

Joint Work Session
City Council, Planning Commission and
Board of Zoning Appeals
April 17, 2023, 5:00 p.m.
SMEC, Room 012

AGENDA

1. Zoning Code Update



Zoning Code Update
April 17, 2023

City of Fairmont, MN



CC/PC Workshop Agenda

Purpose: confirm direction for code going forward

- A. Introductions
- B. Review Process, Schedule & Milestones
- C. Approach
- D. Residential zoning districts
- E. Mixed use districts
- F. Business/commercial/industrial districts
- G. Organization
- H. Zoning Map
- I. Subdivision ordinance
- J. Next Steps

Process, Schedule & Milestones

- Key stakeholder interviews: July 11-22
- PC/CC kickoff workshop: July 25
- Staff coordination: October 11
- Staff meeting in Fairmont: December 7
- Staff coordination: February 16
- CC/PC workshop: April 17

- 
- **Comprehensive Plan Land Use**
 - **Interviews & Continuum Statements**
 - **Existing Code & Districts Review**
 - **Built Environment Analysis & Character Areas**

FAIRMONT, MINNESOTA: THE "CITY OF LAKES"
A BUSINESS FRIENDLY ENVIRONMENT. A BEAUTIFUL PLACE TO CALL HOME.

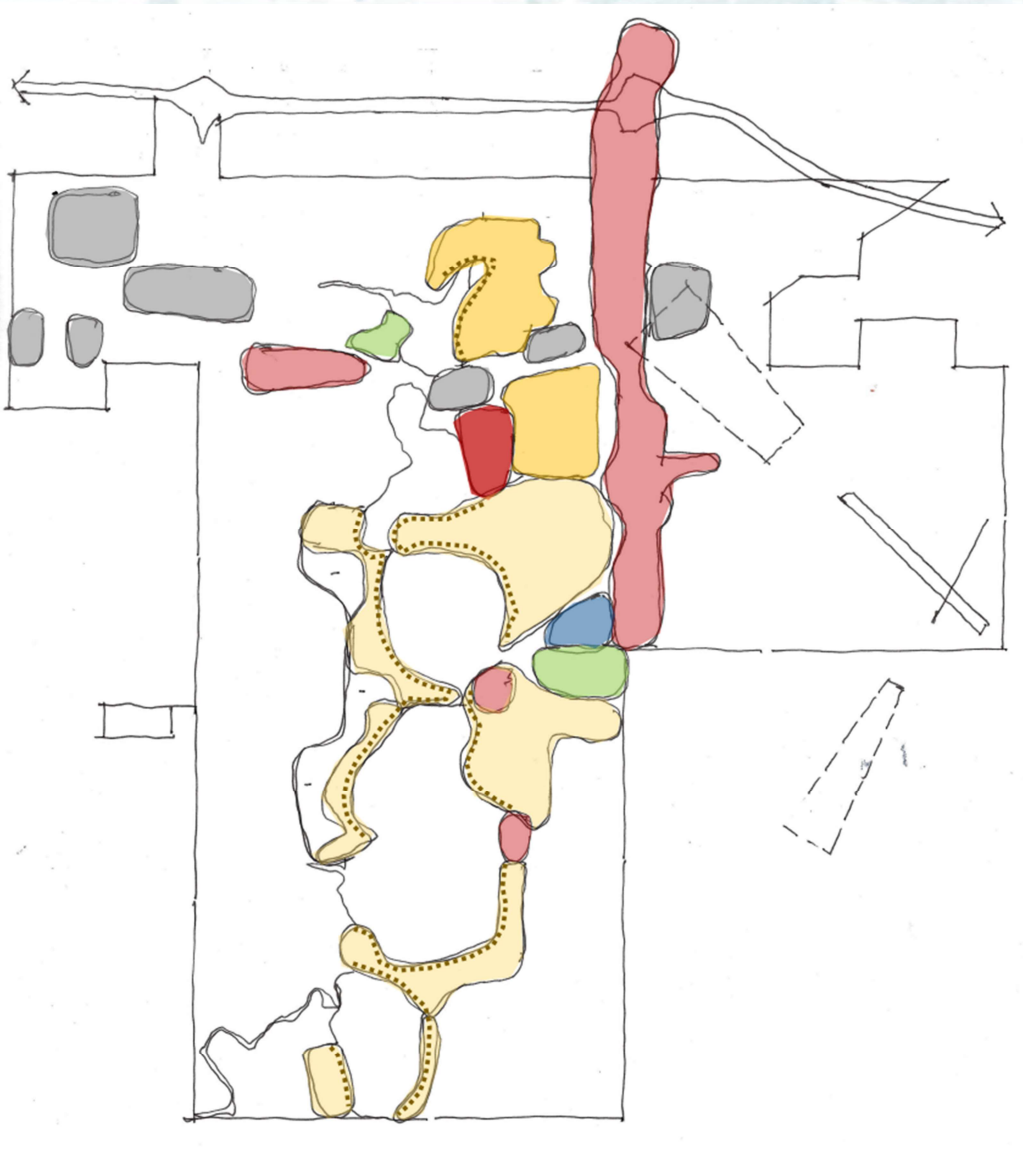
Continuum Survey

	3L	2L	1L	1R	2R	3R	
The zoning code should prioritize investment and business-friendly development			66%				The zoning code should prioritize technical regulation and control
Fairmont should include zoning districts that allow a mix of uses			88%				Fairmont will function best if it maintains well-defined separate, single-use districts
The code should be oriented around the marketplace and allow more flexibility with uses			77%				Existing permitted and conditional uses are adequate to support local market demand
Zoning code enforcement is an efficient and transparent process				94%			Zoning code enforcement can be confusing and hard to follow
Most zoning code adjustments are minor issues (such as building setbacks)				77%			Zoning code variances occur too often and thus signal a larger issue to be addressed
The code should be more about how the city controls development and approvals					77%		The code should be more about how the city collaborates with applicants and investors

- *Prioritize business friendly*
- *Districts that allow a mix of uses*
- *Marketplace flexibility*
- *Enforcement is confusing*
- *Variances occur too often*
- *Code that collaborates*

Fairmont Zoning Code Update | CHARACTER AREAS

-  Compact neighborhoods
-  Established neighborhoods (and lakefront lots)
-  Downtown
-  Commercial areas/corridors
-  Medical clinic
-  School/open space
-  Employment/industrial



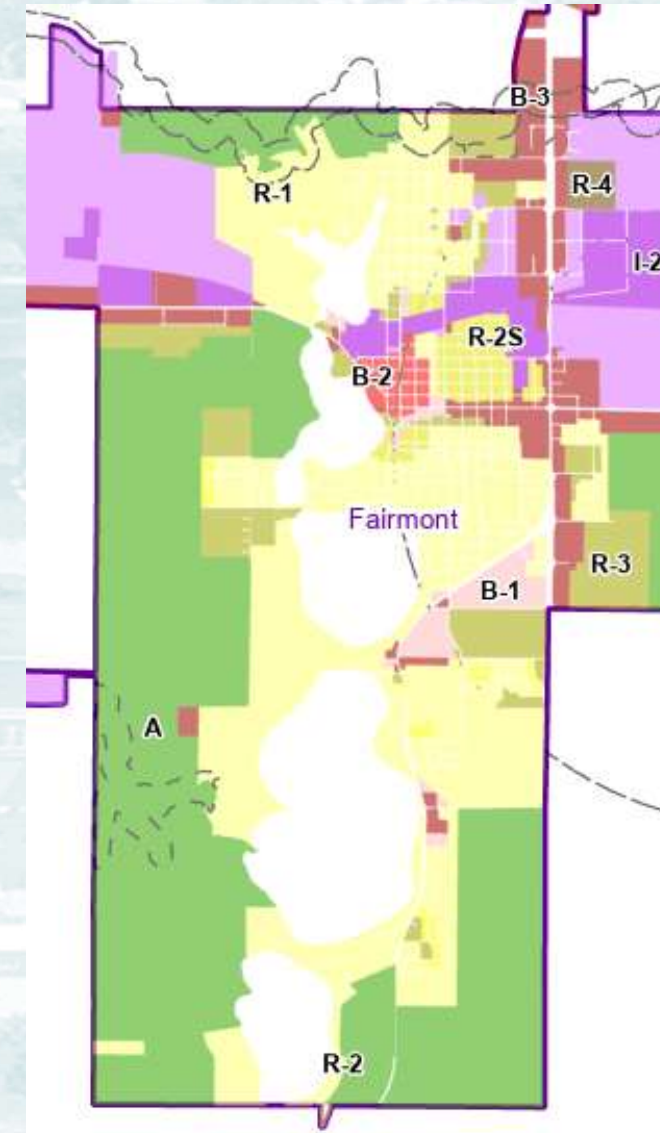
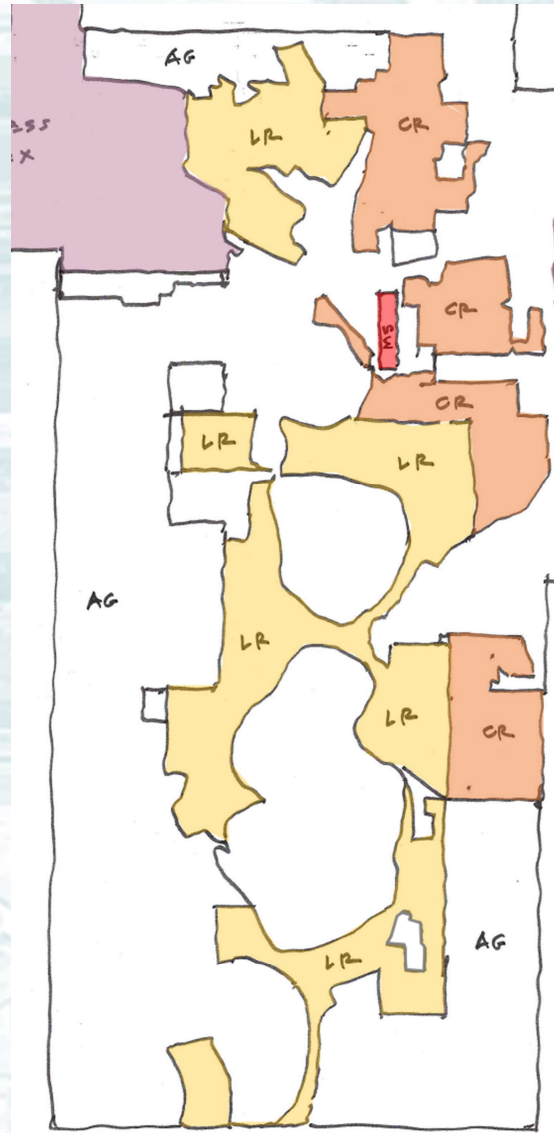
Residential Districts Approach



