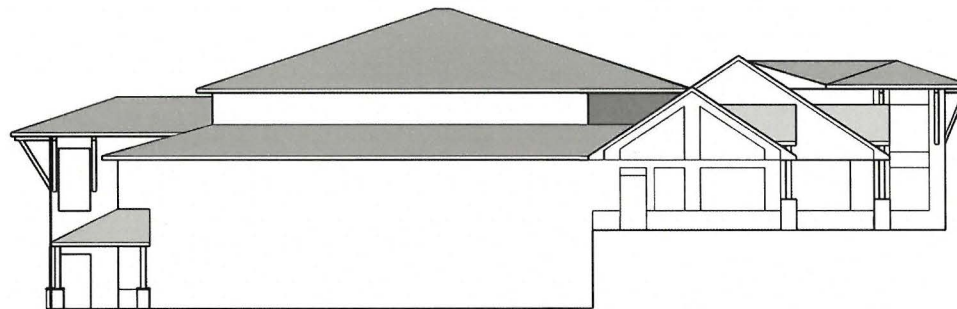
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DESCRIPTION
Floor Plan
Lower Level

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06



Side Elevation 1



Side Elevation 2



KEYSTONE
DESIGN BUILD, INC.

GMD
CENTRAL MINNESOTA
DERMATOLOGY

CLIENT

ISSUE
1.12.2026
RE-ISSUE

PROJECT NO.

PROJECT
CMD

DRAWN BY

SK
DESCRIPTION
Floor Plan
Lower Level

a

07

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that River Birch Investments LLC, 12545 County Rd 139, Brainerd has submitted a request for an amendment to the Conditional Use Permit at 1410 and 1424 Thiesse Drive to allow for additional parking spaces over the 65 spaces already approved with the original CUP. This request is to allow for additional off-street parking spaces for the construction of a dermatology clinic.

The properties included in this application are described as:

*BRAINERD INDUSTRIAL PARK
LOTS 1 AND 2; BLOCK 5
Parcel #'s: 41060503, 41060502
Section 06, Township 44, Range 30*

The property is zoned GI (General Industrial) District. According to Zoning Code Section 515-4-12 Off Street Parking: One (1) parking space is allowed for every 150 square feet of building footprint area. The applicant is requesting additional parking spaces due to the fact that the proposed building is two stories. Any proposed off-street parking facility exceeding the maximum parking space calculation may only be allowed to exceed the maximum number of spaces if the building has more than one level and upon approval of a Conditional Use Permit. A copy of the proposed site plan is on file for review in the Community Development Department.

A Public Hearing will be conducted at the Planning Commission Meeting at 6:00 p.m. Wednesday, March 18th, 2026 in the Council Chambers at Brainerd City Hall, 501 Laurel Street, to consider the Conditional Use Permit request.

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

Dated this 4th day of March, 2026



James L. Kramvik
Community Development Director

Publication Date: March 7th, 2026

Stephanie Bestul

From: James Kramvik
Sent: Tuesday, March 17, 2026 4:58 PM
To: Stephanie Bestul
Cc: Nick Broyles
Subject: FW: Planning Commission Packet

Hi All,

I have bcc'd all Planning Commission members. I have forwarded an e-mail from Justin for the Commissions consideration of the CUP amendment for the Dermatology Clinic. This may come up in the discussion at the meeting tomorrow.

Regards,

James Kramvik



James Kramvik | Community Development Director
City of Brainerd | 501 Laurel Street Brainerd MN 56401
218-454-3408 | jkramvik@ci.brainerd.mn.us

From: Justin Grecula <Justin.Grecula@FirstWestern.bank>
Sent: Friday, March 13, 2026 5:03 PM
To: James Kramvik <jkramvik@ci.brainerd.mn.us>
Cc: 'Justin Grecula' <justin.grecula@gmail.com>; Justin Grecula <Justin.Grecula@FirstWestern.bank>
Subject: RE: Planning Commission Packet

You don't often get email from justin.grecula@firstwestern.bank. [Learn why this is important](#)

*** **Warning:** External sender, use extreme caution with attachments and links ***

Hello James,

I was going through the packet and was curious how much parking space other medical facilities in our area have per sq ft. I went through and used the CWC property tax site and counted parking spaces, including ADA spaces. The below worksheet is what I came up with. I used several facilities in Baxter as well mainly because they're newer buildings and are potentially more comparable to the proposed.

Location	Total Sq Ft Per Public Records	Total Parking	1 space per sq ft
River Birch (Proposed)	12750	90	141.6666667
River Birch (Approved)	12750	65	196.1538461
Baxter Essentia Clinic	63251	230	275.0043478
Baxter Nystrom Office	20456	92	222.3478261

<i>Baxter CRMC Clinic</i>	<i>21876</i>	<i>120</i>	<i>182.3</i>
Northern Eye Center	5264	32	164.5
<i>Essentia Ortho Clinic (S 6th)</i>	<i>12878</i>	<i>91</i>	<i>141.5164835</i>
Lakes Imaging	2858	16	178.625
<i>Brainerd Essentia Clinic</i>	<i>68214</i>	<i>404</i>	<i>168.8465347</i>
Dermatology Professionals	8782	61	143.9672131
<i>Colby-Mueller Orthodontics</i>	<i>8782</i>	<i>37</i>	<i>237.3513514</i>
Dermatology Pro/C-M Ortho PUD	26346	98	268.8367347

A few notes on the last 3 items:

- These are in a PUD with a common parking lot.
- Businesses listed separately are the S & N ½ of the lot respectively
- There is a third unbuilt site with a total area of 15894 sq ft. I used the same 8782 sq ft building size, but if/when a building is constructed it will likely be larger.

Are you able to get this in front of the other planning commissioners? I can bring this up at the meeting, but if possible would like to give them the opportunity to verify my work/add additional medical facilities as it's by no means an exhaustive list. I feel this adds additional context for the potential CUP.

Thank you,

Justin Grecula

Consumer Lending Officer

NMLS - 1793095

14084 Baxter Drive, Suite 16

Baxter, MN 56425

218-833-8508 | Ext: 8508

justin.grecula@firstwestern.bank

firstwestern.bank



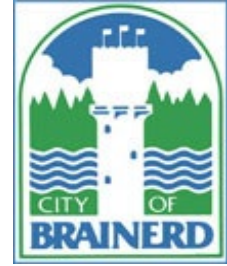
From: Justin Grecula <justin.grecula@gmail.com>
Sent: Friday, March 13, 2026 3:27 PM
To: Justin Grecula <Justin.Grecula@FirstWestern.bank>
Subject: Fwd: Planning Commission Packet

Caution: This email originated from an external source. If you suspect it to be a potential phishing email, report it via the Phish Alert button within Outlook or forward it to itsecurity@firstwestern.bank

----- Forwarded message -----

From: **Bernie Maciej** <bernie.maciej@gmail.com>
Date: Fri, Mar 13, 2026, 2:01 PM

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: March 18th, 2026

RE: Consider Interim Use Permit Amendment - 1926 S 7th St

PUBLIC HEARING. Interim Use Permit

APPLICANT: Bridges of Hope

Jana Shogren has submitted a request on behalf of Bridges of Hope for an Interim Use Permit Amendment to operate a warming shelter for the homeless in the Brainerd Lakes Area at 1926 South 7th Street. The current Interim Use Permit for the shelter expires on June 30, 2026. The facility operates between the months of September 1st – April 30th each year. The applicant is proposing to operate the shelter year-round.

CONTEXT

Parcel Number: 41360877 and 41360878

Zoning District: General Commercial (GC) District

Property Area: 56,052 SQFT incl parking lot

Adjacent Uses:

- North: Offices
- East: Evangelical Lutheran Good Samaritan
- South: Offices
- West: Residential

Adjacent Zoning:

- North: General Commercial (GC) District
- East: General Commercial (GC) District
- South: General Commercial (GC) District
- West: Contemporary Neighborhood-Two (CN-2) District

AERIAL MAP



FINDINGS OF FACT

1. The property at 1926 S. 7th Street is located in a GC (General Commercial) District and Zoning Ordinance Section 515-3 (Allowed Uses) Appendix A: Table of Uses permits the operation of warming shelters as an interim use as regulated by Section 515-3-43 of the Brainerd Zoning Ordinance.
2. Ordinance 1521 allowed for warming shelters in the General Business District pursuant to the requirements of Section 515-3-43 of the Zoning Code.
 - a. *The applicant originally proposed a warming shelter to help those in need escape from dangerously cold winter conditions. They stated that the first year of operation would be a trial run to see how things went. They stated that they may consider offering other opportunities in the future.*
3. The warming shelter originally opened in November of 2021 and is currently operating between the months of September 1st – April 30th each year.
4. The applicant is proposing that the warming shelter operates year-round.
5. The warming shelter, for the purpose of temporarily sheltering homeless persons, must meet the following criteria as required by the aforementioned Section of the Code:
 - a. Operation may not exceed 16 continuous hours.
 - i. *The applicant states in the public safety plan that the shelter will not exceed 16 continuous hours of operation.*

- b. Facility occupancy shall not exceed 30 beds or total occupancy of facility as set by the Fire Marshal, whichever is less.
 - i. *The shelter will have 20 twin beds and will have two separate sleeping areas: male side and a female side. The Shelter will have 10 overflow mats. They will not exceed 30 guests on any given night.*
 - ii. *The Fire Marshall has inspected and approved occupancy for the facility.*
 - c. Facility shall be staffed during all hours of operation.
 - i. *The facility will be staffed at all times when guests are present.*
 - ii. *The public safety policy also dictates that at a minimum one supervisory staff member shall be present on each shift.*
 - d. 24-hour contact information shall be provided to the City of Brainerd Police Department and Crow Wing County Community Services Department.
 - i. *The shelter has provided contact information to all parties.*
 - e. Except for bicycle racks, the outdoor storage of equipment, furniture, personal items, or other such possessions of those using the facility is not permitted.
 - i. *Guest bags, outer clothing (coats, snow pants), and property will be locked up upon arrival at the shelter by staff in the secured guest closet indicated on the floor plan.*
 - f. The facility shall meet all applicable building, safety, fire, and health code requirements.
 - i. *The Building Official and Fire Marshal inspected the facility before operation in the first year. The facility meets all applicable building, safety, fire, and health code requirements. The Building Official and Fire Marshal have no concerns at this time.*
- 6. According to [Section 515-5-3 Interim Use Permits Procedure](#), [New Uses](#), Uses defined as Interim Uses which do not presently exist within a respective Zoning District shall be processed according to the standards and procedures for a Conditional Use Permit as established by Section [515-5-2] of this Ordinance.
- 7. According to [Section 515-5-2 Conditional Use Permits](#), 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 the Appendix A: Table of Uses.
 - i. *Appendix A: Table of Uses permits the operation of warming shelters as an interim use as regulated by Section 515-3-43 of the Brainerd Zoning Ordinance.*
 - b. The proposed use meets the regulations and standards established in this Ordinance.

- i. The proposed use meets all requirements of Section 515-3-43 of the Brainerd Zoning Code.*
- 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 shelter has updated its public safety plan and consent form to address potential police investigations in circumstances where a law enforcement officer reasonably determines that advance notice to the individual may: a) compromise officer safety, b) create a risk of destruction or concealment of evidence, c) allow a suspect to evade lawful detention or arrest, or d) otherwise jeopardize an active law enforcement investigation.*
 - 1. The facility shall permit such entry and shall take reasonable steps to facilitate the officer's lawful contact with the individual.*
 - ii. The shelter has updated its guest agreement to require individuals (within 3-5 days of their first night) to actively participate in my Pathways Plan. If no progress is made within 30 days, I understand that services may be denied.*
 - 1. Participation in the pathways plan is essential to ensure individuals using the shelter are both improving their situation and also leaving the area when the shelter is closed during the day.*
- d. The proposed use shall be sited, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
 - i. The shelter is currently operating at the location, and the applicants are not proposing any exterior changes.*
- e. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - i. The shelter is currently operating at the location, and the applicants are not proposing any exterior changes.*
- f. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 - i. The facility has an adjacent parking lot. There have been no issues regarding the surrounding neighborhood for off-street parking and loading.*
- g. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.
 - i. The proposal is consistent with Public Safety GOAL 1: Brainerd will protect and provide for the safety of residents and visitors.*
 - 1. Policy 1. Make efficient use of existing facilities to ensure access to emergency services for all residents and visitors.*
 - a. The warming shelter has provided an asset to the community to shelter those in need of temporary*

shelters. Shelter staff have worked well with emergency services.

The Community Development Department has not received a complaint from the public regarding the shelter after the issuance of their second IUP in 2022.

As of this writing, no one has contacted the Community Development Department with concerns or objections to the Interim Use Permit.

STAFF RECOMMENDATION

Staff recommend approval of the Interim Use Permit contingent upon the following conditions:

- 1) Interim Use Permit shall expire on April 30th, 2027.
- 2) If the Brainerd Police Department determines that the facility has been used in a disorderly manner and upon the recommendation of the Police Chief, the Interim Use Permit shall be brought before the City Council for review and consideration for suspending or revoking the permit at the next available City Council meeting.
- 3) Shelter staff shall provide a report to City Council each year prior to September 1st.



Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218/828-2307

www.ci.brainerd.mn.us

INTERIM USE PERMIT

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*: 1926 South 7th St

I (We) the undersigned, do hereby respectfully request the Brainerd City Council to grant an Interim Use Permit to allow a year-round warming shelter for a one year term

at the property address listed above until the date of April 30, 2027.

Legal Description (attach, if lengthy): Lot 4 & 5 Block 3 Addition Holiday Inn addition to
Brainerd section 36 Township 45 Range 031

Property Owner: Steven D Skauge

Address: 1205 N Tower Rd Fergus Falls MN 56537
(Street) (City) (State) (Zip)

Contact Information #: 218-205-5499
(Home) (Business)
steves@productivemn.org
(Fax) (E-mail)

Applicant: (if different than Property Owner) Bridges of Hope-Jana Shogren

Address: PO Box 742 Brainerd MN 56401
(Street) (City) (State) (Zip)

Contact Information #: 218-825-7682
(Home) (Business)
jana@bridgesofhopemn.org
(Fax) (E-mail)

Contact Person: (if different than Property Owner) Bill Wear or Samantha Barron

Address: PO Box 742 Brainerd MN 56401
(Street) (City) (State) (Zip)

Contact Information #: 218-825-7682
(Home) (Business)
bill@bridgesofhopemn.org
(Fax) (E-mail)

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: Steven D. Skauge Date: 2/24/26
(Property Owner)

STEVEN D. SKAUGE
(Property Owner-Please print Name)

Jana M. Shogren Date: 2/27/26
(Applicant-If different than owner)

Jana Shogren
(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 in Section 515-5-3 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)

February 26, 2026

Mr. James Kramvik
Community Development Director
City of Brainerd
501 Laurel Street
Brainerd, MN 56401

Via Portal

Re: Land Use Application for Renewal and Modification of Interim Use Permit for Year-Round Warming Shelter

Dear Director Kramvik:

We represent Bridges of Hope, a Minnesota nonprofit organization (the "Applicant"). On behalf of the Applicant, please accept this letter as the required documentation to accompany our application for a renewed and amended Interim Use Permit (IUP) pursuant to §515-5-3 of the City of Brainerd zoning ordinance for a year-round Warming Shelter under the standards set forth in §515-3-44. We also attached a *draft* Public Safety Plan and revised Guest Agreement for staff and Council review.

