

**CITY OF COLUMBUS  
PLANNING COMMISSION MEETING  
INTERACTIVE TECHNOLOGY MEETING FORMAT  
STATUTES SECTION 13D.021  
09.07.2022**

The 9-7-22 Planning Commission meeting for the City of Columbus was called to order at 6:31PM by Chair Ron Hanegraaf at the City Hall. Present were Planning Commission members Ron Hanegraaf, Barb Bobick, and Bob Berens, City Administrator Elizabeth Mursko, Associate Planner Frank Koenen, Planning and Zoning Permit Tech Ella Giefer, Assistant City Administrator Jessica Hughes, and City Attorney Megan Rogers.

Absent: Planning Commission Member Kris King.

In attendance via interactive technology were Council Member Shelly Logren and Council Member Rob Busch.

Also, in attendance in person were Mayor Jesse Preiner, Council Member Janet Hegland, Council Member Sue Wagamon, and Mike Wood.

The meeting was held in an interactive technology meeting format.

- 1. CALL TO ORDER – REGULAR MEETING – 6:31PM**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MEETING AGENDA** *Motion* Bobick to approve agenda as written. Second Berens. Motion carried with Hanegraaf, Bobick, and Berens voting in favor.
- 4. AUGUST 3, 2022, PLANNING COMMISSION MEETING MINUTES** *Motion* Bobick to approve the August 3, 2022 Planning Commission meeting minutes. Second Berens . Motion carried with Hanegraaf, Bobick, and Berens voting in favor.
- 5. AUGUST 3, 2022, PUBLIC HEARING MINUTES FOR ST. CLAIR LAKES, CONDITIONAL USE PERMIT AMENDMENT (MARK OLSON)** *Motion* Bobick to approve the August 3, 2022 Public Hearing Minutes for St. Clair Lakes Conditional Use Permit Amendment. Second Berens. Motion carried with Hanegraaf, Bobick, and Berens voting in favor.
- 6. AUGUST 17, 2022, PLANNING COMMISSION MINUTES** *Motion* Berens to approve the August 17, 2022 Planning Commission meeting minutes. Second Bobick. Motion carried with Hanegraaf, Bobick, and Berens voting in favor.
- 7. DISCUSSION – COMMERCIAL DESIGN STANDARDS** At this time a public discussion was held to consider updating city ordinances regarding Commercial Design Standards.

Discussion: Building Materials

Koenen stated that the current zoning ordinance defined building materials as masonry products, and that at the previous meeting on April 6<sup>th</sup> there was a question on if Veneer was

considered a masonry product. Koenen stated that he researched other cities' classification of veneer, and that 3 cities considered veneer distinct from brick and masonry, and that in 4 cities it was either prohibited or considered non-masonry. Koenen's recommendation was to exclude veneer from being considered masonry. Berens stated that he thought veneer was difficult to define and he was unsure how it should be categorized. Hanegraaf stated that he agreed and asked for clarification. Mursko explained that historically veneer buildings have not been considered to be masonry buildings. Berens stated that he believed that veneer was just decorative and was not a type of masonry because it did not have the longevity of traditional masonry. Hanegraaf said he agreed with Berens, and asked how Hardie Board or fiber cement siding would be classified. Koenen stated that in at least one other city fiber cement siding is the same secondary classification as veneer. Bobick stated that traditional masonry buildings are higher quality and had more longevity, and that when builders use traditional masonry they are making a long term contribution to the Cities future. Berens stated that the decision on classifying veneer would affect the classification on fiber cement siding since they were so similar. Koenen stated that 3 of the cities he researched considered fiber cement siding was considered distinct from traditional masonry, and that in 4 it was either not mentioned or categorized as a different class of masonry. Koenen said that his recommendation was not to define fiber cement as being a type of masonry. Hanegraaf stated he agreed with staff recommendations. Berens said he still felt conflicted and asked how stucco would be categorized since it is usually used as a surface material. Mursko stated that other cities ordinances defined multiple classes of masonry and that doing something similar was an option for the Planning Commission. Logren said that the type of base building material the veneer is affixed to was the primary concern of herself and Mursko. Hanegraaf stated that he thought many of the buildings already built using 80% masonry were not attractive and that he thought that the percentage should be lowered. The Planning Commissioners agreed that they had no further questions or discussion points on this matter without coming to a consensus.