Lake Residential District—formerly R1; keep larger lot sizes, shoreland regs, etc.; essentially detached, single family residential



City Residential District—allows single family attached, detached, up to 4 units; includes allowances for the former R2S district; and we might make the case for limited neighborhood scale retail/commercial



Fairmont Zoning Code Update

R-1 lakefront lots < 15,000 SF

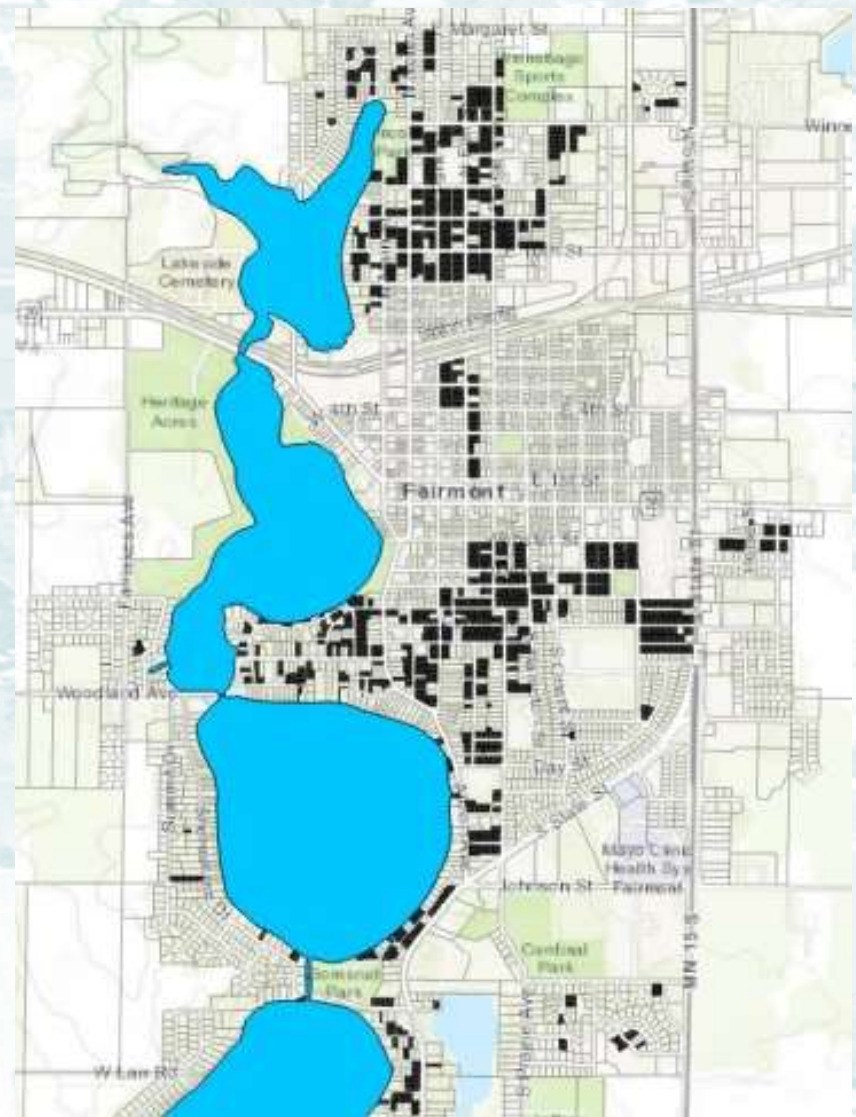
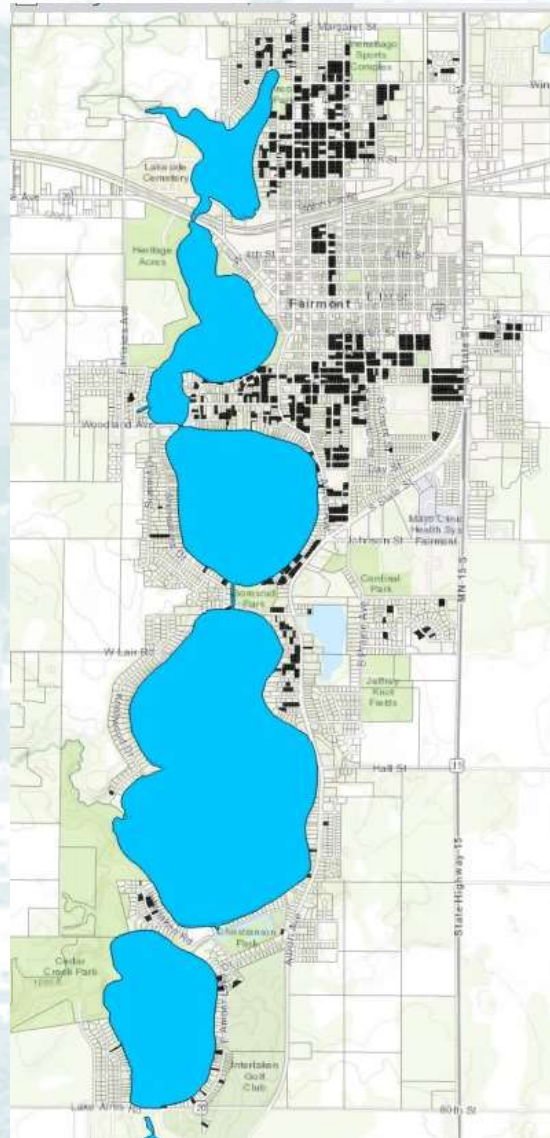
- Per the code single family waterfront lots should be a minimum of 15,000 SF; average size of lakefront lots less than 15,000 SQ FT is 10,640 SQ FT



	Waterfront Lots	Other Lots
Single	15,000	10,000
Duplex	26,000	17,500
Triplex	38,000	25,000
Quad	49,000	32,500

R1 lots < 8500 SF

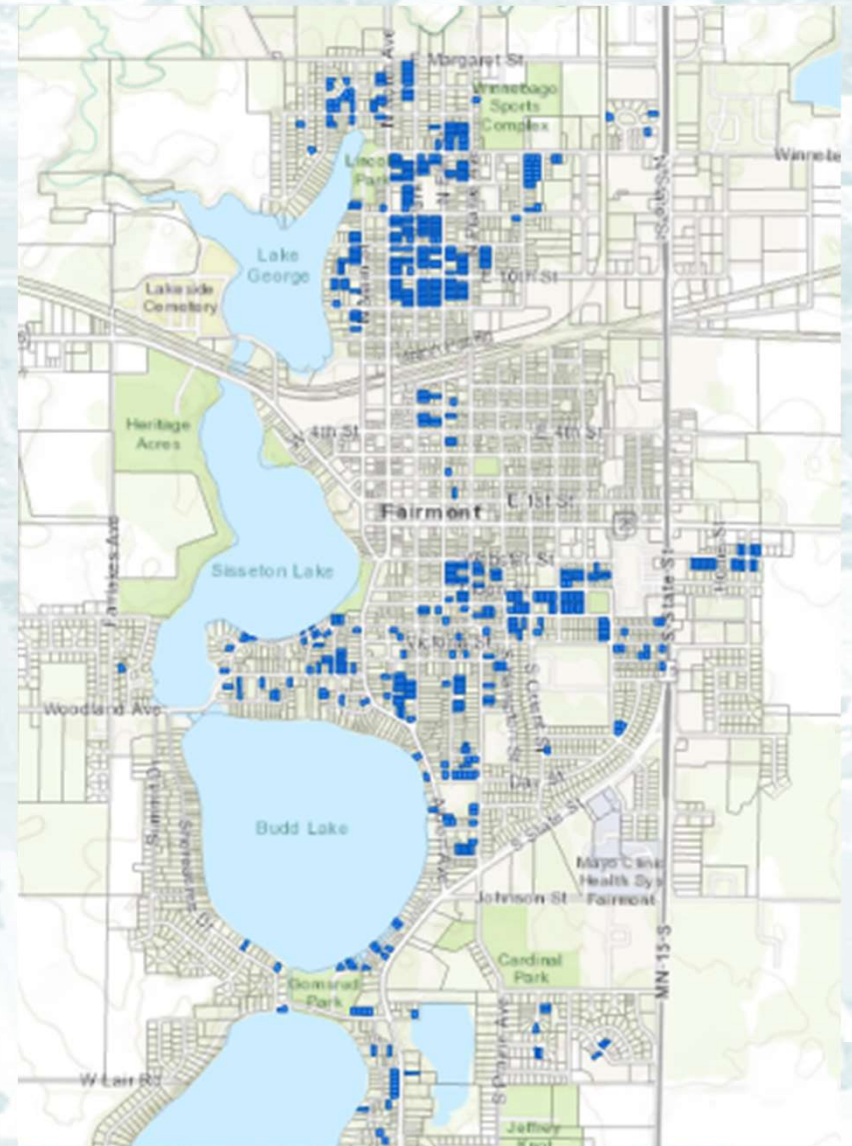
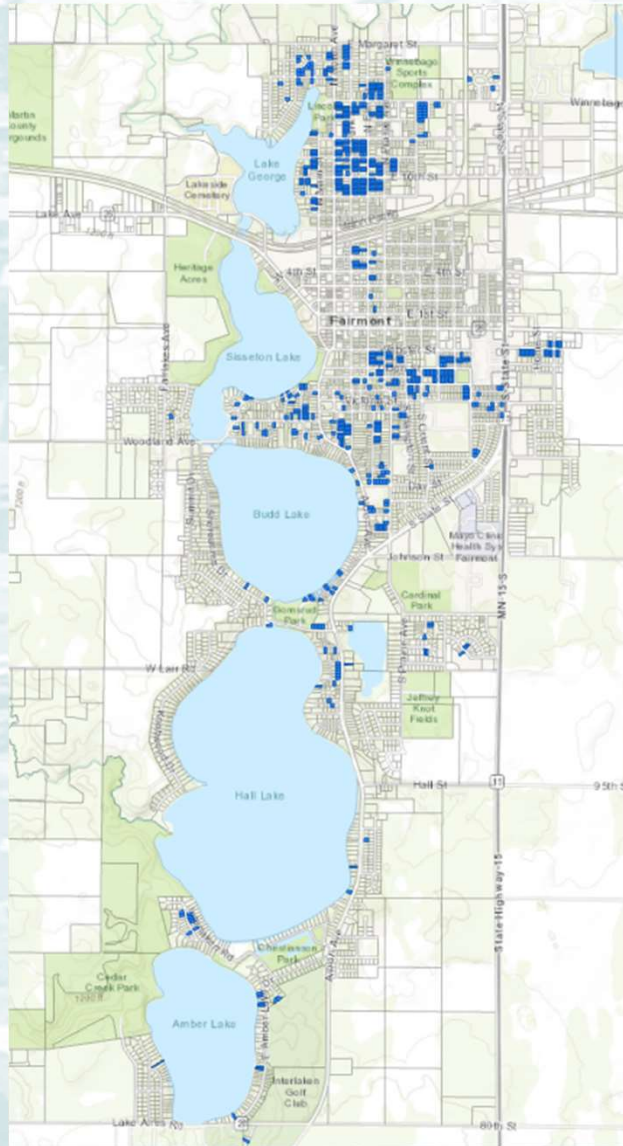
- *Per the code minimum single family lot should be 8,500 SF*
- *A high percent of lots are less than the minimum*