I. Project Summary

The Applicant operates a facility located at 1926 S 7th St, Brainerd, MN 56401 (the "Shelter") that provides a safe, clean, and supervised place for individuals experiencing homelessness to sleep overnight ("Clients"). The Shelter is open to individuals age 18 and older and operates on a first-come, first-served basis.

The Shelter is supported by a combination of County and state of Minnesota grant funding as well as private donations. Its purpose is to provide temporary overnight safety and stabilization, rather than long-term or transitional housing. The Shelter's model emphasizes structured supervision, clear behavioral expectations, and connection to supportive services.

Bridges of Hope is guided by its mission to build bridges of support, anchored in Christ's love, among those it serves and alongside community partners. The Shelter evolved from a longstanding network of church-based family shelters in the Brainerd area and continues that collaborative tradition through partnerships with local service providers and community organizations. Accordingly, the Applicant is part of a network of supportive services providers devoted to establishing a continuum of care through coordinated referrals to community-based services, including housing assistance, substance use disorder treatment, medical and mental health care, employment services, meal services, and job training. Through this referral network, the Shelter serves as a point of connection to longer-term stabilization and support for Clients, without directly providing case management services or administering treatment programs on site.

The City zoning ordinance expressly allows interim use permits to be granted for Warming Shelters in GC districts, provided that (a) the operation does not exceed sixteen (16) continuous

hours; (b) facility occupancy does not exceed thirty (30) beds or the total occupancy set by the Fire Marshal, whichever is less; (c) the facility is staffed during all hours of operation; (d) twenty-four-hour contact information is provided to the Brainerd Police Department and Crow Wing County Community Services; (e) except for bicycle racks, outdoor storage of equipment, furniture, personal items, or other possessions of those using the facility is not permitted; and (f) the facility meets all applicable building, safety, fire, and health code requirements. Nothing in §515-3-44 imposes a seasonal limitation on the operation of a Warming Shelter, and the ordinance permits year-round services so long as the performance standards of the ordinance are met.

The Applicant currently operates the Shelter seasonally from September through April 30. In approving the existing Interim Use Permit, the City determined that the Shelter's operation conformed to applicable ordinance standards. Specifically, the hours of operation did not exceed sixteen (16) consecutive hours, overnight occupancy did not exceed thirty (30) beds, the facility was staffed during all hours of operation, twenty-four-hour contact information was provided to the Brainerd Police Department and Crow Wing County Community Services, and the facility complied with all applicable building, fire, safety, and health code requirements.

As the only organization within the Brainerd community providing overnight sleeping services for individuals experiencing homelessness, the Applicant plays a critical role in keeping people off the streets. State-wide and Crow Wing County data reflects a sustained rise in housing instability, and recent City action restricting public camping was adopted in response to increasing public safety, health, and welfare concerns associated with unmanaged encampments. In this regulatory and community context, seasonal gaps in overnight shelter leave individuals without a lawful or safe place to sleep disrupting treatment plans, access to services, and potential progress toward stabilization.

The Applicant seeks to continue its code-compliant Warming Shelter operations and requests renewal and modification of its Interim Use Permit to authorize year-round operation, rather than limiting operations to the current September through April seasonal period. The Applicant further requests that the renewed IUP be issued for a one (1) year term, subject to the supplemental conditions and restrictions set forth in Section III of this application.

II. The proposed modified Interim Use Permit conforms with the regulations, intent, and purpose of the City Code.

The existing shelter operation complies with the plain language of the zoning ordinance and serves the needs of the community. The Applicant's collaboration with service providers and public safety partners, along with the implementation of voluntary conditions, will mitigate any potential adverse effects on public health, safety, or general welfare. Accordingly, the City should grant the Applicant a year-round Interim Use Permit.

A. The Shelter use conforms to the zoning district and is a permitted interim use.

The proposed use is consistent with the GC zoning district regulations. The GC district is intended to accommodate more intensive commercial uses that rely on the primary street network for access and circulation. Warming Shelters are permitted within the GC zoning district pursuant to the operational requirements, and conditions imposed through the IUP process.

The Shelter is located within an existing commercial building, provides temporary overnight lodging consistent with surrounding hotels, and has sufficient parking to accommodate Clients and staff. As an existing use, the Shelter complies with GC district standards related to lot frontage, setbacks, parking, and building height.

B. The Shelter use meets all special standards which may apply to its class of conditional uses.

Current and proposed shelter operations comply with the performance standards outlined in Section §515-3-44 of the City Code, as previously described in Section I of this narrative.

C. The Shelter use does not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.

The Shelter has operated continuously at this location for more than four years. During prior renewal hearings, questions were raised by Council regarding police service activity associated with the Shelter. While call data alone is not a reliable indicator of land-use compatibility, the available record reflects that the Shelter has not generated disproportionate or chronic enforcement activity relative to other overnight commercial uses.

Over a recent three-year period, 119 calls for service were associated with the Shelter out of more than 51,000 calls citywide. Many of those contacts involved EMS assistance, welfare checks, referrals, or other non-criminal matters. Only eight arrests occurred during that period. The data does not reflect a pattern of recurring criminal activity, persistent nuisance behavior, or unmanaged disorder attributable to the facility.

The Shelter has operated for multiple years without documented violations of the City's nuisance or performance standards prescribed for shelter uses. The performance standards outlined in § 515-3-44 of the City Code are specifically designed to mitigate potential nuisance impacts related to the shelter classification. The record does not demonstrate that the Shelter has exceeded those standards or created conditions inconsistent with the ordinance.

Beyond compliance, the Shelter operates with structured operational controls designed to prevent unsafe conditions and reduce external impacts, including:

- On-site staffing during all hours of operation;
- Written rules of conduct and required guest agreement;
- Intake and supervision protocols;
- Incident documentation and internal response procedures; and
- Ongoing coordination with the Brainerd Police Department consistent with applicable law.

Recognizing that unsupervised daytime congregation can create external impacts, the Shelter maintains a structured partnership with Open Arms Community Resource Center in Baxter, operated by Lighthouse Beginnings. The Applicant sought and received grant dollars from Sourcewell to fund a shuttle that provides transportation for clients from the Shelter to the day facility at Open Arms. Open Arms operates daily and provides a supervised, sober, resource-focused environment that includes peer support, individualized wellness planning, housing assistance, mental health connections, substance use assessment and treatment referrals, employment resources, transportation coordination, and structured classes and programming.

Under the Shelter's guest policies, individuals seeking access to ongoing shelter resources are required to demonstrate engagement in productive daytime activity. Guests must be either:

- employed;
- actively participating in treatment; or
- attending and engaging in programming at Open Arms

Just like the Applicant, Open Arms operates under clear behavioral expectations, including no loitering, no drugs or alcohol on site, willingness to participate in intake and wellness planning, and compliance with sobriety and accountability requirements. The partnership between the Applicant and Open Arms is designed to ensure that individuals using Shelter services are connected to supplemental housing, mental health, and employment services and structured activity during non-operating hours, thereby reducing the potential for idle congregation in the surrounding commercial district.

Recognizing that public safety concerns were expressed during prior annual review processes, the Applicant is proposing that a formal Public Safety Plan, subject to review and approval of the police department is incorporated as a binding condition of approval for year-round operation. Codifying the Public Safety Plan as an enforceable condition strengthens accountability and formalizes coordination protocols with the Police Department. A draft of a proposed Public Safety Plan is attached to this application, and work with Chief Davis is currently underway to submit an approved version of the plan for inclusion in future meeting packets.

In addition to incorporation of the Public Safety Plan, the Applicant is proposing supplemental operational conditions designed to mitigate potential impacts and reinforce compliance with the City's performance standards. The proposed transition to year-round operation does not introduce a new or untested land use. Rather, it formalizes an existing operation under enhanced, enforceable conditions designed to ensure continued compatibility with surrounding commercial properties.

D. The Shelter use will not create an inconsistent visual impression or environment within the neighborhood.

The proposed year-round operation continues an already approved and established use within an existing enclosed structure. This proposed use represents a continuation of the same use and does not involve any changes to the building footprint, site layout, access points, or exterior appearance. The Applicant regularly maintains and improves the existing landscaping, lighting, signage, and screening along the public right-of-way to enhance the aesthetics of the functional streetscape. The Shelter's physical siting and operational characteristics are consistent with surrounding commercial and service-oriented uses. The Shelter operates entirely indoors and does not rely on outdoor gathering areas. The Shelter serves a limited number of clients and is subject to continuous on-site staffing and monitoring, resulting in a controlled environment with fewer potential impacts. Consistent with these comparable nearby uses, and in several respects operating at a lower intensity, the proposed use will not generate noise, activity, or environmental impacts that substantially differ from adjacent hotel properties.

E. The Shelter use organizes vehicular access and parking to minimize traffic congestion in a residential neighborhood.

The proposed year-round operation of the Shelter generates minimal vehicular traffic due to its limited overnight hours and low-intensity use. Client arrivals occur in the evening and departures occur in the morning, outside of peak daytime traffic periods. Vehicular activity is primarily limited to staff arrivals and departures and occasional drop-off activity, all of which occur during hours when surrounding commercial uses, such as nearby medical offices, are winding down or closed. As a result, the Shelter does not contribute to peak-hour congestion or daytime traffic patterns in the surrounding area.

F. The Shelter use is consistent with applicable policies of the City's comprehensive plan.

The application is consistent with the City's adopted land use and housing objectives, specifically Housing Plan Goal 3: ensuring quality living conditions for all residents. While operating a year-round Shelter does not create permanent housing, it expands the range of housing options available within the community by providing short-term, supervised overnight accommodation for individuals who would otherwise lack safe alternatives. In this respect, the use functions as part of the broader housing continuum and supports stabilization efforts that are foundational to long-term housing security.

The Shelter advances the City's housing goals by benefiting not only Shelter Clients, but the Brainerd Lakes community as a whole. By providing a safe and regulated alternative to unsheltered camping, the Shelter addresses public safety concerns associated with unmanaged outdoor sleeping and reduces the potential displacement of vulnerable individuals into adjacent neighborhoods or neighboring communities lacking adequate resources. Continuous access to structured, accountable overnight accommodation also allows Clients to engage consistently with employment, treatment, and service programming. These factors are critical to workforce reentry and long-term self-sufficiency.

This also supports environmental stewardship objectives. When individuals are forced to sleep outdoors without access to sanitation, trash disposal, or supervision, secondary impacts can occur, including litter accumulation and strain on public spaces. A structured, staff-managed shelter environment reduces these impacts by providing sanitation facilities, waste management, and clear behavioral expectations. In doing so, the use helps preserve public spaces and maintain the environmental quality of the community.

III. Year-round use and proposed conditions of approval

The Applicant respectfully requests modification of its existing seasonal Warming Shelter Interim Use Permit ("IUP") to authorize year-round overnight operation at its current location, while reducing maximum occupancy to twenty-five (25) Clients per night. The proposed modification eliminates seasonal service gaps that disrupt Client stabilization and continuity of care, without expanding the physical footprint of the use.

The Shelter is permitted as an interim use under Minnesota law. The City is authorized to impose reasonable conditions on interim uses, provided such conditions are tailored to address potential impacts and are consistent with the City Code. While the applicable ordinance standards govern the Council's decision, the Applicant acknowledges the concern expressed during prior annual renewal discussions. In that spirit, and without conceding that the existing operation has created nuisance conditions, the Applicant proposes the following supplemental conditions of approval to

reinforce compatibility with surrounding commercial properties and to formalize operational safeguards already in practice:

Proposed Supplemental Conditions of Approval

1. The Applicant shall provide an annual compliance report to the City Council each year as part of the IUP review process.
2. Overnight occupancy shall be reduced from thirty (30) beds and shall not exceed twenty-five (25) Clients per night.
3. The use shall operate in compliance with a written Public Safety Plan, subject to approval by the Chief of Police or the Chief's designee.
4. To mitigate potential impacts during non-operating hours, the Shelter shall maintain an active coordination partnership with Open Arms Community Resource Center in Baxter, Minnesota ("Open Arms").
5. Shelter policy shall require that Clients seeking ongoing access to services demonstrate engagement in structured daytime activity, including:
 - (a) employment;
 - (b) active participation in treatment; or
 - (c) attendance and engagement in programming at Open Arms or a comparable supervised service provider.
6. The Shelter shall maintain and support a shuttle service to transport Clients to Open Arms.
7. The Shelter shall maintain an internal incident log documenting material incidents occurring on the premises.
8. Upon request during annual review, the Applicant shall provide summary compliance information to the City, excluding private or protected data.

IV. Conclusion

Operation of an overnight shelter serving individuals experiencing homelessness involves a complex regulatory framework and ongoing compliance responsibilities. In addition to local land use and licensing requirements, the Shelter operates under applicable state and federal laws governing data privacy, nondiscrimination, and public health and safety.

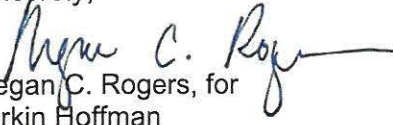
As a recipient of public funding and a provider of emergency services, the Shelter is subject to the Minnesota Government Data Practices Act, which regulates the collection, maintenance, and disclosure of data on individuals. The Shelter must also operate in compliance with federal and state fair housing and civil rights laws, ensuring equal access to services without discrimination and administering policies in a consistent and lawful manner. These statutory obligations shape intake procedures, record-keeping practices, coordination with law enforcement and social services, and day-to-day operational protocols.

The Applicant recognizes that providing overnight shelter requires careful balancing of individual rights, public safety, and community compatibility. The Shelter's policies, staffing model, service partnerships, and proposed conditions of approval reflect that responsibility. Year-round operation under a clearly defined Interim Use Permit framework will allow the Shelter to continue serving vulnerable adults in a structured, compliant, and accountable manner consistent with City Code and applicable law.

