

FAIRMONT CITY COUNCIL AGENDA

1. CALL TO ORDER -

- Special meeting of the Fairmont City Council held on

MONDAY, JULY 31, 2017

at **5:30 p.m.** in the City Hall Council Chambers

2. ROLL CALL -

Mayor Foster
Councilors:

Cyphers
Hawkins
Hasek
Peters
Zarling

3. DETERMINATION OF QUORUM -

4. PLEDGE OF ALLEGIANCE

5. APPROVAL OF AGENDA

6. READINGS OF MINUTES -

7. OPEN DISCUSSION

8. RECOGNITIONS/PRESENTATIONS -

9. SCHEDULED HEARINGS –

10. ADMINISTRATIVE APPEALS –

11. FINANCIAL REPORTS –

12. REPORTS OF BOARDS, COMMITTEES, AND DEPARTMENT HEADS –

13. LICENSES AND PERMITS –

14. OLD BUSINESS –

14.1 Ordinance 2017-07 Amending Fairmont City Code Chapter 26 **(01)**

14.1a Ordinance 2017-07 **(02-03)**

15. NEW BUSINESS –

16. REGULAR AND LIQUOR DISPENSARY BILLS –

17. STATUS REPORTS/COUNCIL/STAFF INFORMATION

18. ADJOURNMENT –

ADDITIONAL ATTACHMENTS –

MEETING DATE: July 31, 2017

SUBJECT: Ordinance 2017-07 Amending Fairmont City Code Chapter 26

REVIEWED BY: Mike Humpal, CEcD, City Administrator 

SUBJECT INITIATION BY:

<input type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input checked="" type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Mike Humpal, CEcD, City Administrator

INTRODUCED BY: Mike Humpal, CEcD, City Administrator

COUNCIL LIAISON:

TYPE OF ACTION:

<input type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input checked="" type="checkbox"/>	Ordinance 3 rd Reading (Roll call)

RECOMMENED ACTION BY:

<input type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input checked="" type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
<input type="checkbox"/>	Issuance	<input checked="" type="checkbox"/>	Approval	<input type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: The City Council will be asked to vote on Ordinance 2017-07. In light of Minnesota Statute Sections 462.351 – 462.365, specifically Minnesota Statute Section 462.357, Subd. 2(b) “the governing body may adopt and amend a zoning ordinance by a majority vote of all its members”, Ordinance 2017-07 was passed at the July 24, 2017 meeting. To provide a clear public record of the City Council’s actions, the City Council will re-vote on this issue.

MOTION: To approve Ordinance No. 2017-07

VOTE REQUIRED: Simple Majority – Roll Call

ATTACHMENTS:

- 1. Ordinance 2017-07

Council Action: _____ Date: _____

ORDINANCE 2017-07

**ORDINANCE AMENDING FAIRMONT CITY CODE CHAPTER 26.
DEFINITIONS AND SECTIONS 26-152 (e)(2), 26-153(e)(2) and
26-205 (5) and (9)c REGULATING BUILDING HEIGHT**

WHEREAS, building height has not been measured for several years consistent with City Code language, and;

WHEREAS, this inconsistency has caused confusion, and;

WHEREAS, city staff has evaluated new building height language from other communities and the Minnesota Building Code and presented its findings to the Planning Commission, and;

WHEREAS, city staff recommends that the City Code building height language be amended to allow principal structures in the R-1, R-2 and R-2S to be built to a building height of 30 feet and accessory structures be built to a building height of 22 feet.

NOW THEREFORE THE CITY OF FAIRMONT DOES ORDAIN, that Fairmont City Code Chapter 26 Zoning be amended as follows:

ARTICLE 1. IN GENERAL, Sec. 26-1. Definitions.

Building height means the vertical distance from the average elevation of the finished lot grade at the front of the building to the highest point of the coping of a flat roof, or the deck line of a mansard roof or to the highest point of a gable, hip or gambrel roof.

ARTICLE III. ZONING DISTRICT REGULATIONS, Sec. 26-152, R-1 Single-family residential district. (e) *Lot area, floor area, height, lot width and yard requirements.* (2) Except exempted use, no structure shall exceed ~~two (2) stories or twenty-five (25)~~ thirty (30) feet in building height.

ARTICLE III. ZONING DISTRICT REGULATIONS, Sec. 26-153, R-2 One-and two-family district. (e) *Lot area, floor area, height, lot width and yard requirements.* (2) Except exempted use, no structure shall exceed ~~two (2) stories or twenty-five (25)~~ thirty (30) feet in building height.

ARTICLE III. ZONING DISTRICT REGULATIONS, Sec. 26-163, R-2S One-to four-family district. (e) *Lot area, floor area, height, lot width and yard requirements.* (2) Except exempted use, no structure shall exceed ~~two (2) stories or twenty-five (25)~~ thirty (30) feet in building height.

ARTICLE IV. GENERAL DEVELOPMNT REGULATIONS, Sec. 26-205 (5). Accessory buildings or structures in residential districts shall not exceed ~~fifteen (15)~~ twenty-two (22) feet in building height. Accessory structures in residential zones may be built to a maximum one thousand (1,000) square feet of floor area or ten (10) percent of the lot area whichever is larger to an aggregate accessory structure maximum of three thousand (3,000) square feet of floor area.

Sec. 26-205 (9) (c) The accessory building or structure shall not exceed ~~fifteen (15)~~ twenty-two (22) feet in building height.

Motion by:
Seconded by:
All in Favor:
Opposed:
Abstained:
Absent:

PASSED, APPROVED AND ADOPTED, this ____ day of July, 2017

Deborah J. Foster, Mayor

ATTEST:

Patricia J. Monsen, City Clerk

First Reading: July 10, 2017
Second Reading: July 24, 2017
Third Reading: July 31, 2017