



City of
BRAHAM

"Building A Better Tomorrow"

201 Broadway Avenue South
PO Box 521
Braham, MN 55006
Phone: 320.396.3383
Fax: 320.396.3478

**Planning Commission Meeting
June 14, 2023, 4:30 pm
Braham City Hall Council Chambers**

AGENDA

1. Call to Order and Pledge of Allegiance
2. Approve Planning Commission Meeting minutes from May 17, 2023
3. Recommend approval to the Braham City Council the Vacation of Pheasant Run and identified utility and drainage easements within the City's Industrial Park to support the East Central Energy development (Handouts attached)
4. Discussion on updating city codes. Carri Levitski from Rum River Consultants will be in attendance to offer the Planning Commission some guidance regarding the prioritizing of city codes. Please review the R-1 Ordinance and Design Specific Action documents that are attached.
5. Adjournment

Braham Planning Commission Minutes
May 17, 2023

Members present: Loren Davis, Cheryl Fike, Melinda LaQuier and Jay Mankie

Members absent: Sam Stigen and Ex-Officio member Jeremy Kunshier

Staff present: Rachel Kytonen, City Administrator; Andy Schreder, Rum River Consultants

Chair Davis called the meeting to order at 4:10 pm and led the Commission in the Pledge of Allegiance.

Approval of Agenda

Kytonen explained item 4C needs to be added to the agenda which is a discussion on barndominiums. A motion was made by Davis, seconded by Mankie, to approve the amended agenda. The motion carried unanimously.

Approval of Minutes

A motion was made by Fike, seconded by LaQuier, to approve the April 24, 2023 Planning Commission minutes as presented. The motion carried unanimously.

Consider Ordinance 304: Amending Title XV Land Usage, Chapter 150: Building Regulations; Construction

In order to amend the ordinance a public hearing needs to be held. Davis opened the public hearing at 4:11 p.m.

Davis explained currently plumbing plans for projects within the city need to be sent to the State for approval. He said speaking from personal experience on a project last summer, it took eight to nine weeks to receive approval and it held up construction. He said instead of starting in June like he hoped, the project did not get started until August.

Davis explained the city's building official, Rum River Consultants, now has someone on staff certified to administer state plumbing inspections. He said this ordinance change will allow Rum River to conduct plumbing inspections for projects within the city of Braham which will move projects along much quicker than having to wait on the State of Minnesota.

Schreder mentioned Rum River has begun to administer plumbing inspections for other cities as well. He said there will not be any cost difference to the client regarding the fees; Rum River's fees are the same fees as would be charged by the State.

LaQuier said if having Rum River review the plumbing inspection will speed things up and the fees are all the same, what does amending the ordinance really achieve. Kytonen explained amending the ordinance gives Rum River the authority to administer the plumbing inspections

on behalf of the city of Braham. Schreder said all jurisdictions wanting Rum River to do these plumbing inspections instead of the State must amend their ordinance and explained it really is just a formality.

Seeing no other public comment, Davis closed the public hearing at 4:16 p.m.

A motion was made by Mankie, seconded by Davis, to recommend approval to the Braham City Council of Ordinance 304: Amending Title XV Land Usage, Chapter 150: Building Regulations; Construction. The motion carried unanimously.

Discussion on barndominiums

Davis said the discussion on barndominiums was just added to the agenda and the Planning Commission really has not had time to review the materials. He explained a lot within the city near the Catholic church has recently been listed for sale and the City has had a lot of calls regarding this lot; specifically, people looking to build a barndominium.

Kytonen said she has been speaking with Carri Levitski from Rum River Consultants on the barndominium issue and Carri requested the item be added to the Planning Commission agenda this evening. Kytonen said she does not expect any decision to be made at this meeting; the intent was to make the Planning Commission aware of the barndominium concept.

Davis mentioned for this particular lot, water hook-up would not be an issue; however, sewer would require a grinder pump or an individual lift station. There was also some discussion amongst Planning Commission members regarding access to city sewer and water.

LaQuier asked if building a barndominium is a more sustainable option for people. Schreder said that is a hard question to answer, but most recently people are viewing barndominiums as a more efficient option because they use less lumber. He said his office is getting a lot of calls about barndominiums and he asks the callers what does the barndominium concept look like to them because it can mean different things to different people.