Fairmont Zoning Code Update

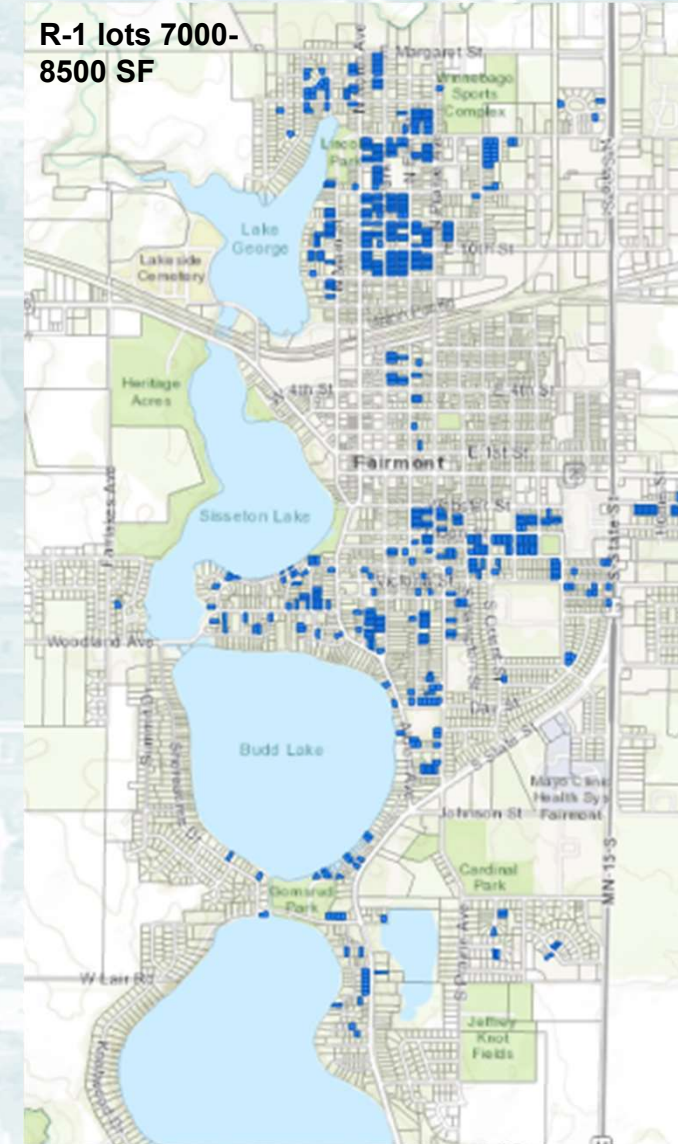
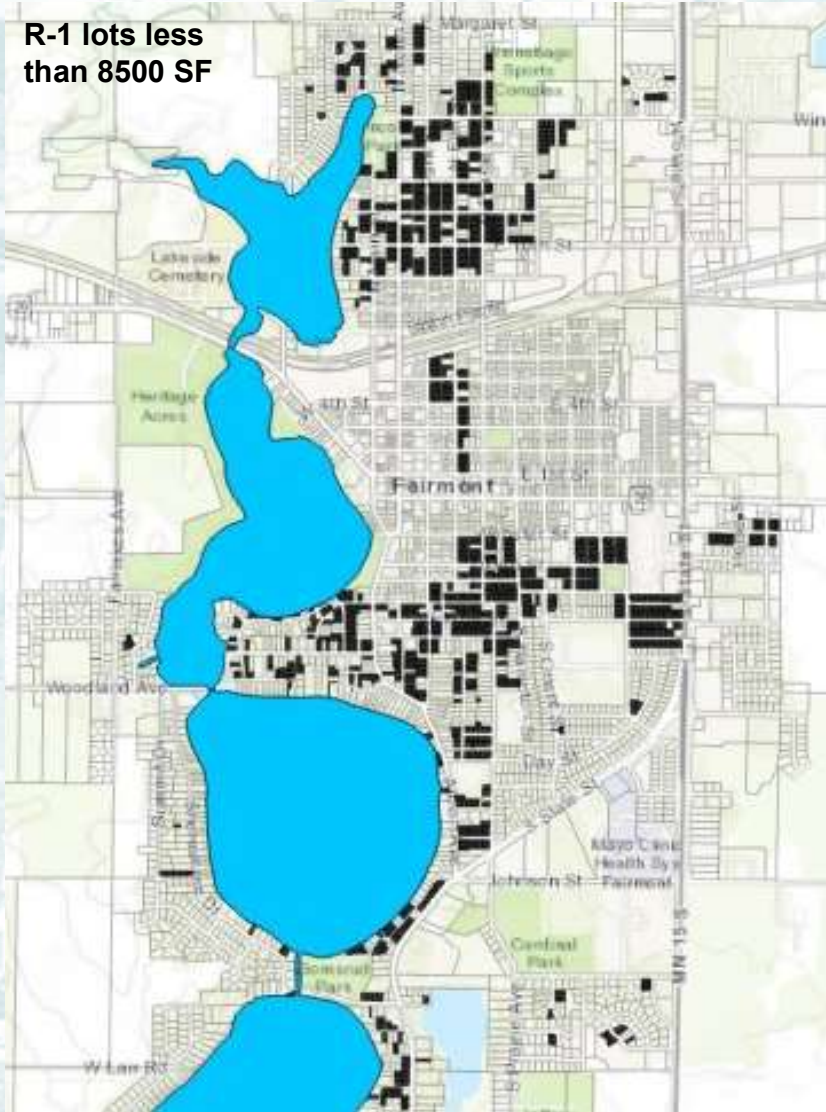
R-1 lots 7000-8500 SF