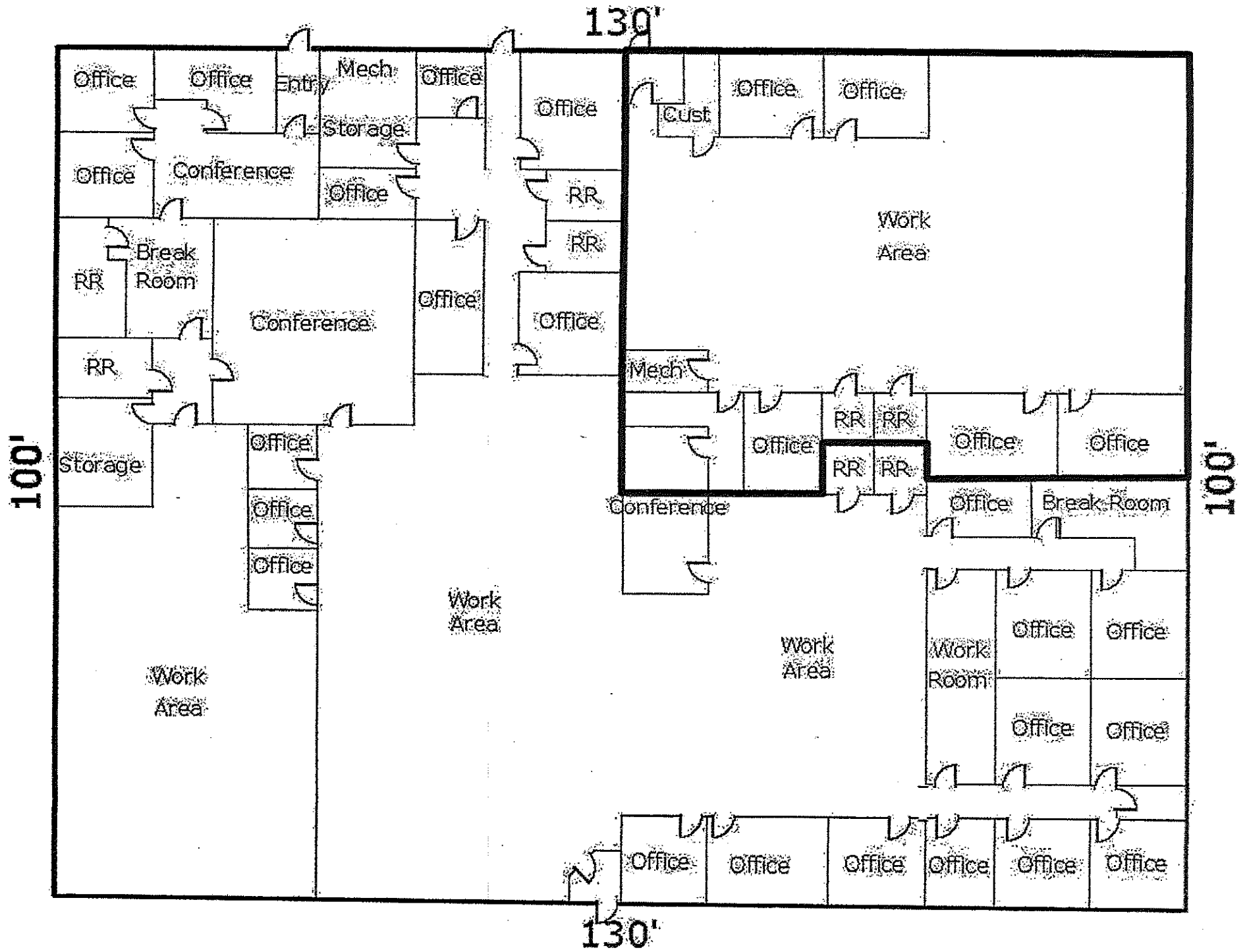
We respectfully request approval of this renewal and amendment of this IUP application for the proposed use of the Shelter as a year-round Warming Shelter, with twenty-five (25) beds.

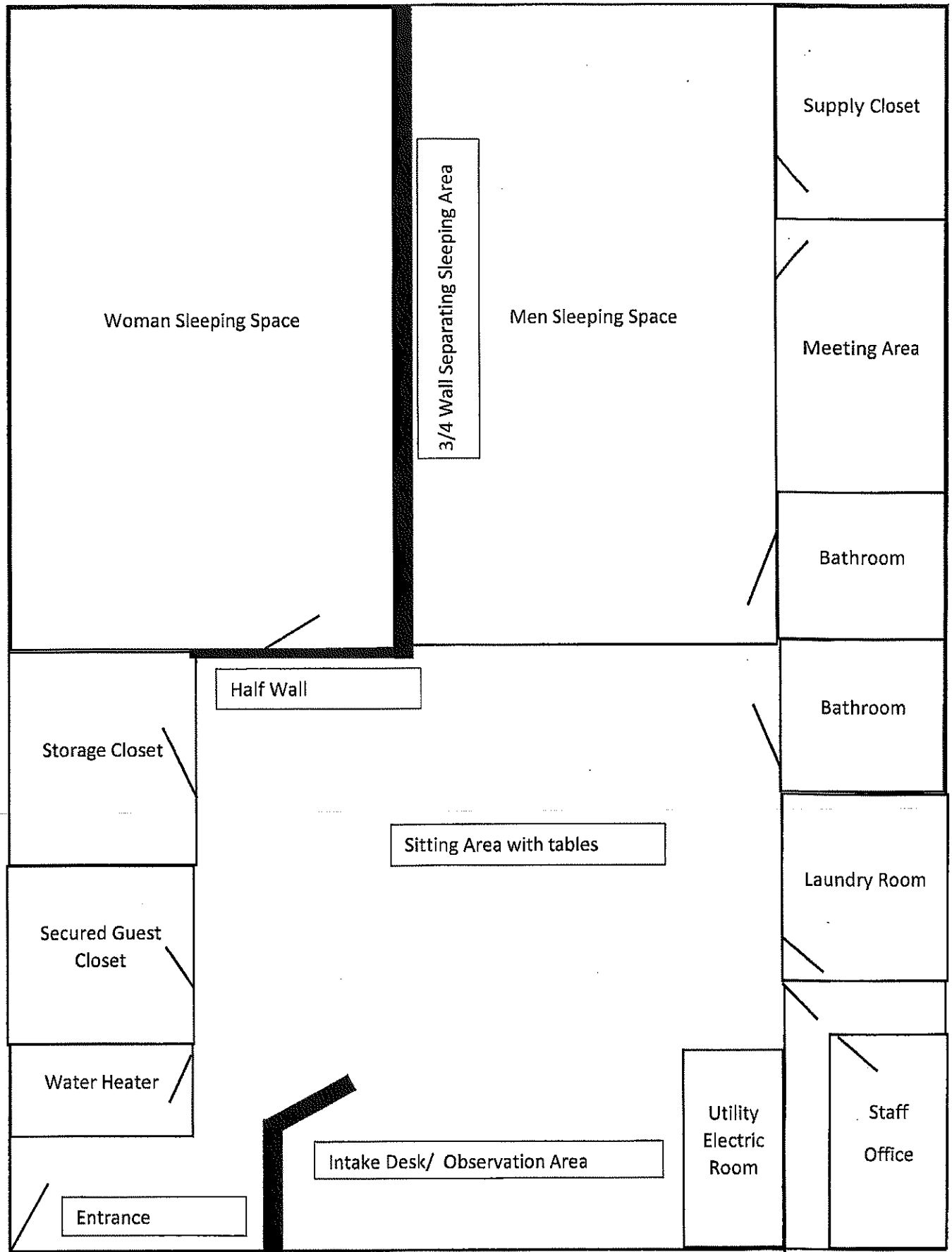
Please do not hesitate to contact any member of the Bridges team or our office with any questions or request for supplemental information. Thank you.

Sincerely,


Megan C. Rogers, for
Larkin Hoffman
Direct Dial: (952) 896-3395
Direct Fax: (952) 842-1847
Email: mrogers@larkinhoffman.com


Libby A. Kurtzman
Larkin Hoffman
Direct Dial: (952) 896-1505
Direct Fax: (952) 842-1813
Email: lkurtzman@larkinhoffman.com





PUBLIC SAFETY PLAN: BRIDGES OF HOPE SHELTER

1. OPERATIONAL LIMITATIONS

1.1 Bridges of Hope (the “Facility”) shall operate solely as an overnight warming shelter and shall not intensify its operations to a 24-hour drop-in center, detoxification facility, inpatient treatment center, or crisis stabilization facility.

1.2 Operation shall not exceed sixteen (16) continuous hours in any twenty-four (24) hour period.

1.3 Occupancy shall not exceed the lesser of (i) thirty (30) beds or (ii) the maximum occupancy established by the Fire Marshal.

1.4 The Facility shall be staffed at all times during hours of operation.

1.5 Except for bicycle racks, no outdoor storage of personal belongings, equipment, furniture, or possessions of guests shall be permitted.

2. STAFFING AND SUPERVISION

2.1 A minimum of one supervisory staff member shall be present on each shift.

2.2 Staff-to-guest ratios shall be scaled to occupancy levels pursuant to state regulations to ensure active supervision and de-escalation capacity.

2.3 All staff shall receive annual training in de-escalation and conflict resolution; trauma-informed care; mental health crisis recognition; emergency response protocols; and Minnesota Government Data Practices Act compliance.

2.4 If calls for service exceed the baseline threshold established under Section 5 for two consecutive months, the Facility shall implement enhanced staffing measures, which may include additional supervisory staff or contracted security personnel.

3. TIERED INCIDENT RESPONSE PROTOCOL

3.1 The Facility shall implement and maintain a documented tiered response system prioritizing internal resolution of incidents.

3.2 Facility staff should prioritize internal de-escalation, mediation, and conflict resolution when situations involve non-criminal behavioral issues and can be safely managed within the facility. Nothing in this policy shall prohibit staff from requesting assistance from law enforcement.

4. INTAKE AND CONDUCT CONTROLS

4.1 All guests shall execute a behavioral expectations agreement addressing prohibition of violence or weapons; compliance with staff directives; quiet hours; no loitering; and prohibition of outdoor storage.

4.2 As part of the intake process, the Facility shall request that each guest execute a Homeless Management Information System (HMIS) Release of Information (the "Release"). The Release shall authorize the Facility to collect, maintain, and share guest information for purposes of service coordination, housing placement, funding compliance, and related administrative functions and include a separate, clearly identified authorization permitting the limited disclosure of the guest's name to on-duty law enforcement officers.

4.3 The Facility shall utilize controlled access procedures, including a single monitored point of entry during intake hours. The Facility shall implement intake screening sufficient to identify immediate safety or medical risks and shall coordinate referrals to appropriate community partners as necessary.

4.4 The Facility shall maintain a referral-based service model and shall not serve as a primary provider of housing services, inpatient medical, detoxification, or psychiatric stabilization services.

4.5 The Facility shall implement a structured discipline and exclusion framework designed to: 1) Protect the safety of residents, staff, and the surrounding community; 2) provide clear behavioral expectations; 3) Utilize graduated discipline where appropriate; and 4) avoid unnecessary or arbitrary exclusion while preserving zero-tolerance authority for dangerous conduct.

The following conduct shall constitute grounds for immediate removal from the Facility and may result in permanent exclusion: 1) violent conduct; 2) credible threats of violence; 3) sexual assault or harassment; 4) possession of a weapon; 5) distribution or sale of controlled substances on site; 6) any conduct creating an immediate threat to life or safety.

For non-violent or non-dangerous infractions, including but not limited to: 1) minor behavioral conflicts; 2) failure to comply with routine shelter procedures, the Permittee shall implement a graduated discipline model, which shall include: a) Verbal warning; b) Written warning; c) Temporary suspension (e.g., one to seven nights); d) Extended suspension.

The Facility shall maintain internal documentation of exclusions and suspensions include such information in quarterly reporting provided in Section subject to the compliance requirements of Section 6.

5. FACILITY COORDINATION WITH POLICE DEPARTMENT

5.1 The Facility shall designate a Police Liaison responsible for coordination with the Brainerd Police Department.

5.2 On a quarterly basis, the Police Liaison shall make a data request from the Brainerd Police Department for all police calls to the Facility so that the Facility may monitor call volume for the purposes of reviewing the effectiveness of shelter management procedures.

5.3 The Facility, through its Police Liaison shall request quarterly coordination meetings with the Police Department to review operational impacts of the Facility

6. DATA PRIVACY AND INFORMATION DISCLOSURE

6.1 The Facility acknowledges that, as a grant recipient receiving public funding, it is subject to Minn. Stat. § 13.587 and the Minnesota Government Data Practices Act.

6.2 Data maintained by the Facility from which the identity of an individual receiving emergency services may be determined shall be treated as private data on individuals.

6.3 The Facility collects only limited identifying information necessary for shelter operations and very limited medical information necessary for immediate safety purposes. The Facility does not maintain comprehensive medical records.

6.4 Except as otherwise provided in this Section, the Facility shall not release shelter records or other client-identifying documentation to law enforcement absent: a) a valid warrant, b) subpoena or court order, c) exigent circumstances involving an imminent threat to life or safety, or d) written consent of the individual.

6.5 The Facility shall confirm to law enforcement whether a specific individual is currently present at the Facility or has been present at the Facility within the previous 48 hours when the request is made in connection with: a) service of a warrant or court order, b) a missing person investigation, c) any exigent circumstances, d) or where the individual has provided consent to disclosure.

6.6 In circumstances where a law enforcement officer reasonably determines that advance notice to the individual may: a) compromise officer safety, b) create a risk of destruction or concealment of evidence, c) allow a suspect to evade lawful detention or arrest, or d) otherwise jeopardize an active law enforcement investigation, the officer may request to enter the Facility to make direct contact with the individual without prior notification. Facility staff shall permit such entry and shall take reasonable steps to facilitate the officer's lawful contact with the individual.

6.7 Facility staff shall cooperate in good faith with lawful requests from law enforcement officers seeking to make contact with an individual who may be located at the

Facility. In furtherance of public safety and law enforcement coordination, staff shall: a) Promptly notify the individual, when practicable and consistent with safety considerations, that law enforcement officers are present and requesting contact; b) Facilitate voluntary communication between the individual and law enforcement when the individual consents; and c) Take reasonable steps to assist officers in effectuating lawful process, including service of warrants, court orders, or other legally authorized actions. Nothing in this Section limits the Facility's obligation to comply with valid warrants, subpoenas, court orders, or other legal mandates.

6.8 The Facility shall designate a Data Practices Responsible Authority or designee to review and respond to law enforcement data requests.

7. NEIGHBORHOOD IMPACT MITIGATION

7.1 Staff shall conduct periodic exterior perimeter checks during operating hours.

7.2 The Facility shall promptly investigate and respond to complaints from neighboring property owners. Complaints received shall be documented.

7.3 *Daytime Programming and Community Expectations.* As part of maintaining a safe and stable shelter environment and reducing neighborhood impact, guests agree to comply with structured daytime transition procedures.

