



**CITY OF COLUMBUS  
JOINT MEETING  
INTERACTIVE TECHNOLOGY MEETING FORMAT  
STATUTES SECTION 13D.021  
8-02-2023**

The 8-02-2023 Joint City Council and Planning Commission meeting for the City of Columbus was called to order by Mayor Jesse Preiner at the City Hall at 6:08 PM. Present were Mayor Jesse Preiner, City Council members Janet Hegland, Sue Wagamon, and Rob Busch, Planning Commission members Lynn Carver-Quinn, Barb Bobick, Judy Huntosh and Bethany Barrette, City Administrator Elizabeth Mursko, City Planner Dean Johnson, City Attorney Megan Rogers, Code Compliance Inspector Sean Lessard, Planning and Zoning Permit Tech Eleanor Hahn, and Myron and Cindy Angel.

In attendance via interactive technology was Natalie Ryder

Councilmember Ron Hanegraaf was absent from the meeting.

The meeting was held in an interactive technology meeting format.

1. **CALL TO ORDER –City Council and Planning Commission Meeting – 6:08 p.m.**
2. **PLEDGE OF ALLEGIANCE**
3. **Approval of MEETING AGENDA** *Motion* Carver-Quinn. Second Hegland. Motion carried with all voting in favor.
4. **APPROVAL OF JUNE 7, 2023 JOINT CITY COUNCIL & PLANNING COMMISSION MTG. MINUTES** *Motion* Hegland. Second Wagamon. Motion carried with Preiner, Hegland, Wagamon, Carver-Quinn, Bobick, and Barrette voting in favor. Huntosh and Busch abstain.
5. **PUBLIC OPEN FORUM** Nothing at this time.
6. **DISCUSSION – RESIDENTIAL ZONE BUSINESS ORDINANCE** At this time, City Attorney Megan Rogers gave a presentation outlining the Residential Zone Business Ordinance in Chapter 7A of the City Code, and the staff suggested changes to the ordinance. The city adopted a Residential Zoned Business Moratorium on November 10, 2021 and expired the following year on November 10, 2022. During this period, the planning commission was directed to study:
  1. Existing residential zoned businesses and home occupations
  2. Impacts of commercial uses within residential neighborhoods
  3. The definition of business

The current ordinance has two definitions which allow for businesses in residential zones. A “Home Occupation” is a permitted use of residential land which allows for a business with

no outside employees, and which is 'invisible' to neighboring properties to be based out of one's dwelling unit or accessory structure. A "Residential Zone Business" requires an Interim Use Permit and must abide by the performance standards prescribed within the city code, as well as additional conditions given by Staff and Council, but is generally less restrictive than "Home Occupation".

Hegland states that the goal of redefining the current ordinance should be to allow residents to get the best use of their land, without giving them the unfair advantage of not having to pay commercial use taxes. Hegland suggests changing Home Occupation to Home Occupation 1 and residential zone business to Home Occupation 2 to be more consistent

City Attorney Megan Rogers outlines the staff proposal for an Ordinance Amendment:

1. Refining the definition of Home Occupation
2. Eliminating residential zone business
3. Allowing existing permit holders to continue operations.

Wagamon states that this staff proposal is a large deviation from previous council discussions. Rogers states that the policy objectives to address traffic issues and outdoor storage complaints from residential areas aligns with removing residential zone businesses. Wagamon asks if this proposal is consistent with surrounding cities. Rogers says that it is more consistent with second ring suburbs, but more restrictive than cities such as Hugo.

Home Occupation requires registration with the city but no permit. Hegland asks how this would affect existing residential zone business. Rogers says that existing IUP holders, or those businesses which have been in operation since 2008, will have 12 months to come into compliance. Busch expresses concern for the current illegal nonconforming businesses that will have no path to become legal if this proposal is adopted. City Administrator Elizabeth Mursko explains that the city's Code Compliance Inspector will be working with these businesses to bring them into compliance; however, there has been a steady increase of resident complaints regarding them and if they are unable to operate legally in the residential district, they will have to move to a commercial district.

Rogers outlines the current Home Occupation Definition and how it could be modified to be less restrictive to include the types of businesses the Council and Planning Commission want to see in Residential Districts. Hegland suggests adopting a second moratorium, as this proposal is a significant deviation from what was discussed during the first moratorium. Rogers and City Planner Dean Johnson caution against this approach as other cities have had their moratoriums declared invalid in similar situations. Johnson suggests moving forward with repealing the "Residential Zone business" section, and expanding the "Home Occupation" definition, as they can always go back to amend the section if problems arise.

Hegland asks how the recent legalization of Cannabis will interact with our Home Occupation regulations. Rogers recommends adopting the moratorium suggested in the new MN Statute, which allows cities to study the topic until licensing standards are finalized in 2025.

**Motion Hegland to direct city attorney Megan Rogers to return with language to adopt a moratorium for cannabis businesses at the August 9, 2023 City Council meeting. Second Preiner. Motion carried with all in favor.**

**Motion Wagamon direct staff to call for a public hearing, and to bring back an ordinance that includes the Home Occupation standards, provides provisions to allow legally nonconforming residential zone businesses to move forward within a twelve-month period to come into compliance with their former IUPs, and eliminates section 7A-806 "Residential Zone Business". Second Huntosh. Motion carried with Wagamon, Carver-Quinn, Preiner, Bobick, Hegland, Huntosh and Barrette voting in favor and Busch voting against.**

Rogers asks the Council and Planning Commission if they would like staff to also study the possibility of an ordinance to address short-term and long-term rentals that do not necessarily fall under the Home Occupation or Residential Zone Business parameters. This includes the renting of individual rooms in a dwelling unit, Airbnbs, etc.

**Motion Preiner. to direct staff to study and to bring back a discussion with the Planning Commission about short-term and long-term rental zoning ordinances. Second Carver-Quinn. Motion carried with all voting in favor.**

7. **PLANNING COMMISSIONER'S REPORT** Nothing at this time.
8. **CITY ADMINISTRATOR'S AND PLANNING & ZONING TECH REPORT** Nothing at this time.
9. **ADJOURN** Motion Carver-Quinn. Second Huntosh. Motion carried with all voting in favor. Meeting adjourned at 8:08

*Eleanor Hahn*

Respectfully Submitted: Recording Secretary Eleanor Hahn.