

**CITY OF COLUMBUS
JOINT MEETING
INTERACTIVE TECHNOLOGY MEETING FORMAT
STATUTES SECTION 13D.021
10.19.2022**

The 10-19-22 Joint City Council and Planning Commission meeting for the City of Columbus was called to order at 6:04 PM by Mayor Jesse Preiner at the City Hall. Present were Mayor Jesse Preiner, City Council members Janet Hegland, Rob Busch, Shelly Logren, and Sue Wagamon, 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, and Assistant City Administrator Jessica Hughes.

In attendance via interactive technology were Natalie Ryder, Tom Olsen, and Jody.

In attendance in person were John Waldoch and Cindy Angel.

The meeting was held in an interactive technology meeting format.

1. **CALL TO ORDER – REGULAR MEETING – 6:04 PM**
2. **PLEDGE OF ALLEGIANCE**
3. **MEETING AGENDA** *Motion* Hegland to approve agenda as written. Second Wagamon. Carried with Logren, Wagamon, Hanegraaf, Hegland, Busch, Berens, Bobick, King, and Preiner voting in favor.
4. **MAY 4, 2022, JOINT CITY COUNCIL AND PLANNING COMMISSION MEETING MINUTES** *Motion* Preiner to approve the May 4, 2022, joint City Council and Planning Commission meeting minutes as written. Second Logren. Carried with Logren, Wagamon, Hanegraaf, Hegland, Busch, Berens, Bobick, King, and Preiner voting in favor.
5. **JUNE 15, 2022, JOINT CITY COUNCIL AND PLANNING COMMISSION MEETING MINUTES** *Motion* Preiner to approve the June 15, 2022, joint City Council and Planning Commission meeting minutes as written. Second Berens. Carried with Logren, Wagamon, Hanegraaf, Hegland, Busch, Berens, Bobick, King, and Preiner voting in favor.
6. **RESIDENTIAL ZONED BUSINESS MORATORIUM STUDY OVERVIEW (Pages 1-16 and Pages E1-49)** At this time a public discussion was held to consider updating city ordinances regarding Residential Zoned Businesses. Hughes gave an overview of the history of the moratorium, stating that the current ordinance is hard to enforce due to it being broad and vague, and that there had been many complaints from residents about neighbors' unlicensed home businesses. Hughes explained that the presentation at this meeting would be a discussion of the recommendations the planning commission was bringing forward and that the goal was to be able to call for a public hearing on the final ordinance draft. Hughes stated that residential zoned businesses were being recategorized as Home Occupation 1 and Home Occupation 2, with Home Occupation 2 being for larger businesses that would have more of an impact on the neighborhood. Wagamon stated she did not think a 5-acre minimum lot size was necessary if

the site was otherwise invisible. **The City Council and Planning Commission agreed to strike the requirement regarding minimum lot acreage.**

Hughes reviewed the ordinance section on environmental impacts. Hegland asked to reword the language to 'home occupations shall comply with state and federal environmental and pollution statutes (for example EPA, MPCA, and Watershed) to ensure a minimal and acceptable environmental impact'.

Hughes reviewed the ordinance language regarding vermin. Hegland asked if wildlife like bears, coyotes, or raccoons would be covered by the vermin section, which Hughes said it would. Busch asked why vermin being attracted to home businesses needed to be regulated when homes who didn't have a home business who attracted vermin did not have the same regulations. Hegland stated her concern that vermin may be attracted to neighboring properties. Berens stated he was in favor of enforcement being complaint driven. **The Council agreed to add language that neighboring properties cannot be affected by vermin.**

Hughes suggested adding language that stating that Home Occupations must follow all other city ordinances, which was agreed to without further discussion.