#### Discussion: Lighting.

Koenen stated that the next topic was regarding updating the details of the lighting ordinance and that at the previous discussion on April 6<sup>th</sup> the commissioners had come to a consensus on the language of the ordinance, so his recommendation was to move that proposed ordinance to the city council. Berens stated that illuminating lighting compared to decorative lighting needed to be clarified in the ordinance. **Rogers asked the commissioners if they would like to word the ordinance as any lights that exceed half a foot-candle at the edge of the property line would require a shade, and any light that did not reach that lighting level would not need that requirement', which the commissioners agreed to.**

#### Discussion: Minimum Building Size.

Koenen explained that the policymakers had previously agreed to create a minimum outdoor storage ratio to regulate building sizes, however different methods needed to also be explored. Koenen stated in his study 4 cities did not have minimum building size in the commercial district and 3 cities did, but that the regulation was not in all commercial districts. Koenen recommended adding language to the ordinance defining a minimum square footage in certain freeway zoning districts of 3000 square feet, and also that the requirement should only be in the highway commercial, community commercial, and general commercial districts. Berens stated the commission had previously agreed that the minimum size may need to depend on what the building was going to be used for. Hegland clarified that the city council was primarily concerned

about building size in relation to lot size, which Hanegraaf said he agreed with. Berens stated he thought the recommendation of 3000 square feet was reasonable and suggested that builders who wanted smaller could apply for a variance. Rogers stated that variances could be difficult for applicants to qualify for. Bobick said she did not believe multiple small buildings should be in the freeway district and suggested that buildings with multiple businesses in them would be a better use of the land. Mursko asked the commissioners to clarify if they wanted to have a minimum of 3000 square feet per acre a minimum of 3000 square feet overall. **The commissioners agreed to a minimum 3000 square feet per net acre/useable acre for highway commercial, community commercial, and general commercial zones within in the freeway district.**

Discussion: Corporate Identity Design Standards.

Koenen stated that under current city ordinance earth tones such as shades of brown and soft neutral colors were currently allowed. Koenen stated that at the April 6<sup>th</sup> meeting staff was directed to research other corporate identity controls as well as the allowance of colors that did not match earth tones, and that in his research 4 of the surveyed cities did have regulation on corporate colors or non-earth tone colors. Koenen's recommendation was to add language to specify 15% non-earth tone colors and not to add language to specify accent colors. Berens said he thought limiting corporate colors might be harmful for businesses who had a corporate strategy that relied on certain colors for branding. Hanegraaf said he agreed with Berens' statement. **The commissioners agreed to a maximum of 15% non-earth tone colors and to include in the ordinance a list of example colors to provide guidance, and not to add language to specify allowable accent colors.**

Discussion: Kiosks and Drive-Throughs.

Koenen stated that in his research none of the cities surveyed outlawed drive-throughs, and that in some cities drive throughs were only allowed on arterial, collector, or service streets. Koenen asked the commissioners if they wanted additional language in the ordinance to discourage kiosks and drive-throughs, and stated that his recommendation was not to include additional language because a 3000 square foot minimum building size would already discourage that type of use. Koenen also recommended including language specifying if sit-down service was required. Hanegraaf stated he thought banning drive-through and takeout completely was too restrictive. Bobick said she was concerned about the environmental impacts of idling cars at the businesses. Berens said he did not think a drive-through only business was a problem if it was part of a strip mall. **The commissioners came to a consensus that they agreed with staff recommendation to not include additional language to discourage kiosks and drive-throughs and that they wanted to include language specifying that sit down service was required.**

Discussion: Fences.

Koenen explained that the current City practice was that changing the height of a security fence required a new sight plan and Conditional Use Permit amendment, and that staff has asked if security fence installation and minor changes in landscape plans can be done administratively. Koenen stated that his recommendations were to add language to allow the zoning administrator to approve exchanging up to a 50% change between categories of landscape plans signed by an architect, and that changes to fence heights should be processed through the building permit process. **Berens said he agreed that there should be more flexibility for staff to make changes, but that changes to fence heights should have a minimum outlined in the**

**initial CUP and that building fences higher could be handled by staff. Hanegraaf and Bobick agreed with Berens' statement and with staff recommendations.**

Discussion: Parking.

Koenen stated that currently the provision was that parking may not occupy more than a third of the front yard area in all commercial and industrial districts, and that staff is asking the planning commission if they wanted to change this. Koenen said his recommendation was not to change the wording. **The commissioners agreed that they did not want to make any changes.**

***Motion by Hanegraaf to direct staff to draft a model ordinance that reflects the conversations by the Planning Commission April 6<sup>th</sup> meeting and September 7<sup>th</sup> meeting. Second Bobick. Passed with Hanegraaf, Bobick, and Berens voting in favor.***

**8. COMMERCIAL/INDUSTRIAL DISTRICT MORATORIUM STUDY**

At this time the Planning Commission had a discussion regarding the moratorium study on the Commercial Industrial district.

