



**City of Columbus
PUBLIC HEARING NOTICE
Variance**

Notice is hereby given that a Public Hearing will be held by the City of Columbus Planning Commission on Wednesday, September 16, 2020 at 7:00 p.m., or as soon thereafter as parties may be heard, and will be conducted by alternative means (teleconference) from remote locations to consider a variance request from the requirements outlined in City Code Section 7A-805 requesting the expansion of an existing legal nonconforming structure (accessory building) that was placed in the designated front yard on a lot that does not meet the 5.0 acre lot size dimensional standard. The meeting will occur under the conditions outlined in statutes section 13D.021. Members of the public interested in monitoring the meeting by telephone can find the phone number and passcode on the City website or contact the City Offices at 651.464.3120. The hearing shall continue until all evidence and testimony has been received.

<u>Applicant:</u>	Michael Conway
<u>Property Owner(s):</u>	Michael Conway & Jennifer Jordan
<u>Property Location:</u>	18217 Bender St NE. Columbus, MN
<u>Legal Description:</u>	PIN#: 36-33-22-34-0005 COLUMBIA ESTATES LOT 4 BLK 1 COLUMBIA ESTATES (SUGJ TO EASE AS SHOWN ON PLAT) ANOKA COUNTY, MN

Elizabeth Mursko

Elizabeth Mursko, Zoning Administrator

Submitted to the Forest Lake Times on 08.27.20
Published in the Forest Lake Times on 09.03.20
Posted on 08.27.20

16319 Kettle River Boulevard, Columbus, MN 55025

651.464.3120 Twin Cities 651.464.5922 Fax

www.ColumbusMN.com



RECEIVED

AUG 11 2020

City of Columbus

16319 Kettle River Blvd. Columbus, MN 55025 Phone: (651) 464-3120 Ext. 1008 Website: www.ColumbusMN.us

APPLICATION FOR CONSIDERATION OF: VARIANCE REQUEST

Application Information Form

APPLICANT:

Name: Michael Conway Phone: 651-271-6062(Alt.) Address: 18217 Bender St NE Email: mike@american eagle MN.com City: Columbus State: MN Zip: 55025

OWNER: (If other than applicant)

Name: Michael Conway Phone (work) 651-271-6062(Alt.) Address: 18217 Bender St NE Email: mike@american eagle MN.com City: Columbus State: MN Zip: 55025

Legal description of property: Columbia Estates

Lot(s) 4 Block(s) 1 Additions(s)

Existing use of property: Residential Present zoning:

Action Requested: Please check (✓): Variance [checked]

Brief description of and reason for request (this does not serve as the narrative requirement)

Addition to existing garage that is in front of my home

Submittals Check List:

Application Information Sheet (Permit)	<input type="checkbox"/>	Information Recommended by Zoning Administrator:
Read and Understood the "Variance Information" sheet attached to this Application.	<input type="checkbox"/>	
Scaled Site Drawing (Showing <i>all</i> current and proposed site conditions)	<input type="checkbox"/>	
Certified Survey (if applicable)	<input type="checkbox"/>	
Narrative Statement (What code are you requesting a variance from, what is the practical difficulty placed on you by the current City Code, why should the variance be granted, etc.)	<input type="checkbox"/>	
Required Fees Paid	<input type="checkbox"/>	
Watershed Approval/Permit (if applicable)	<input type="checkbox"/>	
Additional Information (further information that you believe is relevant and helps explain your request)	<input type="checkbox"/>	
<p><i>Note: this checklist is an outline intended to provide a general statement of the required submittals for a Variance. For exact requirements you should refer to the Columbus City Ordinance (Section 7A-524) found in the Zoning Code available on the City website www.ColumbusMN.us</i></p>		

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning and Subdivision Ordinances and current administrative procedures. I further acknowledge the explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

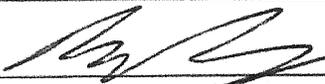
SIGNATURE OF APPLICANT: [Signature] DATE: 8/7/20

SIGNATURE OF OWNER: [Signature] DATE: 8/7/20

For Office Use Only			
Date Application Received	<u>08/13/20</u>	PC # <u>PC20-113</u>	60-Day Deadline <u>October 12, 2020</u>
Permit Fee	<u>\$150.00</u>	Escrow Amount	<u>\$500.00</u> Total Amount Paid <u>\$650.00</u>
Date Paid	<u>08/13/2020</u>	Check #	<u>CASH</u> Receipt # <u>21305</u>