Guests acknowledge and agree that:

- The Facility enforces a no-loitering policy during daytime closure periods.
- Guests will be referred to structured daytime programming, including the Lighthouse Connections Day Center (8055 Industrial Park Road, Baxter, MN; 612-865-7118), or other appropriate community-based services recommended.
- Guests are expected to engage in constructive daytime activities, including participation in: Recovery-oriented programming, Mental health or substance use services, Employment or housing-related services, Peer support and wellness planning.

Failure to comply with daytime transition procedures or refusal to engage in structured programming without reasonable cause may result in progressive discipline consistent with Facility policy.

4903-8305-3713, v. 3

The Bridge on 7th

EMPLOYEE HANDBOOK

Bridges of Hope/The Bridge on 7th reserves the right to change, add to, eliminate, or modify any of the programs, guidelines, policies and information contained in this handbook at its discretion, with or without notice. Updated 1/1/2025

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The Bridge on 7th Employee Handbook

The Bridge on 7th is owned and operated by Bridges of Hope, a 501(c)(3) nonprofit organization. Bridges of Hope's organizational structure includes a Board of Directors comprised of community members from the Brainerd Lakes area, representing education, human services, law enforcement, business and faith communities. The Board provides leadership and oversight to the ongoing formation of Bridges of Hope in planning, budgeting, fundraising, and community networking.

OUR MISSION

To build bridges of support, anchored in Christ's love, between families in the Lakes area and community assets that can help them thrive and gain hope.

OUR VISION

Bridges of Hope links families to community supports and resources. It creates partnerships within the broader community to help strengthen, stabilize, and support families in the Lakes area, sending a message of hope and empowering families to thrive.

GUIDING PRINCIPLES

- Christ calls us to love our neighbor as ourselves.
- Families can be strengthened by formal and informal support.
- Healing happens best in the context of community.
- Having an active faith makes a difference in a person's life.
- We respect diversity, individual needs, beliefs and values.
- Faith communities are in a unique role of offering relationships to those in crisis.

DESCRIPTION OF SERVICES

The Bridge on 7th will provide a safe overnight facility for individuals 18 years of age or older. The shelter may operate between the months of September 1 and June 1 of each year dependent on weather and executive director approval. The shelter will not be open for more than 14 hours on any given night.

The Bridge on 7th is being operated by Bridges of Hope a non-profit organization and will welcome people of all beliefs and religions. All guests will be respected with no imposition of individual beliefs held by staff or volunteers.

Information on referrals and resources for community services will be provided to interested guests.

PURPOSE OF THIS HANDBOOK

The Employee Handbook contains a summary of the policies and procedures in effect at Bridges of Hope also known as the “Organization”, including those that are unique to employees assigned to The Bridge on 7th. This document is reviewed and updated annually.

This Handbook is designed as a resource for the employees of Bridges of Hope who are assigned to The Bridge on 7th. The policies and procedures described here are intended for informational purposes only. The Handbook is not a contract of employment on the part of the Organization or of the employee. The Organization reserves the right, through the Executive Director, to change, add, or delete items in this document with or without prior notification to the employees.

The benefits, policies, and procedures described in this handbook are constantly under review. The Board of Directors reserves the right to make changes with or without notice to meet employee or Organization needs or changing times.

This handbook supersedes and revokes all previous manuals, handbooks, and personnel policies.

EMPLOYEE CODE OF ETHICS

1. Focus on Client Needs

The client’s needs are primary. The purpose of an employee is to meet these needs in a responsible and helpful manner. Employees should act professionally and civilly at all times. No employee will be required to endure hostile or offensive behavior; any such situations are to be brought to the attention of the Shelter Manager or Executive Director for assistance and resolution.

2. Responsibility to the Client

When an employee feels that he/she cannot effectively address a problem, he/she has the responsibility to suggest alternative options for help to the client. This may include contacting another Bridges of Hope staff member.

3. Confidentiality

From time to time, Warming Shelter staff may participate in client staffing at the Bridges of Hope office and/or may come into contact with Bridges of Hope clients. It is of utmost importance to keep a client’s identity and information confidential. Employees are expected to share information regarding clients on an as-needed basis in accordance with the release of information signed by the client. Law enforcement and/or social services may be contacted without client consent in case of an emergency such as statements of harm, child protection,

illegal activity, etc. Employees should make every effort to verify the proper procedures to be followed in these cases; consulting with the Executive Director for clarification as needed.

4. Organizational Responsibility

Bridges of Hope recognizes that employees may need encouragement and support as they assist clients in the community. Bridges of Hope promotes open communication among employees and between employees, Managers and the Executive Director at all times. Employees will be asked to fulfill their time commitments as assigned by the Managers and Executive Director. In the event of unavailability, immediate supervisor or Executive Director must be notified as soon as possible and in advance of the scheduled workday. Employees whose work schedule flexes to a level greater than the agreed upon assignment are encouraged to address the issue with their immediate supervisor.

5. Personal Relationships

Employees are prohibited from forming personal relationships with clients as such relationships can jeopardize client services and program integrity. In the event of an existing personal relationship, employees are required to disclose the relationship to the Executive Director prior to extending services to allow for client reassignment or other actions as deemed necessary.

6. Representing Bridges of Hope

Because an employee personally reflects the values of Bridges of Hope, he/she will make every effort to represent the agency well even when off-duty. Employees assume certain responsibilities to honor the goals, rules, and regulations of Bridges of Hope.

7. Employee Safety

Employees should never put themselves at risk. If an employee has concerns about his/her safety, he/she should immediately notify the Manager or the Executive Director to determine a course of action.

EMPLOYMENT-AT-WILL

Bridges of Hope and its employees have an employment relationship which is known as employment-at-will. This means that either the Organization or an individual employee has the right to terminate employment at any time, for any reason, as long as doing so does not violate any federal or state employment law.

EQUAL EMPLOYMENT OPPORTUNITY

Bridges of Hope provides equal employment opportunities to all employees and applicants for employment and prohibits discrimination and harassment of any type without regard to race, color, religion, age, sex, national origin, disability status, genetics, protected veteran status,

sexual orientation, gender identity or expression, or any other characteristic protected by federal, state or local laws. This policy applies to all terms and conditions of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

SALARY ADMINISTRATION

The Organization is committed to paying competitive compensation and benefits that are necessary to attract, retain and motivate quality employees. Periodically the Organization reviews its compensation structure and provides wage adjustments based on factors such as above average job performance, the annual budget, the market, cost of living, etc. However, wage increases are not guaranteed or given solely on the basis of an employee's length of service with the Organization.

WORK HOURS, OVERTIME, AND PAYCHECKS

[Business Hours: The Bridge on 7th](#)

The Bridge on 7th is open from 7:00 p.m. until 8:00 a.m.

[Work Hours](#)

Each employee is personally responsible for his or her individual time record and reporting it for payroll processing by logging into the payroll system once on the premises. Inaccurate timekeeping or falsification of time records may result in discipline and potential loss of employment.

[Payroll](#)

Employees are paid every other week. Supervisors will review and approve timesheets by 11:00 a.m. on the Monday following the last day of the pay period and payroll will be sent to the payroll processor no later than noon on Wednesday. Pay will be direct deposited on Friday. When payday falls on a legal Holiday, pay will be direct deposited the preceding workday.

Your employee earnings record will be provided to you through Smart HR according to MN Statute 181.032 and include all necessary information. Employees are able to view the electronic copy on an organization device and ask for printed copies while at work.

Under the Minnesota Wage Disclosure Protection law, you have the right to tell any person the amount of your own wages. Bridges of Hope will not retaliate against you for disclosing your own wages.

Overtime Work

Overtime may be required occasionally of non-exempt employees. Approval from the Shelter Director/Manager is required before overtime is worked. Non-exempt employees will be paid for overtime work at one-and-one-half times the regular rate of pay for time worked over 40 hours in any specific workweek. For definition purposes, the workweek officially begins on Sunday at 12:01 a.m. and ends on Saturday at midnight.

ABSENCE FROM WORK, ATTENDANCE, AND PUNCTUALITY

Reliable attendance and punctuality is expected on the part of employees. Each employee has an important role to play in maintaining a productive workplace, so it is essential for employees to report to work on time and only miss work when absolutely necessary. Tardiness and unexcused absences will not be tolerated by the Organization and may be grounds for disciplinary action, up to and including termination of employment.

If an employee must be absent from work for any reason, other than approved time, he/she should notify his/her immediate supervisor as soon as possible before the start of the employee's normal working hours. If an emergency prevents an employee from notifying his/her supervisor at such time, it is expected that the employee will call as soon as possible during the workday. It is your responsibility to notify your supervisor if you will be more than 10 minutes late for your shift. Employees are expected to call and speak directly to their supervisor or shift supervisor. Texts or emails are not permitted. An employee is allowed to use ESST for a qualifying reason during a typically scheduled shift.

Unexcused absences are as follows:

- No call, no show: When an employee does not inform their employer about their absence and fails to show up for work.
- Unapproved partial-day absences: Leaving early or arriving late without prior approval.

EMPLOYEE CLASSIFICATIONS

1 – Shelter Attendant all shelter attendants will accrue ESST at the rate of 1 to 30.

2 – Team Lead- Leads can carry over up to 48 hours of remaining time into 2025. On January 1, 2025, Leads will have 80 hours of ESST deposited. A lead will accrue vacation based on the handbook.

Holidays

The following four holidays will be recognized by the Warming Shelter: New Year's Day, 4th of July, Thanksgiving, and Christmas. Employees will be paid 6 hours of holiday pay for the 4 holidays based on an average of 20 hours a week worked since their start date.

MN Sick and Safe Time

Employees in Minnesota are entitled to earned sick and safe time, a form of paid leave.

Shelter Attendant - Employees will accrue one hour of earned sick and safe time for every 30 hours they work, up to at least 48 hours in a year, with a maximum of accrual of 80 hours.

Lead – Leads can carry over up to 48 hours of remaining time into 2025. On January 1, 2025, Leads will have 80 hours of ESST deposited.

A year for purposes of the employee's earned sick and safe time accrual is the calendar year: January 1, 2025 to December 31, 2025.

At the end of each pay period, employers must provide employees with the number of earned sick and safe time hours used by the employee during the pay period and available for future use. Earned sick and safe time must be paid at the same base rate employees earn from employment. Employees are not required to seek or find a replacement for their shift to use earned sick and safe time. They may use earned sick and safe time for all or part of a shift, depending on their need.

Earned sick and safe time can be used for:

- an employee's mental or physical illness, treatment or preventive care;
- the mental or physical illness, treatment or preventive care of an employee's family member;
- absence due to domestic abuse, sexual assault or stalking of an employee or their family member;
- closure of an employee's workplace due to weather or public emergency or closure of their family member's school or care facility due to weather or public emergency; and
- when determined by a health authority or health care professional that an employee or their family member is at risk of infecting others with a communicable disease.
- making funeral arrangements, attending a funeral service or memorial or addressing financial or legal matters that arise after the death of a family member.

Bridges of Hope will not pay out accrued/unused ESST if an employee leaves their job, either voluntary or involuntary. An employee that transfers departments will retain their accrued ESST. If an employee returns to the organization within 180 days, unused ESST hours will be reinstated.

[Notifying employer, documentation](#)

If an employee plans to use earned sick and safe time for an appointment, preventive care or another permissible reason they know of in advance, inform your direct supervisor as far in advance as possible,

ideally 7 days before the absence. In situations where an employee cannot provide advance notice, the employee should contact their direct supervisor as soon as they know they will be unable to work.

Retaliation, right to file complaint

It is against the law for an employer to retaliate, or to take negative action, against an employee for using or requesting earned sick and safe time or otherwise exercising their earned sick and safe time rights under the law. If an employee believes they have been retaliated against or improperly denied earned sick and safe time, they can file a complaint with the Minnesota Department of Labor and Industry. They can also file a civil action in court for earned sick and safe time violations.

For more information

Contact the Minnesota Department of Labor and Industry's Labor Standards Division at 651-284-5075 or esst.dli@state.mn.us or visit the department's earned sick and safe time webpage at sickleave.mn.gov.

This document contains important information about your employment. Check the box at the left to receive this information in this language or write at the bottom of the document the language you are requesting.

Retirement

After working for Bridges of Hope for one year, all employees who received at least \$5,000 in compensation from Bridges of Hope during any 2 preceding calendar years (whether or not consecutive) and who are reasonably expected to receive at least \$5,000 in compensation during the calendar year, are eligible to participate in the SIMPLE IRA plan for the calendar year. Notice will be sent out each year in October/November. Employees can contact the HR, Finance and Operations Director for further information.

LEAVES OF ABSENCE

Personal Leave of Absence

A personal unpaid leave of absence of up to ten (10) days annually may be granted at the discretion of the Executive Director. Employees must submit a leave of absence request form detailing the basis for the requested leave and proposed duration. Consideration will be given to basis for leave request and impact on the organization.

Disability Leave of Absence

In situations where an employee is suffering from a serious medical condition or disability that prevents them from working, the employee may make a written request for a disability leave of absence.

The disability leave of absence applies to employees who are regularly scheduled to work a minimum of twenty (20) hours per week, who have completed twelve consecutive months of employment of 1250 work hours or greater and who are experiencing a disability that prevents them from working with or without reasonable accommodation.

The request for disability leave of absence requires the completion of the Leave of Absence Request and Healthcare Provider Certification to determine eligibility.

The maximum disability leave of absence period for approved disability leaves is the lesser of the length of total disability or six (6) weeks, whichever occurs first. In no circumstances shall the disability leave period exceed six (6) weeks in a twelve (12) month period measured forward from the date leave first began.

The disability leave of absence is unpaid unless the employee has accrued paid time off available or is receiving workers compensation benefits. The application of paid time or workers compensation benefits does not extend the maximum six (6) week disability leave of absence period. Employees must use available vacation and sick leave during the disability leave period.

Holiday benefits and other paid time off benefit accruals are suspended during an unpaid disability leave of absence.

Employees who return to work immediately following the period of disability and prior to the expiration of the maximum disability leave period will be reinstated to the same position or a similar position at the same rate of pay unless such positions are no longer available as a result of organizational changes such as downsizing or position elimination.

After a serious illness, surgery or workplace injury an employee is required to submit a Report of Work Ability.

Should an employee need to make a request for reasonable accommodations under the ADA, they should contact the Finance, HR and Operations Director.

[School Conference Leave](#)

Minnesota's School Conference and Activities Leave law allows eligible employees up to 16 hours of unpaid leave from work to attend their child's school conferences and activities each year and for each child (see Minnesota Statute 181.9412).

[Parenting Leave](#)

Employees may take up to 12 weeks of unpaid leave upon the birth or adoption of their child. Employees are eligible for this leave regardless of the size of their employer and the amount of time for which they have worked for their employer.

When does the pregnancy and parental leave start?