Rogers gave an overview of the current uses and comprehensive plan, and explained that the City Council was concerned about building trade and contractors offices, recreational vehicle sales and services, light industrial uses, appliance and vehicle services and repairs, lumber yards and sales, and machine and welding shop facilities. Rogers reviewed the current uses in the C/I district as well as the code amendments and restrictions currently impacting it, and explained that there were 7 permitted uses in the C/I district and everything else is handled by Conditional Use Permits. Rogers asked the planning commission to have a discussion on what they believed were appropriate uses to have in the city code, and also discuss if they wanted to add a distinction between the East and West sides of Lake Drive.

Hanegraaf stated he believed that the West side of Lake Drive should be a transitional area. Bobick said she agreed with Hanegraaf and added that she thought the permitted uses needed to be defined more specifically, and that she believed it would be most beneficial for the city if there was a retail component to the businesses rather than them being used for uses like storage. Rogers stated other cities made distinctions between contractor yards and contractor retail establishments and that adding this distinction was something the Planning Commission could do, and that they also had the option of rezoning an area if they wished. Hanegraaf stated he thought Rogers' suggestion of rezoning the West side of Lake Drive to light industrial was a reasonable solution, which Berens agreed with, but said he was not sure it would be worth it due to the cost and challenge of potentially changing the Comprehensive Plan. The commissioners shared their ideas of what a Light Industrial business entailed, after which Berens said he believed there needed to be a clearer definition of what Light Industrial is, which Hanegraaf said he agreed with. **Task: staff will draft language specifying wholesale and commercial uses and the report will be reviewed by the commissioners at their next meeting.**

Rogers asked if examples such as machine shops, welding shops, fabrication shops, and similar establishments were consistent with the types of uses the Planning Commission believed to be appropriate in the C/I district, which the Commissioners agreed with. The Commissioners agreed that they did not want auto sales to be an approved use. Berens said he believed Lake Drive was meant to be more commercial and should function as a 'downtown' area, which Hanegraaf disagreed with, saying he did not think Columbus had a downtown area. Mursko stated that there would be difficulty transitioning the zoning on Lake Drive due to the lack of utilities, and there would also be difficulty because there were many existing businesses that would not fall under the proposed zoning change and those business would have to become legal

noncomplying uses. Bobick said that there were existing businesses such as Cemstone and North Aggregate who were settled and did not meet the Planning Commission's vision of the area. Hanegraaf brought up Street Smart who he thought was an example of the right business in the right location. Mursko asked the Commission if they wanted to add a professional office use in the district, which Hanegraaf said he thought was a great idea. Bobick agreed that an office or industrial park would be a good use. **Task: Staff will draft a revised ordinance with specific additional definitions and revisions to the C/I district, which would be removing auto sales uses and adding the uses of office complexes, industrial development, industrial parks, building material sales, limited contractor offices that offer both sales and services, mixed warehouse and office uses, and limited production and processing of light industrial manufacturing.**

#### 9. RESIDENTIAL ZONED BUSINESS MORATORIUM STUDY (PAGES 20-36)

At this time the Planning Commission discussed the results of the Residential Zoned Business moratorium study.

##### Discussion: Traffic.

Hughes explained that the current ordinance for Home Occupation 1 was that there could be no traffic in greater volume than normally expected in a residential district and that IUPs had to identify the frequency of vehicles and deliveries. Hughes stated that her recommendation was to add more specific regulations. Hughes recommended that under Home Occupation 1 to create a limit on deliveries to need to be between 8AM and 6PM Monday through Friday, limit the number of deliveries by vehicles with over 20,000 GVW to one per week, add a condition stating no traffic can be generated by vehicles associated with the home occupation, other than one (1) commercial vehicle that is used on a regular basis by the owner of the home occupation, and to keep the regulation that there can be no traffic in greater volume than normally expected in a residential district. Bobick said she believed that 20,000 GVW was too large to be delivering to a home occupation. Hanegraaf said he did not believe provisions on size or amount of traffic would be enforceable, and also that allowing only certain size vehicles could hamper a business because the size of a vendor's truck isn't something a business can control, but that ultimately he agreed with the proposed ordinance. Berens said he agreed with Hughes and Bobick that vehicle size should be limited and that there was no need for such large vehicles, and also that large vehicles would have problems maneuvering due to the number of dead-end roads in the City. **Berens and Hanegraaf agreed to limiting deliveries by vehicles over 20,000 GVW to once a week, with Bobick voting against. The Commissioners agreed to the rest of Hughes' recommendations with the exception of not limiting the time of day deliveries could occur.**

For Home Occupation 2, Hughes recommended that deliveries not normally expected in a residential district shall be limited to be between 8AM to 6PM Monday through Friday, the number of deliveries by a vehicle over 20,000 GVW be limited to one per week, and the number of trips to and from the property for all vehicles associated with the home occupation shall be limited to 8 per day. Logren stated she recommended 16 deliveries per day because that would amount to 1 trip per half hour in a standard 8-hour workday. Hughes explained that this conversation was just regulating the number of trips by delivery vehicles not number of trips by customers. **The commissioners agreed to a limit of 8 delivery vehicles per day.**

Hughes asked the Planning Commission if there should be a limit under Home Occupation 2 on number of deliveries by a vehicle over 20,000 GVW to 1 per week.

