

ORDINANCE NO. 23-09
AN ORDINANCE AMENDING
COLUMBUS CITY CODE CHAPTER 7A - ZONING REGULATIONS
RELATED TO HOME OCCUPATIONS AND RESIDENTIAL ZONE BUSINESSES

The City Council of the City of Columbus ordains the following:

SECTION I. The following sections of Chapter 7A – Zoning Regulations of the Columbus City Code are amended as illustrated with omitted provisions shown as ~~deletions~~ and new provisions shown as underlined. Gaps in ordinance sections affected by revisions are noted in the margin [***].

SECTION 7A-201. WORDS AND PHRASES DEFINED.

“Home Occupation” An occupation or business or activity intended to generate a profit full or part time, conducted within a Dwelling Unit or permitted accessory structure, or both, by a resident of the premises, provided that:

(a) No persons other than members of the Family who reside on the Premises shall work at the Premises;

(b) The use of the Dwelling Unit for the Home Occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, shall not change the residential character thereof and shall not result in incompatibility or disturbance to surrounding residential uses.

(c) Not more than twenty percent (20%) of floor area of the Dwelling Unit shall be used in the conduct of the Home Occupation, and not more than ~~300 square feet~~ fifty (50%) of the floor area of any garage or Accessory Building shall be used in the conduct of the Home Occupation, all permitted Home Occupations shall be conducted entirely within the Dwelling Unit, garage or existing Accessory Buildings;

(d) The Home Occupation shall meet all applicable fire and building codes for residential properties and shall comply with any state of Minnesota, Anoka County, or City licensing requirements;

(e) There shall be no change in the outside appearance of the Building or Premises, or other visible evidence of the conduct of such Home Occupation other than one (1) sign not exceeding two (2) square feet in area, with a vertical length of not more than four times the horizontal width, non-illuminated, and mounted flat against the wall of the Principal Building;

(f) No Home Occupation shall require internal or external alterations or involve construction features not customarily found in Dwelling Units;

(g) No traffic shall be generated by such Home Occupation in greater volume than would normally be expected to a residence in a residential neighborhood, and the Driveway shall be designed accordingly;

(h) Home Occupations shall not create a parking demand that cannot be accommodated by the Driveway or within a parking area with a maximum of ~~shall not exceed four (4)~~ two (2) stalls. The parking area shall not be located within twenty (20) feet of any Lot line and must be located at the side or the rear of the Dwelling Unit. Parking lots shall be located along the side of or at the rear of the Dwelling Unit;

(i) No equipment, activity, or process shall be used in such Home Occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the Lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the Premises, or cause fluctuations in line voltage off the Premises.

(j) The hours open to the public shall be limited to between 7:00 am and 10:00 pm on weekdays, 9:00 am to 10:00 pm on weekends.

(k) No outside exterior storage of equipment or materials used in the Home Occupation is permitted, except personal automobiles used in the Home Occupation may be parked on the Property.

(l) Outdoor Parking of commercial vehicles registered to the occupants of the residence are permitted.

(m) The property on which a Home Occupation is proposed must be in conformance with all minimum dimensional standards required in Section [7A-801](#).

“Residential Zone Business” - Any occupation or business which is clearly accessory to and incidental to the principal residential use of property in the Rural Residential District operating pursuant to an Interim Use Permit approved by the City Council prior to November 1, 2023 and subject to a Development Agreement governing the permitted term of the Interim Use. and, which exceeds the limitations of a Home Occupation as defined in subsection 49 of this Section, approved pursuant to an Interim Use Permit prior to November 1, 2023 and Compliance Agreement is subject to the following:

~~— (a) An Interim Use Permit (Section [7A-530](#) through [7A-532](#)) is required for a Residential Zone Business.~~

~~— (b) The property on which a Residential Zone Business is proposed must be in conformance with all minimum dimensional standards required in Section [7A-801](#).~~

~~— (c) A Residential Zone Business must conform with the performance standards prescribed in Section [7A-806](#).~~

SECTION 7A-614. RURAL RESIDENTIAL (RR) DISTRICT INTERIM USES.

B. Residential Zone Businesses legally operating as of November 17, 2022, subject to ongoing compliance with the respective IUP conditions of approval, until the subject property is sold, transferred, or otherwise conveyed after which time it must be brought into conformance with the provisions of this district.