- *A high percent of R-1 lots are between 7000 & 8500 SF*



**R-1 lots less than
8500 SF
vs.
R-1 lots 7000-8500 SF**

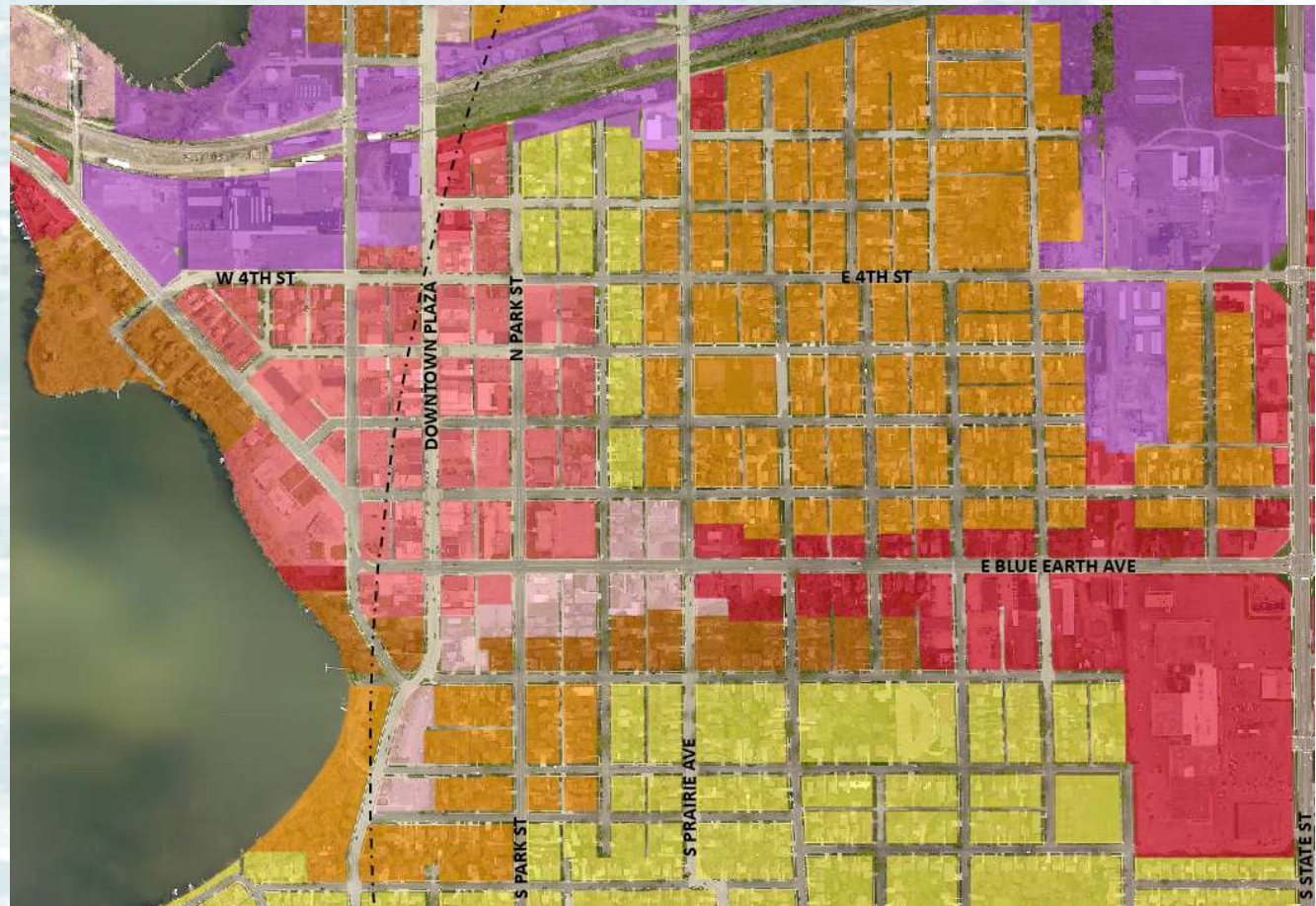
- *Calibrate to the common denominator*



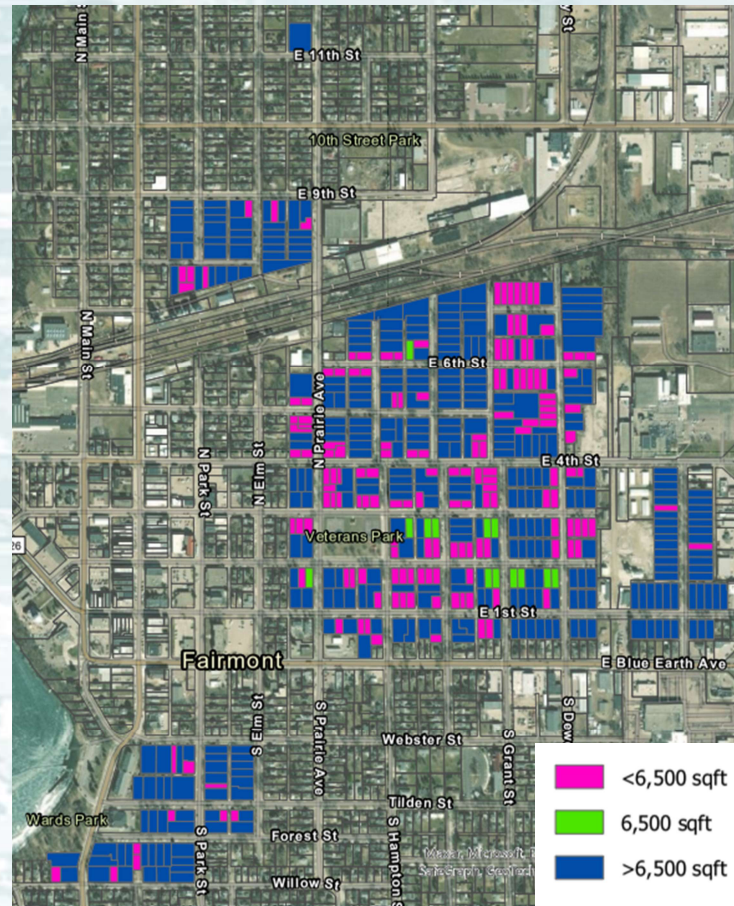
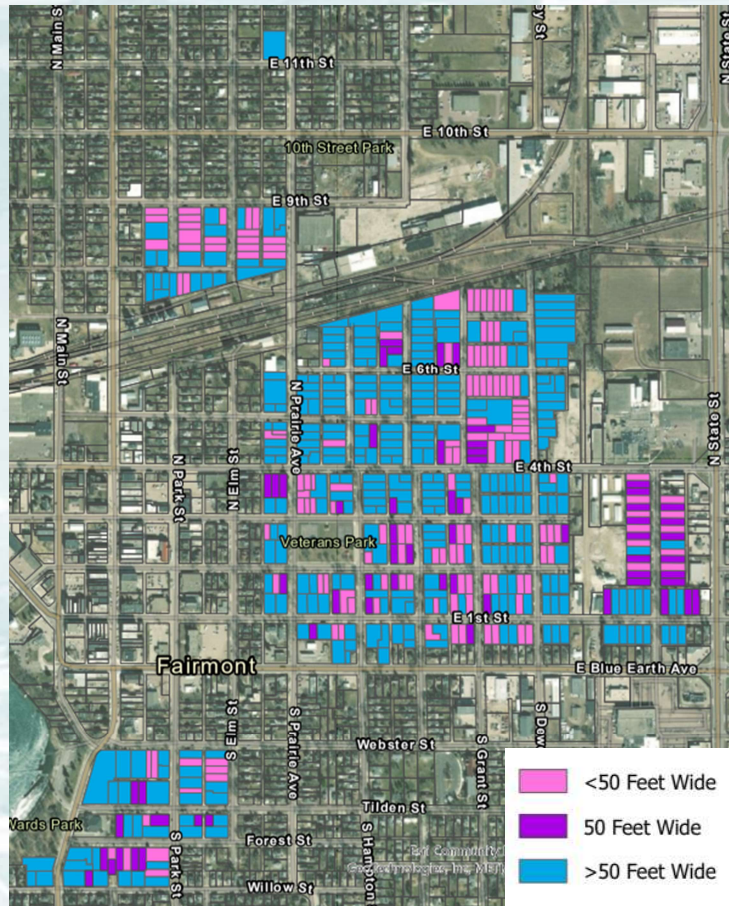
Existing Zoning Code: R2S



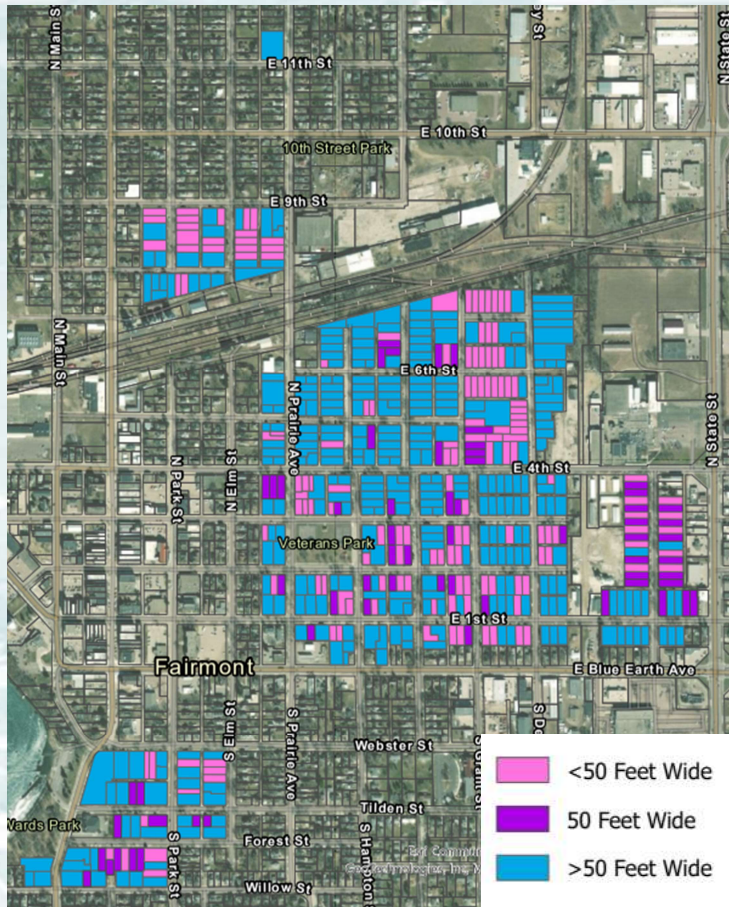
- (1) Lot area per dwelling unit:
 - a. One-family structure, seven thousand five hundred (7,500) square feet.
 - b. Two-family structure, three thousand seven hundred fifty (3,750) square feet.
 - c. Three-family structure, two thousand six hundred (2,600) square feet.
 - d. Four-family structure, two thousand (2,000) square feet.
- (2) Except exempted use, no structure shall exceed thirty (30) feet in building height.
- (3) Lot width, seventy-five (75) feet minimum.