Davis said he was dealing with a company last summer who builds barndominiums and he was told they could not build a barndominium for less than \$375,000, and that was last summer's price. Schreder said barndominiums can also be hard to insulate and there are a lot of energy codes that need to be met so they are energy efficient.

Kytonen clarified there is nothing currently in the city code that would prevent barndominiums in the R-1 Residential District, but the City can regulate the design materials and the size. Schreder said the City can regulate the size and height of the garage and the design materials.

Kytonen asked the Planning Commission to think more about the barndominium concept and further discussion would take place at a future Planning Commission meeting.

Adjournment

Davis moved, seconded by Mankie, to adjourn the meeting at 4:30 pm. The motion carried unanimously.

Loren Davis, Chair

Attest:

Rachel Kytonen, City Administrator

RESOLUTION NO. 23-30

*A Resolution Setting a Public Hearing on the Proposed Vacation of
a Portion of Pheasant Run and easements*

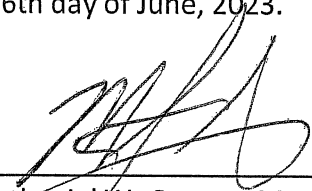
WHEREAS, the City Council pursuant to Minnesota Statute §412.851 and Statute 462.358 subd. 7 desires to consider the vacation of a portion of Pheasant Run street, and easements in the City's Industrial Park to permit the construction of the new East Central Energy operations building. See Exhibit A for vacation area.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRAHAM, MINNESOTA AS FOLLOWS:

The City Council will consider the vacation of such street and easements and a public hearing shall be held on such proposed vacation on the ^{11th} ~~5th~~ day of July, 2023, in Braham City Hall, located at 201 Broadway Avenue South, Braham, Minnesota, at approximately 6:00 pm, and

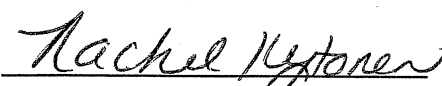
BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give published, posted and mailed notice of such hearing as required by law.

Passed by the City Council of Braham, Minnesota this 6th day of June, 2023.



Nathaniel W. George, Mayor

Attested:



Rachel Kytonen, City Administrator

PROPOSED DESCRIPTIONS

ROAD VACATION

Land Description:

That part of dedicated PHEASANT RUN according to BRAHAM INDUSTRIAL PARK 1ST ADDITION, said plat is in file and of record in the office of the Recorder, Kanabec County, Minnesota, which lies northwesterly of the following described line:

Beginning at the northwesterly corner of Lot 2, Block 1, said BRAHAM INDUSTRIAL PARK 1ST ADDITION, from which the north line of said Lot 2 bears North 89 degrees 31 minutes 24 seconds East on a record bearing; thence South 63 degrees 55 minutes 55 seconds West for a distance of 66.00 feet to the westerly line of said PHEASANT RUN and said line there terminates, containing 0.49 acres.

EASEMENT VACATION

Land Description:

Those dedicated Drainage and Utility easements along the lot lines common to Lot 3 and Lot 4 and the lot line common to Lot 4 and Lot 5, all in Block 1, BRAHAM INDUSTRIAL PARK 1ST ADDITION, said plat is in file and of record in the office of the Recorder, Kanabec County, Minnesota, except the northerly 15.00 feet thereof as measured at a right angle to, and parallel with, the north line of said Block 1, and except the southerly 20.00 feet thereof as measured at a right angle to, and parallel with, the easterly line of PHEASANT RUN according to said BRAHAM INDUSTRIAL PARK 1ST ADDITION.