SECTION 7A-806. RESIDENTIAL ZONE BUSINESSES. RESERVED

~~Residential Zone Businesses are clearly accessory and incidental to the principal residential use of property in the Rural Residential (RR) District. Residential Zone Businesses are considered a privilege and not a right. The use of a residence for a business is allowed only for those businesses that can be conducted on residential property with little or no impact on adjacent residential uses. Residential Zone Businesses are not intended for growing or larger businesses that are customarily located in commercially zoned properties. The use of a residence for a business is considered temporary and is not allowed to change the appearance of the residential property or affect the future use of the principal or accessory structures for residential purposes. Residential Zone Businesses are subject to the following additional minimum requirements and limitations:~~

- ~~—A. Residential Zone Businesses are allowed only in the Rural Residential (RR) District.~~
- ~~—B. The property on which a Residential Zone Business is proposed must be in conformance with all minimum dimensional standards required in the City Code.~~
- ~~—C. A Residential Zone Business requires an Interim Use Permit.~~
- ~~—D. A Residential Zone Business Interim Use Permit is required for any Home Occupation that does not meet the definition and standards for a Home Occupation.~~
- ~~—E. Residential Zone Businesses are allowed only when the principal use of the property is maintained and occupied as a residence. The owner of the Residential Zone Business must own and reside in the residence.~~
- ~~—F. Employees of Residential Zone Businesses that use the premises of the Residential Zone Business on a regular basis are limited to the occupants of the principal residential structure. Employees or subcontractors of a Residential Zone Business not residing on the premises are allowed on the premises only on a non-regular or infrequent basis.~~
- ~~—G. No outside display or storage of materials, products, debris, junk, waste, equipment, or vehicles associated with Residential Zone Businesses is permitted except vehicles customarily allowed for the principal residential use of the property.~~
- ~~—H. The operation and conduct of Residential Zone Businesses shall be consistent with the performance standards and all other requirements of the Columbus City Code.~~
- ~~—I. The operation and conduct of Residential Zone Businesses shall occur only within principal and accessory buildings, except for vehicle usage, deliveries and similar incidental activities that cannot be conducted within structures.~~
- ~~—J. The operation and conduct of Residential Zone Businesses shall be considered “invisible” to adjacent properties to the extent practicable and shall not impact the principal use and enjoyment of adjacent properties for residential purposes.~~
- ~~—K. Proposed additions and renovations to principal and accessory buildings to be used for Residential Zone Businesses shall not be permitted when such additions and renovations may be determined by the City to jeopardize or limit the future use of the property for normal residential purposes.~~
- ~~—L. A Residential Zone Business Interim Use Permit application must clearly identify the daily routine and frequency of proposed business activities with regard to business vehicular use, deliveries, and many customer or client visits to the premises.~~
- ~~—M. Normal hours of residential Zone Business activities are visible or detectable outside the principal or accessory structures shall be limited to 7:00 a.m. to 7:00 p.m. Monday through~~

~~Saturday. Exceptions to the hours of operation may be considered and only when specified in the Interim Use Permit for service-oriented businesses, such as hair and personal care facilities, music studios, dance studios, animal training facilities, small equipment repair, and similar services required by or benefiting area residents.~~

~~—N. Parking required for Residential Zone Businesses shall be based upon the nature of the business and may be limited to restrict Residential Zone Business activities to a level or intensity of use that does not impact adjacent properties or future residential use of the property.~~

~~—O. Additional landscaping, screening, fencing, or other buffering may be required for any Residential Zone Business.~~

~~—P. Only one sign, parallel to and affixed to the plane of a wall of the principal structure and not exceeding two square feet in area, is permitted for any Residential Zone Business. Permitted vehicles or equipment with business identification signs or other advertising associated with the Residential Zone Business shall not be parked or displayed on the premises for advertising purposes.~~

~~—Q. The City may impose additional conditions, standards, or requirements for a Residential Zone Business deemed appropriate and necessary to protect the public health, safety and welfare.~~

~~—R. No expansion or intensification of an Interim Use Permit for a Residential Zone Business shall be permitted unless in conformance with all other provisions of the City Code.~~

~~—S. An Interim Use Permit for a Residential Zone Business shall be terminated consistent with the provisions in the City Code.~~

SECTION II. Effective Date. Ordinance Number 23-__ was adopted this 25th day of October, 2023 and shall become effective after its summary publication.

Jesse H. Preiner, Mayor

ATTEST:

Elizabeth Mursko, City Administrator

Published in the Forest Lake Times on _____, 2023.