



## Request for Council Action

**TO:** Mayor and City Council  
**FROM:** Tim Murray, City Administrator  
**MEETING DATE:** October 27, 2020  
**SUBJECT:** Ordinance 2020-15 Amending the Unified Development Ordinance, Section 7-30 and Table 11-1, Development Standards Regarding Pawn Shops – Second Reading

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### **Background:**

A request for a separation requirement between pawn shops was reviewed on several occasions by the City Council. On September 22, 2020, the Council approved an ordinance amending the licensing section (Chapter 14, Article X) of the City Code of Ordinances on first reading. However, following further discussion at the October 6, 2020 Joint Committee meeting, staff was directed to revise the ordinance to impose the separation requirement in the zoning regulations section (Appendix B, Unified Development Regulations) of the City Code.

The Council approved Ordinance 2020-15 on First Reading at the October 13, 2020 meeting, which establishes a minimum separation distance of 3,000 feet between pawnbrokers/pawn shops, contained with Appendix B of the City Code. No changes to the proposed revisions to the ordinance have been made from first reading. If approved on second reading, a separate motion and vote is required to approve summary publication.

### **Recommendation:**

Approve Ordinance 2020-15 on Second Reading  
 Approve Summary Publication of Ordinance 2020-15 (5/7 vote)

### **Attachments:**

- Ordinance 2020-15
- Summary Publication of Ordinance 2020-15

**CITY OF FARIBAULT  
ORDINANCE No. 2020-15**

**AMENDING THE UNIFIED DEVELOPMENT ORDINANCE,  
SECTION 7-30 AND TABLE 11-1, DEVELOPMENT STANDARDS  
REGARDING PAWN SHOPS**

**WHEREAS**, Frank Marzario, Owner of Pawn Minnesota has applied to amend the City's Unified Development Ordinance to establish development standards for Pawn Shop businesses that requires a minimum separation between such business uses in the City; and

**WHEREAS**, the Planning Commission, on the 3rd day of August, 2020 following proper notice, held a public hearing regarding said zoning text amendment proposal; and

**WHEREAS**, following said public hearing, the Planning Commission found that the request was a policy decision for the Council to consider; and

**WHEREAS**, the City Council hereby finds the proposed ordinance amendments are appropriate with the following findings as required by Section 2-180 of the City's Unified Development Ordinance:

**1. Criteria: Whether the amendment is consistent with the applicable policies of the City's Land Use Plan.**

*Finding: The proposed ordinance amendment is consistent with the policies of the City's Land Use Plan to reduce the opportunity for criminal activity.*

**2. Criteria: Whether the amendment is in the public interest and is not solely for the benefit of a single property owner.**

*Finding: The amendment will benefit the community as a whole. It will be effective citywide.*

**3. Criteria: Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of a particular property.**

*Finding: This finding is not applicable as this proposal will amend zoning regulations for certain business uses and will not alter the zoning classification of specific properties.*

**4. Criteria: Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of a particular property.**

*Finding: The zoning classification of specific property would not be changed, nor would the allowed uses be expanded in any zoning districts. The proposed Ordinance amendment establishes a minimum separation between Pawn Shop businesses in the city.*

**5. Criteria: Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of a particular property.**

*Finding: This zoning text amendment will not be applicable to one particular property within the city. It will be applicable citywide.*

**NOW, THEREFORE, THE CITY OF FARIBAULT ORDAINS:** The City Code of Ordinances shall be amended as follows:

**Section 1:** Section 7-30 related to Development Standards and Table 11-1 related to Principal Uses in Commercial Districts of the Unified Development Ordinance are hereby amended to [add the double-underlined text](#) as follows:

**Sec. 7-30 Development Standards.**

[Pawn Shops / Pawnbrokers](#)

- (1) [Pawn Shops / Pawnbrokers shall be licensed to operate in the City in accordance with requirements of Chapter 14, of the City of Faribault Code of Ordinances.](#)
- (2) [A minimum separation distance of three thousand \(3,000\) feet shall be provided between Pawn Shop locations in and near the City limits.](#)

Table 11-1. Principal uses in the commercial districts.

Use	District					Development Standards
	C-1	C-2	C-3	CBD	SH	
<b>Commercial uses</b>						
<b>Retail sales and services</b>						
Pawn shop	-	P	P	P	C	<u>X</u>

**Section 2.** This ordinance amendment shall take effect and be in force after its passage and publication in accordance with Section 3.05 of the City Charter.

First Reading: October 13, 2020

Second Reading: October 27, 2020

Publication Date: October 31, 2020

**Faribault City Council**

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**Kevin F. Voracek, Mayor**

**ATTEST:**

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**Timothy C. Murray, City Administrator**

**Summary Publication**

**City of Faribault  
ORDINANCE 2020-15**

**AMENDING THE UNIFIED DEVELOPMENT ORDINANCE, SECTION 7-30 AND  
TABLE 11-1, DEVELOPMENT STANDARDS REGARDING PAWN SHOPS  
OF THE FARIBAULT CITY CODE**

On October 27, 2020, the Faribault City Council adopted Ordinance 2020-15. This ordinance amends Section 7-30 and Table 11-1 of Appendix B of the Faribault City Code, establishing a minimum separation distance of 3,000 feet between pawnbrokers/pawn shops. A full printed copy of the ordinance is available for inspection during regular business hours at Faribault City Hall.

First Reading:	October 13, 2020
Second Reading:	October 27, 2020
Publication Date:	October 31, 2020