

**CITY OF COLUMBUS  
PLANNING COMMISSION MEETING  
INTERACTIVE TECHNOLOGY MEETING FORMAT  
STATUTES SECTION 13D.021  
10.05.2022**

The 10-05-22 Planning Commission meeting for the City of Columbus was called to order at 6:31 PM by Chair Ron Hanegraaf at the City Hall. Present were Planning Commission members Ron Hanegraaf, Barb Bobick, Kris King, 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.

In attendance via interactive technology were Council Members Shelly Logren and Sue Wagamon, Jody, Joseph OLeary, Mark Dahl, Kiki Lissack, Mike Wood, and an unidentified iPhone user.

In attendance in person were Mayor Jesse Preiner, John Waldoch, Barb Waldoch, Dan Friedner, Cindy Angel, Myron Angel, Donald Waldoch, and Dave Rybak.

The meeting was held in an interactive technology meeting format.

1. **CALL TO ORDER – REGULAR MEETING – 6:31 PM**
2. **PLEDGE OF ALLEGIANCE**
3. **MEETING AGENDA** *Motion* Berens to approve agenda as written. Second Bobick. Motion carried with King, Hanegraaf, Bobick, and Berens voting in favor.
4. **SEPTEMBER 21, 2022 PUBLIC HEARING MINUTES FOR 9743 192ND AVE NE VARIANCE – ACCESSORY STRUCTURE SETBACK (ANDREA RASMUSSEN & SEAN HOMA)** *Motion* Bobick to approve the September 21, 2022 Planning Commission meeting minutes. Second King. Motion carried with King, Hanegraaf, Bobick, and Berens voting in favor.
5. **SEPTEMBER 21, 2022 PUBLIC HEARING MINUTES FOR 8145 BROADWAY AVE NE KENNEL, INTERIM USE PERMIT (BARB AND FRAN HEARLEY)** *Motion* Bobick to approve the September 21, 2022 Planning Commission meeting minutes, with corrections. Second Berens. Motion carried with King, Hanegraaf, Bobick, and Berens voting in favor.
6. **SEPTEMBER 21, 2022 PLANNING COMMISSION MEETING MINUTES** *Motion* King to approve the September 21, 2022 Planning Commission meeting minutes. Second Hanegraaf. Motion carried with King, Hanegraaf, Bobick, and Berens voting in favor.
7. **RESIDENTIAL ZONED BUSINESS MORATORIUM STUDY (Pages 1-13 and Pages A1-A6)** At this time a public discussion was held to consider updating city ordinances regarding Residential Zoned Businesses.

Discussion: Prohibited Business Types

Hughes stated that there was feedback that Logren did not recommend prohibiting any businesses. Hughes reviewed the list of 10 business types she recommended prohibiting: vehicle

sales and maintenance, excavating businesses, welding or machine shops, tow truck services, ammunition manufacturing, staging areas or dispatch centers, retail sales without appointment, trash or junk haulers, business involving explosives, and wedding venues and event centers.

During discussion on vehicle sales, Hughes stated that she recommends prohibiting this business type because they would likely have difficulty meeting the ordinances regarding parking, vehicle storage, noise, and outdoor storage. Bobick said she was concerned that there were multiple preexisting vehicle sales business and that she did not want to put anyone out of business. Hughes stated that existing businesses would have 12 months to determine if they were able to comply with the new rules and if they couldn't the business would need to either apply for a permit or cease operation. Bobick stated that even with the additional timeframe she still found it unacceptable. King stated she was concerned that home occupations would compete with commercial zoned businesses which was not fair because the commercial zoned businesses would be paying higher taxes in the commercial/industrial district. Hughes stated that if a home occupation was started in 2001 or earlier it would be considered a legal nonconforming use and would be able to continue. Bobick asked how compliance would be enforced and if there had previously been complaints. Hughes confirmed there had been complaints but that the businesses there were complaints against were too well established for the City to be able to clean up, and that part of the reason for the Residential Zoned Business study was to find a solution. Mursko said that if there was no enforcement there was no reason to even write an ordinance. The Commissioners discussed if there should be an exception for businesses with a very small number of clients. Hanegraaf said he was not concerned with homeowners who had a home occupation but were only serving friends or family. Bobick agreed, stating that she knew of small auto shops but that they were unobtrusive and therefore were not a problem. Hughes said that if the Commissioners wanted to allow businesses under a certain size or under a certain visibility level they needed to instead be having a discussion on screening and fencing. **The Commissioners agreed to have car sales and maintenance as a prohibited business type.**

During the discussion on ammunition manufacturing, Berens asked what the ordinance regarding licensed gun dealers working out of their homes was. Hughes said that retail sales of any kind were prohibited unless there was an appointment, but that retail sales were otherwise allowed and there was no specific City ordinance on gun sales. Mursko said that in addition to needing to comply with City ordinances businesses would also need to be inspected and approved by ATF, and that there were currently 3 licensed gun dealers operating under a home occupation. **The Commissioners agreed to have ammunition manufacturing as a prohibited business type.**

**The Commissioners agreed to prohibiting the business types of excavating businesses, welding or machine shops, tow truck services, staging areas or dispatch centers, retail sales without appointment, trash or junk haulers, business involving explosives, and wedding venues and event centers, without additional discussion.** Berens asked for clarification on who a citation would go to if the person operating a business was a renter, to which Hughes answered that letters would go to both the property owner and renter but that ultimately the owner was who the citation would be issued to. King asked if they could add a catch-all clause of prohibiting business that were detrimental or inconsistent with the neighborhood, which Rogers said she did not recommend due to it potentially causing unequal enforcement.