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

Name of Applicant: <i>Michael Conway</i>		
Address of Applicant: <i>18217 Bender St NE</i>		
City: <i>Columbus</i>	State: <i>MN</i>	Zip: <i>55025</i>
Street Address of Subject Property: <i>18217 Bender St NE</i>		
Legal Description of Subject Property: <i>Columbia Estates Lot 4 Blk 1</i>		
Signature: 		Date: <i>8/7/20</i>

If you are not the fee owner, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

If a corporation is fee title holder, attach a copy of the resolution of the Board of Directors authorizing this action.

If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.

This affirmation is not submitted in lieu of sufficient title evidence. You will be required to submit a title opinion, certificate of title, or title insurance policy showing your interest in the property prior to final action by the City Council.

August 5, 2020

To whom it may concern:

My name is Michael Conway and I live at 18217 Bender St NE here in Columbus. It has come to my attention that there is an issue with my detached garage and getting a permit to do an addition to the structure. As it sits closer to the road than my home.

We bought this home in the spring of 2017 and this structure was already on the property. It is my understanding that this structure was approved by the city and inspected by the city inspector to be placed in its current location and that it is properly screened from the road and all neighbors.

As you can see by the pictures I am attaching to this letter this structure is not visible from the road, or by the neighbors only by ourselves. The structure is screened with native vegetation and can not be seen at any time of the year due to the density of the vegetation.

According to Section 1. Chapter 7A. Article VIII I am under the maximum allowable square footage, and side wall height. As the plans show it will be sided and shingled to match our existing home.

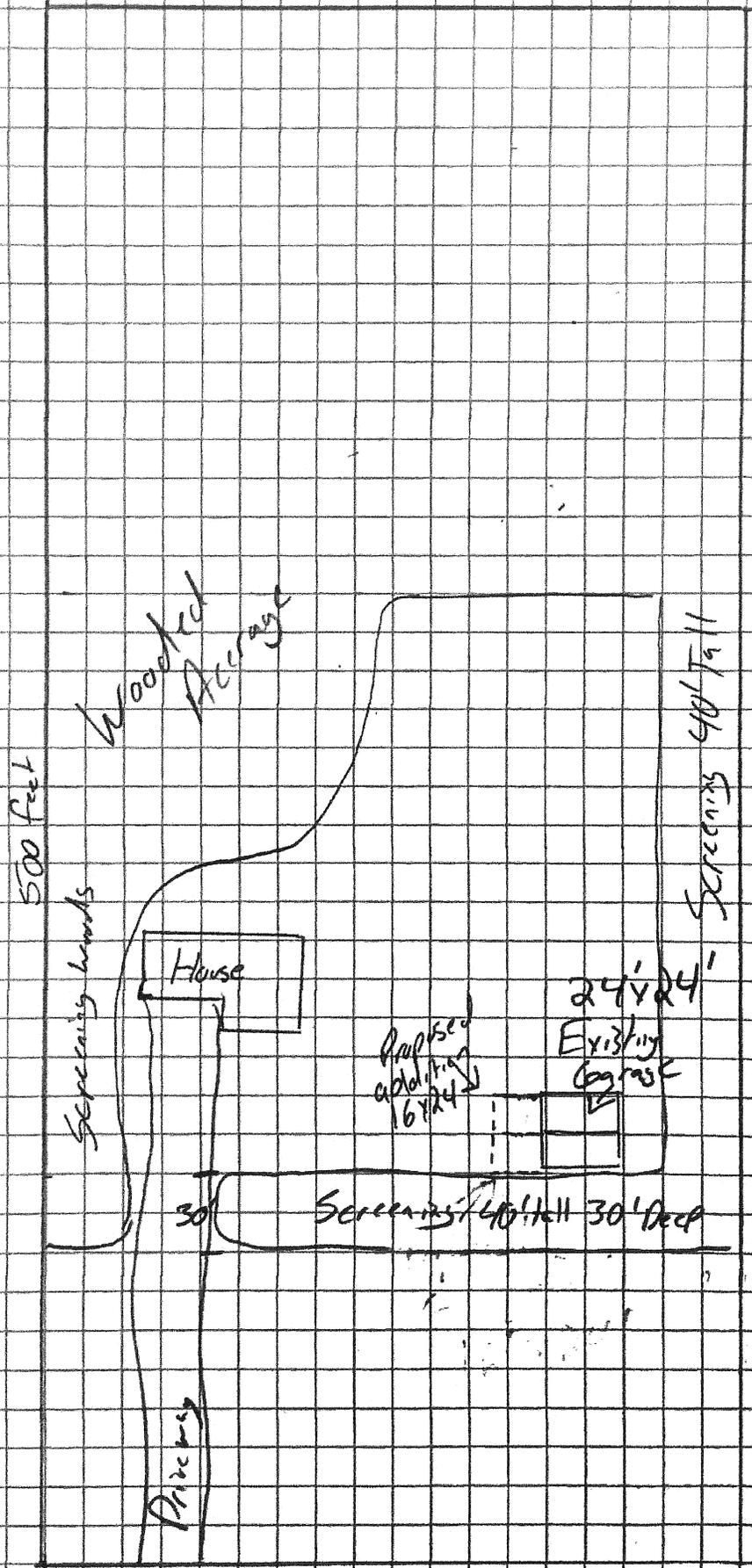
We live on a wooded lot that has hardly any visibility from the street. I would just like to add a few more square feet to be able to keep my things inside and out of the elements as others are able to do around the community with much larger structures than I am proposing. This will not affect or be visible to anyone in the community. This variance will not change the character or the use of the property or the community in anyway and again will not even be visible to anyone in the community unless on our property.