##### Discussion: Visible Activities.

Hughes stated that currently the ordinance was that under **Home Occupation 2** any activities that were visible or detectable outside should be limited to 7AM to 7PM Monday through Friday. The commissioners said they agreed with the current conditions.

Discussion: Sights, Sounds, Odors

Hughes recommended adding language that all home occupations must comply with EPA, MPCA, and Watershed rules and regulations to ensure a minimal environmental impact. The commissioners agreed to adding this language.

Hughes recommended adding language that if a home occupation attraction attracts vermin the owner should be required to cease the activity and remove the activity immediately. The commissioners agreed to adding this language. Berens asked if MPCA rules could be applied to home occupations that were under a certain number of employees. **Task: Hughes will research if MPCA rules apply only to businesses of a certain size.**

Discussion: Permitting.

Hughes stated that currently the City did not track Home Occupation 1s and that she recommended not to change this process. Hughes stated that under the Home Occupation 2 application owners must identify daily routine and frequency of business activities, vehicle deliveries, and customer and client visits. Hughes recommended keeping this requirement and add a requirement to include in the application the number of non-resident employees, number and type of vehicles to be stored on site, if parking spaces were being added and if so where they were located, identify accessory building and square footage to be dedicated to the Home Occupation, a narrative statement describing the business, whether the business is regulated by another entity, and to identify area and square footage of space inside the home to be dedicated to the Home Occupation. **The commissioners agreed to these terms and did not have any additional terms they wanted to include.**

**Hughes recommended that the term of the IUP would be up to 5 years but the first renewal would happen after 2 years. The commissioners agreed to adding this condition.**

Hughes recommended requiring an inspection of the Home Occupation shall occur within 90 days of the permit being issued. Berens asked who did the inspections, which Hughes said would ideally be done by a Code Enforcement officer, but that since the City did not have one either the CSO or someone from MNSPECT would do the inspection. **The commissioners agreed to recommend requiring an inspection be completed within 90 days of the permit being issued.**

Hughes stated she was recommending requiring an annual inspection for compliance. Bobick asked if this would need to be paid for by the owner, which Mursko said depended on the if the City Council decided to hire a Code Enforcement Officer and if so how that person would be funded. Hanegraaf said he did not want to have to ask a CSO to do inspections and that someone like a building inspector would be more appropriate. Berens said he thought annual inspections were too stringent and recommended having them every 2 years. Hanegraaf said he thought the inspections should be annual initially and that if the owner was following the rules the inspections would be less frequent. **Hughes recommended the wording that an inspection should be required annually for the first 3 years of operation and if there are no complaints or issues with compliance then inspections would be held every 2 years, which the Commissioners agreed with.**

Hughes stated she recommended requiring proof of up-to-date licensure for any Home Occupation that may be regulated by the State and also recommend adding a condition that the City would reserve the right to inspect a Home Occupation with or without notice to ensure

compliance, and that if someone refused access by a city official they would get a notice to terminate their occupation. Bobick said she thought the inspections should only happen with notice. Rogers stated that the condition could be written to include giving notice but with the provision that under emergency or exigent circumstances there would be the right to enter the property without prior notice. **The Commissioners agreed to adding these terms for licensure and emergency inspections.**

**10. PUBLIC OPEN FORUM** Wood described how he was attempting to sell his house and that the sale was being affected by the Moratorium on Residential Owned Businesses due to his buyer wanting to use the house as office space, and asked if there was a date for when the Moratorium would be over or if any exceptions could be made for him. Hanegraaf said the planned date was in December, which Rogers confirmed. Hanegraaf said he thought using the house as office space would be an appropriate use but that the Planning Commission cannot approve it ahead of time.

**11. PLANNING COMMISSIONER'S REPORT** Nothing at this time.

**12. ASSOCIATE PLANNER'S REPORT** Nothing at this time.

**13. ATTENDANCE OF CITY COUNCIL MEETING** Barb Bobick to attend the 9-14-22 City Council meeting.

**14. ADJOURN** *Motion* by Berens to adjourn. Second Hanegraaf. Carried with Hanegraaf, Bobick, and Berens voting in favor. Meeting closed at 10:02PM.

*Ella Giefer*

Respectfully Submitted by Recording Secretary Ella Giefer