

SECTION 70  
I-1, LIGHT INDUSTRY DISTRICT

Section:

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**515-70-1: Purpose and Intent.** To provide for the establishment of warehousing and light industrial development, particularly in the form of industrial parks. The overall character of the I-1 District is intended to have low impact character. Industrial uses allowed in this district shall be limited to those which can compatibly exist adjacent to both lower intensity business uses and high intensity manufacturing uses but which require isolation from residential uses. This district may also incorporate general office and commercial uses.

**515-70-2: Permitted Uses.**

- A. Conducting a process, fabrication, wholesale operation, manufacturing or providing a service, including any of the following or similar uses meeting the performance standards applicable to the I-1 District, provided that all development uses in the I-1 District are conducted wholly within a building:
  - 1. Machine shops.
  - 2. Paper products from previously processed paper.
  - 3. Electronics assembly and testing.
  - 4. Commercial printing and publishing establishments.
  - 5. Laundry, dry cleaning or dyeing plants.
  - 6. Food/beverage processing.
  - 7. Cosmetics/toiletries
  - 8. Drugs and pharmaceuticals.
  - 9. Beverage bottling.
  - 10. Recycling center.
  - 11. Woodworking.
  - 12. Retail sales operated by non-profit organizations to benefit said non-profit organizations by selling items primarily related to the building industry.
  
- B. Radio and television studios.

- C. Research laboratories.
- D. Warehousing and wholesaling.
- E. Guard/Reserve facilities.
- F. Automobile body shop and transmission repair subject to the following conditions:
  - 1. All outdoor storage of vehicles shall be screened by at least a six (6) foot fence, but not in excess of eight and one-half (8½) feet in height, and shall be ninety (90) percent opaque fence.
  - 2. Any vehicle parked or stored on the property for longer than twenty-four (24) hours shall be kept in the screened yard.
- G. Government and public utility buildings and structures.
- H. Office business – general such as professional administrative or clerical service operations such as attorneys, financial advisors, insurance, travel and real estate.
- I. Contractor offices.
- J. Essential services as regulated by Section 36 of this Ordinance.
- K. Retail sales operated by non-profit organizations to benefit said non-profit organizations by selling items primarily related to the building industry.
- L. Electrical/Plumbing/Heating/Air Conditioning products and parts.
- M. Metal Sales such as steel and other raw materials.
- N. Construction equipment sales and repair.
- O. Truck and semi tractor/trailer sales and repair.
- P. Sale of parts and sale and repair of tires for construction equipment and semi tractor trailers.
- Q. Sales and distribution of propane, acetylene, helium, CO2 and similar tanks.
- R. Commercial sales incidental to the manufacture, processing or wholesaling of products manufactured on, processed on or wholesaled from the premises. The sales area shall be segregated from the principal use of the building.
- S. All commercial uses permitted in B-1, B-2, B-3, B-4, and B-6 zoning districts are permitted when the commercial use has access on an arterial or collector road.

- T. Fitness and Recreation Centers as described by the 2012 Version of the North American Industrial Classification System (NAICS) Code 713940
- U. Brew Pub Off-Sale. A brewer with an off-sale malt liquor license subject to the provisions of Minnesota Statutes 340A and the following:
1. No outdoor storage.
  2. No odors from the brewery facility shall be perceptible beyond the property line. If such odors occur, the brewery facility operator shall take appropriate measures to reduce or mitigate any odors generated from the operation and be in compliance with any applicable Minnesota Pollution Control standards.
- V. Brew Pub On-Sale. A brewer with an on-sale malt liquor license subject to the provisions of Minnesota Statutes 340A and the following:
1. No outdoor storage.
  2. Comply with the requirements of 515-62-6B for outdoor serving.
  3. No odors from the brewery shall be perceptible beyond the property line. If such odors occur, the brewery shall take appropriate measures to reduce or mitigate any odors generated from the operation and be in compliance with any applicable Minnesota Pollution Control standards.
  4. On-site sale of wine or spirits is permitted in accord with Minnesota Statutes and Brainerd City Code XII.
- W. Brewery with Taproom On-Sale. A brewer with an on-sale brewery taproom license for the “On-Sale” of malt liquor produced on the licensed premises subject to the provisions of Minnesota Statutes 340A and the following:
1. No outdoor storage.
  2. Comply with the requirements of Brainerd City Code 515-62-6B for outdoor serving, if applicable.
  3. No odors from the brewery shall be perceptible beyond the property line. When such odors occur, the brewery shall take appropriate measures to reduce or mitigate any odors generated from the operation and be in compliance with any applicable Minnesota Pollution Control standards.
- X. Brewery with Taproom Off-Sale. A brewer with an off-sale brewery taproom license for the “off-sale” of malt liquor produced on the licensed premises subject to the provisions of Minnesota Statutes 340A and the following:

1. No outdoor storage.
2. A taproom for malt liquor “off-sale” produced on-site shall require an “on-sale” taproom room license form the City of Brainerd, according to the City Code Section XII.
3. Comply with the requirements of Brainerd City Code 515-62-6B for outdoor serving, if applicable.
4. No odors from the brewery shall be perceptible beyond the property line. When such odors occur, the brewery shall take appropriate measures to reduce or mitigate any odors generated from the operation and be in compliance with any applicable Minnesota Pollution Control standards

Y. Microdistilleries and Cocktail Rooms. Subject to the provisions of Minnesota Statutes 340A and the following:

1. No outdoor storage.
2. A cocktail room shall require an “on-sale” taproom room license form the City of Brainerd, according to the City Code Section XII.
3. Comply with the requirements of Brainerd City Code 515-62-6B for outdoor serving, if applicable.

**515-70-3: Accessory Uses.**

- A. Off-street parking as regulated in Section 22 of this Ordinance.
- B. Off-street loading as regulated in Section 23 of this Ordinance.
- C. Signs as regulated in Section 37 of this Ordinance.
- D. Residence for night watchman or other security personnel.
- E. Commercial or business buildings not to exceed thirty (30) percent of the gross floor space of the principal building and shall be of the same material and design as the principal use.
- F. Fences as regulated in Section 19 of this Ordinance.
- G. Radio and television receiving antennas, satellite dishes, TV Receive Only (TVRO) three (3) meters or less in diameter, short-wave dispatching antennas, or those necessary for the operation of electronic equipment including radio receivers, ham radio transmitters and television receivers as regulated by Section 35 of this Ordinance.

H. Outdoor storage accessory to a principal use provided that:

1. The storage area is landscaped and screened from view of neighboring uses, residential zoning districts, and public rights-of-way per Section 20 of this Ordinance.
2. Storage area is fenced in a manner approved by the City.
3. Storage area is paved or surfaced to control dust and erosion.
4. All lighting shall be in compliance with Section 18 of this Ordinance.
5. The storage area does not take up parking space or loading space as required for conformity to this Ordinance and not in front yards.
6. The property shall not abut property zoned for residential, rural, or business use, including land in a neighboring township or city. "Abutting" includes across a street. "Abutting" does not include properties that touch only corner to corner.
7. The storage area shall not abut a school or a public park.
8. The ratio of storage area to building footprint shall not exceed three and one-half to one (3.5:1).
9. Storage shall not include material considered hazardous under Federal or State Environmental Law.

**515-70-4: Interim Uses.**

A. Outdoor storage as a principal use provided that:

1. All storage is screened from view of neighboring uses and public rights-of-way via a fence or green belt planting strip or combination thereof in compliance with Section 20 of this Ordinance.
2. The storage area does not take up parking space or loading space as required for conformity to this Ordinance.
3. All lighting will be in compliance with Section 18 of this Ordinance.
4. The storage area is fenced and secured as regulated by Section 19 of this Ordinance.
5. The storage area is paved or surfaced to control dust and erosion.

6. All parking, loading and truck staging activities shall occur on site. On-street parking and loading associated with the use is prohibited.
  7. Noises emanating from the use are in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulations MPC 7030.
- B. Billboard signs as regulated by Section 37 of this Ordinance.
- C. Decommissioning, the significant removal of machinery (defined as a system of related elements that operate in a definable manner) from service within a site, or the demolition of existing buildings, pavement, structures or facilities, and/or site remediation for the purposes of leaving a property barren, vacant or abandoned for an unspecified amount of time. A site plan shall be submitted and is subject to Section 10 of this Ordinance.

