

**CITY OF COLUMBUS
PLANNING COMMISSION MEETING
INTERACTIVE TECHNOLOGY MEETING FORMAT
STATUTES SECTION 13D.021
1-18-2023**

The 1-18-2023 Planning Commission meeting for the City of Columbus was called to order at 6:01 PM by Chair Rob Hanegraaf at the City Hall. Present were Planning Commission members Ron Hanegraaf, Barb Bobick, Frank Ramisch, and Bethany Barrette, City Administrator Elizabeth Mursko, Planning and Zoning Permit Tech Ella Giefer, and Associate Planner Frank Koenen.

In attendance via interactive technology were Sue Wagamon and an unidentified phone number.

Also, in attendance in person were Kyle Lauderbaugh, Ed Lauderbaugh, Janet Hegland, Jesse Preiner, Myron Angel, and Cindy Angel.

The meeting was held in an interactive technology meeting format.

- 1. CALL TO ORDER – REGULAR MEETING – 6:01PM**
- 2. PLEDGE OF ALLEGIANCE**
- 3. INTRODUCTION – NEW PLANNING COMMISSIONER MEMBER- BETHANY BARRETTE**
- 4. APPROVAL OF MEETING AGENDA** No motion was made. Ramisch, Barrette, Hanegraaf, and Bobick voted in favor.
- 5. APPROVAL OF DECEMBER 21, 2022, PLANNING COMMISSION MEETING MINUTES** *Motion* Bobick to approve minutes as written. Second Hanegraaf. Motion carried with Ramisch, Barrette, Hanegraaf, and Bobick voting in favor.
- 6. APPROVAL OF DECEMBER 21, 2022, ORDINANCE 22-11 CITY CODE AMENDMENT TO CHAPTER 7A AND ORDINANCE 22-13 ZONING MAP AMENDMENT (C/I DISTRICT) PUBLIC HEARING MINUTES** *Motion* Bobick to approve minutes as written. Second Hanegraaf. Motion carried with Ramisch, Barrette, Hanegraaf, and Bobick voting in favor.
- 7. PUBLIC HEARING AND DISCUSSION – 5551 PINE ST NE KENNEL INTERIM USE PERMIT (EDWARD LAUDERBAUGH)(PAGES 1-23)** At this time a public hearing was held to consider a request for a residential dog kennel. Separate minutes for the public hearing are prepared. Ramisch stated that the kennel had been around a long time and has had no problems so he thought the IUP should be approved. Barrette said that Lauderbaugh seemed to love his dogs and take good care of them so she had no problem with the application. Bobick stated that on Koenen’s staff report conditions #21 and #24 were redundant, to which Mursko recommended removing #21. Bobick asked what the annual permit review requirements are other than keeping rabies shot requirements. Mursko stated that the applicant needed to email the Deputy Clerk every year with the rabies records for their file. Hanegraaf stated that there had been no complaints about the kennel to the sheriff’s department and that he recommended approval.

Motion Ramisch to recommend approval of the Residential Dog Kennel Interim Use Permit, 5551 Pine St NE, Edward Lauderbaugh, subject to the report on December 30 2023 by Frank Koenen, findings of fact #1-14 and recommendations and conditions #1-30, striking condition #21. Second Hanegraaf. Motion carried with Ramisch, Barrette, Hanegraaf, and Bobick voting in favor. The application would be brought before the Columbus City Council at their 1-25-2023 meeting.

City Staff Report, 12/30/2022

Findings of Fact

1. An IUP application for a Residential Dog Kennel IUP was received from Edward Lauderbaugh (hereafter the "Applicant"), 5551 Pine Street (hereafter the "Property"), on November 16, 2022.
2. The application was found to be complete on November 16, 2022.
3. The 60-day review for the application terminates on January 15, 2023. The 120-day review, if necessary, will terminate on March 16, 2023.
4. The Applicant defines the dogs as domestic pets, which is an animal that is traditionally kept in the home for pleasure rather than for commercial purposes.
5. The Applicant has held City licenses and one Interim Use Permit for a residential dog kennel since 1990.
6. The Property is zoned Rural Residential.
7. The Property contains 4.74 acres, according to Anoka County records, and has a fence for confinement of the dogs.
8. The Applicant currently has six dogs on the Property.
9. The Applicant indicates that the dogs reside within the residence.
10. The Applicant states that the dogs are not left out of doors unattended.
11. There are no adjacent residences within 150 feet of the fenced-in confinement area, and there are no property lines within 75 feet of the fenced-in confinement area
12. The application for a Residential Dog Kennel IUP is consistent with the kennel regulations in the City Code.
13. An Animal Control Officer conducted an inspection of the Residential Dog Kennel on December 27, 2022.
14. Anoka County Sheriff's Office was contacted on December 29, 2022 and had no records of complaints related to the presence of a Residential Dog Kennel on the Applicant's Property.

Conditions

1. The Applicant shall be allowed to keep a maximum of six (6) dogs, over the age of six (6) months, on the Property.
2. The Residential Dog Kennel IUP is contingent upon recommendations of the Animal Control Officer.
3. Breeding, training and showing of the permitted dogs are allowed.
4. All dogs require up-to-date rabies vaccinations.
5. All dogs allowed out of doors will be contained on the Applicant's Property by a security fence, an electronic or "invisible fence, a tether, a lease, or will be under supervision and voice control.