Thank you for your time and I look forward to continuing on this project.

Sincerely

Michael Conway

Lot
Layout



225 ft





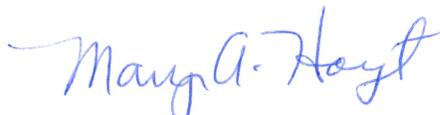


**BUILDINGS IN FRONT
OF THE HOUSE**

James Smith
18217 Bender Street
Forest Lake, MN 55025

On October 7, 1998, I went out to view the above property to make sure 80% of the requested building will not be visible from the road.

I felt this would meet the Town Code where you cannot see 80% of the building year round from the road.



Mary A. Hoyt
Zoning Administrator

**City of Columbus Variance
Staff Report
18217 Bender St NE
09.16.20**

Project Name: Variance for an Expansion of Non-Conforming Garage

Applicant: Michael Conway

Property Owner: Michael Conway & Jennifer Jordan

Legal Description of property: COLUMBIA ESTATES LOT 4 BLK 1 COLUMBIA ESTATES (SUBJ TO EASEMENTS AS SHOWN ON PLAT), ANOKA COUNTY, MN

Property Identification #(s): 36-33-22-34-0005

Property Zoning: Rural Residential (RR) District

Report approved by: Elizabeth Mursko, City Administrator

Date of Application: 08.11.20
Date Application found incomplete: N/A
Materials missing: None
Date Application complete: 08.14.20
Date of Public Hearing: 09.16.20
Date notice published: 09.03.20
Date notice mailed / posted: 08.27.20
60-limit for action: 08.24.20
60-day extension / letter sent: N/A

Project Description:

The applicant is seeking a variance to City Code Section 7A-805 (E-1) to repair and expand an existing legal nonconforming structure consisting of a detached 24'X24' accessory building with an additional 16'X24' section. The "Property" is located at 18217 Bender St NE, is approximately 2.6 acres, and is zoned Rural Residential (RR). In the RR District, an accessory building conforming to all standards and specifications outlined in Section 7A-801 and 7A-805 are permitted accessory to the principal use. Due to the lot of record being less than 5 acres, the existing accessory building is currently not in compliance with Section 7A-805 (E-1), which requires the lot dimension and width must meet the current standards of Section 7A-801; however, the structure was lawfully constructed in 1998 by means of a building permit and letter from the Town Manager approving the front yard placement with existing 80% opacity year-round vegetated screening from the Right of Way. The applicant believes the variance should be approved as the existing accessory building was permitted in 1998, the current screening exceeds the 80% opacity required by Section 7A-805 (E), and the proposed improvements do not form any further noncompliance issues. The project

consists of constructing a 16'x24' addition on the north facing side of the existing accessory building. The applicant's proposal also includes adding three courses of block to the bottom to raise the building by two (2) feet and shingle to match the existing dwelling. The neighboring parcels in all cardinal directions are similar sized legal nonconforming residential lots of record.