**515-70-5: Conditional Uses.**

- A. Outdoor sales lot, provided that all outdoor storage be screened by a fence or compact evergreen hedge at least fifty (50) percent opaque at least six (6) feet high at time of planting.
- B. Bulk liquid storage provided that:
1. All applicable Minnesota Pollution Control Agency requirements are satisfactorily met.
  2. A drainage system subject to the approval of the City Engineer shall be installed.
  3. Storage areas are landscaped, fenced and screened from view of neighboring uses, abutting residential zoning districts and public rights-of-way in compliance with Section 20 of this Ordinance.
  4. Vehicular access points shall create a minimum of conflict with through traffic movement and shall be subject to approval of the City Engineer.
  5. All storage tanks shall be located in the rear yard not less than twenty-five (25) feet from any property boundary lines and setback one hundred fifty (150) feet from any adjoining residential zoning district. No tanks shall be permitted in the front yard or side yard abutting public rights-of-way.
  6. Storage tanks shall be surrounded by twenty-five (25) feet of open area. Storage of any kind is prohibited in said open area, except equipment incidental to the storage tank. Approved parking must be set back ten (10) feet from any storage tank.
  7. Storage tanks shall be set back from existing structures, as outlined in the Fire Code, based on tank size.

8. All bulk storage plans and processes shall be subject to review and approval of the Fire Department.
  9. Storage tanks shall not interfere with site circulation, including but not limited to, parking, driveway, curb cuts, and loading areas.
  10. A wire weave/chain link security fence shall be required around all storage tanks. The location of said fence shall be as per the Uniform Fire Code.
  11. Storage sites shall be accessible by service and emergency vehicles.
  12. All filling valves of the storage tanks shall be enclosed and have locking devices.
  13. A warning sign shall be required for every tank and shall be placed in a conspicuous location, directly on the tank indicating a supplier's name, address, phone number, that highly flammable and dangerous material is stored therein, and that no smoking requirements must be observed or a sufficient warning to that effect. Said signage may not exceed four (4) square feet.
  14. Provisions are made to control and minimize noise, air and water pollution.
- C. Planned Unit Developments (PUD) as regulated by Section 11 of this Ordinance.
- D. Placement and operation of outdoor wood burning furnaces subject to the following conditions:
1. Outdoor wood burning furnaces shall be located at least twenty-five (25) feet from all property lines.
  2. The outdoor wood burning furnace shall be located on a property in compliance with manufacturer's recommendations and/or testing and listing requirements for clearance for combustible materials.
  3. The outdoor wood burning furnace shall be located at least one hundred (100) feet from any building that is not served by an outdoor wood burning furnace.
  4. The chimney height of any new outdoor wood burning furnace shall extend at least two (2) feet above the peak of any building not served by an outdoor wood burning furnace within three hundred (300) feet.
- E. Animal hospital, clinic, kennels and shelters provided that:
1. All areas in which animals are confined are located indoors and are properly soundproofed from adjacent properties.

2. Animal carcasses are properly disposed of in a manner not utilizing on-site garbage facilities or incineration and the carcasses are properly refrigerated during periods prior to disposal.
  3. A ventilation system shall be designed so that no odors or organisms will spread between wards or to the outside air and will be capable of completely exchanging internal air at a rate of at least twice per hour. Air temperature must be maintained between sixty (60) and seventy-five (75) degrees Fahrenheit.
  4. A room separate from the kennel area shall be provided of sufficient size to adequately separate animals that are sick or injured from healthy animals.
  5. Indoor animal kennel floors and walls shall be made of non-porous materials or sealed concrete to make it non-porous.
  6. Animal wastes shall be flushed down an existing sanitary sewer system or enclosed in a container of sufficient construction to eliminate odors and organisms and shall be properly disposed of at least once a day.
  7. All State Health Department and Minnesota Pollution Control Agency requirements for such facilities are met.
- F. Trade/specialty schools.
- G. Mini self storage facilities provided that:
1. At least twenty-five (25) percent of the site is open green space and landscaped in accordance with a plan approved by the City Council.
  2. No buildings shall be located closer than twenty-five (25) feet to each other to allow for parking, loading, driveway, and fire lanes.
  3. No single building shall be greater than one hundred fifty (150) feet in length.
  4. All structures are to be within two hundred (200) feet of a fire hydrant.
  5. All driveways and parking areas are to be hard (blacktop or concrete) surfaced and adequate turning radius for fire truck maneuverability is to be maintained throughout the site. Designated snow storage space is to be provided to insure adequate and safe access during winter months.
  6. Any structures having exposure to an adjacent residential use or public right-of-way, park, or similar public use areas shall be of vinyl, brick, natural stone, wood, or stucco facing material.