CERTIFICATE OF SURVEY

PART OF BRAHAM INDUSTRIAL PARK 1ST ADDITION
CITY OF BRAHAM
KANABEC COUNTY, MINNESOTA

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CERTIFICATION

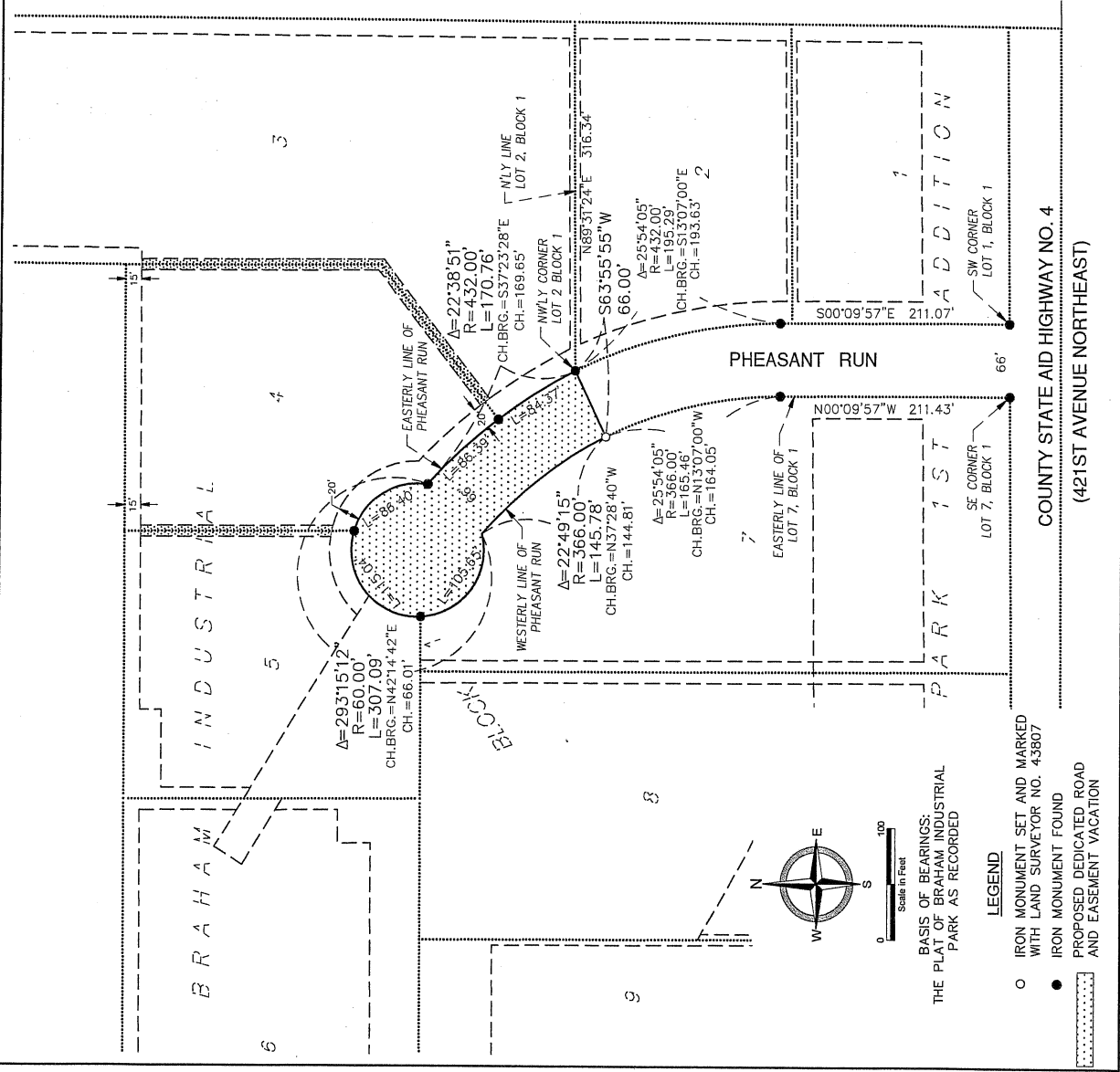
I hereby certify that this survey, specification, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Christopher D. Heyer
Christopher D. Heyer, Minnesota License No. 43807

Date signed: June 1, 2023

PROJECT No.	20893
DATE:	05.30.23
REVISION:	
DRAFTER:	LEB
REVIEWER:	CDH

CITY OF BRAHAM
PO BOX 521
BRAHAM, MN 55006



ONE-FAMILY AND TWO-FAMILY RESIDENTIAL DISTRICT (R-1)

§ 154.040 PURPOSE.

The One-Family and Two-Family Residential District is intended to establish an area of low to medium density residential uses consisting of one-family and two-family dwellings and directly related complementary uses.

(Ord. 199, passed 2-7-2000)

§ 154.041 PERMITTED USES.

The following are permitted uses:

- (A) One-family dwellings;
- (B) Non-commercial gardening;
- (C) Golf courses, country clubs, tennis courts, swimming pools, and additional private and private-club recreational uses, all non-commercial;
- (D) Churches, parish houses, convents, and child nurseries;
- (E) Public buildings and uses of the following kinds: Elementary and secondary schools (public), parks, playgrounds, libraries, museums, and community centers;
- (F) Two-family dwellings, if on lots of the areas and widths as hereinafter required; and
- (G) Child day care and group homes conforming to state statutes.