R2S Residential Analysis



R2S Residential Analysis



500 Block N Dewey Street:
Less than 50' wide lots



300 Block Fairview Avenue:
Less than 50' wide lots

Fairmont Zoning Code Update

R3 & R4 Districts



Developed



Undeveloped

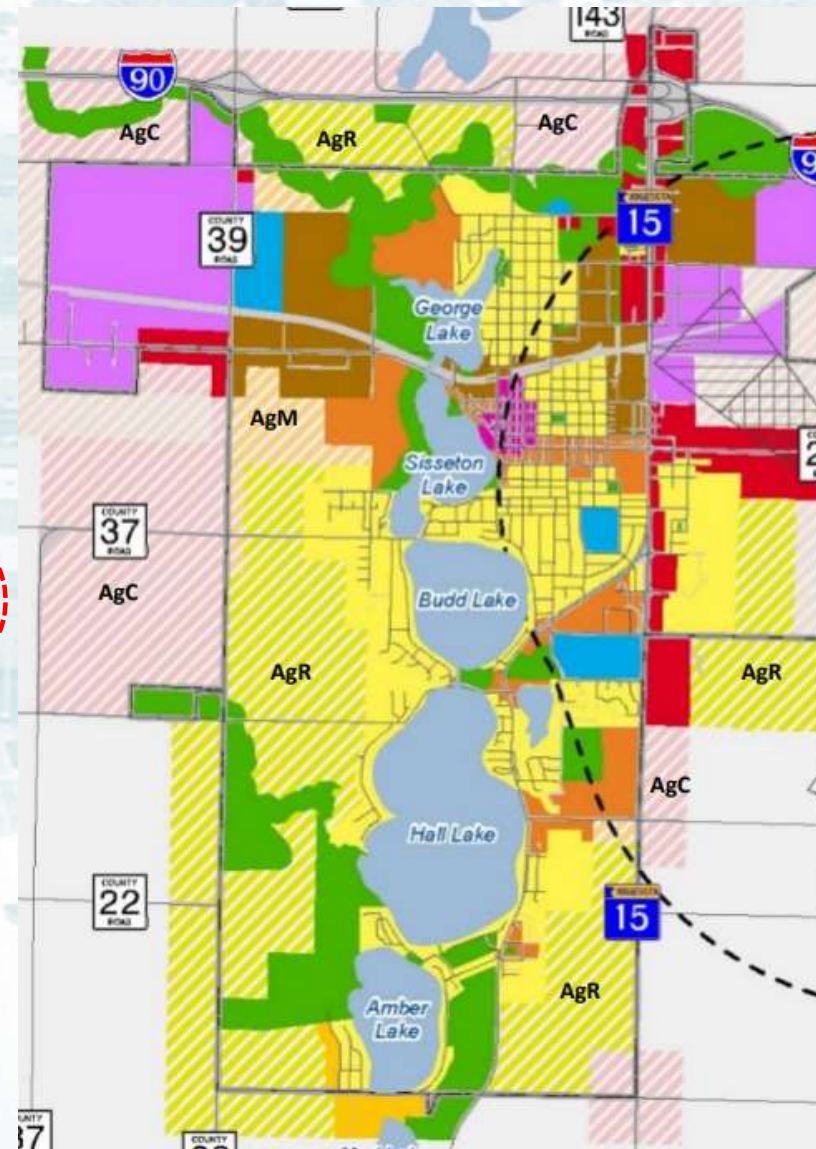
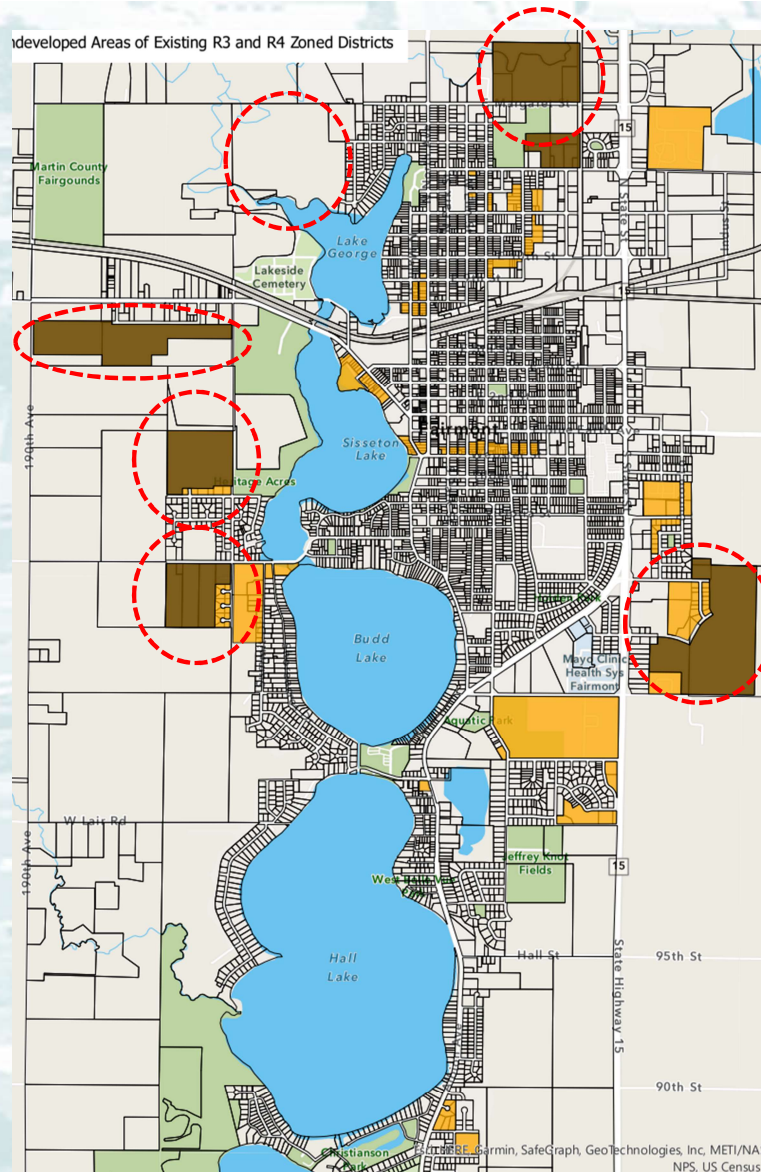


Areas zoned R3/R4 that are not guided in the land use plan

2040 Future Land Use

- Downtown
- Industrial
- Mixed Use Employment Center
- Mixed Use Neighborhood
- Open Space & Parks
- Public/Institutional
- Right of Way
- Suburban Residential Neighborhood
- Traditional Residential Neighborhood
- Commercial

Developed Areas of Existing R3 and R4 Zoned Districts



Source: Garmin, SafeGraph, GeoTechnologies, Inc, METI/NAS, NPS, US Census

Potential mixed use districts



Albion Ave from Prairie Ave to Lair Rd



Albion Ave & Hall St

Potential Residential Districts

Lake Residential District —formerly R1; keep larger lot sizes, shoreland regs, etc.; essentially detached, single family residential district but would also allow attached single family buildings up to 2 units

- **Lake Front (LF-1) (>15,000 SF)**
- **Lake Front (LF-2) (< 15,000 SF)**
- **Lake Side (LS-1) 1 (off lake with minimum of _____ SF lot)**
- **Lake Side Mixed Use (LM-1)**


City Residential District —allows single family attached, detached, up to 4 units; includes allowances for the former R2S district; and we might make the case for limited neighborhood scale retail/commercial in residential buildings (converted) that does not allow drive-thru or auto-oriented commercial

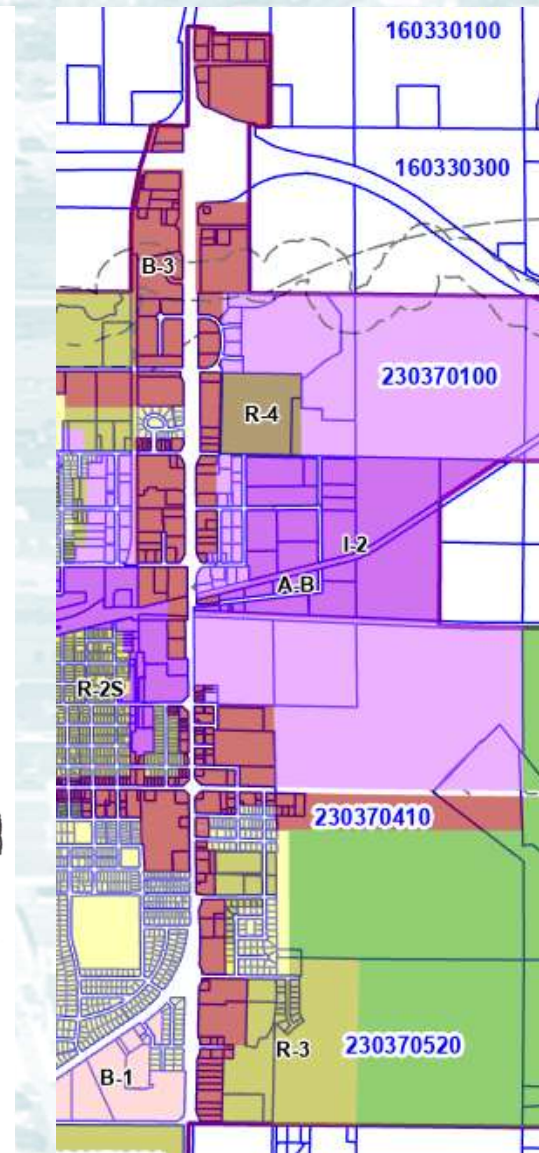
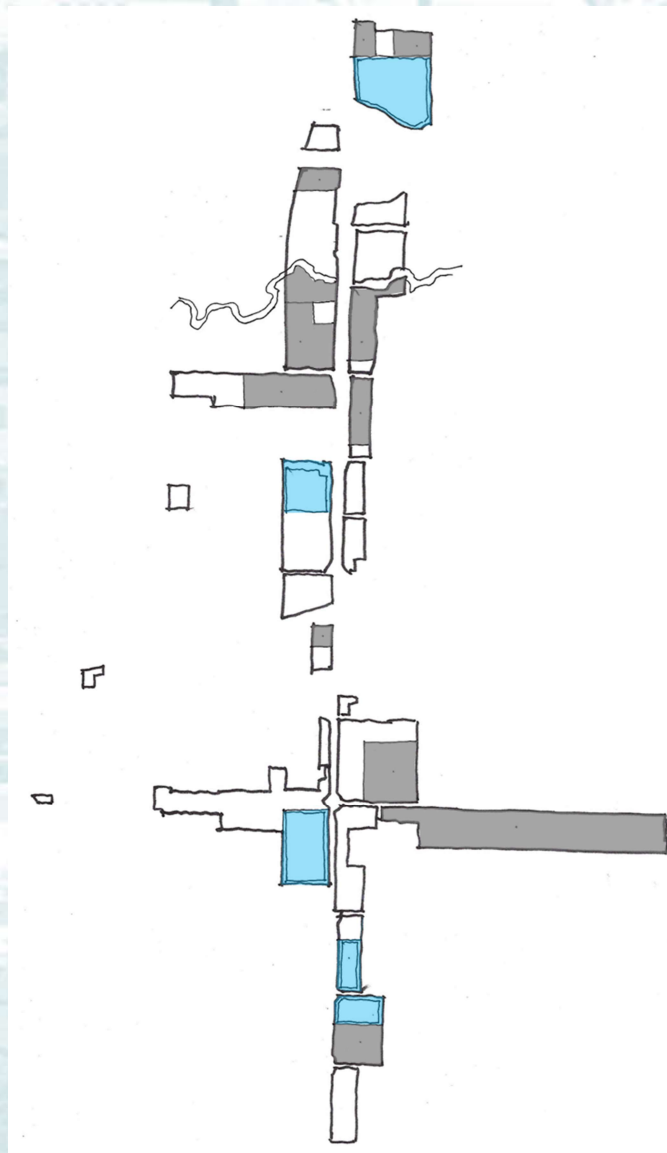
- **City Residential District (CR-1)** - allows smaller lot single family by right and multi family up to 4 units
- **City Mixed Use District (CM-1)** – allows multi-family, small scale business/retail uses (10,000SF or less); and manufactured home developments