- The leave must be taken within 12 months of the birth or adoption.
- Employees must request the leave from their employer.
- Employees can choose when the leave will begin.

Employers can adopt reasonable policies about when requests for leave must be made.

If you have paid leave, including sick leave or paid vacation, the amount of pregnancy and parental leave can be reduced so the total leave (parental plus paid leave) is not more than 12 weeks. You only have a right to 12 weeks of leave total for birth or adoption of a child and any pregnancy-related leave, even if you qualify for both FMLA and pregnancy and parental leave. The federal Family Medical Leave Act FMLA requires employers to provide up to 12 weeks of unpaid leave in connection with the birth or adoption of a child or for a serious health condition. You may be entitled to additional leave under FMLA for a nonpregnancy-related serious health condition. You are entitled to employment in your former position or one with comparable duties, hours and pay. You are also entitled to the same benefits and seniority you had before the leave. You may return to part-time work during the leave without forfeiting the right to return to full-time work at the end of the leave. Bridges of Hope will not retaliate, or take negative action, against you for requesting or taking a leave. If you are a member of the U.S. armed services, you may have additional leave rights under the federal Uniformed Services Employment and Reemployment Rights Act.

[Nursing Mothers, Lactating Employees and Pregnancy Accommodations](#)

Bridges of Hope will follow MN Statute 181.939 to accommodate nursing mothers, lactating employees and those that need pregnancy accommodations. The organization will provide reasonable break times each day to an employee who needs to express milk. The break times may run concurrently with any break times already provided to the employee and shall not reduce an employee's compensation for time used for the purpose of expressing milk.

Bridges of Hope will make reasonable efforts to provide a clean, private, and secure room or other location, in close proximity to the work area, other than a bathroom or a toilet stall, that is shielded from view and free from intrusion from coworkers and the public and that includes access to an electrical outlet, where the employee can express milk in privacy. Bridges of Hope will provide reasonable accommodations to an employee for health conditions related to pregnancy or childbirth upon request, with the advice of a licensed health care provider or certified doula, unless the employer demonstrates that the accommodation would impose an undue hardship on the operation of the employer's business. A pregnant employee shall not be required to obtain the advice of a licensed health care provider or certified doula, nor may an employer claim undue hardship for the following accommodations: (1) more frequent or longer restroom, food, and water breaks; (2) seating; and (3) limits on lifting over 20 pounds. The employee and employer shall engage in an interactive process with respect to an employee's request for a reasonable accommodation. Reasonable accommodation may include but is not limited to temporary transfer to a less strenuous or hazardous position, temporary leave of absence, modification in work schedule or job assignments, seating, more frequent or longer break periods, and limits to heavy lifting. Notwithstanding any other provision of this subdivision, an employer shall not be required to create a new or additional position in order to accommodate an employee pursuant to this subdivision and shall not be required to discharge an employee, transfer another employee with greater seniority, or promote an employee.

Nothing in this subdivision shall be construed to affect any other provision of law relating to sex discrimination or pregnancy or in any way diminish the coverage of pregnancy, childbirth, or health conditions related to pregnancy or childbirth under any other provisions of any other law.

Military Leave

For reserve or active duty, military leave will be treated as required by government regulations according to the MN Management and Budget HR/LR Memo #2014-5 Military Leave revised 1/9/2023.

Jury Duty

Bridges of Hope encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees may request unpaid jury duty leave for the length of absence. If desired, employees may use Vacation Leave and Bridges of Hope will comply with any benefits required by law. Employees will be paid their full weekly salary (less any jury pay) for any week in which they perform any work for Bridges of Hope while on Jury Duty.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may arrange to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits. Jury Duty Leave may not be “stacked” consecutively with other available leave.

Leave for Bone Marrow Donations

According to Minnesota statute, Bridges of Hope will provide up to 40 hours of paid leave for the purpose of undergoing a medical procedure to donate bone marrow. Bridges of Hope will require verification by a physician of the purpose and length of each leave requested by the employee to donate bone marrow.

Voting

Every employee who is eligible to vote in an election has the right to be absent from work for the time necessary to appear at the employee's polling place, cast a ballot, and return to work on the day of that election or during the time period allowed under section 203B.081 for voting in person before election day, without penalty or deduction from salary or wages because of the absence. Subd. 2. Elections covered. For purposes of this section, "election" means a regularly scheduled election, an election to fill a vacancy in the office of United States senator or United States representative, an election to fill a vacancy in nomination for a constitutional office, an election to fill a vacancy in the office of state senator or state representative, or a presidential nomination primary under chapter 207A.

Employer-Sponsored Meetings and Communications

Bridges of Hope will follow MN Statute § 181.531, which bans employers from holding mandatory employer-sponsored “captive audience” meetings if those meetings are for the

purpose of communicating the employer's opinion on religious or political matters. Bridges of Hope will not threaten to take or take adverse action against employees who refuse to attend or participate in an employer-sponsor meeting, or who refuse to receive or listen to an employer communication, if the meeting/communication is to communicate the employer's opinion about religious or political matters.

The law defines "political matters" to mean those matters "relating to elections for political office, political parties, proposals to change legislation, proposals to change regulations, proposals to change public policy, and the decision to join or support any political party or political, civic, community, fraternal, or labor organization."

"Religious matters" are defined as matters "relating to religious belief, affiliation, and practice and the decision to join or support any religious organization or association."

PERSONNEL RECORDS

Bridges of Hope will maintain a confidential personnel record on each employee, including, but not limited to, job application, training certificates, performance reviews, conflict of interest disclosure form, and emergency contact information. Employees may review this record upon request to their immediate supervisor. Employees may insert a statement in response to any information that is in dispute; this will become a permanent part of their file. Those who terminate employment will be allowed access to their personnel record in accordance with current state statutes.

Employee can make any necessary changes to personal information, withholding exemptions, and bank information within Smart HR.

PERFORMANCE MANAGEMENT

Performance management is an important function for the Organization and is made up of several components, some of which are on-going work direction, monitoring, and scheduled performance appraisals. Formal reviews provide an opportunity to ensure the job description is accurate and up to date, to clarify job expectations with the supervisor and work team(s), and to provide feedback on performance.

The shelter manager will conduct monthly informal performance reviews for all employees and formal reviews will be done seasonally at shelter opening and closing.

WORK RULES & POLICIES

The Work Rules of the Organization are used to define appropriate behavior and accepted practices. The following policies should provide guidance to your daily work activities, as well as your interaction with others.

Team Member Relations

At Bridges of Hope we are committed to fostering an environment that values open communication and is responsive to the needs and concerns of employees, volunteers, clients and partners. Our experience has shown proactive communication that is thoughtful and direct, serves to create a more effective work environment, one where communications are clearer and attitudes more positive. The information that follows serves as a resource to help guide staff in the process for organizational communications.

Policy

Bridges of Hope is committed to address all suggestions and concerns in a respectful and productive manner, as close to the source as possible. Unresolved matters move will move progressively through the Organization with further discussion and resolution at higher levels of authority as may be necessary.

All complaints, formal or otherwise, are regarded seriously by Bridges of Hope and as such, Bridges of Hope encourages those who are considering such action to do so in a thoughtful manner consistent with the high professional and ethical standards of the Organization.

Statement of General Principles

- Suggestions and/or concerns are most effectively addressed among and between the parties directly involved.
- For situations requiring intervention beyond those directly involved, parties are encouraged to address the matter with the next level or supervision and/or management,
- Formal complaints must be described in detail by the complaining party and will often require a written account of the official complaint.
- The subject(s) of the complaint shall be given a full account of the complaint and shall be provided with the opportunity to respond to the allegations.
- The complaint resolution process shall be conducted honestly, fairly without bias and shall not be unduly delayed.

Procedures

Bridges of Hope's Complaint Resolution Process is a four-level process:

1. The complaining party attempts to resolve the complaint as close to the source as possible, generally through informal discussion with those directly involved.
2. If the matter is not resolved, the complaining party is encouraged to address the matter with their immediate Supervisor. The complaint should contain a detailed description of the matter, the remedy sought and other pertinent data. Such discussions should be confined to the complaining party, the supervisor and other relevant parties. The Executive Director is advised of the complaint and resolution and/or outcomes reached.

3. If the matter is not resolved, the Supervisor refers the matter to the Executive Director. The Executive Director will review the matter, assessing information and performing investigations as deemed necessary to determine the appropriate resolution. Such resolution will be communicated to the complaining party and other relevant parties as deemed appropriate.

4. If the matter is not resolved, The Complaining party will be advised of any additional resources that might be available.

Confidentiality

Honesty and confidentiality are imperative in maintaining credibility and providing quality services to the people and communities the Organization serves. Employees are always expected to treat community members thoughtfully and respectfully. As an employee of Bridges of Hope, there will be access to confidential information of the Organization and of the Organization's clientele. Under Minnesota law, employees are prohibited from disclosing, making available or using in any fashion any such confidential information unless authorized to do so by the Organization.

The type of information that is deemed confidential is any information that is proprietary to the Organization or proprietary to others and entrusted to the Organization, specifically including, but not limited to, client information, financial data, donor lists, communication programs, policies, plans, and current or anticipated products or services, etc. In addition, any documents, records, lists or other tangible items that have been prepared, used, or maintained in connection with employment with Bridges of Hope are the sole property of the Organization and must be returned on or before your last day of employment.

Employee Personal Use of Organization Equipment and Materials

Personal use of equipment owned by the Organization is generally prohibited; however, some exceptions exist when reimbursed by the employee:

- Personal copies and faxes may be made when cost is reimbursed to the Organization, at the rate of 10 cents per sheet per copy and 10 cents per sheet per long-distance fax.
- Use of company email, voicemail and Internet, on a limited basis, with the understanding that the Organization owns the computer equipment, telephone and email system. Therefore, an employee should have no expectation of privacy regarding anything created while using the organization's property.

Privacy and Monitoring

Work areas, desks, computers, networks, electronic files, Internet, phone and email systems are considered Organization property. The Organization, without prior notice, retains the right to monitor an employee's activities in these areas and inspect workspaces and materials, packages carried to and from the workplace. Employees waive any right to privacy in anything they create, store, send, or receive while using company property.

Employees are encouraged to make personal calls during a break using their own cell phone, privately and/or away from the workspace of other employees.

Personal Property

In general, the Organization will not be held responsible for any personal property displayed or stored on Organization premises.

Conflict of Interest

On an annual basis, the Organization reserves the right to request a statement from each Board, Committee, and staff member disclosing in writing any potential conflict of interest on the part of the member or their immediate family, which may exist in connection with any transactions with the Organization.

Employees are responsible for notifying the Executive Director of any conflict of interest that may arise over the course of ordinary business transactions where the employee has a financial interest or a position of authority (director, trustee, officer) with an entity in a position to receive Organization resources. Failure to do so will result in disciplinary action up to and including termination.

Acceptance of Gifts

Employees and their families may not solicit or accept gifts, entertainment, or other benefits intended to influence the Organization's business from a customer, vendor, or other current or potential business contacts of the organization.

Dress Code

Bridges of Hope employees are encouraged to dress comfortably and casually to accommodate the physical nature of the work. All Bridges of Hope employees should remember that they are representing the Organization and with this in mind, should:

- Dress out of respect and accordingly for your clients/customers.
- Dress out of respect for coworkers.
- Use the following guidelines in determining appropriate casual attire: do not wear it if you would wear it gardening, jogging, participating in a sport, going out to a dance club or to the beach.

Drug, Alcohol, Cannabis and Tobacco Use

Bridges of Hope is a Drug, Alcohol and Cannabis free workplace. Bridges of Hope bans the possession, use, sale or distribution of marijuana, cannabis, its related products, drugs and alcohol at the workplace. Bridges of Hope prohibits being impaired and/or under the influence of marijuana, cannabis, its related products, drugs or alcohol while work is being performed.

Bridges of Hope's Human Service Office and Common Goods are both smoke-free locations. Tobacco use is prohibited inside the building(s) at all times. A designated area is available

outside for tobacco users. Employees are expected to exercise common courtesy and to respect the needs and sensitivities of co-workers with regard to the tobacco-free guideline. Tobacco users have a special obligation to keep tobacco use areas litter-free and not to abuse break and/or work rules.

Violation of the drug, alcohol, cannabis and tobacco use policy may result in discipline and potentially termination of employment.

Offensive behavior

It is the Organization's guideline to promote respect and tolerance. Unwelcome verbal or physical conduct that has the purpose or effect of unreasonably interfering with an individual's work performance, or that which creates an intimidating, offensive, or hostile work environment is not tolerated by Bridges of Hope. Harassment that is based on race, color, creed, religion, national origin, sex, disability, age, or any other classification protected by law is expressly prohibited. Any individual engaging in such conduct will be subject to appropriate action, including discipline or termination. This guideline applies to all employees and prohibits harassment in any form, whether physical, verbal, or visual. Creating or distributing harassing, offensive or discriminatory e-mail is strictly prohibited.

Sexual Harassment

One type of harassment that is expressly prohibited is sexual harassment. Sexual harassment of any employee by another employee, supervisor, manager, agent, board member, or visitor will not be tolerated.

"Sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is a condition of keeping or getting a job, whether expressed in explicit or implicit terms,
- Employment decisions are based on an individual's submissions to, or rejection of, such conduct.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

Examples of Prohibited Conduct

The following behaviors are examples of conduct prohibited by this guideline. Please note that these are some examples and are not all-inclusive. If you have a question about whether conduct is permissible under this guideline, you should discuss it with your supervisor, the Executive Director or the Chair of the Board of Directors.

- Use of offensive or demeaning terms which have a sexual connotation,
- Offensive physical proximity or physical contact,

- Any indication expressed or implied, that an individual's job security, job assignment, conditions of employment, or opportunities for advancement or opportunities for training depend or may depend on the granting of sexual favors to any other employee, supervisor, or manager.
- Any action relating to an individual's job status, which is, in fact, affected by consideration of the granting or refusal of social or sexual favors.
- The creation of an atmosphere in which an individual's work, property, or reputation are demeaned because of the person's protected class status,
- The expression of jokes or remarks of a sexual nature or which degrade or malign persons of any protected class,
- The use of epithets or slurs based on an individual's protected class status, and
- The dissemination of materials such as cartoons, articles, pictures, and the like, which have a sexual content or which denigrate persons of a protected class.

This type of behavior is prohibited and should be reported to the Executive Director whether it occurs at the Organization's offices or at an off-site function, and whether it is committed by an employee or non-employee.

