

**FAIRMONT CITY COUNCIL  
REGULAR MEETING  
TUESDAY, AUGUST 10, 2021  
7:00 P.M.  
COUNCIL CHAMBERS  
PUBLIC SAFETY BUILDING  
500 QUINCY STREET  
FAIRMONT, WEST VIRGINIA**

- I. CALL TO ORDER - Mayor Mainella
- II. ROLL CALL OF MEMBERS - Janet L. Keller, City Clerk
- III. OPENING CEREMONIES
  - A. Prayer/Meditation - Rev. Dr. Mark Staples
  - B. Pledge Of Allegiance - Councilmember Blood
- IV. APPROVAL OF MINUTES -
  - Regular Meeting - July 27, 2021
- V. PUBLIC HEARINGS AND ANNOUNCEMENTS
  - A. PUBLIC HEARINGS
    - 1. An Ordinance To Approve And Adopt Current Replacement Pages To The Fairmont City Code.
    - 2. An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing Article 2.0 Definitions Of The Provisions Of **Clearzoning®**, The City's Codified Planning And Zoning Code To Expand The Intent Of The Section; Amend, Supplement And Add Additional Definitions; Provide For And Add A Measurement Section; And Rename The Article Definitions And Measurements.
    - 3. An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing Article 3.0 Zoning Districts Of The Provisions Of **Clearzoning®**, The City's Codified Planning And Zoning Code To Reform And Re-Establish The Zoning Districts, Eliminate The Permitted Uses, Conditional Uses, Permitted With Condition Uses, And Exclusions From Every Zoning District And Placing All Use Restriction And Permissions

Into A Single Permitted Use Chart At The Beginning Of The Article; Reformatting And Amended The Development Standards For All Zoning Districts, Creating Separate Regulations Based Upon Use Type Such As Single Family, Duplex, Townhouses, Multi-Family Dwellings, Civic Uses, And Commercial Uses, And Creating A Supplemental Regulations Section Within The Applicable Zoning Districts.

4. An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing Article 4.0 Use Standards Of The Provisions Of **Clearzoning®**, The City's Codified Planning And Zoning Code To Adjust The Regulations For Various Uses Listed Within The Article Including Bars, Religious Uses, Civic Uses, Convenience Stores, Home Occupation, Mobile Vending, Wireless Communications, Emergency Shelters, Vehicle Repair, Animal Care Establishments, Wind Farms, Self-Storage Facilities, And General Requirements, And To Eliminate "Uses Not Expressly Permitted Or Conditional".
5. An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing Article 4.0 Use Standards To Create And Establish Additional Sections, Namely Section 4.38 And Section 4.39 Car Washes And Towing, Respectively, And To Provide For Certain Requirements For Both Uses.
6. An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing Article 5.0 Site Standards And More Particularly Section 5.2 Architectural Requirements To Modify And Adjust Certain Architectural Requirements, Lot Standards, Accessory Building And Structure Regulations, And Encroachments.
7. An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing Article 7.0 Subdivision Regulations And More Particularly Section 7.5 Design And Planning Standards To Adjust Various Lot, Access, And Off-Street Parking Requirements And To Clarify Certain Existing Provisions.
8. An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing Article 4.0 Use Standards And More Particularly, Section 4.25 Multi Family Residences; Townhouses And Duplexes Of The Provisions Of **Clearzoning®**, The City's Codified Planning And Zoning Code To Eliminate The Additional Regulations Pertaining To Multi Family Residences; Townhouses And Duplexes And To Provide For, Define And Regulate Accessory Dwelling Unit.
9. An Ordinance Of The Council Of The City Of Fairmont Providing Authority For And Empowering The City Of Fairmont

To Reestablish An Association With The Marion Regional Development Corporation; Approving The Terms And Conditions Of That Certain Agreement Dated July 27, 2021, By And Between The City Of Fairmont And Said Marion Regional Development Corporation; And Providing The City Manager With The Authority To Execute And Deliver Said Agreement On Behalf Of The City Of Fairmont.

## B. ANNOUNCEMENTS

### VI. CITIZENS PETITIONS

### VII. CITY MANAGER'S REPORT

### VIII. CONSIDERATION OF COUNCIL BUSINESS

1. Adoption, An Ordinance To Approve And Adopt Current Replacement Pages To The Fairmont City Code.
2. Adoption, An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing Article 2.0 Definitions Of The Provisions Of **Clearzoning®**, The City's Codified Planning And Zoning Code To Expand The Intent Of The Section; Amend, Supplement And Add Additional Definitions; Provide For And Add A Measurement Section; And Rename The Article Definitions And Measurements.
3. Adoption, An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing Article 3.0 Zoning Districts Of The Provisions Of **Clearzoning®**, The City's Codified Planning And Zoning Code To Reform And Re-Establish The Zoning Districts, Eliminate The Permitted Uses, Conditional Uses, Permitted With Condition Uses, And Exclusions From Every Zoning District And Placing All Use Restriction And Permissions Into A Single Permitted Use Chart At The Beginning Of The Article; Reformatting And Amended The Development Standards For All Zoning Districts, Creating Separate Regulations Based Upon Use Type Such As Single Family, Duplex, Townhouses, Multi-Family Dwellings, Civic Uses, And Commercial Uses, And Creating A Supplemental Regulations Section Within The Applicable Zoning Districts.
4. Adoption, An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing Article 4.0 Use Standards Of The Provisions Of **Clearzoning®**, The City's Codified Planning And Zoning Code To Adjust The Regulations For Various Uses Listed Within The Article Including Bars, Religious Uses, Civic Uses, Convenience Stores, Home Occupation, Mobile Vending, Wireless Communications, Emergency Shelters, Vehicle Repair, Animal Care

Establishments, Wind Farms, Self-Storage Facilities, And General Requirements, And To Eliminate “Uses Not Expressly Permitted Or Conditional”.

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6. Adoption, An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing Article 5.0 Site Standards And More Particularly Section 5.2 Architectural Requirements To Modify And Adjust Certain Architectural Requirements, Lot Standards, Accessory Building And Structure Regulations, And Encroachments.
7. Adoption, An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing Article 7.0 Subdivision Regulations And More Particularly Section 7.5 Design And Planning Standards To Adjust Various Lot, Access, And Off-Street Parking Requirements And To Clarify Certain Existing Provisions.
8. Adoption, An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing Article 4.0 Use Standards And More Particularly, Section 4.25 Multi Family Residences; Townhouses And Duplexes Of The Provisions Of **Clearzoning®**, The City’s Codified Planning And Zoning Code To Eliminate The Additional Regulations Pertaining To Multi Family Residences; Townhouses And Duplexes And To Provide For, Define And Regulate Accessory Dwelling Unit.
9. Adoption, An Ordinance Of The Council Of The City Of Fairmont Providing Authority For And Empowering The City Of Fairmont To Reestablish An Association With The Marion Regional Development Corporation; Approving The Terms And Conditions Of That Certain Agreement Dated July 27, 2021, By And Between The City Of Fairmont And Said Marion Regional Development Corporation; And Providing The City Manager With The Authority To Execute And Deliver Said Agreement On Behalf Of The City Of Fairmont.

## IX. ADJOURNMENT