B3 Corridor: N. & S. State St

- *State street is the primary commercial corridor in the city; B-3 allows a wide range of uses including large format retail stores*


 Large format commercial


 Undeveloped

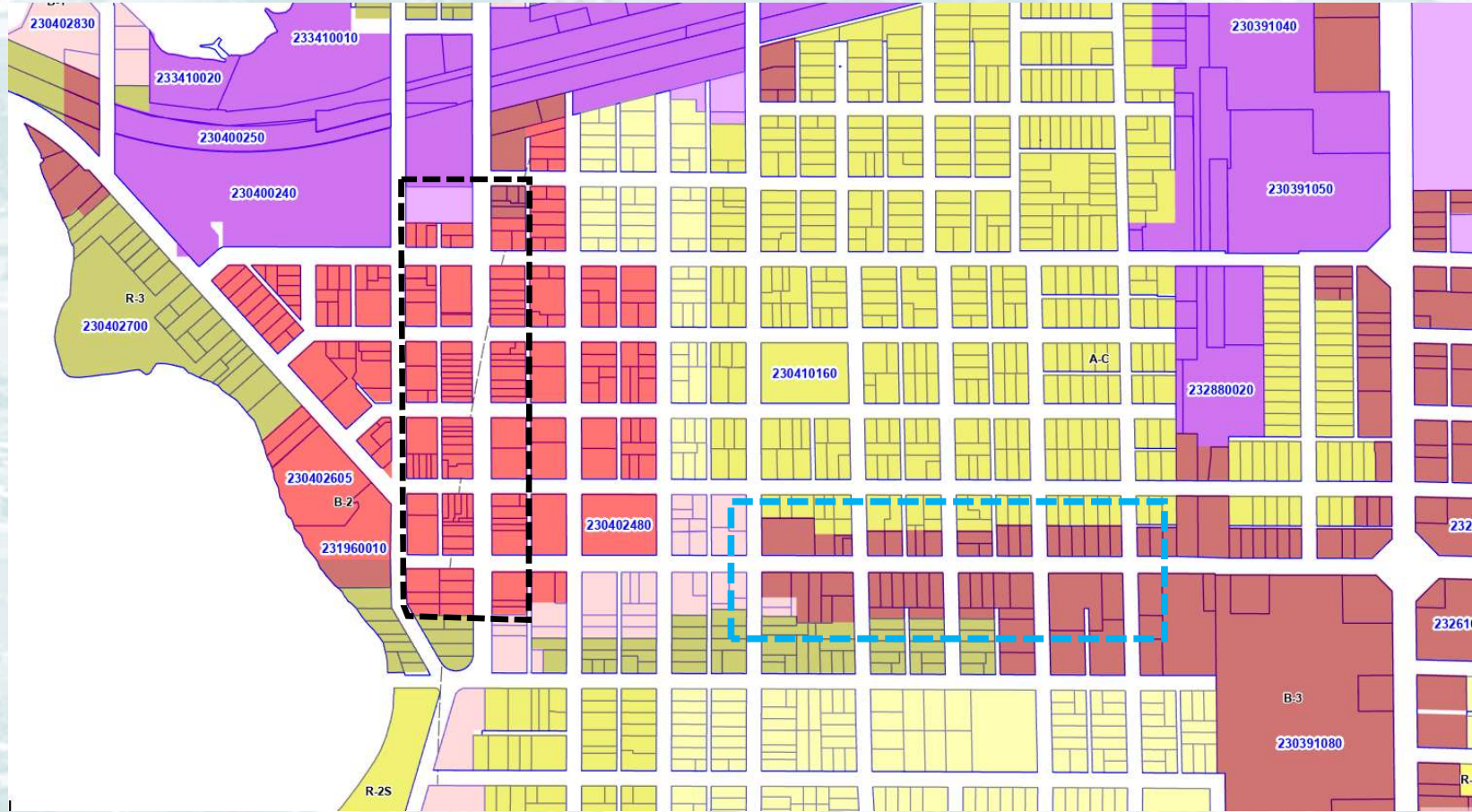


Downtown & Neighborhood Commercial

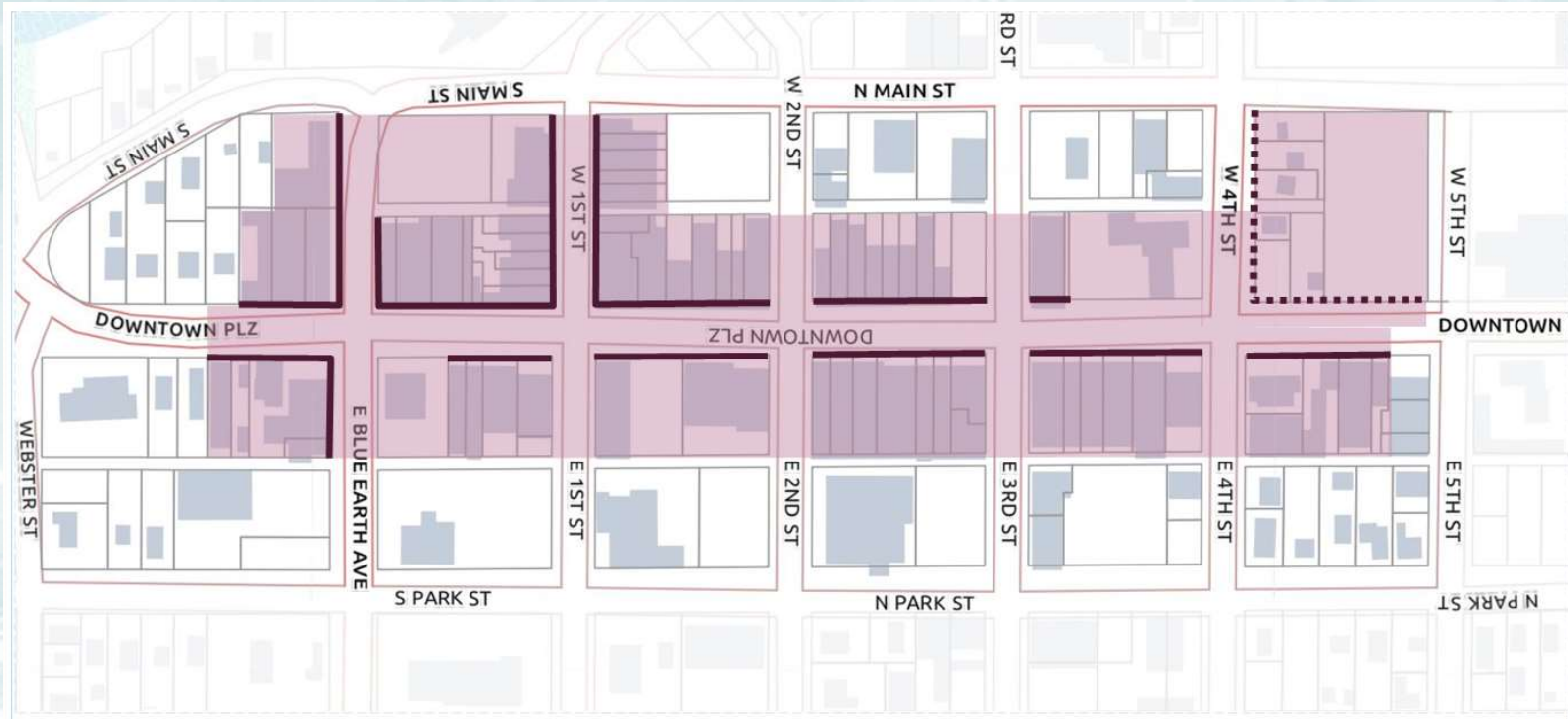
 *Downtown Plaza as main street district*

 *B-2 as downtown commercial; more about scale and context than use*

 *B-3 as city commercial; combination of B-1 and B-3 and/or city mixed use; more about scale than use*