(Ord. 199, passed 2-7-2000)

§ 154.042 CONDITIONAL USES.

The following uses may be permitted:

(A) A state-licensed cemetery, crematory, mausoleum, government, public utility, and public service uses, hospitals, sanitariums, homes for the aged and similar institutions, and institutions of an educational, philanthropic, or charitable nature when required for the public health, safety, or welfare;

(B) Automobile parking lots when required for off-street parking spaces for any use not more than 300 feet distance therefrom;

(C) Public buildings and public uses, including public housing, temporary and permanent;

(D) An apartment within an existing single-family dwelling; and

(E) Bed and breakfast inn, provided the following are adhered to:

(1) Off-street parking shall be provided in accordance with the parking requirements of §§154.295 through 154.307. A minimum of one off-street parking space per guest room shall be provided in addition to the parking requirements for the zoning district in which the facility is located;

(2) Signs shall be in accordance with the sign requirements in §§154.320 through 154.333, and meet the requirements for the zoning district that the business is located within. Identifying signs to be not more than four square feet in total, located on the building and consistent with the character of the building;

(3) The maximum of four guest rooms may be established in a structure;

(4) A bed and breakfast establishment shall show proof of inspection or proof of proper operating licenses by the state and/or county;

(5) All guest rooms shall be contained within the principal structure;

(6) Dining and other facilities shall not be open to the public, but shall be used exclusively by the residents and registered guests;

(7) The maximum stay for guests shall be 14 days within a 30-day period;

(8) The inn shall comply with all applicable laws, rules, and regulations governing its existence and operation, including, but not limited to, the State Building Code, the State Fire Code, and the State Health Code; and

(9) The owner or operator shall reside on the property, or submit a management plan for approval as part of the conditional use permit.

(Ord. 199, passed 2-7-2000)

§ 154.043 ACCESSORY USES.

The following are permitted accessory uses in a R-1 District:

(A) Private garages, parking spaces, and carports for licensed and operable passenger cars and trucks not to exceed a gross capacity of 9,000 pounds, as regulated by §§ 154.295 through 154.307 of this chapter. Private garages are intended for use to store the private passenger vehicles of the family or families resident upon the premises, and in which no business service or industry is carried on. The space can be rented to non-residents of the property for private passenger vehicles and/or non-commercial vehicles, trailers, or equipment if sufficient off-street parking in full compliance with this chapter is provided elsewhere on the property. The garage shall not be used for the storage of more than one commercial vehicle owned or operated by a resident per dwelling unit per employer;

(B) Recreational vehicles and equipment;

(C) Non-commercial greenhouses and conservatories;

(D) Swimming pool, tennis courts, and other recreational facilities, which are operated for the enjoyment and convenience of the residents of the principle use and their guests;

(E) Tool houses, sheds, and similar buildings for storage of domestic supplies and non-commercial recreational equipment. Refer to § 154.280, or as amended;

(F) Boarding or renting of rooms within the principle building;

(G) Essential services;

(H) Fencing, screening, and landscaping as permitted and regulated by § 154.254;

(I) Piers and docks; and

(J) Home occupations consistent with § 154.280(G).

(Ord. 199, passed 2-7-2000)

§ 154.044 MINIMUM LOT SIZE.

(A) A lot area of not less than 10,000 square feet is required for a single-family dwelling; for two-family dwellings, 15,000 square feet is required.

(B) Lot width of not less than 75 feet of street frontage for a single-family dwelling is required; for two-family dwellings, 100 feet of street frontage is required.

(Ord. 199, passed 2-7-2000)

§ 154.045 FRONT, SIDE, REAR YARD REQUIREMENTS.

(A) *Front yard.* A front yard of not less than 30 feet is required.

(B) *Side yards.* Two side yards required, each with a width of not less than eight feet each. Where a lot is located at the intersection of two or more streets, the width of the yard along the side street shall not be less than 30 feet.

(C) *Rear yard.* A rear yard with a depth of not less than 25 feet.

(Ord. 199, passed 2-7-2000)

§ 154.046 FOUNDATION REQUIREMENTS.