Variance Findings:

A variance is a legally permitted deviation from the literal requirements of the City Zoning Ordinance. Variances may be granted in instances where the landowner establishes that there are practical difficulties in complying with the Zoning Ordinance and the landowner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance. The Planning Commission, acting as the Board of Adjustment, must hold a public hearing and make a recommendation on the application to the City Council. In examining practical difficulties, pursuant to City Code Section 7A-525 the Board of Adjustment and City Council must make the following findings:

1. The landowner proposes to use the property in a reasonable manner.
2. The practical difficulty or plight of the landowner is unique to the subject property and is not created by the landowner.
3. The variance, if granted, will not alter the essential character of the neighborhood or City.
4. The terms of the variance are consistent with the Comprehensive Plan.
5. The variance, if granted, is in harmony with the purpose and intent of the Zoning Ordinance.
6. The practical difficulty is not created solely by economic considerations.

Staff has analyzed the following variance application: A variance to City Code Section 7A-805 (E-1.) to repair and expand an existing legal nonconforming accessory building in the RR district to allow for the addition of 384 square feet, and makes the following findings:

1. The landowner proposes to use the property in a reasonable manner.

Staff finds that the landowner proposes to use the Property in a reasonable manner. The Property is developed as an existing single-family dwelling on a legally nonconforming substandard lot in an area of single-family residential uses, the majority of which are also on legally nonconforming substandard lots, many with detached accessory buildings. The proposed expansion is a reasonable use and consistent with the historic use of the Property, as well as the use of several surrounding parcels.

2. The plight of the landowner is due to circumstances unique to the property and is not created by the landowner.

The Property is a 2.6-acre legal non-conforming platted lot of record that is substandard as to the minimum required lot area in the RR District. The lot was platted prior to the landowner

obtaining title, and the original accessory building was constructed in 1998 by a prior owner pursuant to a building permit issued by the Town of Columbus. These circumstances were not created by the landowner.

3. Granting the variance is in harmony with the purpose and intent of the Zoning Ordinance.

The purpose and intent of the RR District is to provide residents in Columbus’s primary zoning category adequate areas and use restrictions for residential development that provides for pleasant living environments and protect the public health, safety, and welfare. Furthermore, Section 7A-805 (E) requires that accessory buildings placed in the front yard be screened year-round with at least 80% opacity, a purpose this proposal will continue to meet. The proposed variance will allow for the continued residential use of the Property in a manner that is not detrimental to the public health, safety, and welfare, and will further allow for a continued front yard screened accessory building, consistent with the purposes and intent outlined in City Code.

4. Granting the variance is consistent with the City’s Comprehensive Plan.

The City’s 2040 Comprehensive Plan includes several Land Use Goals that support the application, including: preserving existing rural residential character and providing a range of land use that meets the needs of residents. While the Property does not conform to the current RR district standards for residential lot size, it will continue to be reflective of the current residential character and the various range of residential housing and land uses. Granting the variance is consistent with the City’s comprehensive plan.

5. The variance if granted, will not alter the essential character of the neighborhood or City.

The character of the neighborhood is largely made up of similarly sized residential lots within the same platted subdivision, approximately two and a half (2.5) acres. The majority of these lots also support detached accessory buildings of similar capacity as the applicant’s proposal. If the variance is granted the essential character of the neighborhood and City will not be altered.

6. The practical difficulty is not created solely by economic considerations.

The practical difficulties necessitating the variance request are not created solely by economic considerations, but rather the legal nonconformity of the applicant’s existing lot dimensions and accessory building location.

Staff Recommendation(s):

Staff recommends that the Planning Commission and City Council adopt the above findings and **approve** the application for a variance to City Code Section 7A-805 (E-1.) to repair and expand an existing legal nonconforming accessory building in the RR district as shown in the proposed drawings in the application packet dated 08/11/2020, subject to the following conditions of approval:

1. Applicant's proposed accessory building addition shall not exceed the proposed 16'X24' foundation addition.
2. Applicant must meet all other standards outlined in Section 7A-805, including compliance with well and septic requirements, accessory building must be harmonious with the principal dwelling, accessory building size requirements, and meet requirements outlined by the City Building Official
3. The applicant must submit any and all other materials required by the building official to complete a Building Department review.