Harassment and Offensive Behavior Complaints

An individual who believes he or she has been subject to prohibited harassment or offensive behavior of any category or type should make his or her concerns known by:

1. Telling the person engaging in the harassing conduct or communications that the conduct or communication is offensive, against this guideline, and must stop; and
2. Advising the Executive Director. If a manager or other supervisor learns of any incident in violation of this guideline, the facts must be reported immediately to the Executive Director. If the individual engaging in the offensive conduct or communication is the Executive Director, the individual should contact the Board Chair; and
3. Putting the facts surrounding the harassing conduct or communication in writing. Complaints of prohibited harassment are investigated thoroughly and impartially. The investigation may include interviews with the individual making the charges, the accused individual and appropriate witnesses.

Consensual Relationships

Bridges of Hope recognizes that consensual relationship sometimes exist among staff members which are, or have the potential of becoming, sexual in nature. The Organization generally discourages such relationships, and expressly prohibits those between staff members and clients, as well as those in which one person is in a supervisory capacity over another person. Staff are required to proactively report employee consensual relationships to allow the Organization to assess whether a conflict exists and determine actions required to resolve conflicts as may be necessary.

Retaliation

No retaliation will occur because an individual has, in good faith, reported an incident of suspected harassment. Bridges of Hope, however, recognizes that false accusations of harassment can have a serious impact and requires that such reports not be made lightly or in circumstances that do not demonstrate good faith.

PROHIBITION OF WEAPONS AND WORKPLACE VIOLENCE

The Organization is committed to providing a work environment that is safe for all employees. For this reason, employees are prohibited from engaging in acts or threats of physical violence and from possessing firearms, explosives, or other potentially dangerous weapons while acting in the scope and course of employment. No employee may possess firearms, explosives, or other potentially dangerous weapons within the Bridges of Hope Human Services location, nor within Common Goods. Employees who violate this guideline will be subject to discipline up to and including termination.

If an employee witnesses or is the victim of conduct that violates this guideline, the employee should report the incident to their supervisor or another member of the management team. If the report is made to a supervisor, that supervisor is responsible for reporting the incident to the Executive Director as soon as possible.

MISCONDUCT AND DISHONESTY

Like all organizations, ours is faced with the risks of wrongdoing, misconduct, dishonesty, and fraud. We must be prepared to manage these risks and their potential impact in a professional manner.

For purposes of this guideline, misconduct and dishonesty include but are not limited to:

- Acts which violate the organization's Code of Conduct;
- Theft or other misappropriation of assets, including assets of the Organization, or donors, clients, suppliers or others with whom we have a business relationship;
- Misstatements and other irregularities in the organization's records, including the intentional misstatement of the results of operations;
- Forgery or other alteration of documents;
- Falsification of timecards or requests for payment;
- Fraud and other unlawful acts;
- Any similar acts of misconduct and/or dishonesty.
- The impact of misconduct and dishonesty may include:
- The actual financial loss incurred

- Damage to the reputation of our organization and our employees
- Negative publicity
- The cost of investigation
- Loss of employees
- Loss of donors and partner organizations
- Damaged relationships with our contractors and clients
- Litigation
- Damaged employee morale

The Organization specifically prohibits these and any other illegal activities in the actions of its employees, managers, executives and others responsible for carrying out the organization's activities.

Reporting

It is the responsibility of every employee to immediately report suspected misconduct or dishonesty to the Executive Director. Any reprisal against any employee or other reporting individual because that individual, in good faith, reported a violation is strictly forbidden.

Reported Incident Follow-up Procedure

Care must be taken in the follow-up of suspected misconduct and dishonesty to avoid acting on incorrect or unsupported accusations, to avoid alerting suspected individuals that follow-up and investigation are underway, and to avoid making statements that could adversely affect the Organization, an employee, or other parties.

Accordingly, the general procedures for follow-up and investigation of reported incidents are as follows:

1. Employees and others must immediately report all factual details in writing as indicated above.
2. The Executive Director has the responsibility for follow-up and investigation as necessary.
3. The Executive Director may obtain the advice of legal counsel as determined necessary.
4. Neither the existence nor the results of investigations or other follow-up activity will be disclosed or discussed with anyone other than those persons who have a legitimate need to know in order to perform their duties and responsibilities effectively.
5. All inquiries from an attorney or any other contacts from outside of the organization, including those from law enforcement agencies or from the employee under investigation, should be referred to legal counsel.
6. Investigative or other follow-up activity will be carried out without regard to the suspected individual's position in or relationship with the organization. The Executive Director shall report all fraud violations to the Board.

“WHISTLEBLOWER” PROTECTION

Employees are protected from retaliation under a number of state and federal laws if they refuse to violate a law in performance of their duties, report violations of law by their employer to a public body, or if they take advantage of rights provided by these laws. This whistleblower protection makes it unlawful to discharge, demote, suspend, harass, or discriminate in any manner against any employee who engages in protected activity. Employees who feel that they have received unjust treatment should contact the Chair of the Board of Directors.

No employee, board member or committee member, who in good faith reports a violation of a law or regulation shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This “Whistleblower” protection is intended to encourage and enable persons to raise serious concerns without fear of adverse consequence.

The Executive Director, working with the Chair of the Board, is responsible for investigating and resolving all complaints and allegations concerning violations of the policy, laws and other regulatory guidelines. Concerns that involve the Executive Director will be referred to the Board Chair or outside legal counsel for resolution. Concerns regarding accounting practices, internal controls or auditing will be addressed by the Finance Committee. The Executive Director shall immediately notify the Finance Committee of any such complaint and work with the Committee until the matter is resolved.

Anyone filing a complaint must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Violations or suspected violations may be submitted on a confidential basis or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

The Executive Director or person responsible for carrying out the investigation will acknowledge receipt of the reported violation or suspected violation by writing a letter (or e-mail) to the complainant within five business days.

DISCIPLINARY STEPS

Disciplinary steps may be required and will be taken as appropriate in response to cases of poor performance or violation of work rules and policies. Bridges of Hope reserves the right to take appropriate disciplinary action for situations as listed below, recognizing that this is not a comprehensive list:

- Excessive absenteeism or tardiness,
- Intoxication/impairment on the job,
- Possession or use of illegal substances/cannabis on Organization property, or during Organization work times,
- Careless or negligent handling of Organization materials or money, or theft,
- Inadequate performance of duties,
- Failure to comply with work rules, including those outlined in this handbook,
- Sexual harassment or other types of offensive behavior,
- Willful misconduct or insubordination,
- Breach of professional ethics, including confidentiality; dishonesty,
- Possession of firearms, explosives, or other potentially dangerous weapons while acting in the scope and course of employment.

Examples of disciplinary actions that the Organization may take include written warnings, temporary suspension with or without pay, or discharge with or without notice. Bridges of Hope reserves the right to discipline at its discretion, depending upon the seriousness of any individual situation and the nature of previous performance or incidents. The Organization's management has the sole discretion to determine what behavior warrants disciplinary action and what type of disciplinary action will be imposed. The Organization reserves the right to terminate employees at any time and with or without cause as long as it does not violate local, state, or federal law.

TERMINATION OF EMPLOYMENT

Employment terminations are to be treated in a professional, confidential manner by all concerned. Just as an employee can terminate employment at any time, for any reason, the Organization may also choose to terminate employment with or without notice, for any reason, subject to applicable laws.

The Organization requests an employee who chooses to terminate employment with the Organization to provide a written termination notice to his/her supervisor a minimum of two weeks in advance of anticipated termination date.

Any employee who is absent from work without having notified his/her immediate supervisor of the absence or the reason for the absence will be considered as having resigned after the third consecutive day of absence.

Any employee who leaves work without authorization from his/her supervisor or other authorized Organization representative or otherwise indicates an intention not to continue his/her employment will be deemed to have resigned.

Departing employees are invited to participate in an exit interview with the Executive Director or designee and will be contacted at the representative's discretion.

Layoffs

Layoffs may occur due to changing Organization needs or structure and/or budget constraints. Every attempt will be made to give employees reasonable notice of impending layoffs.

HEALTH AND SAFETY

The Organization encourages a safe and healthy working environment for its employees, and complies with all applicable safety and right-to-know requirements. The Organization provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications. In addition, the following procedures have been defined:

Accident Reporting

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify their supervisor who will complete an Accident Report. Such reports are necessary to comply with laws and initiate insurance worker's compensation benefits procedures.



Guest Agreement

Name: _____ Date: _____

By staying at the shelter, I agree to the following:

- I am 18 years of age or older.
- I will not bring or use alcohol, illegal drugs, non-prescribed controlled substances, or weapons on shelter property. Violations of this prohibition may result in immediate removal and possible suspension or exclusion from services.
- I understand that personal belongings, including coats and bags, are subject to inspection for safety purposes and may be stored by shelter staff. I am allowed one storage bin, and my belongings will be returned at check-out.
- If I am arriving from outside the Crow Wing County service area, I understand my stay is limited to a maximum of two (2) weeks, and I must find other accommodations afterward.
- I understand that I must check out of the shelter no later than 8:00 a.m. each day.
- I understand that morning transportation is provided to the Open Arms Day Center and that if I do not have a personal vehicle, I will be expected to sign up when I check in and use the shuttle the next morning, unless I have verified employment, treatment or other approved daytime plans.
- I agree to treat staff, volunteers, and other guests with respect and to follow reasonable staff directions.
- I understand that I cannot check in after 11:00 p.m. unless I am escorted by the police or arrive with a medical release.
- Lights out is at 11:00 p.m. I agree to remain quiet and respectful during designated quiet hours.
- I understand that fighting, swearing, directed harassment, intimidation, threats, or property damage are not allowed and may result in removal and possible suspension or exclusion.
- I acknowledge that shelter staff may conduct safety searches of my personal belongings and property while at the shelter as part of standard intake procedures or in response to a particularized concern.
- I understand that video surveillance is used in public areas for the safety of staff and guests, and I consent to and acknowledge that I may be recorded while on shelter premises. Private areas are not under video surveillance.

- I understand that the shelter maintains guest confidentiality with Minnesota law. If presented with a warrant or court order law enforcement shall be permitted to enter the shelter. If local law enforcement requests to contact or meet with me while I am on the premises, staff will inform me that law enforcement desires to speak with me. I acknowledge that staff cannot provide me with legal advice.
- I understand that belongings left at the shelter for more than 30 days will be considered abandoned and may be donated or discarded, and that items left outside the building will be discarded immediately.
- I understand that refusing to leave the premises when asked may result in law enforcement involvement and a ban.
- While staying at the shelter, I agree (within 3-5 days of my first night) to actively participate in my Pathways Plan. If no progress is made within 30 days, I understand that services may be denied.

Removal / Zero Tolerance Conduct: The following conduct shall constitute grounds for immediate removal and may result in extended or permanent exclusion from services:

1. Violent conduct;
2. Credible threats of violence;
3. Sexual assault or harassment;
4. Possession of a weapon;
5. Possession, distribution, or sale of controlled substances on site;
6. Any conduct creating an immediate threat to life or safety.

Graduated Discipline for Non-Violent Infractions: For non-violent or non-dangerous infractions, including but not limited to minor behavioral conflicts or failure to comply with procedures, the shelter utilizes a graduated discipline model, which may include: Verbal warning; Written warning; Temporary suspension (e.g., one to seven nights); Extended suspension; e) Permanent exclusion. Disciplinary decisions will be made based on the severity of the conduct, prior history, and safety considerations at the sole and absolute discretion of shelter staff.

I agree to follow these rules and understand that failure to do so may result in removal from the shelter and a ban from future services. I acknowledge that the shelter provides services in good faith and that I remain responsible for my personal decisions and conduct while on the premises. I release The Bridge on 7th, its staff, volunteers, and guests from liability for actions taken on my behalf while I am staying at the shelter, to the extent permitted by Minnesota law.

Guest Signature: _____

Staff Witness: _____

4923-3615-6562, v. 1

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Jana Shogren has submitted a request on behalf of Bridges of Hope for an Interim Use Permit to operate an overnight warming shelter for the homeless in the Brainerd Lakes Area at 1926 S 7th St. The current Interim Use Permit expires April 30th, 2026. The facility operates between the months of September 1st and April 30th of each year. The applicant is proposing to operate the shelter year-round.

The property included in this application is described as:

*LOT 4 BLOCK 3 HOLIDAY INN ADDITION TO BRAINERD
LOT 5 BLOCK 3 HOLIDAY INN ADDITION TO BRAINERD
P.I.N. 41360878
P.I.N. 41360877
Section 36, Township 45, Range 31*

The property is zoned GC (General Commercial) District, and Zoning Ordinance Section 515-3 (Allowed Uses) Appendix A: Table of Uses permits the operation of warming shelters as an interim use as regulated by Section 515-3-43 of the Brainerd Zoning Ordinance. 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, March 18th, 2026 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the Interim Use Permit request.

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

Dated this 4th day of March, 2026

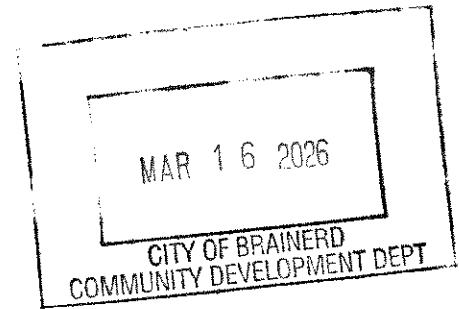


James Kramvik
Community Development Director

Publication Date: March 7, 2026

March 16, 2026

James Kramvik
Community Development Director
City of Brainerd
501 Laurel St
Brainerd, MN 56401



Dear Mr. Kramvik,

I am writing in response to the Notice of Hearing regarding the request for an Interim Use Permit on behalf of Bridges of Hope to extend the warming shelter's operations to a year-round basis. While I recognize the important role that organizations like Bridges of Hope play in supporting individuals experiencing hardship, I respectfully oppose the request for a year-round permit at its current location.

From a planning and land-use perspective, it is important that facilities providing intensive social services are located in areas where they can be best supported by existing infrastructure and complementary services. In my view, a facility of this nature would be more appropriately located near other community resources that serve similar populations, such as the soup kitchen, the YMCA, and the Northern Pines mental health facilities. Clustering services in proximity to one another can improve coordination of care, increase accessibility for those in need, and reduce unintended impacts on surrounding residential neighborhoods.

As a nearby resident, I have experienced several concerning situations since the warming shelter began operating. On multiple occasions, individuals have entered my yard or the surrounding neighborhood, and I have had to ask them to leave or direct them to the warming shelter. In one instance, I returned from walking my dogs in the evening to find someone lurking within approximately ten feet of my front door (he had stashed his backpack in the landscaping surrounding my house), and another time someone was in the backyard area between my home and a neighbor's house. There was also an incident where someone was observed going through a neighbor's vehicle. These situations have been unsettling and have raised concerns about safety and the overall sense of security within the neighborhood.

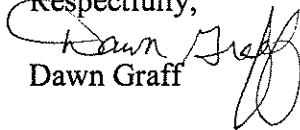
There has also been a noticeable increase in litter along nearby streets and trails, including clothing, shoes, beer cans, broken bottles, cigarette packages, and other debris. While I try to pick up some of the trash when I walk in the area, the condition of the neighborhood has visibly declined.