Discussion: Final Review of Ordinance.

Hughes asked the commissioners if there was anything in the draft ordinance they wanted to discuss. **King stated she wanted to reduce the number of letters sent to noncompliant business from 3 letters to 2, which the other commissioners agreed with.** Bobick asked for the letters to include the cost of the citations in them, which Hughes said could be included. Mursko stated that there could be problems with the process of issuing citations due to a CSO not always being available and the City not having a compliance officer. Rogers stated that the City Council would be able to give authority to issue a fine to the compliance officer if once was hired. Hanegraaf asked if the City had enough staff for yearly inspections and what the process would be if there were not or if there was a mistake made. Hughes said she did not believe that there was currently enough manpower, but that with a Code Enforcement Officer there would be. Rogers stated that the City failing to inspect a business due to error or lack of staff would not be a reason to revoke that businesses permit. Mursko said that she was confident that there would be enough City staffing for enforcement due to additional budget for 2023. King asked for clarification on if the new Residential Zoned Business ordinances would regulate people who worked from home for an employer based elsewhere, which Hughes said was not a group that would be affected. Hughes gave an overview of changes made to the Residential Zoned Business ordinance during the previous Planning Commission meetings and asked if there were any corrections or changes that were needed, which the Commissioners said there were not.

***Motion Hanegraaf to recommend forwarding draft Residential Zoned Business ordinance to the City Council, including changes made during today's meeting. Second King. Carried with King, Hanegraaf, Berens, and Bobick voting in favor.***

8. **COMMERCIAL/INDUSTRIAL DISTRICT MORATORIUM STUDY (Pages 14-24 and Pages A7-A11)**  
At this time a public discussion was held to consider updating city ordinances regarding Commercial Design Standards.

Discussion: Performance Standards.

Rogers recapped that there was currently a moratorium on uses in the commercial/industrial district and the results of previous meetings on the ordinance. Rogers stated that the recommendation for the new West side commercial/industrial district was to encourage low intensity industrial, commercial, restaurant, and retail uses that would be compatible with the nearby residential neighborhoods. Bobick said the definitions of businesses listed in the ordinance were not thorough enough, specifically the definition of contractor shops. Rogers read the definition that was being used, which Bobick said was still not adequate. King asked why there were permitted uses in the commercial/industrial district and not in the Freeway district, which Rogers said was a policy decision they could make. Bobick asked Rogers to clarify why there was a recommendation to split the East and West sides of the commercial/industrial districts. Rogers stated that the properties on the East side did not have any neighboring residential lots while lots on the West side did. Rogers stated there was feedback from the Planning Commission and City Council that they wanted to limit or prohibit intense commercial/industrial uses that are next to residential lots, while also ensuring that existing uses that are in compliance with their CUPs could continue to operate without becoming nonconforming. Bobick asked how property values would be affected, Rogers stated that values would likely increase due to additional permitted uses being added as part of the ordinance

changes. Mursko stated that some uses would not be appropriate for the area due to the lack of access to public utilities. King said she thought that even if the commissioners didn't expect a use in the area didn't mean it should be prohibited because doing so would limit the options of potential businesses.

Rogers stated that there was a question on if the performance standards on the west side should be less restrictive due to the less intensive uses in that district. Berens asked how the City defined density, which Rogers said was historically measured by lot coverage, and that the lot coverage ratio could potentially be increased to allow more flexibility. King stated she was fine with lower setbacks between the commercial/industrial buildings but that the setbacks where commercial/industrial bordered residential should stay as they are. Berens asked why medical uses were not listed as a proposed conditional use. Bobick stated she did not think it fit in the area, and King stated she thought a medical use was unlikely to be built but that it shouldn't be restricted by the ordinance. Bobick asked for clarification on licensed daycare being listed as a permitted use. Rogers stated that standalone daycares were a conditional use but daycares accessory to businesses for employees of the business were a permitted use. **Rogers stated she did not recommend making changes to the East side commercial/industrial district, which the commissioners agreed with.**

9. **PUBLIC OPEN FORUM** Wood asked for clarification on if offices would be a permitted use on the East side commercial/industrial district, which Mursko stated it was.
10. **PLANNING COMMISSIONER'S REPORT** Nothing at this time. Hanegraaf commented that he enjoyed the 'Fix-It Clinic' the City sponsored on October 1<sup>st</sup>.
11. **ASSOCIATE PLANNER'S REPORT** Koenen stated that the October 19<sup>th</sup> would be a joint meeting between the City Council and the Planning Commission.
12. **ATTENDANCE OF CITY COUNCIL MEETING** Bob Berens to attend the 9-28-2022 City Council meeting.
13. **ADJOURN Motion** by King to adjourn. Second Bobick. Carried with King, Hanegraaf, Bobick, and Berens voting in favor. Meeting closed at 8:13 PM.

*Ella Giefer*

Respectfully Submitted by Recording Secretary Ella Giefer