All one-family and two-family dwellings require permanent foundations, which means precast blocks or a poured concrete wall extending to the frost line. Posts are not an acceptable foundation.

(Ord. 199, passed 2-7-2000) Penalty, see § 154.999

§ 154.047 MAXIMUM GROUND COVERAGE; GROUND FLOOR AREA.

(A) The sum total of the ground area covered by all structures and impervious areas shall not exceed 33% of the lot on which the structures are located.

(B) Minimum ground floor area shall be 960 square feet for a single-family dwelling unit. An additional 100 square feet is required for each additional bedroom over three bedrooms. Houses having one and one-half or more stories shall have at least 720 square feet on the main floor. Two-family dwellings must have at least 860 square feet of ground floor area.

(Ord. 199, passed 2-7-2000)

§ 154.048 MAXIMUM BUILDING HEIGHTS.

Building heights permitted are two and one-half stories, but not exceeding 35 feet. Accessory buildings must comply with § 154.280 of this chapter.

(Ord. 199, passed 2-7-2000)

§ 154.049 BUILDABLE LOTS.

Existing lots of 45 feet in width and street frontage, in existence and of record prior to the effective date of this chapter, shall be deemed a buildable lot provided it has frontage on a public right-of-way and it meets the appropriate setback requirements.

(Ord. 199, passed 2-7-2000)

DESIGN SPECIFIC ACTIONS

§ 154.250 PURPOSE.

The purpose of this subchapter is to establish general development standards to assure compatible land uses, to prevent blight and deterioration, and to enhance the health, safety, and general welfare of the city.

(Ord. 199, passed 2-7-2000)

§ 154.251 DWELLING UNIT RESTRICTIONS.

(A) No cellar, basement, garage, tent, or accessory building shall, at any time, be used as an independent residence or dwelling unit, temporarily or permanently, except allowed as a conditional use as set forth and regulated by §§ 154.380 through 154.383.

(B) Tents, play houses, or similar structures may be used for play or recreational purposes.

(Ord. 199, passed 2-7-2000)

§ 154.252 BUILDING RESTRICTIONS.

(A) Any person desiring to build new or improve existing buildings shall submit to the Zoning Administrator information on the location, and dimensions of the existing and proposed buildings, location of easements crossing the property encroachments, and any other information which may be necessary to ensure conformance to city ordinances.

(B) All buildings shall be so placed so that they will not obstruct future streets which may be constructed by the city in conformity with existing streets, and according to the system and standards employed by the city.

(C) Except in the case of planned unit developments, as provided for in §§154.220 through 154.223, not more than one principle building shall be located in a lot. The words "principle building" shall be given their common, ordinary meaning; in case of doubt, or on any questions or interpretation, the decision of the Zoning Administrator shall be final, subject to the right of appeal to the Planning Commission and City Council, as provided for in §§ 154.395 through 154.400.

(D) Manufactured homes, buildings, tents, or other structures temporarily maintained by an individual or company on the premises associated with the work project, and used exclusively to house labor or other personnel occupied in the work project, shall be exempt from the requirements of this subchapter, but in no event shall the structures be on the premises for a period of time exceeding 12 months. The manufactured homes, buildings, tents, or other structures shall be removed within 30 days from the completion of the work project.

(Ord. 199, passed 2-7-2000)

§ 154.253 LAND RECLAMATION.

(A) Under this subchapter, **LAND RECLAMATION** is the reclaiming of land by depositing materials so as to elevate the grade.

(B) All **LAND RECLAMATION** shall be controlled under the provisions of the State Uniform Building Code and this chapter, and shall meet the following minimum standards:

- (1) The deposit of any fill shall be permitted by conditional use permit only, in all districts;
- (2) The smallest amount of bare ground is exposed for as short a time as feasible;
- (3) Temporary ground cover is used, and permanent ground cover, such as sod, is planted;
- (4) Methods to prevent erosion and trap sediment are employed;
- (5) Fill is stabilized to accepted engineering standards;

(6) Final slopes for cut slopes should be a maximum of 1:1, or 100%; fill slope 3:1 or 30%; and grade or construction slope 5:1 or 20%;

(7) A plan for control of egress and ingress must be approved by the city; and

(8) Dust control must be provided in an acceptable manner and approved by the city.

(Ord. 199, passed 2-7-2000)

§ 154.254 FENCING, SCREENING, LANDSCAPING.