4843-9163-3098, v. 1



**City of Columbus
PUBLIC HEARING NOTICE
Columbus Ordinance Chapter 7A, 7B, and 8 Text Amendment**

Notice is hereby given that a Public Hearing will be held by the City of Columbus Planning Commission on Wednesday, September 16, 2020 at 7:00 p.m., or as soon thereafter as parties may be heard, and will be conducted by alternative means (teleconference) from remote locations to consider the following amendments to Chapter 7A, 7B and Chapter 8 in the following Sections; Amendment to Site Plan Review Submittal Requirements, Residential Parking and Storage of Certain Vehicles, Residential Accessory Buildings regulations, Flag Definition, Directional Sign standards, and Lot Line Adjustment parameters. A copy of the proposed changes can be requested at the City offices or viewed on the City website. The hearing shall continue until all evidence and testimony has been received.

Elizabeth Mursko
Elizabeth Mursko, Zoning Administrator

Submitted to the Forest Lake Times on 08.27.2020
Published in the Forest Lake Times on 09.03.2020
Posted on 08.27.2020

ORDINANCE NO. 20-_____

**AN ORDINANCE AMENDING CHAPTER 7A: GENERAL ZONING
REGULATIONS OF THE CITY OF COLUMBUS CODE OF ORDINANCES**

The City Council of the City of Columbus ordains the following amendments to the Code of Ordinances:

SECTION I. Chapter 7A, Article V of the Columbus Code of Ordinances is hereby amended as follows:

7A-512.A. Site Plan Review Submittal Requirements

16. Narrative statement evaluating the effect of such elements as noise, glare, odor, fumes, and vibration on adjoining property; a discussion of the general compatibility with adjacent and other properties in the District; and the relationship of the proposed use to the Comprehensive Plan; and
17. Such other information as may recommended by the Zoning Administrator.

SECTION II. Chapter 7A, Article VIII of the Columbus Code of Ordinances is hereby amended as follows:

7A-804.G.

G. **Parking and Storage of Certain Vehicles:** No more than ~~two (2)~~ four (4) vehicles or recreational trailers of any kind or type without required license plates shall be parked or stored on any residential property ~~residentially zoned property~~, other than in completely enclosed Buildings, two (2) of which may be permitted without required license plates with the exception of licensed antique vehicles. Commercial trailers such as tractor trailers, large box trucks, etc. shall not be stored on any residential property unless it is accessory to a residential use and located entirely within an enclosed building.

...

7A-805. RESIDENTIAL ACCESSORY BUILDINGS.

I. Residential Accessory Buildings in the ~~SR-Suburban Residential Senior Housing Mixed Use High Density (MU-1)~~ District shall be attached to the dwelling units. Each dwelling unit shall have a minimum of two (2) side-by-side garage stalls with minimum interior dimensions of eleven (11) feet by twenty four (24) feet. Surface parking spaces shall be designed to park one automobile in front of each garage stall. Surface parking spaces shall be at least ten (10) feet by (20) feet in area. Driveway aisles between garages facing one another and sharing a common driveway shall be at least twenty-four (24) feet wide.

...

L. Accessory structures constructed with fabric, plastic or vinyl shall be located entirely behind the principal residence and shall not be located within a side yard or rear yard area and shall be effectively obstructed from views from adjacent residential properties or the right-of-way. "Effectively obstructed" shall mean 80% opaque throughout the year. Screening may include landscaping, fencing or berming or any combination thereof.

M. The use of an accessory structure as a dwelling is prohibited.

SECTION III. This Ordinance was adopted by the Columbus City Council on this _____ day of _____, 2020 and shall become effective after its publication.

Jesse H. Preiner, Mayor

ATTEST:

Elizabeth Mursko, City Administrator

Published in the Forest Lake Times on _____, 2020.

ORDINANCE NO. 20-_____

**AN ORDINANCE AMENDING CHAPTER 7B: SIGN REGULATIONS
OF THE CITY OF COLUMBUS CODE OF ORDINANCES**

The City Council of the City of Columbus ordains the following amendments to the Code of Ordinances:

SECTION I. Chapter 7B, Article II of the Columbus Code of Ordinances is hereby amended as follows:

7B-200. DEFINITIONS.

