

**CITY OF COLUMBUS
JOINT MEETING
INTERACTIVE TECHNOLOGY MEETING FORMAT
STATUTES SECTION 13D.021
9-20-2023**

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 6:03 PM. Present were Mayor Jesse Preiner, City Council members Janet Hegland, Sue Wagamon, and Ron Hanegraaf, Planning Commission members Lynn Carver-Quinn, Barb Bobick, Judy Huntosh and Robin Wood, City Administrator Elizabeth Mursko, City Planner Dean Johnson, City Attorney Megan Rogers, Zoning Permit Tech Eleanor Hahn, Parker and Barb Wegwerth, Liz Gigler, Steve Gaffney, Timothy and Cathy MacKenzie, and

In attendance via interactive technology was Planning Commissioner Bethany Barrette.

City Council member Rob Busch 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 – 6:03**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF MEETING AGENDA** *Motion Carver-Quinn. Second Huntosh. Motion carried with all in favor.*
4. **APPROVAL OF August 2, 2023 JOINT CITY COUNCIL & PLANNING COMMISSION MEETING MINUTES** *Motion Carver-Quinn. Second Bobick. Motion carried with all in favor*
5. **PUBLIC OPEN FORUM** Nothing at this time.
6. **PRESENTATION AND DISCUSSION – RPAW ANIMAL WELLNESS CENTER NONBINDING CONCEPT REVIEW (PAGES 1-11 AND ENCLOSURE A)** At this time, applicant Elizabeth Gigler representing RPAW (Rescue presented a nonbinding concept for a proposed animal wellness center at 15161 Feller St NE. Elizabeth Gigler explains the concept around the proposed Conditional Use Permit in the Highway Commercial (HC) zoning district. RPAW plans to lease a space in the existing building on the lot for their facility. The Animal Wellness Center would provide basic animal care to lift the burden from full-scale veterinary clinics. In the first phase of their business plan, they will only be servicing rescue animals from their own facilities, however they plan to expand their services firstly to other shelters, and then subsequently open it up to residents. Gigler also presented preliminary building layout and exterior designs for the existing space. Wagamon asks if they currently do veterinary services, and Gigler says that they do not currently have veterinary services, but

this location would allow them to have a veterinarian to provide these services. Wagamon asks what exercise spaces are available for the animals, and Gigler explains that this property has two acres of green space in the back that will be fenced and supervised as an animal relief area. Hanegraaf asks how many animals would be staying overnight. Gigler affirms that this facility is solely for animal care and will not be a shelter. Therefore, animals will only stay overnight if they are recovering from a recent surgery. Gigler also confirmed that there will be overnight staff to monitor the animals. Hegland asks what government department inspects and licenses facilities such as this. Gigler states that the State regulates their facilities, and the Board of Animal Health will be their inspecting/licensing department. City Attorney Rogers states that we will have to investigate the specifics of licensing a nonprofit veterinary clinic. Hanegraaf asks if Gigler has time frames in mind for the three phases of expansion. If all goes according to plan, RPAW plans to open to other rescues in the spring of 2024. Preiner requests that Gigler give the Planning Commission and City Council a rundown of the nonprofit's finances. Gigler explains that RPAW has a long-standing list of donors which support the bulk of their work, and adoption fees to help supplement. They also have several grants, and are taking out a small business loan for this project. Additionally, their staff is made up entirely of volunteers, which allows them to provide services at a low-cost.

Planning and zoning Technician Eleanor Hahn explains that the proposed facility is in the Highway Commercial (HC) zoning district, which does not include veterinary clinics or animal boarding facilities as a conditional use. However, five of the seven districts with the Freeway District would allow the RPAW Wellness Clinic as a conditional use. Therefore, a text amendment would need to be considered to process a Conditional Use Permit. City Administrator Mursko states that the existing building is currently legally nonconforming, and a CUP would allow or the city to work with the owners to bring it into compliance if there were compliance issues. Property owner Timothy Mackenzie came forward to explain that they are already in the process of connecting to City water and sewer services, as well as updating the parking lot to bring the building into compliance.

The Planning Commission and City Council agree through consensus to consider a text amendment to allow veterinary clinics as a conditional use in the Highway Commercial (HC) zoning district, as well as a Conditional Use Permit for the proposed RPAW Animal Wellness Center.