(A) No fence shall exceed four feet in height and no closer than ten feet from the front property line, or eight feet in height in the rear yard, as measured from the average point between the highest and lowest grade.

(B) No fence, screen, or structure which obstructs view shall be located within 25 feet of any corner formed by the intersection of street or railroad rights-of-way, as measured from the intersecting property lines.

(C) Except as provided in division (B) above, fences, hedges, or shrubs less than four feet in height may be located on

any part of the lot.

(D) In all zoning districts, all useable open space, as defined by this chapter, shall be planted and maintained in grass, sodding, shrubs, or other suitable vegetation or treatment.

(E) All screening required by the provisions of this chapter shall consist of one of the following:

(1) A green belt planting strip consisting of vegetative cover of sufficient width and density to provide an effective screen; and

(2) A fence constructed of masonry, brick, wood, or steel which is compatible with surrounding structures and buildings, and sufficiently serves as an effective screen.

(F) Except as provided in division (B) above, or as amended, fences shall be set back at least one foot from the lot lines or, upon mutual consent of the abutting property owner(s), may be placed along the lot line.

(G) All fences shall be constructed with a finished side facing outward.

(H) Every fence shall be constructed in a substantial workman-like manner, and of substantial material suited for the purpose for which the fence is proposed to be used. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become, and remain, in a condition of disrepair or danger, or constitute a public or private nuisance.

(I) Material such as wire mesh, hog wire fencing, straight wire fencing, barbed wire, or snow fencing will not be allowed.

(J) Permits are required for all fences. The permit fee is waived on fences six feet and under in height.

(Ord. 199, passed 2-7-2000)

§ 154.255 REFUSE.

All lots within all zoning districts shall be maintained in a neat and orderly manner. No rubbish, salvage materials, utility vehicles, vehicles or trailers that are not licensed for public street use, junk, or miscellaneous refuse shall be openly stored, or kept in the open, when the same is construed by the City Council to be a menace or nuisance to the public health, safety, or general welfare of the city, or to have a depressing influence upon property values in the area.

(Ord. 199, passed 2-7-2000) Penalty, see § 154.999

§ 154.256 VISION CLEARANCE AT CORNERS, CURB CUTS, RAILROAD CROSSINGS.

Notwithstanding any part of this subchapter, or any permit or variance granted, no structure, vehicle, vegetation, fence, sign, building, or any obstacle, or any portion thereof, shall be placed or retained in a manner to constitute a traffic hazard or obstruct the vision clearance of corners, curb cuts, or railroad, crossings.

(Ord. 199, passed 2-7-2000)

§ 154.257 PERFORMANCE STANDARDS.

All uses shall comply with all federal, state, and local pollution and nuisance laws and regulations, including, but not limited to, glare, smoke, dust, odors, and noise. The burden of proof of compliance with appropriate performance standards shall lie with the applicant.

(Ord. 199, passed 2-7-2000)

§ 154.258 ADMINISTRATIVE STANDARDS.

Whenever, in the course of administration and enforcement of this subchapter, it is necessary or desirable to make any administrative decision, unless other standards are provided within this subchapter, the decisions shall be made so that the result will be consistent with the intent and purpose of this subchapter as described in § 154.001.

(Ord. 199, passed 2-7-2000)

§ 154.259 LIGHTING.

Any lighting used to illuminate an off-street parking area, sign, or structure shall be arranged as to deflect light away from any adjoining residential properties or uses from the public streets.

(Ord. 199, passed 2-7-2000)

§ 154.260 PUBLIC WATER ALTERATION.

Any alteration which will change or diminish the course, current, or cross section of a public water shall be approved by the Commissioner of the State Department of Natural Resources, in accordance with the procedures of M.S. § 103G.245, as it may be amended from time to time. This alteration includes construction of channels and ditches; lagoons; dredging of lake or stream bottoms for removal of muck, silt, or weeds; and filling in the lake or stream bed. Judicial ditches are under court jurisdiction, and the County Engineer is the advisor.

(Ord. 199, passed 2-7-2000)

§ 154.261 DESIGN STANDARDS.

The architectural appearance and function of any building and site shall not be so dissimilar to the existing buildings or areas as to constitute a blighting influence. Earth sheltered buildings are allowed if in compliance with all other zoning provisions promulgated pursuant to M.S. § 462.357, as it may be amended from time to time.

(Ord. 199, passed 2-7-2000)