M. **Flag** - Any fabric or similar flexible material attached at one end of the material, usually to a staff or pole, so as to allow movement of the material by atmospheric changes and which contains distinctive colors, patterns, symbols, emblems, insignia, or other symbolic devices. The size of flags is not regulated.

...

7B-201. GENERAL PROVISIONS.

F. On-premises traffic directional signs (e.g. “one-way” or directional arrows), not exceeding 28 square feet in area and 45 feet in height are permitted for all commercial, industrial, and public/institutional uses.

G. Off-premises, non-advertising, public service directional signs (e.g. hospital, school, public/institutional facilities), not exceeding 28 square feet in area and 45 feet in height are permitted in all zoning districts.

SECTION II. This Ordinance was adopted by the Columbus City Council on this _____ day of _____, 2020 and shall become effective after its publication.

Jesse H. Preiner, Mayor

ATTEST:

Elizabeth Mursko, City Administrator

Published in the Forest Lake Times on _____, 2020.

ORDINANCE NO. 20-_____

**AN ORDINANCE AMENDING CHAPTER 8: SUBDIVISION REGULATIONS
OF THE CITY OF COLUMBUS CODE OF ORDINANCES**

The City Council of the City of Columbus ordains the following amendments to the Code of Ordinances:

SECTION I. Chapter 8, Article X of the Columbus Code of Ordinances is hereby amended as follows:

4840-0904-8773
8-1002 (E.)

E. The proposed lot reconfiguration will not result in the movement of a lot line more than ~~five (50)~~ three hundred and fifty (350) feet;

SECTION II. This Ordinance was adopted by the Columbus City Council on this _____ day of _____, 2020 and shall become effective after its publication.

Jesse H. Preiner, Mayor

ATTEST:

Elizabeth Mursko, City Administrator

Published in the Forest Lake Times on _____, 2020.

ORDINANCE NO. 20-_____

**AN ORDINANCE AMENDING CHAPTER 7B OF THE
CITY OF COLUMBUS CODE OF ORDINANCES**

WHEREAS, for the purpose of promoting the public health, safety, morals, and general welfare, the City Council of the City of Columbus (“City”) may by ordinance regulate on the earth's surface, in the air space above the surface, and in subsurface areas, the location, height, width, bulk, size and types of buildings and other structures and the uses of buildings and structures and may establish standards and procedures regulating such uses;

WHEREAS, the City includes a substantial area of land located adjacent to and visible from Interstate 35, which runs north-south through the City (the “I-35 Corridor”);

WHEREAS, there are several billboards, referred to as off-premises signs, located within the City along the I-35 Corridor, which have been approved at various times subject to Interim Use Permits and Conditional Use Permits;

WHEREAS, the I-35 Corridor is undergoing substantial changes as a result of increased development along the corridor and the construction of a new Highway 97 interchange;

WHEREAS, on June 10, 2020, the City Council adopted a moratorium on the issuance of permits for billboards in the City and conducted a study of the existing billboards and the city Code; and

WHEREAS, in order to ensure the highest and best uses of lands adjacent to the I-35 Corridor, the City Council seeks to make modifications to the City Code of Ordinances governing off-premises signs.

NOW, THEREFORE, the City Council of the City of Columbus ordains the following amendments to the Code of Ordinances:

SECTION I. Chapter 7B, Article III of the Columbus Code of Ordinances is hereby amended as follows:

SECTION 7B-310. I-35 CORRIDOR LARGE OFF-PREMISES SIGNS. Large or oversized off-premises signs, commonly called “highway billboards,” are permitted within the I-35 Corridor, as long as the following conditions or restrictions are met:

- A. **Setbacks.** Except as modified by this Section, any new off-premises signs structures constructed after the effective date of this ordinance, must be setback a minimum of twenty (20) feet from any public right-of-way. No off-premises sign shall obstruct in any way a driver’s vision of the road or hinder or obstruct any pedestrian path.
- B. **Commercial or Industrial Zoning.** The property upon which the large off-premises sign is erected must be located within the, C/S, HR, or LI Zoning District.
- C. **State and Federal Laws.** The requirements of State and federal law must be met before a permit is issued (see MINN. STAT. Ch. 173 (1991), and MINN. RULES, Parts 8810.0200 through 8810.1400 (1989), as amended).

