

City of Columbus
Special City Council Budget Meeting
Alternative Meeting Format
MN Statute, Section 13D.021
10.26.2022

The 10.26.22 special meeting of the City of Columbus City Council was called to order at 5:39 p.m. by Mayor Jesse Preiner at City Hall. Present were Councilmembers Robert Busch, Janet Hegland, Shelly Logren and Sue Wagamon; Assistant to the City Administrator Jessica Hughes, City Administrator Elizabeth Mursko, City Attorney Bill Griffith, City Engineer Kevin Bittner, Planning and Zoning Permit Tech Ella Giefer, Public Communication Coordinator Connor Keith and Public Works Director Jim Windingstad.

Also in attendance: Planning Commissioner Barb Bobick, Planning Commission Chairman Ron Hanegraaf, Jen (via teleconference), Jody (via teleconference), Planning Commissioner Kris King, John Waldoch and Lee Weigt.

1. **Call to Order – 5:39 p.m.**
2. **Pledge of Allegiance**
3. **Approval of Agenda**

Motion by Logren to approve the agenda. Seconded by Wagamon. Roll call vote: Logren – aye; Wagamon – aye; Preiner – aye. Motion carries.

4. **City of Columbus – Special Meeting Item**

- Discussion and Motion – Residential Zoned Business (RZB) Moratorium, Draft Ordinance

Hughes recapped changes made at the ordinance at the October 19, 2022, Joint City Council and Planning Commission meeting, sharing that Sections A (general standards for both types of home occupations), F and G of Chapter 7A-806 were edited as discussed, including edits to the proposed Home Occupation 1 (7A-806B), removing the prohibition on the storage of vehicles in an accessory building, allowing one small sign to be attached to a property's mailbox and increasing the number of commercial business vehicles to be stored on property to two outside an accessory building. Home Occupation 2 was edited to no longer be restricted to properties of at least five acres, as well as gaining the abilities to affix one sign to the property's mailbox and to utilize outdoor storage 20 feet away from all property lines when it can be proven the storage area is unable to be seen from public right of way and neighboring properties at all times of the year using existing screening.

Griffith asked why the ordinance was written to stipulate that screening of outdoor storage must be in place at the point of the permit application, as property owners may not elect to install the screening unless their application is approved. Hughes and Mursko said the intent was for any outdoor storage to be screened from the beginning of its use and to allow Planning Commissioners that may visit the property to be able to confirm the screening. Griffith recommended changing the ordinance to dictate that the screening must be in place before use so that a business can add storage after receiving initial approval to operate out of the home.

Hughes continued, sharing that Home Occupation 2 properties will be permitted to park two commercial vehicles to be parked on the property outside. 7A-806 C.V. was struck to remove the time restrictions for work outdoors.

Hughes continued, sharing that Planning Commission has recommended prohibiting non-resident employees for Home Occupation 1, while allowing one non-resident employee for Home Occupation 2. Wagamon asked for clarification on the number of non-resident employees, as she remembered two being allowed for Home Occupation 2. Hughes confirmed the original draft limited Home Occupation 2 to one non-resident employee. Hegland asked about the use of the word *use* regarding non-resident employees at a Home Occupation 2, sharing that she sees a difference between someone that regularly works on the property and someone that regularly drives the property, parks their personal car and drives away for the day in a company car. Hughes said *use* would allow someone to park and leave or work, but it could be edited to better define what is and isn't permitted.

Logren asked why the City would restrict the number of employees at a RZB if the business is supposed to be invisible. Hughes and Mursko said the main concerns about too many people at an RZB were parking, traffic and security. Logren expressed concern about the City micromanaging and not even being able to enforce this rule. Hegland expressed that her goal for this moratorium was to allow invisible RZB responsive to different property sizes and arrangements. Griffith proposed putting an objective standard (numbers, formulas or criteria) in place to allow for these situations. Wagamon expressed interest in setting criteria versus a hard number. A consensus agreed with Wagamon.

Busch asked how different RZB would be taxed. Mursko said that since accessory buildings were built to residential accessory building standards, only the percentage of the building or property used for commercial purposes would be taxed at commercial rates using the residential value. Hegland asked if RZB in accessory buildings would be safe since they are built to a residential accessory building code. Mursko said the City's inspectors would need to ensure a suitable workplace environment is provided for all RZB. Hughes summarized the Council's consensus by indicating the Planning Commission will take into account numerous variables pertaining to the property to determine how many non-resident employees can work at an RZB.

Moving to traffic rules, Hughes shared that the goal of Home Occupation 1 was to maintain normal residential traffic levels, while Home Occupation 2 was given more flexibility for the types of deliveries that are not normal in neighborhoods. Home Occupation 1 would be restricted to deliveries unusual to a residential district to only the business week and only one delivery from a vehicle weighing or exceeding 20,000 GVW per week. Hegland asked how the City was to differentiate between different types of deliveries. Hughes said that deliveries normal to a residential neighborhood, like delivery vehicles from online retailers, would not be monitored, but box trucks and larger deliveries would be the ones that are monitored. Logren asked why the City would try to restrict deliveries and suggested the item be struck. Wagamon and Hegland agreed. The Council agreed to strike the second and third bullets for Home Occupation 1.

Turning towards business vehicle trips to and from the property, Hughes shared that the Planning Commission's drafted ordinance allotted Home Occupation 2 properties eight trips. Hegland reiterated her goal for the ordinance is to level the playing field for commercial properties and RZB, but also

permitting RZB if it can maintain “invisibility” within a neighborhood. Griffith advised that the code needs a standard, as a judge or court cannot enforce “invisible,” which is why zoning codes are usually built upon measurables. Logren suggested either doubling Home Occupation 2’s daily trips or striking it altogether.

Busch asked if this ordinance work would be put to public hearing. Griffith said an ordinance needs to be fully drafted, after which the Council will hold a public hearing.

5. Adjournment

Motion by Preiner to adjourn. Seconded by Wagamon. Roll call vote: Logren – aye; Wagamon – aye; Hegland – aye; Preiner – aye. Motion carries.

Meeting adjourned at 6:56 p.m.

Respectively submitted:

Connor Keith, Public Communications Coordinator