In addition to these direct impacts, I believe it is important for the City to carefully consider how this request aligns with broader planning principles and zoning policies intended to preserve the character and safety of residential areas. Interim Use Permits are often intended to address temporary or seasonal needs, and expanding this use to a year-round operation represents a significant change in intensity that may warrant a more comprehensive review of appropriate location and long-term planning considerations.

While I understand the need for services that support vulnerable members of our community, I believe the City should consider alternative locations that are better suited to accommodate this type of facility and that provide closer access to the network of social and health services already in place.

Unfortunately, I am unable to attend the hearing scheduled for Wednesday to share my comments in person, but I wanted to ensure that my concerns are included in the public record and considered as part of the decision-making process.

Thank you for your time and consideration.

Respectfully,

Dawn Graff

1836 S 8th St

Brainerd

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: March 18th, 2026

RE: Consider Conditional Use Permit to Exceed the Maximum Lot Size in a TN-1 (Traditional Neighborhood-1) Zoning District – 1017 Bluff Ave

REQUEST

PUBLIC HEARING. Conditional Use Permit to consolidate three lots and exceed the maximum lot size requirements of the TN-1 District at 1017 Bluff Ave to allow for the construction of a single-family home.

Bernie Maciej, 7616 Lakeview Drive, Brainerd is proposing the consolidation of three lots into one parcel on Bluff Avenue. The application for a CUP is to exceed the maximum lot size allowed in the TN-1 Zoning District.

CONTEXT

Parcel Number: 41241565

Zoning District: Traditional Neighborhood-1 (TN-1) District

Property Area: 11,808 SF

Adjacent Uses: North: Single-Family home
East: Vacant City Property
South: Single-Family Home
West: Single-Family Home

Adjacent Zoning: North: Traditional Neighborhood-1 (TN-1) District
East: Public/Semi-Public (PSP) District
South: Traditional Neighborhood-1 (TN-1) District
West: Traditional Neighborhood-1 (TN-1) District

AERIAL MAP



FINDINGS OF FACT – CONDITIONAL USE PERMIT

1. The property at 1017 Bluff Ave is located in the Traditional Neighborhood 1 (TN-1) Zoning District.
2. Zoning Ordinance [Section 515-2-8-Traditional-Neighborhood-1](#) states the maximum lot dimension is 11,250 SF without a CUP.
 - a. *The applicant has proposed to consolidate three lots into one lot which will equate to 11,808 SF.*
 - i. *A vacated right-of-way is the reason this lot exceeds the lot size maximum for the TN-1 District.*
 - b. *The proposed use of the property is to allow for the construction of a single-family home.*
3. The Traditional Neighborhood 1 Zoning District is intended to provide for a compact, pedestrian-oriented mix of residential uses. This District reinforces the existing pattern of small, connected lots, blocks and streets and supports future development or redevelopment that is consistent with this pattern.
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 meets the regulations and standards established in this Ordinance.
 - i. An approved CUP allows for properties to exceed the maximum lot size requirements of the TN-1 District.
 1. *The construction of a single-family home in the TN-1 District is a permitted use.*
 - ii. According to Section 515-2-8-Traditional-Neighborhood-1 the lot width maximum is 75 feet.
 1. *The three lots proposed for consolidation would have a width of 75 feet.*
 - a. *The lot lines could not be adjusted to create two lots as the lot size minimum for the TN-1 District is 50 feet. The applicant is proposing the construction of a single-family home.*
 - iii. Single-family homes are a permitted use in the TN-1 District according to [Section 515-3 Appendix A Table of Uses.](#)
- b. 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 proposed development will not be dangerous, injurious, or noxious to any other property or persons.*
- c. The proposed use shall be sited, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
 - i. *The proposed single-family home will be required to adhere to all landscaping requirements of the Zoning Code.*
 - ii. *According to Zoning Code [Section 515-4-2.A.1.c](#) the building's primary entrance shall be orientated towards a public street.*
- d. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - i. *Single-family home construction is consistent with the neighborhood.*
 - ii. *The proposed single family home shall adhere to the design standards of Section 515-4-2 of the Zoning Code which require roof design standards, siding standards, and front façade standards.*
- e. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 - i. *There will be no additional traffic or congestion due to this application.*
 - ii. *The applicant will be required to meet the off-street parking standards found in [Section 515-4-12](#) of the Zoning Code for single-family homes.*
- f. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the [Comprehensive Plan.](#)
 - i. *Housing Goal 2 of the Comprehensive Plan: Encourage the preservation and historical significance of existing neighborhoods:*
 1. *Policy 3: Encourage energy efficiency and sustainability in home renovation and new construction.*

- As of this writing, one party has contacted the Community Development Department for more information on the Conditional Use Permit application for exceeding the maximum lot size in the TN-1 Zoning District at 1017 Bluff Ave., Brainerd.

Staff recommend approval of the Conditional Use Permit as presented that allows for the consolidation of three lots with a total area of 11,808 SF.



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: 1017 Bluff Ave. Brainerd, MN 56401

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

Property Owner Name: Bernard E Maciej

Street Address: 7616 Lakeview Dr. City: Brainerd State: MN Zip Code: 56401

Phone Number: 612-406-3129 Fax: N/A E-mail: Bernie.Maciej@gmail.com

Applicant Name: (If different than Property Owner) _____

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

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

Description of Request: To exceed the maximum lot size in TN-1

Bernard E Maciej
Property Owner Signature

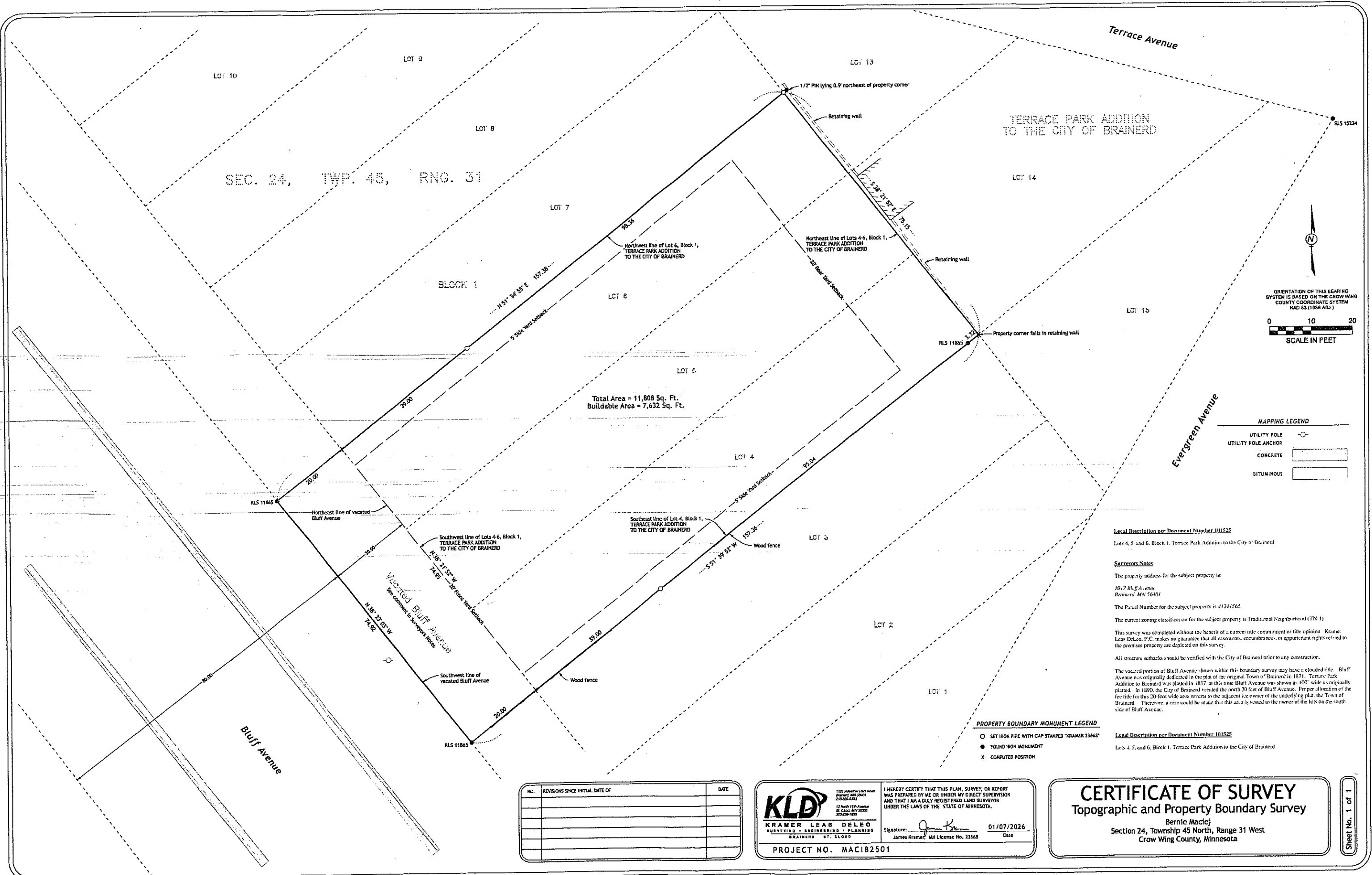
February 25, 2026
Date

Bernard E Maciej
(Please print name)

Applicant Signature

Date

(Please print name)



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE CROW WING COUNTY COORDINATE SYSTEM NAD 83 (1989 ADJ.)

0 10 20
SCALE IN FEET

MAPPING LEGEND

- UTILITY POLE
- UTILITY POLE ANCHOR
- CONCRETE
- BITUMINOUS

Legal Description per Document Number 101525

Lots 4, 5, and 6, Block 1, Terrace Park Addition to the City of Brainerd

Surveyor's Notes

The property address for the subject property is:

1017 Bluff Avenue
Brainerd, MN 56401

The Parcel Number for the subject property is 41241565.

The current zoning classification for the subject property is Traditional Neighborhood (TN-1)

This survey was completed without the benefit of a current title commitment or title opinion. Kramer Leas DeLeo, P.C. makes no guarantee that all easements, encumbrances, or appurtenant rights related to the premises properly are depicted on this survey.

All structure setbacks should be verified with the City of Brainerd prior to any construction.

The vacated portion of Bluff Avenue shown within this boundary survey may have a clouded title. Bluff Avenue was originally dedicated in the plat of the original Town of Brainerd in 1871. Terrace Park Addition to Brainerd was platted in 1887, at this time Bluff Avenue was shown as 100' wide as originally platted. In 1890, the City of Brainerd vacated the north 20 feet of Bluff Avenue. Proper allocation of the fee title for this 20-foot wide area reverts to the adjacent fee owner of the underlying plat, the Town of Brainerd. Therefore, a case could be made that this area is vested to the owner of the lots on the south side of Bluff Avenue.

PROPERTY BOUNDARY MONUMENT LEGEND

- SET IRON PIPE WITH CAP STAMPED "KRAMER 23668"
- FOUND IRON MONUMENT
- x COMPUTED POSITION

Legal Description per Document Number 101525

Lots 4, 5, and 6, Block 1, Terrace Park Addition to the City of Brainerd

NO.	REVISIONS SINCE INITIAL DATE OF	DATE



1125 Industrial Park Road
Brainerd, MN 56401
218-828-2368

12 North First Avenue
St. Cloud, MN 56301
202-208-1285

KRAMER LEAS DELO
SURVEYING • ENGINEERING • PLANNING
BRAINERD ST. CLOUD

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature: *James Kramer* 01/07/2026
James Kramer, MN License No. 23668 Date

PROJECT NO. MACIB2501

CERTIFICATE OF SURVEY
Topographic and Property Boundary Survey

Bernie Maciej
Section 24, Township 45 North, Range 31 West
Crow Wing County, Minnesota

Sheet No. 1 of 1

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Bernie Maciej, 7616 Lakeview Drive, Brainerd has submitted a request for a Conditional Use Permit to exceed the maximum lot size at 1017 Bluff Avenue, Brainerd to allow for the construction of a single-family home. Mr. Maciej proposes the legal consolidation of three lots, parcel ID# 41241565 exceeding the maximum allowed in the TN-1 (Traditional Neighborhood-1) Zoning District.

The properties included in this application are described as:

*Terrace Park Addition to the City of Brainerd
LOTS 4, 5 & 6 BLOCK 1
Parcel #'s: 41241565
Section 24, Township 045, Range 031*

The property is zoned TN-1(Traditional Neighborhood-1) District. According to Zoning Code Section 515-2-8 Traditional Neighborhood-1, the maximum lot size is 11,250 SF. The proposed lot size of 1017 Bluff Ave is 11,808 SF. A copy of the proposed site plan is on file for review in the Community Development Department.

A Public Hearing will be conducted at the Planning Commission Meeting at 6:00 p.m. Wednesday, March 18th, 2026 in the Council Chambers at Brainerd City Hall, 501 Laurel Street, to consider the Conditional Use Permit request.

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

Dated this 4th day of March, 2026



James L. Kramvik
Community Development Director

Publication Date: March 7th, 2026

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: March 18th, 2026

RE: Variance Request for the Construction of an Accessory Structure with a Reduced Side Yard Setback – 1513 Pennsylvania Ave

REQUEST

PUBLIC HEARING. Variance for an Accessory Structure with a Reduced Side Yard Setback

Raymond T. Kukowski has submitted a variance request to construct a 14' x 26' accessory structure to replace an existing 10' x 20' accessory structure at 1513 Pennsylvania Ave. This property is located in the CN-2 (Contemporary Neighborhood 2) Zoning District, and the side yard setback of the existing accessory structure is currently two (2) feet from the property line. The minimum side yard setback in the CN-2 Zoning District is five (5) feet. The applicant is requesting to maintain the existing two (2) foot side yard setback.