D. **Size.** The sign face of a large off-premises sign shall not exceed 720 square feet and shall not exceed 1,440 square feet total for a multi-sided sign.

E. **General Requirements.** Large off-premises signs are subject to the following requirements:

1. All static signs shall be located no closer than ~~750~~3,750 feet from another permitted or nonconforming large off-premises static or dynamic sign on the same side of the highway except that existing signs subject to an Interim Use Permit erected at a shorter distance may be issued up to one additional Interim Use Permit term.

2. Dynamic signs shall be located no closer than 3,750 feet from another permitted dynamic sign in excess of 200 square feet. The 3,750-foot measurement is a 360 degree measurement, calculated as a straight line from one dynamic sign to another dynamic sign, including measurements across the Interstate Highway as well as measurements to a permitted dynamic sign located on any other Interstate Highway.

3. Large off-premises signs shall be located no closer than 750 feet from a state, county, or city park, historic site, public picnic grounds, highway rest area, on-ramp or off-ramp, church or school.

4. Large off-premises signs shall be located no closer than 500 feet from any area zoned RR or SR.

5. Large off-premises signs shall be located so as to not obstruct the view of any permitted on-premises sign.

6. Illuminated signs shall be located and the source of illumination shielded so that neither the light source, nor direct visible rays or glare project beyond the surface of the sign to be illuminated.

7. Large off-premises signs shall be located not less than 25 feet, nor more than 45 feet from the ground elevation on which the sign is erected.

8. Large off-premises signs shall be constructed and mounted with a load factor consistent with the Minnesota State Building Code. Applicants shall submit structural plans certified by a licensed structural engineer.

9. Dynamic sign messages shall not change at intervals less than once every 8 seconds. The duration of the transition of the electronic image message change shall be instantaneous and include no fading, scrolling, or other special effects.

10. All dynamic off-premises signs must be equipped with a default mechanism that will stop the messaging or freeze the image in one position when a malfunction in electronic programming occurs.

11. All dynamic off-premises signs must be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness according to ambient conditions. In addition, all dynamic signs must be equipped with a default mechanism that will eliminate sign lighting or freeze the brightness at 500 nits when a malfunction in the automatic dimmer control occurs.

12. All static off-premises signs converted to dynamic off-premises signs shall be required to bury an electrical power lines located on the subject property and serving the sign structure.

13. A static off-premises sign converted to a dynamic off-premises sign shall be prohibited from conversion to a static off-premises sign.

14. All electrical equipment and wiring shall be enclosed in a shroud or other equipment box that is visually integrated into the sign structure.

15. Off-premises signs shall be allowed a three-dimensional protrusion as long as it does not extend further than four (4) feet above the top of the sign. An

extension shall not be larger than 25% of the face of the sign and must form an integral part of the advertising design.

16. Any off-premises sign subject operating under a new or reissued Interim Use Permit term must be improved to conceal exposed metal support columns, consistent with the following standards:

- a. Support columns shall be concealed by materials that are primarily natural stone, brick, approved masonry or stucco panels, or similar materials, and the design shall be approved by the Planning Commission in conjunction with the Interim Use Permit review. The concealments shall be a minimum of six (6) feet in width, and a minimum of twelve (12) feet in height.
- b. All updated billboards concealments should be a uniform shape, and uniform color scheme and design (tan/beige/ earth tone), based on an approved set of design standards.
- c. All updated billboards should have a sign bearing the word “Columbus” placed near the top of the support structure.
- d. Signs bearing the City’s name should be oval in shape, with black lettering matching that of the new TH97 bridge with a tan/sandstone backdrop visible from traffic on Interstate 35.