7. No retailing, wholesaling, manufacturing, repair, or other such activity other than storage is to occur within the self storage, mini warehousing facility.
- H. Non-enclosed areas for dining and/or serving alcohol when accessory to a restaurant and/or bar provided that:
1. The applicant submits a site plan in accord with Section 5 of this ordinance that includes information demonstrating the location and type of all tables, refuse receptacles, and wait stations.
  2. Access shall be provided only via the principal building.
  3. The size of the area is restricted to thirty (30) percent of the total customer floor area within the principal structure.
  4. The area is screened from view from adjacent residential uses in accordance with Section 20 of this Ordinance.
  5. All lighting shall be hooded and directed away from adjacent residential uses in accordance with Section 18 of this Ordinance.
  6. The applicant demonstrates that pedestrian circulation is not disrupted as a result of the area by providing the following:
    - a. Minimum clear passage zone for pedestrians at the perimeter of the restaurant shall be at least five (5) feet without interference from parked motor vehicles, bollards, trees, tree gates, curbs, stairways, trash receptacles, street lights, parking meters, or the like.
    - b. Overstory canopy of trees, umbrellas or other structures extending into the pedestrian clear passage zone or pedestrian aisle shall have a minimum clearance of seven (7) feet above sidewalk.
  7. The area is surfaced with concrete, bituminous, decorative pavers or may consist of a deck with wood or other flooring material that provides a clean, attractive, and functional surface.
  8. Storage of furniture shall not be permitted outdoors between November 1 and March 31. Outdoor furniture that is immovable or permanently fixed or attached to the sidewalk shall not be subject to the storage prohibition of this section. However, any immovable or permanently fixed or attached furniture shall be approved as part of the conditional use permit application.
  9. Additional off-street parking may be required pursuant to the requirements set forth in Section 22 of this Ordinance based on the additional seating area provided by the area.
  10. Closed lid refuse containers are to be provided.

11. So as to deter the free passage of any person or substance beyond the barriers of the non-enclosed areas, a barrier at a minimum of thirty-six (36) inches made of wood, vinyl, wrought iron, brick or natural stone, planter or other approved material shall be provided.

Barrier openings shall be spaced such that visibility is allowed but the passage of an alcoholic beverage through an opening to a person that is not within the non-enclosed area is prohibited.

12. The primary access and egress will be from the main premises or structure and no other access or egress will be allowed other than those required as emergency exits. The outdoor sale area will be defined or structurally constructed so as to prohibit the free passage of any person or substance beyond said area.
13. Smoking in the area, if allowed by the business owner, is permitted provided the area is in compliance with the Minnesota Freedom to Breathe Act of 2007.
14. The Building Official shall review the suitability of the area in light of the applicable fire, building, and life safety codes and the adequacy of the proposal to provide for the safety of persons on the premises.
15. There shall be no amplified live music allowed in the area except in the case of special event, which requires a permit from the City. Music shall be kept to a level that is not intrusive to surrounding property.
16. All licenses required for serving alcohol specified in city code Chapter XIII shall be obtained.

**515-70-6: Uses by Administrative Permit.**

- A. Personal wireless service antennas as regulated by Section 35 of this Ordinance.
- B. Telecommunication towers as regulated by Section 35 of this Ordinance.
- C. Temporary mobile towers as regulated by Section 35 of this Ordinance.

**515-70-7: Lot Area and Setback Requirements.**

Lot Area	24,000 square feet
Lot Width	100 feet
Front Yard Setback	40 feet
Side Yard Setback, internal lot	10 feet
Side Yard Setback, corner lot	20 feet
Setback from adjacent residential zoning	100 feet

Rear Yard Setback

30 feet

**515-70-8: Building Height.** No more than thirty (30) feet, however, building heights in excess of the prescribed standard may be permitted through a Conditional Use Permit, provided that:

1. The site is capable of accommodating any increased intensity of use.
2. Any increased intensity of use does not cause an increase in traffic volumes beyond the capacity of the surrounding streets.
3. Public utilities and services are adequate.
4. The front and side yard setbacks shall be increased one (1) foot for every foot of height in excess of thirty (30) feet.

**515-70-9: Building Requirements.**

- A. **Minimum Floor Area:** Industrial and/or commercial buildings (principal structure) having less than one thousand (1,000) square feet of floor area may only be allowed upon approval of a Conditional Use Permit.
- B. Exterior building elevations shall be as regulated in Section 17 of this Ordinance.