- 7. DISCUSSION – RESIDENTIAL ZONE BUSINESS ORDINANCE (PAGES 12-18, ENCLOSURE B, AND HANDOUT)** At this time a discussion was held with the Planning Commission and the City Council regarding the proposed Residential Zone Business Ordinance. City Attorney Megan Rogers first summarizes the direction given to staff from the last discussion on the

topic on August 2, 2023. Generally, the Planning Commission and City Council had directed staff to 1) provide research on what businesses are currently be operated in the Rural Residential (RR) zoning district, 2) loosen the restrictions of a Home Occupation to allow for those businesses that are not creating a nuisance, and 3) remove the option for a Residential Zone Business IUP and provide a method to sunset the existing IUPs. Next, Planning and Zoning Technician Eleanor Hahn gave an overview of the Columbus Business Map, focusing on how the data was collected and processed, as well as what is still missing from the map. Rogers presents staff recommendations, which comes in a three phased approach:

1. Redefine Home Occupation
2. Sunset Residential Zone Business IUP
3. Use Specific Analysis of the RR district to either create new residential districts in which more intense use would be allowed, or create IUPs for specific uses throughout the RR district.

Rogers presents an amendment to the Home Occupation code, clarifying that remote workers are not included in these standards. Hegland asks if new structures associated with a home occupation would be held to residential or commercial building and fire code standards. Rogers states that if the building is being used for a more specific and intense use (ex: auto repair), the building would be held to the appropriate commercial codes. However, the business would be an accessory use of the building, as the majority would still be residential, so residential building and fire codes would apply. Hegland also suggests including a later start time for weekends.

Hegland requests changing the Home Occupation introduction to read 'entirely within' rather than just 'within'.

A discussion is held as to whether or not home occupations should allow for the outdoor parking of commercial vehicles. Hegland says that they should restrict businesses that might be making multiple trips a day to-and-from their residence in heavy trucks. Constant traffic of vehicles over the weigh-limit of residential roads could cause damage. However, there is a consensus among the Planning Commission and City Council that simply bringing one's commercial vehicle home at the end of the day is a nonissue. Hanegraaf says that it would be difficult to translate that into a clear rule and would cause enforcement issues. Rogers states that a dramatic shift in traffic patterns, such as described by Hegland, would cause 'incompatibility or disturbance to surrounding residential uses', and trigger enforcement action without the creation of a specific regulation.

Hegland and Wood both state that four parking stalls is too many for a home occupation and suggest reducing it to two parking stalls.

Rogers explains that there will be an “off-ramp” for home occupations that expand faster than anticipated through the enforcement process. She also presents a staff proposal to sunset the existing 6 IUPs, where they would be able to operate their business under their original conditions until the property is conveyed, sold, or otherwise transferred. Hegland states that the majority of existing Residential Zone Businesses IUPs would be able to fit in the amended definition of a Home Occupation, and therefore the City should let their IUPs expire and bring them into compliance with the amended cod. Rogers states that several of the existing IUP holders had wanted to reapply but were unable to due the moratorium in the previous year. Therefore, if the Planning Commission and City Council do not wish to continue the existing IUPs until conveyance, Rogers recommends continuing them for a specific period time to provide additional time to transition their business.

Mursko suggests making the accessory structure percentage larger to include those businesses that need to house vehicles. The Planning Commission and City Council agree that less than 50% of an accessory structure can be used for a home occupation.

The Planning Commission and City Council reached consensus for home occupation amendments on the following points:

- Only members of the family residing on the property can work in the home occupation
- Less than 50% of accessory structure can be used for the home occupation
- The home occupation must take place entirely inside
- There needs to be more refinement around building codes
- Later start times for weekends
- The limited storage of commercial vehicles outside is allowed
- Reducing the allowed amount of parking spaces to two

Wagamon asks if the Code Compliance Inspector is allowed inside the accessory structure to check, Megan says that that is coming up in a proposed code change.

Hegland asks if there are any areas within the Rural Residential (RR) zoning district which have a concentration of large parcels, where the creation of a second residential district would make sense. Mursko states that there are only 3-4 large parcels which contain usable land, and that they are scattered throughout the city. This makes creating a new residential district like suggested by Rogers unfeasible. The Planning Commission and City Council agree to consider creating use specific IUPs, similar to the existing Dog Kennel IUP, to allow

certain, more intense businesses within the Rural Residential district, such as commercial stables.

Motion to call for a Public Hearing for the Residential Zone Business Ordinance Amendment at the October 18, 2023 Planning Commission Meeting. Second Wagamon. Motion carried with all in favor

- 8. PLANNING COMMISSIONER'S REPORT** Chair Carver-Quinn gives closing remarks about the Fall Fest that occurred the previous weekend.
- 9. CITY ADMINISTRATOR'S AND PLANNING & ZONING TECH REPORT** Nothing at this time.
- 10. ADJOURN** *Motion* Hegland. Second Carver-Quinn. Motion carried with all in favor. Meeting adjourned at 8:44 p.m.

Eleanor Hahn

Respectfully Submitted: Recording Secretary Eleanor Hahn.