F. **Interim Use Permit.** Large off-premises signs shall only be erected or maintained upon approval of an Interim Use Permit. Interim Use Permits granted by this section shall be temporary in nature. Interim Use Permits for static large off-premises signs shall be valid for a period of up to ten (10) years, but not later than December 31, 2031, or until any governmental agency with authority for construction of public roadways requires the underlying property for roadway purposes. Interim Use Permits for dynamic large off-premises signs shall be valid for a period of no more than twenty (20) years. Interim Use Permits shall be granted to a designated person or entity, and are not transferable to other persons or entities. An Interim Use Permit will terminate upon: (1) a violation of the conditions or terms of the permit; (2) a change in the zoning regulations that render the use nonconforming; (3) subdivision of the property; or (4) establishment of any use other than a single-family residence or agricultural use on the property after the effective date of this ordinance. Upon termination of an off-premises sign Interim Use Permit, the owner of the sign structure shall remove the structure and provide written notice to the City Administrator of such removal within sixty (60) days of the termination of the Interim Use Permit. Notwithstanding the foregoing, any Interim Use Permit which was granted prior to the effective date of this ordinance shall be allowed to continue under same conditions of approval until its current Interim Use Permit term expires or until there is a violation of the conditions of the permit, whichever occurs first.

1. **Interim Use Permit Applications.** Applications for large off-premises sign Interim Use Permits shall be filed with the City Administrator, together with a filing fee established by City Council. The application shall be forwarded to the Planning Commission for a public hearing. The Planning Commission shall consult with and consider the recommendations of the City Administrator, City Planner, City Engineer, and City Building Official in its deliberations and recommendations to the City Council for the Interim Use Permit. The procedure and requirements for the application and public hearing for an Interim Use Permit are described in Sections 7A-530 and 7A-531 of the Columbus City Code. The City Council shall consider the recommendations of the Planning Commission and City Administrator, City Planner, City Engineer, and City Building Official in its action on the Interim Use Permit application.

2. **Interim Use Permit Renewal.** Upon the expiration of ~~the twenty-year~~ initial term of an approved Interim Use Permit, an applicant may re-apply for renewal of an Interim Use Permit for a large off-premises sign in the same manner as an initial application. Prior granting of an Interim Use Permit does not give an applicant any vested right to renewal. Interim Use Permits shall conform to restrictions or conditions as the City Council may determine are necessary to avoid conflict with surrounding land usage.

3. **Dynamic sign conversion of existing Interim Use Permits for large off-premises signs.** Applicants with an existing Interim Use Permit for a large off-premises sign may apply for an amendment to allow a dynamic sign. Applications for amendments to an existing Interim Use Permit are made in the same manner as an initial application under this Section. In considering the application to amend the existing Interim Use Permit, the Planning Commission and City Council shall consult with and consider the recommendations of the City Administrator, City Planner, City Engineer and City Building Official. Interim Use Permits shall conform to restrictions or conditions as the City Council may determine are necessary, including the term of the amended Interim Use Permit, to avoid conflict with surrounding land usage.

4. **Dynamic sign conversion of existing legally nonconforming Conditional Use Permits for large off-premises signs.** Applicants with an existing legally nonconforming Conditional Use Permit for a large off-premises sign may apply for a dynamic off-premises sign by terminating the existing nonconforming Conditional Use Permit and applying for an Interim Use Permit for the dynamic off-premises sign. Applications for the Interim Use Permit are made in the same manner as an application under this Section. In considering the application to issue an Interim Use Permit, the Planning Commission and City Council shall consult with and consider the recommendations of the City Administrator, City Planner, City Engineer and City Building Official. Interim Use Permits shall conform to restrictions or conditions as the City Council may determine are necessary, including the term of the Interim Use Permit, to avoid conflict with surrounding land usage.

G. **Public Service Messages.** In all new or amended Interim Use Permits for dynamic large off-premises signs, the applicant shall be required to provide a minimum number of public messaging opportunities, such as “Amber Alerts,” traffic and weather advisories, community events, and similar public messages. The number and sequencing of public messaging shall be comparable to the average number and sequencing of public messaging opportunities on dynamic large off-premises signs throughout the Twin Cities Metropolitan Area, or as agreed upon by the City Council and applicant in the conditions of the Interim Use Permit.

H. **Findings.** The City Council shall make the following findings when issuing an Interim Use Permit for a large off-premises sign:

a. The structure and sign conform to the regulations of this Section and other applicable provisions of the Columbus City Code;

b. The date or event that will terminate the use can be identified with certainty;

c. Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and

d. That the user agrees to any conditions that the City Council deems appropriate for permission of the use.

SECTION II. This Ordinance was adopted by the Columbus City Council on this ____ day of _____, 2020 and shall become effective upon its publication.

Jesse H. Preiner, Mayor

ATTEST:

Elizabeth Mursko, City Administrator

Published in the Forest Lake Times on _____, 2020.