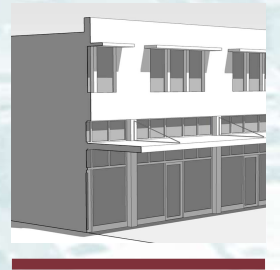


Downtown Plaza



Downtown Plaza District Boundary

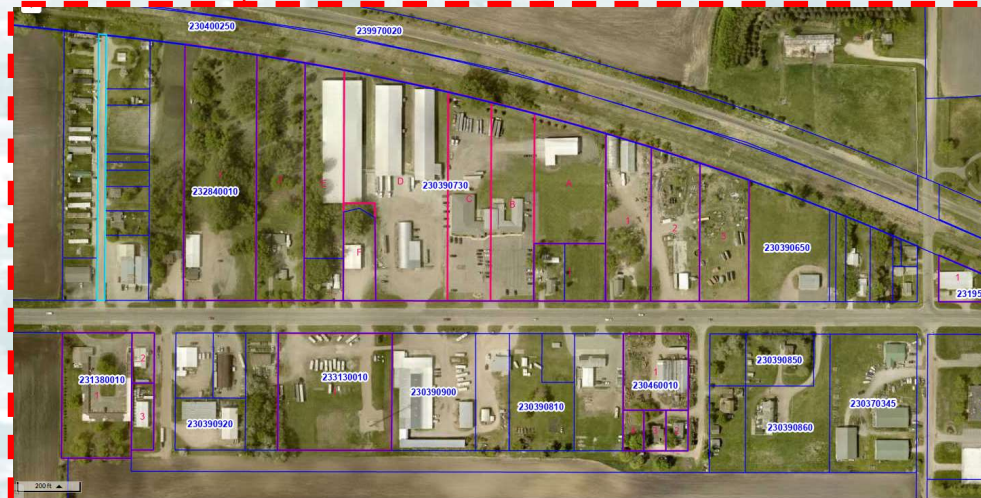
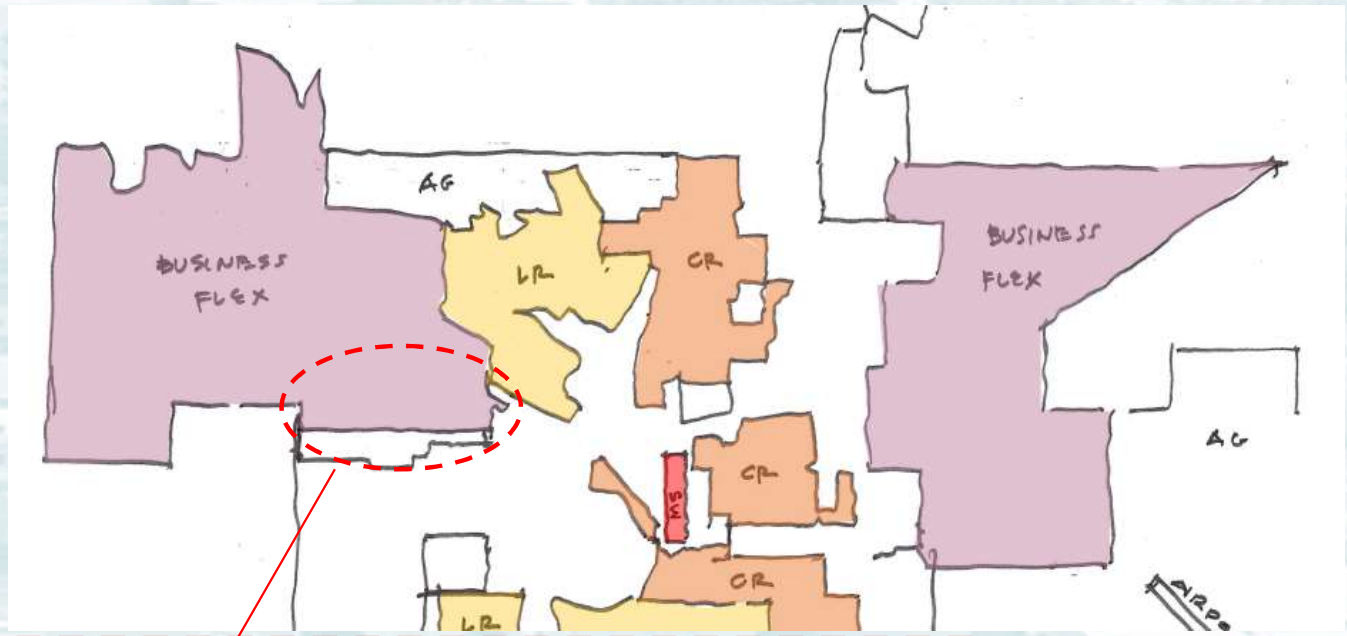
Building frontage type



Business Flex Districts



- mixed-use business and industrial district; distinct from general business or highway commercial



Summary of Downtown, Commercial & Industrial Districts

The B-1 Neighborhood Business is partially addressed with City Mixed District (CM-1); the remaining general uses such as gas stations, drive-up/thru banks, restaurants, offices etc. would then be the district where most general business is located.

- **City Commercial (CB-1)** –areas that are more sensitive than general B-3 and responsive to scale and context; may also be City Mixed Use???
- **Commercial Corridor (CC-1)** - allows commercial/retail uses that are auto-oriented, drive-thru, large formats, etc. (formerly B-3 General business)
- **Downtown (DT-1)** – B-2 central business district
- **Downtown Plaza (re: Main Street District)**—4-5 blocks of Downtown Plaza; form based standards (see attached graphics and diagram
- **Business Flex District**—mixed-use business and industrial district; distinct from general business or commercial corridor
- **Industrial** –keep an industrial district (combining I-1 and I-2 into a single district) for large users and sites
- **Agricultural** –keep as is
- **Airport** – keep as is

Existing & Potential Zoning Districts

Sec. 26-151. A Agriculture-transition district.

Sec. 26-152. R-1 Single-family residential district.

Sec. 26-153. R-2 One-and two-family district.

Sec. 26-154. R-3 Multiple-family residential district.

Sec. 26-155. R-4 Multi-family district.

Sec. 26-156. B-1 Neighborhood business district.

Lake Front (LF-1) (>15,000 SF)

Lake Front (LF-2) (< 15,000 SF)

Lake Side (LS-1) 1 (off lake with minimum of _____ SF lot)

Lake Side Mixed Use (LM-1)

City Residential District (CR-1)

City Mixed Use District (CM-1)

Sec. 26-157. B-2 Central business district.

Sec. 26-158. B-3 General business district.

Sec. 26-159. Reserved.

Sec. 26-160. I-1 Light industrial district.

Sec. 26-161. I-2 Heavy industrial district.

City Commercial (CB-1)

Commercial Corridor (CC-1)

Downtown (DT-1) – central business district

Downtown Plaza (DP-1) - main street District

Business Flex District (BF-1)

Industrial (I-1)

Sec. 26-162. Airport zoning district.

Sec. 26-163. R-2S One- to four-family district.

Organization Chapter 26 Zoning – Existing & Proposed Outline

Article I General
Article II Administration and Enforcement
Article III Zoning District Regulations
Article IV General Development Regulations
Article V Special Development Regulations
Article VI Shoreland Management
Article VII Performance Standards
Article VIII Off Street Parking and Loading
Article IX Home Occupations
Article X Signs
Article XI Floodplain Management Ord

Article I General
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Article VI Shoreland Management
Article VII Performance Standards
Article VIII Off Street Parking and Loading
Article IX Home Occupations
Article X Signs
Article Floodplain Management Ordinance
Article II Administration and Enforcement

Other Code Topics/Issues

- Sec. 26-1. - Definitions.
- DIVISION 4. - CONDITIONAL USE PERMITS
26-78 staff review
- Sec. 26-205. - Accessory buildings, structures and uses (?) (= urban standard table)
- Sec. 26-252. - Earth-sheltered buildings (?)
- DIVISION 4. - MANUFACTURED HOUSING PARKS
- ARTICLE VIII. - OFF-STREET PARKING AND LOADING (?)
- ARTICLE IX. - HOME OCCUPATIONS

Home occupations - are allowed in all residential districts; some additional standards may apply in the CR-1 district to allow a limited number of employees (?)

Home Occupations

A: Home Occupation Definition

Update the home occupation definition to the following:

Any occupation or profession engaged in by the occupant of a residential dwelling unit, which is clearly incidental and secondary to the residential use of the premises and does not change the character of the premises.



B: Permitted Home Occupations

Replace the existing list of permitted home occupations – all of which need a permit – with two regulatory levels of home occupations. The levels are determined by their intensity and level of disruption to the surrounding neighborhood; level 1 home occupations leave no exterior trace (including noise, employee traffic, exterior storage) and therefore do not need a permit, whereas level 2 home occupations create some trace and need a permit. Regardless of level, all businesses will need to register with the City of Fairmont, perhaps through an automated registration system online to avoid staffing constraints.

1. Level 1 home occupations: Home occupations that comply with all the home occupation standards listed below and which have no potential neighborhood impacts. Level 1 home occupations may be operated without a license or permit, but must register with the City of Fairmont.
2. Level 2 home occupations: Home occupations that comply with all home occupation standards listed below but which could have potential neighborhood impacts; and home occupations that do not comply with all the home occupation standards listed below and which are not listed prohibited home occupations. Level 2 home occupations are required to obtain a license from the City, as well as register. Level 2 home occupations may include but are not strictly limited to:
 - a. Those with employed persons other than occupants of the dwelling.
 - b. Those involving the use or parking of a commercial or non-passenger vehicle, whether such use or parking is in a building or outside.
 - c. Those which do not meet one or more of the specified performance standards.
 - d. Those which generate excessive traffic, as defined later in this chapter.

Subdivision Ordinance -----Chris

Fairmont, MN [NOTIFICATIONS](#) [SIGN IN](#) [HELP](#) [Select Language](#)

VERSION: [MAR 23, 2022 \(CURRENT\)](#)  

- DEVELOPMENT
 - Chapter 21 - POLICE
 - Chapter 22 - SOLID WASTES
 - Chapter 23 - STREETS AND SIDEWALKS
 - Chapter 24 - SUBDIVISIONS**
 - ARTICLE I. - IN GENERAL
 - ARTICLE II. - APPROVAL PROCEDURES
 - ARTICLE III. - REQUIRED IMPROVEMENTS, ETC.
 - ARTICLE IV. - DESIGN STANDARDS
 - DIVISION 1. - GENERALLY
 - DIVISION 2. - STREETS
 - Chapter 25 - UTILITIES
 - Chapter 26 - ZONING

[< Sec. 23-69. - Issuance.](#) [Chapter 25 - UTILITIES >](#)

Chapter 24 - SUBDIVISIONS^[1]

Footnotes:
--- (1) ---
Cross reference— *Buildings and building regulations, Ch. 6; planning and development, Ch. 20; zoning, Ch. 26.*
State Law reference— *Subdivision regulations, M.S. § 462.358.*

ARTICLE I. - IN GENERAL

Sec. 24-1. - Definitions.