CONTEXT

Parcel Number(s): 41360590

Property Area: 6,600 square feet

Adjacent Uses: North: Residential Single-Family Home
East: Residential Single-Family Home
South: Residential Single-Family Home
West: Residential Single-Family Home

Adjacent Zoning: North: CN-2 (Contemporary Neighborhood-2) Zoning District
East: CN-2 (Contemporary Neighborhood-2) Zoning District
South: CN-2 (Contemporary Neighborhood-2) Zoning District
West: CN-2 (Contemporary Neighborhood-2) Zoning District

AERIAL MAP



STREET VIEW PHOTO



FINDINGS OF FACT

1. The property at 1513 Pennsylvania Ave., Brainerd is in a CN-2 (Contemporary Neighborhood-2) Zoning District.
 - a. [Section 515-2-7 Contemporary Neighborhood 2](#) states that the side yard setback for accessory structures must be a minimum of five (5) feet.
 - i. *The applicant is proposing to construct a larger accessory structure in place of the existing 200 SF garage that currently has a two (2) foot side yard setback.*
 - ii. *The proposed garage is 14' x 26' (364 SQFT).*
 - iii. *The applicant is requesting to maintain the two (2) foot side yard setback due to the sewer line connecting the house to the sewer main located in the alley.*
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 and
 - i. The purpose of the CN-2 District is intended for predominately single-family detached residential uses and associated uses. Some single-family attached and multi-family attached 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.
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. When they are in harmony with the general purposes and intent of the ordinance; and
 - i. *Accessory Structures are a permitted accessory use in the CN-2 District according to [Section 515-3 Appendix A: Table of Uses](#).*
 - ii. *The proposed 14' x 26' accessory structure will be built to match the existing house siding type and shingle color.*
 - iii. *The accessory structure will not exceed the height of the house and will be of the same roofing material and roof pitch.*
 - iv. *According to Section 515-2-7 of the Zoning Code the total number of accessory structures allowed in the CN-2 Zoning District are three, if no attached structures are present.*
 1. *The property currently has two detached structures.*
 2. *The applicant is proposing to replace one detached structure for a total of two detached structures.*
 - v. *The total square feet of the proposed accessory structure will be 364 SQFT.*
 1. *According to Section 515-2-7 of the Zoning Code properties in the CN-2 District are allowed to have a total of 750 SQFT of accessory structures.*
 - a. *The proposed accessory structure and existing accessory structure will approximately equate to 450 SQFT.*

- b. When the variances are consistent with the Comprehensive Plan; and
 - i. *The proposed project meets the GOAL 1: Provide a diverse mix of housing choices for all stages of life, income ranges, and ownership/rental preferences.*
 - 1. *Policy 3: Rehabilitate and/or replace substandard housing with units that are decent, safe, healthy, affordable, and of appropriate size to meet the city's current and future housing needs.*
 - a. *The existing garage is old and in need of significant repairs or replacement.*
 - b. *The existing garage size is inadequate to house existing vehicles. Increasing the garage size will improve the property*
 - c. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
 - i. *The existing accessory structure has a side yard setback of two (2) feet, making it legal non-conforming.*
 - ii. *The location of the house and driveway makes it difficult construct the proposed accessory structure with a 5-foot side yard setback.*
 - iii. *The applicant does not want to place the accessory structure over the top of the existing sewer line.*
 - d. The variance, if granted, will not alter the essential character of the locality.
 - i. *The construction of this accessory structure will not alter the essential character of the locality as the proposed materials are consistent with the primary structures and neighboring properties.*
 - ii. *The proposed accessory structure is located where the existing garage is currently placed and will not alter the property character of the property.*
 - e. 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 due to economic considerations.*
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 recommend no additional conditions.*

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

STAFF RECOMMENDATION

The Community Development Department recommend the approval of this Variance request for the construction of the 14' x 26' accessory structure at 1513 Pennsylvania Ave in the location presented by the applicant.



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: 1513 PENNSYLVANIA AVE BRAINERD MN.

LEGAL DESCRIPTION: Lot(s): 10 Block: 5 Addition: WOODLAND PARK Addition
(attach description if lengthy)

Property Owner Name: RAYMOND T KUKOWSKI AND PATRICIA D KUKOWSKI TRUST

Street Address: 1715 HASSMAN Hill Rd. S.W. City: PINE RIVER State: MN Zip Code 56474

Phone Number: 612-386-6778 Fax: _____ E-mail: RAY PATTY K1 @ GMAIL.COM

Applicant Name: (If different than Property Owner) _____

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

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

Description of Request: CONSTRUCT LARGER GARAGE 14'x26' KEEPING THE 2' SETBACK ON SOUTH LOT LINE SEE PRINT. REDUCE REAR YARD SET BACK TO ALLEY AS DRAWN ON SKETCH.

PROPOSED STRUCTURE NOT TO INTERFERE WITH NAT GAS AND SEWER LINES. Request to remain as front loaded garage. R.T.K.

Raymond T Kukowski
Property Owner Signature

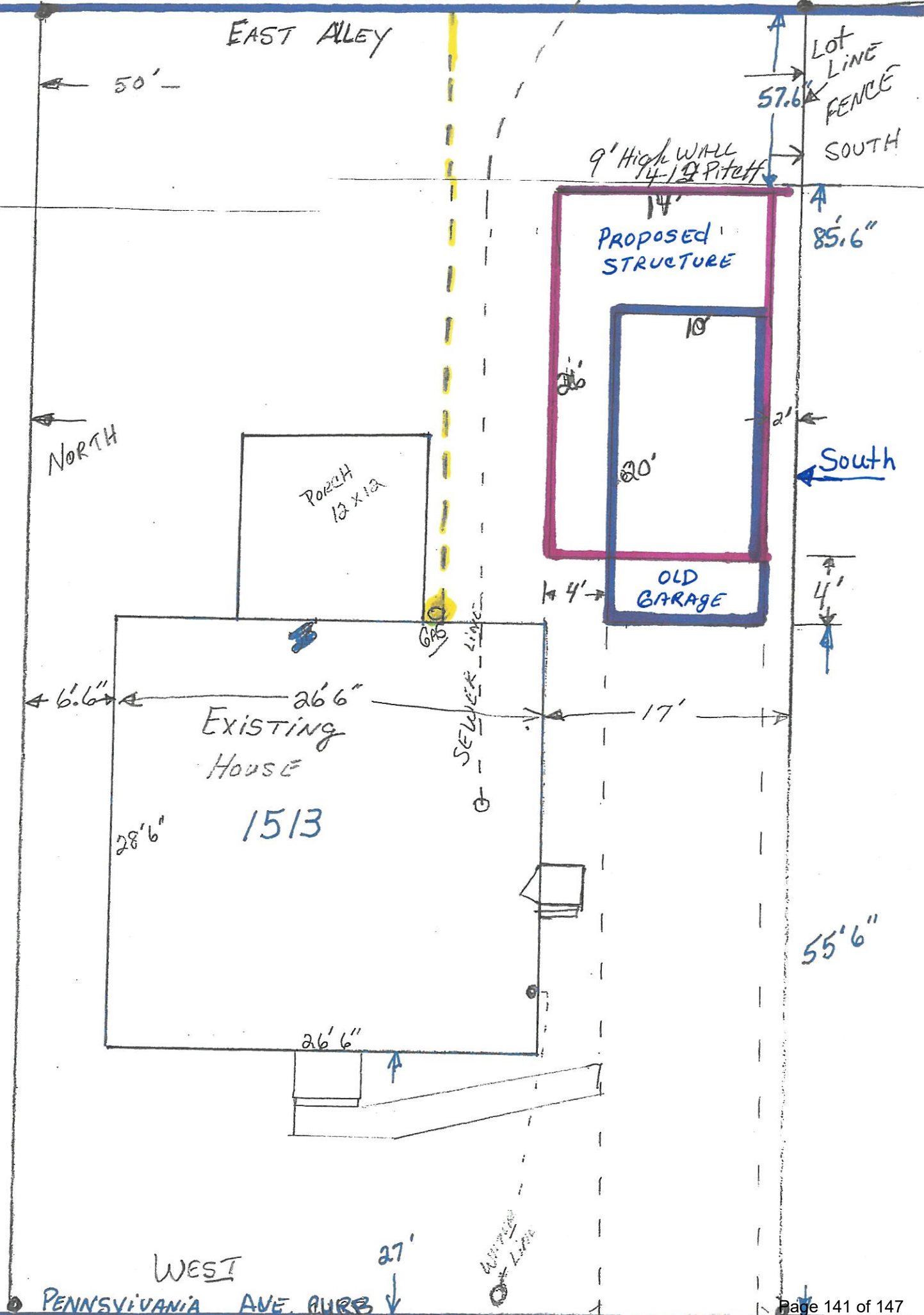
2-19-2026
Date

RAYMOND T KUKOWSKI
(Please print name)

Applicant Signature

Date

(Please print name)





Pennsylvania

THE NEW CRANE
WILL MATCH HOUSE
Ray K.

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Raymond T. Kukowski, has submitted a variance request for 1513 Pennsylvania Ave., Brainerd, MN 56401. This property is located in a CN-2 (Contemporary Neighborhood-2) Zoning District. The purpose of this request is to construct a 14' x 26' structure to replace an existing 10' x 20' accessory structure that currently has a two (2) foot side yard setback. The applicant requests to maintain the existing two (2) foot setback. The CN-2 Zoning District requires a minimum five (5) foot side yard setback.

The property included in this application is described as:

*PID 41360590
WOODLAND PARK ADDITION TO BRAINERD
LOT 10 BLOCK 5*

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, March 18th, 2026 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 4th day of March, 2026



James Kramvik
Community Development Director

Publication Date: March 7th, 2026

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: March 18th, 2026

RE: Planning Commission Itinerary Update

INTRODUCTION

This itinerary is meant to provide an organization of topics and ordinances for the Planning Commission and the Community Development Department to review in the next year in order of importance.

COMPLETED ORDINANCES

- 1) Cannabis Dispensaries
- 2) Garage Requirements for Residential Housing Units
- 3) Section 515-4-2 Building Design Standards
- 4) Mixed Use Development in the CC District
- 5) Crypto Mining/ Data Centers/ AI Centers
- 6) Allowed Use Table
- 7) Off Street Parking Requirements
- 8) Screening of Outdoor Sales
- 9) Fence Requirements for Corner Lots
- 10) Office Use in the GI District
- 11) Sign Standards

CODE SECTIONS TO REVIEW

- 1) **Section 530 – Shoreland Management Regulations** – The City of Brainerd’s existing Shoreland Management Ordinance was last approved by the City and DNR on 7/25/2003. Current zoning districts do not match / align with the zoning districts identified in the City’s Shoreland Management Ordinance. Additionally, Section 525 of the City Code discusses Mississippi Headwaters Regulations where there are also zoning inconsistencies. The DNR is requesting that the City of Brainerd update its “Shoreland Management Ordinance” to ensure the zoning districts identified in the Zoning Map (2022) are identified in the Shoreland Management Ordinance within one year. **(In Progress – Planning Commission)**
- 2) **Comprehensive Plan Update** – The last update to the comprehensive plan was in 2019 and in 2021 the City Council approved a proposed Comprehensive Plan amendment to include the revised Future Land Use Map. The process of updating the Comprehensive Plan was an

extensive process undertaken by the City Staff, City Council, Planning Commission, the Steering Committee, and the Planning Team. The City should consider reviewing the comprehensive plan every five years to ensure all of the goals and objectives listed in the plan are still relevant for the City of Brainerd. City Council approved \$28,000 to update the comprehensive plan in 2025. **(In Progress – Planning Commission)**

- a. The Comprehensive Plan is a leading policy tool that provides a series of steps to help achieve a shared community vision. This plan will help citizens and local leaders work together more efficiently to guide future growth and development within the city. The plan represents a shared vision for the future and a strategic map to reach that vision. The plan provides broad recommendations to guide and manage growth and development. These broad recommendations come in the form of goals and policies that express the city's aspiration for the future.

- 3) **Mississippi Headwaters Regulations** – Staff met with a representative from the Mississippi Headwaters board regarding the potential annexation. The representative indicated that while not mapped as jurisdiction of the Mississippi Headwater's Board, this area along the Mississippi River in the proposed annexation area is subject to the regulations if annexed. The City currently has regulations governing development of properties subject to these regulations, but the regulations need to be updated as they were passed in 2001. Many of the setback regulations are consistent with the shoreland regulations. However, there are differences and the most restrictive regulations would apply to properties. The City must meet the minimum requirements of Mississippi Headwaters Board Comprehensive Management Plan. The Mississippi Headwaters Board does not need to approve potential annexation, but a moratorium is placed on subdivisions and permits until the City updates its regulations.
- 4) **Floodplain District** - The Legislature of the State of Minnesota has, in Minnesota Statutes Chapter 103F and Chapter 462, delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses. This Section of the Zoning Code was inadvertently removed from the Zoning Code in the 2022 update. The City does not have significant development in the Floodplain District, but it does need to be in the City's Zoning Code, especially for administration of Conditional Use and Variance requests. The Code needs to be updated and must meet the minimum requirements of the State as this Section has not been updated for several years. Staff met with the regulatory authority regarding the Floodplain District and received direction on how to proceed.
- 5) **Solar Arrays** – Brainerd Public Utilities have installed solar arrays at the Brainerd Airport and behind the BPU wastewater facility in Baxter. BPU is interested in adding additional solar arrays and has been looking at property in the City of Limits of Brainerd. Staff consider individual solar panels as accessory structures for single family homes. However, a code change and an addition to the use table would be needed for the construction of a solar array in Brainerd.
- 6) **Design Standards – MS, TC, CC, GC Districts** – The previous design standards ordinance adopted in January of 2025 primarily focused on residential façade standards. The EDA board recommended the City consider enhancing design standards along its major corridors and the downtown area.

- 7) **Manufactured Home Overlay District: Section 515-2-20** - Manufactured Home Overlay District (MH-O) was partially reviewed and amended by Swanson Haskamp Consulting but will still need additional review by staff and the Planning Commission.
- 8) **Lighting Regulations for Outdoor Signage** – City Council is currently considering an update to the sign regulations in the Zoning Code. Planning Commission recommended approval of the ordinance at the September 17th meeting. The changes in regulations primarily focus on design standards for outdoor signage. The Commission indicated interest in reviewing lighting intensity at a future meeting in a separate ordinance.
- 9) **Sound Requirements** – Currently, most regulations in the zoning code rely on MPCA standards for sound. CUP's have the ability to add barriers to mitigate affects to neighboring properties.

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: March 18th, 2026

RE: Comprehensive Plan Update

INTRODUCTION

The City Council considered the comprehensive plan proposals and the Planning Commission recommendation at the March 2nd City Council meeting. City Council elected to approve the proposal from Bolton & Menk due to their experience working with the City of Brainerd.

Staff met with Bolton & Menk on March 12th to begin the process of updating our comprehensive plan with the goal of completing the update by the end of 2026. Throughout the process, staff will virtually meet monthly with Bolton & Menk. Staff recommend that a liaison from the Planning Commission should also attend these meetings to help ensure the objectives of the Planning Commission are met.

In addition, staff discussed that the official kick off meeting with the Planning Commission should occur at the April 15th meeting. At the meeting, the Planning Commission can discuss their overall objectives of the comprehensive plan update and areas where the comprehensive plan may be lacking. Staff would like the Planning Commission to discuss if this should be done during the regular meeting or at a workshop prior to the meeting beginning at 5PM.

STAFF RECOMENDATION

Staff recommend that Planning Commission appoint a liaison for the comprehensive plan update and direct staff on the meeting format for the April 15th meeting.