6. Dogs kept out of doors unattended for six or more hours shall have access to water and shelter, which keeps the dog dry, allows the dog to retain body heat, and is large enough to stand, turn freely, and lie down in a natural position.
7. Dog kennels shall be located in the Principal Building (residence) or in any other location consistent with Section 7A-809 of the City Code.
8. Dogs shall have access to clean water at all times.
9. Dogs shall be fed nutritious foods on a daily basis.
10. Feeding times may be regulated in the Residential Dog Kennel permit.
11. Food and water supplies and containers shall be kept in sanitary conditions.
12. Dog food shall be kept in locations and containers sufficient to prevent vermin infestation.
13. All dogs, including those under the age of six (6) months shall be kept in safe conditions and treated in a manner promoting the dogs' health and comfort.
14. Dog excrement shall be removed and disposed properly from out of doors containment areas on a regular basis to prevent odor and infestation.
15. All other applicable requirements and provisions for animal control, as described in Chapter 4 of the Columbus City Code, shall be met.
16. Dogs shall not be allowed to habitually bark and cause a public nuisance, as described in Chapter 5 of the Columbus City Code.
17. The Applicant shall operate the Residential Dog Kennel consistent with all other requirements of the Columbus City Code.
18. Dogs shall be kept and provided for in a manner consistent with the Minnesota Department of Agriculture's "Best management Practices for Care of Dogs and Cats by Dealers, Commercial Breeders, and Brokers," pursuant to 1994 Minnesota Laws, Chapter 642, Section 8, as may be amended from time to time.
19. The Applicant shall operate the Residential Dog Kennel consistent with the application submitted to the City.
20. Dogs shall be kept in compliance with all other federal, state, and local laws, rules, regulations, guidelines, and ordinances.
- ~~21. The Applicant shall allow City personnel and its agents access to the Property at any time, upon reasonable notice, to inspect the facilities.~~
22. The Applicant shall complete the annual permit review requirements established by the City.
23. Failure of the Applicant to complete the annual review requirements within the established timeframe required shall be grounds for permit revocation.
24. The Applicant shall allow City personnel and its agents access to the kennel facilities at any time, upon reasonable notice, to inspect the facilities.
25. Dog Kennel IUP fees are intended to cover the City's costs in administering kennel permitting, including at least one on-site inspection.
26. The costs of additional inspections and remedial actions, required as a result of prior inspection follow-ups or resulting from complaints about the facility, shall be borne by the Applicant.
27. Issuance of a Residential Dog Kennel IUP is not a substitute for or intended to replace other applicable requirements for permits, licenses or regulations by federal, state, or other units of government.

28. The term of the IUP shall be ten years from the date of City Council approval of the IUP, contingent upon annual administrative review and the 5-year, mid-term animal control officer compliance inspection as defined in Section 7A-809 (2 e).
29. Upon expiration of a Dog Kennel Interim Use Permit, a permittee may reapply for an Interim Use Permit according to the procedures prescribed in this City Code.
30. Violations of the conditions of the Residential Dog Kennel IUP shall be grounds for permit revocation.

8. HOWARD LAKE PARK SALE (PAGES 24-26) At this time the topic of selling the Howard Lake Park property was introduced. Koenen stated that recommendation had come from the Park Board to sell the Howard Lake Park property, which is located on Howard Lake Drive at the cross street of West Iverson St NE. Koenen said that staff would be reviewing if the sale of the park would align with the City's comprehensive plan and consulting with professional staff. Hanegraaf if the park was from a parkland dedication of a subdivision. Mursko answered that when lake front property goes tax forfeit the state allows the local jurisdiction the option of accepting the land for park or open space, and that the property was offered to the City, the City accepted the land and chose to use the property as a park. Mursko said that the park board was now reviewing their master plan and did not think this park was still part of their vision, and recommended to the council that it be put for sale, which the City Council accepted and sent to the Planning Commissions for findings and a public hearing. Hanegraaf asked if the land was buildable, to which Mursko said she did not know if the land was buildable, but that the area appeared shallow so there is a chance only the adjacent properties would be interested in buying it. Ramisch asked why the lot was under 5 acres if the city had a 5 acre rule. Mursko explained that if the lot was a Lot of Record from prior to 1972 a house could still be built if it met all other conditions. Mursko stated that there didn't need to be a discussion or decision made today, the topic was being introduced so the Commissioners would have time to think about the topic before it came up in a future meeting.

9. PUBLIC OPEN FORUM Nothing at this time.

10. PLANNING COMMISSIONER'S REPORT Hanegraaf said that the billboards on southbound 35W looked different from the pictures that were shown to the Planning Commission, specifically that there were ladders blocking the 'Columbus' signs on the pillars, and that the colors appeared different. Task: Staff will review the conditions of the IUPs and compare them to the existing billboards.

11. ASSOCIATE PLANNER'S REPORT Nothing at this time.

12. ATTENDANCE OF CITY COUNCIL MEETING 1-25-23 (RON HANEGRAAF)

13. ADJOURN – *Motion* Ramisch to adjourn. Second Bobick. Motion carried with Ramisch, Barrette, Hanegraaf, and Bobick voting in favor. Meeting adjourned at 6:31 PM.

Ella Giefer

Respectfully Submitted: Recording Secretary Ella Giefer.