Hughes stated that the Planning Commission had previously agreed to recommend not allowing any outside storage, and therefore the preexisting ordinance language regarding screening had become moot. Busch stated he was not in favor of disallowing outside storage, which Logren and Hegland agreed with, stating that as long as the outside storage was invisible they did not have a problem with it. Hughes stated that if outdoor storage was going to be allowed she recommended including a square footage allowance, location requirement, setback requirement, and screening standards. Hegland said she did not think there needed to be a square footage requirement for storage as long as it was invisible. Hughes said there needed to be a specific definition of invisible in the ordinance because interpretation can be subjective and the ordinance needs to be able to be easily enforced by city staff. Hegland said she thought that any activity that was more than what would be expected in a residential area is when a use stopped being invisible. Hughes recommended that any screening needed to exist already when the permit was applied for because many businesses in the past have said they would install it but never did. Hanegraaf suggesting the phrasing "what a reasonable person would consider invisible", which Hegland agreed with. Preiner said he believed that there shouldn't be an opacity percentage requirement at all, and that the business should be completely invisible. King stated that some of the invisibility standards would be difficult for city staff to enforce, which Hughes agreed with. Hegland suggested that a property visit be conducted during the application process, which King said would not work because the business would not be established at the time of the application. Hughes asked if the Council Members and Planning Commissioners wanted to include a setback or square footage requirement for outdoor storage. Wagamon said she was in favor of a setback and having a maximum 800 square foot outdoor storage limit. King asked how invisibility would be enforced if storage was invisible at the time of the application but became visible at a future date, for example if someone build a multi-story house. Hegland said she thought the ordinance should be less precise so people wouldn't need to apply for variances and exceptions, to which Hughes said that the enforcement needed to be precise so that city staff could enforce the ordinance, and Koenen stated that ordinances being too vague could cause issues if a business owner took the City to court. **The Council Members and Planning Commissioners agreed that outdoor storage was allowed if it is unable to be**

seen from right of way or neighboring properties at all times of year, with a 20 foot setback and maximum square footage of 800 sq ft, and that the screening must exist before the business is established.

Hughes reviewed the proposed language regarding activities occurring outside are allowed only from 7am to 7pm Monday through Friday. King stated that she did not think outside working times were an issue as long as the work was quiet, but that if there was any noise happening the business wouldn't be invisible, which Bobick agreed with. Hegland said that noise beyond what would be normally expected in a residential area should not be permitted. **The Council Members and Planning Commissioners agreed not to allow work to be done outdoors.**

Hughes stated the current ordinance language for Home Occupation 2 was that the business use could not occupy more than 20% of the home. Wagamon and Hegland agreed with the current language. Logren said she did not think there should be a percentage limit as long as the business use remained secondary to the hughes business use, that the City should not regulate peoples homes so strictly, and that she disagreed with the proposed space limit but that it was not a dealbreaker for her if the rest of the Councilors and Commissioners agreed. Hughes asked if there was a consensus to leave the current language in, to which there was one verbal 'yes', Hegland nodded, and none spoke up against. **There was a consensus to keep the current language of a 20% limit on space in a home devoted to business use.**

Hughes asked the council for feedback on limiting accessory building storage to 1200 square feet. Busch asked what the compliance process would be for preexisting home occupations. Hughes stated that the business would have a year to either come into compliance and that if they could not they would need to cease operations. Busch said he believed that many people would either go out of business or else continue operating while not complying with the regulations. The council moved on without a decision.

Hughes reviewed the current ordinance regarding signage being limited to 2 feet by 2 feet and needing to be attached to a building. Wagamon said she did not think signs were intrusive as long as they weren't lit, which Hegland agreed with. Hegland suggested that small mailbox signs be allowed. **The council agreed to signage being limited to one 2 foot by 2 foot unlit sign which must be attached against the house or accessory building, with an exception to allow a small mailbox sign.**

Hughes asked the council for their thoughts on the ordinance language regarding vehicle storage and parking. Wagamon said she thought that only 1 commercial vehicle being allowed to park outside for Home Occupation 2 was too restrictive. Busch asked if over-the-road truck drivers who parked their truck at home would be regulated under this ordinance, which Hughes clarified would not be considered a Home Occupation because the work would not be done on site. Hughes asked the council if they wanted to limit the number of vehicles that could be stored outside. Hegland said she did not believe outside vehicle storage was a problem if it was invisible and that she was in favor of allowing 2 vehicles being parked outside. The council moved on without a decision.

At this time there was a recess from 8:38-8:45.