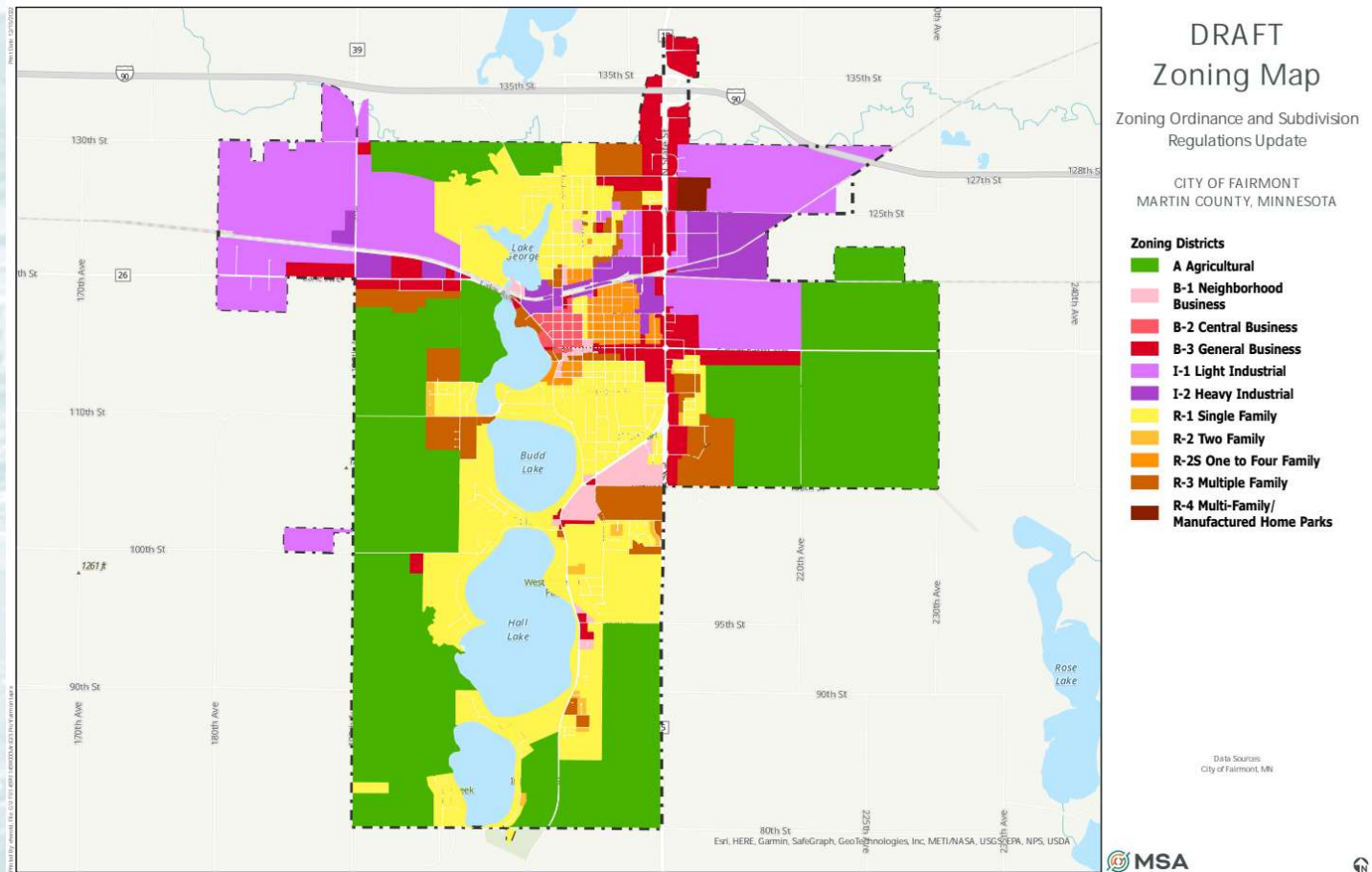
For the purpose of this chapter the following terms, phrases, words and their derivations shall have the meaning given in this section:

Alley means a public right-of-way which affords a secondary means of access to abutting property.

Block means an area of land within a subdivision that is entirely bounded by streets or a combination of streets, exterior boundary lines of a subdivision and/or bodies of water.

Boulevard means that portion of a street right-of-way between the curb or curb line.

Zoning Map



Consolidated Use Table

P - Permitted
 C - Conditional Use Permit
 Blank - Not Permitted

ZONING DISTRICT	A	R-1	R-2	R-2S	R-3	R-4	B-1	B-2	B-3	I-1	I-2	AIR*
RESIDENTIAL USES												
Accessory buildings		P	P	P	P							
Accessory Dwelling Units (ADUs)												
Boarding and rooming houses				P								
Condominiums					C							
Home occupations	P	P	P	P	P							
Home occupations – employee living quarters	P											
In-home day care		P	P	P	P							
Manufactured single-family dwelling units		P	P	P	P	P						
Multi-family attached dwelling units (<8 Units)					P		P	P	P			
Multi-family attached dwelling units (8+ Units)					C		P	P	P			
Non-commercial gardening		P	P	P	P							
One- and two-family apartments								C	C			
Personal storage of vehicles & equipment	P											
Recreational facilities for private residential use		P	P	P	P							
Single-family detached dwelling units		P	P	P	P		P	P	P			
Single-family attached dwelling units (2-4 units)		C	P	C	P							
Single-family planned unit developments		C	C	C								
State-licensed group homes (<6 residents)		P	P	P	P							
State-licensed group homes (7-16 residents)					P							
Townhouses			C	P	C							

Tentative Schedule

April 17th – CC/PC workshop

Purpose: confirm direction for code going forward

Next steps: April/May/June

- Draft of districts, urban standards, related chapters & subdivision ordinance
- Working map
- Review with staff
- Schedule open house & additional workshop(if needed)
- Begin review and adoption process

Re meetings: Planning Commission – 1st Tuesday | City Council 2nd and 4th Monday



Zoning Code Update
April 17, 2023

City of Fairmont, MN



District & Standards Format

515-2-6 Contemporary Neighborhood 1 (CN-1)

A. **Purpose of Contemporary Neighborhood 1 Zoning District.** The purpose of the CN-1 Zoning District is intended for predominantly single-family detached residential uses and associated accessory uses. Lots in this District are typically developed with front-loaded garages, with larger private yard spaces. The lots are wider with principal structures setback and connected to public right-of-way with a private driveway.

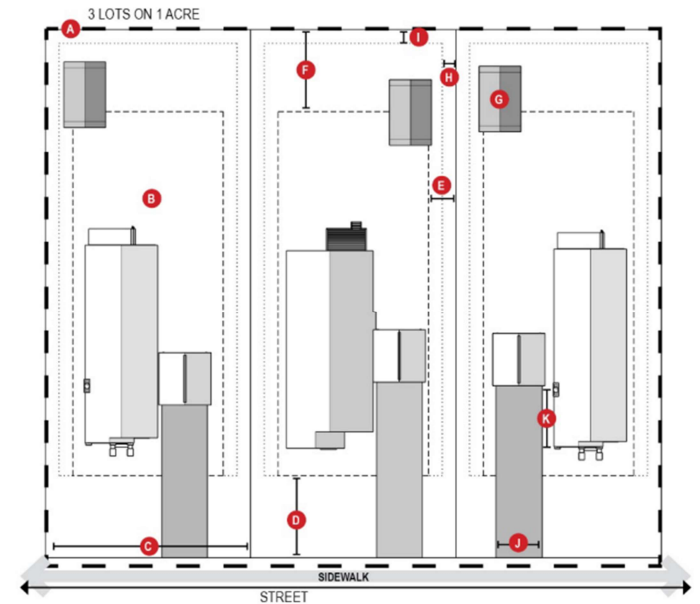
B. **Permitted Uses.** See Appendix A: Table of Uses.

C. **CN-1 Zoning District Dimensional Standards.** Table 515-2-6.1 identifies the Dimensional Standards for Principal and Accessory Structures.

Table 515-2-6.1. CN-1 Dimensional Standards – Density, Lot Size, Coverage and Height Standards

Lot Dimensions		
A	Lot Size (range) Density (range)	10,000 SF – 21,780 SF 3 – 5 DU/AC
B	Buildable Area (minimum)	Outside all setbacks
C	Lot Frontage on All Roads (range)	75'-90'
Principal Building & Attached Accessory Building Standards		
D	Front Yard Setback (minimum)	30'
E	Side Yard Setback (minimum)	10'/20' corner
F	Rear Yard Setback (minimum)	30'
	Accessory Building SF, attached	Counts towards Total Allowable SF
	Accessory Building Number, attached	Does not count towards Permitted Number
Accessory Building Standards		
G	Location	Behind principal building
H	Side Yard Setback (minimum)	5'/10' corner
I	Rear Yard Setback (minimum)	5'
	Total Allowable Accessory Building SF	1,500 SF or 10%, whichever is greater
	Total Number of Permitted Accessory Buildings	2
	▪ Exception if no Attached Accessory Building is present, total Number Permitted	3
	Accessory Dwelling Unit (ADU)	Permitted on Corner lot, by CUP on interior lot
	▪ Size of ADU (maximum)	650 SF
Coverage and Height Standards		
	Impervious Surface Coverage (maximum)	50%
	Principal structure height (maximum) (See Section 515-4-3)	35'
	Accessory structure height (maximum)	Up to 35' but may not exceed height of principal structure
Other Standards		
J	Driveway	Width at ROW maximum is 18'
K	Garage	Must be setback behind façade of principal structure a minimum of 5'
	Sidewalk/Trail Standards	See Subdivision Ordinance Chapter 500

Figure 515-2-6.1. CN-1 Density and Lot Dimensional Standards Diagram



Compatibility Matrix

The Zoning Compatibility Matrix provides a current view at the compatibility between the City’s future land use categories from the 2040 Comprehensive Plan’s Future Land Use Map and the current zoning ordinance.

Zoning Compatibility Matrix											
Land Use Categories C – Compatible PC – Partially Compatible	Zoning Districts										
	A Agricultural	B-1 Neighborhood Business	B-2 Central Business	B-3 General Business	I-1 Light Industrial	I-2 Heavy Industrial	R-1 Single Family	R-2 Two Family	R-2S One to Four Family	R-3 Multiple Family	R-4 Multi-Family/Manufactured Home Parks
Downtown		C	PC						PC	C	
Industrial			PC	C	C	C					
Mixed Use Employment Center		PC	C	C	C	C			PC	C	C
Mixed Use Neighborhood		C	PC				PC	PC	C	C	
Open Space & Parks	C										
Public & Institutional		C	PC								
Suburban Residential Neighborhood	PC						C	C	PC	PC	
Traditional Residential Neighborhood							C	C	PC		
Commercial		C	C	C	C						