7. **COMMERCIAL DESIGN STANDARDS** At this time the City Council and Planning Commission had a discussion on Ch. 7A Commercial Design Standards. Koenen gave a background of the origin of

the project. Koenen stated that at a previous meeting on Commercial Design Standards there was a question on what percentage of masonry buildings should be made of and a question on if veneer and fiber cement were considered masonry. Hegland suggested that building size should have an effect on the percentage of masonry required. Koenen stated that the Planning Commission had recommended not to lower the percentage of masonry required due to a desire to keep building values high. Mursko suggested there may need to be an exception for high density housing due to it being unrealistic to expect that use to be full masonry. Hegland asked for clarification on if the value of materials or the type of construction had a greater effect on the tax base of a building, to which Mursko said that the cost of construction per square foot was how building value was assessed when issuing a permit, and that masonry was usually more expensive but also lasted longer. Logren stated she was in favor of the staff recommendation of buildings needing to be a minimum of 70% masonry, which Wagamon agreed with. Mursko asked for clarification on if it was possible for a building to be half masonry and half wood, which Busch said it was not likely to happen. Hegland stated she was in favor of small buildings not needing to be full masonry as long as high quality construction materials were used. Logren suggested that there be categories of construction materials and building sizes specified, which the rest of the Council agreed with. Berens asked for clarification on if the ordinance language was regulating only the façade of the buildings or if the entire building construction was being regulated, which Hegland said she was also confused on. Task: Staff with present the council with a new draft with building materials categorized by tier and building size.

Koenen asked the council if they would like to make any changes to the proposed ordinance language regarding lighting standards. King asked how enforcement would occur, and said that she preferred the previous ordinance due to it being more clear and enforceable. Task: Staff will draft new ordinance language which will specify a specific lighting cutoff with an exception for decorative lighting.

Koenen asked the Council for their feedback on the staff recommendation of a minimum building size of 3000 feet per buildable acre in the Highway Commercial, General Commercial, and Community Commercial districts, and also asked if the Council would like to make any specifications regarding kiosk or drive-thru uses. Hegland said she was in favor of the 3000 square foot minimum and asked for clarification on how properties smaller than an acre would be regulated. Logren said she thought that in the Northeast quadrant of the Freeway District a smaller square footage would be acceptable but that in the other districts there should be a 3000 square foot minimum regardless of lot size. Logren stated she was in favor of not allowing drive-thru uses, which Busch and King agreed with. Hegland said she believed only a very small piece of land might be appropriate for a drive-thru, which Koenen stated would be an appropriate time for a business to apply for a variance. **The Council Members and Planning Commissioners agreed to a minimum building size of 3000 square feet per buildable acre in the Highway Commercial, General Commercial, and Community Commercial district.**

Koenen gave an overview of the proposed language and the previous Planning Commission discussions regarding color and corporate identity. Hegland said that there were examples of uses in Columbus that were not earth tone but still looked attractive, and she did not want to specifically define colors. Logren said there had been complaints about uses that were not earth tone and that she did not like the bright white buildings that had already been constructed. Wagamon said she did not want to restrict businesses from being able to use a corporate color

scheme if it was important to their business model. **The Council Members and Planning Commissioners agreed to the proposed language regarding color and corporate identity.**

Koenen asked the Council Members and Planning Commissioners for their feedback on the proposed ordinance language regarding administrative procedures. Hegland asked for clarification on if it would be the Zoning Administrator who would approve the administrative changes, which Koenen confirmed it would be. **The Council Members and Planning Commissioners agreed to the proposed language regarding administrative procedures.**

Koenen asked the Council Members and Planning Commissioners if they would like to make any changes to the ordinance language regarding parking. **The Council Members and Planning Commissioners agreed to the proposed language regarding parking.**

8. **PET BOARDING/GROOMING MORATORIUM** At this time the City Council and Planning Commission had a discussion on the Pet Boarding/Grooming Moratorium. Koenen asked the Council Members and Planning Commissioners to send him their feedback on the ordinance and it will be reviewed at a future joint meeting.
9. **PUBLIC OPEN FORUM** Nothing at this time.
10. **PLANNING COMMISSIONER'S REPORT** Nothing at this time.
11. **ATTENDANCE OF CITY COUNCIL MEETING** It was agreed that King will not 10-26-22 meeting because all City Council members were present at today's meeting.
12. **ADJOURN Motion** Preiner to adjourn. Second Busch. Carried with Logren, Wagamon, Hanegraaf, Hegland, Busch, Berens, Bobick, King, and Preiner voting in favor. Meeting adjourned at 10:29 PM.

Ella Giefer

Respectfully Submitted by Recording Secretary Ella Giefer