

CITY OF JORDAN ORDINANCE NO. \_\_\_\_ \_\_\_\_ SERIES  
AN ORDINANCE AMENDING THE JORDAN ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JORDAN THAT SECTION 11.40, HIGHWAY COMMERCIAL DISTRICT (C-3), OF THE ZONING ORDINANCE IS HEREBY REPEALED AND REPLACED WITH THE FOLLOWING:

**SEC. 11.40. JORDAN'S HIGHWAY COMMERCIAL DISTRICT (C-3) ZONING REQUIREMENTS**

***Subd. 1. Purpose. This district is established to recognize the need for commercial establishments, preferably in clusters, in close proximity to major thoroughfares. The purpose of the district is to provide appropriate locations for a broad range of commercial activities which are primarily oriented to highway uses rather than the central business district and which are designed to serve local and regional customers, vehicular and non-vehicular traffic. With a highly visible viewshed, these areas should be designed to enhance the aesthetics, control traffic movement and include sufficient landscaping to minimize the impact typically associated with highway commercial development***

***Subd. 2. Permitted Uses.*** No structure or land shall be used except for the following uses as such are defined and in accordance with the required lot provisions and design and performance standards.

A. Retail or service businesses supplying commodities or performing a service, as follows:

1. Apparel or clothing store.
2. ***Barber or beauty shop, personal care salons and spas.***
3. ***Business and trade schools***
4. ***Churches***
5. ***Day Care Facilities***
6. ***Financial Institutions.***
7. Funeral home.
8. Furniture dealer.
9. ***Massage therapist, licensed***
10. ***Medical or dental clinics and hospitals.***
11. Motel ***and hotels.***
12. Office or professional building.
13. On-sale liquor establishment.
14. Off-sale liquor establishment.
15. ***Personal Services***
16. ***Public Uses related to recreation (e.g. parks) or utilities***
17. Private club.
18. Restaurants--Class I, II and III.
19. ***Retail Stores and Shopping Centers***
20. ***Theaters.***
21. Video store.

Subd. 3. Conditional Uses. No structure or land shall be used except by conditional use permit for any of the following uses as such are defined and in accordance with the required lot provisions, design and performance standards, and conditions set by the Council.

- A. Amusement park.
- B. **Automotive sales including passenger cars, trucks and commercial vehicle sales, provided *the required display area setback shall be curbed and landscaped to prevent vehicle encroachment into the front yard and side yard setback areas.***
- C. Automotive gas and/or service center ***or station, provided:***
  - 1. ***Motor fuel facilities are installed in accordance with state standards. Adequate space shall be provided to access gas pumps and allow maneuverability around the pumps. Underground fuel storage tanks are to be positioned to allow adequate access by motor fuel transports and unloading operations minimize conflict with circulation, access and other activities on the site.***
  - 2. ***Wherever fuel pumps are to be installed, pump islands shall be installed.***
  - 3. ***A protective canopy located over the pump island(s) may be an accessory structure on the property however adequate visibility both on and off site shall be maintained.***
  - 4. ***An internal site pedestrian circulation system shall be defined and appropriate provisions made to protect such areas from encroachments by parked cars or moving vehicles.***
  - 5. ***No outside sale or display shall be permitted except gasoline and other goods consumed in the normal operation of a car as well as convenience items typically available at a gas/convenience store such as the following products: oil, gasoline and oil additives, windshield cleaner, windshield wipers, tires and batteries. Small propane tanks, intended for use with gas grills, fire wood, ice machines, bagged mulch and water softener salt, are also permitted, provided they are not located in required setback area, and they meet applicable building and fire codes. No products shall be sold or displayed in any required yard nor shall the total display area occupy more than 150 square feet in area or be more than 5 feet in height. No other vehicular parts and non-automobile oriented good shall be displayed or sold outside.***
- D. **Boat and trailer retail sales and rental, ATVs and motorcycle sales, provided:**
  - 1. ***Sales Area. A principal structure of 800 square feet in size or greater must be included on all sales and rental lots which contain outdoor displays as an accessory use.***
  - 2. ***Front Yard/Display Area. Outdoor motor vehicle sales/leasing/rental display area may be permitted within the required front yard provided the following criteria are met:***
    - a. ***The outdoor sales/leasing/rental area shall not be less than twenty (20) feet from the front lot line.***
    - b. ***The required display area setback shall be curbed and landscaped to prevent vehicle encroachment into the front yard and side yard setback areas.***
  - 3. ***Outdoor sales display area is not used for seasonal storage of vehicles, boats and/or trailers.***
- E. **Building Material Sales, with no outdoor storage or display.**
- F. Farm implement dealer.

G. **Greenhouses**, Garden and landscape sales and services, including produce sales.

H. Kennel, provided:

1. ***The use shall not be located within 500 feet of any RR, R-1, R-2, R-3, R-4 or R-5 district.***
2. ***Any outdoor exercise area shall be screened from view from abutting property with a landscaping buffer strip having a minimum width of eight feet and consisting of coniferous and deciduous trees.***
3. ***State Licensing: The Conditional use permit be issued contingent upon receipt of the initial inspection report and approval of licensing from the MN Board of Animal Health.***
4. ***City Licensing: The conditional use permit be issued contingent upon the Applicant's application to and receipt of a City of Jordan Kennel License.***
5. ***Noise Control: If noise levels exceed acceptable city levels or the City receives validated complaints relating to noise at the facility, the Applicant, at the City's written direction shall install fencing or other city approved screening on the site.***
6. ***Odors: Odor control shall consist of a ventilation system designed so that no odors or organisms will spread between ward or to the outside air. Odor control shall meet the MN Department of Animal Health licensing requirements.***
7. ***Outside runs: No outside pens or outside runs shall be permitted, without prior approval by the City Council and MN Department of Animal Health. If/when approved in the future, any outdoor exercise area shall be screened from view from abutting property with a landscaping buffer strip having a minimum width of eight feet and consisting of coniferous and deciduous trees; as required by the Zoning Ordinance.***
8. ***Number of Animals: There maximum number of domestic animals, or the capacity of animals to be boarded or kenneled at one time, shall be determined by the MN Department of Animal Health, and approved by the City Council. The Council may restrict the number to less than the capacity, depending on the site and potential impact on neighboring properties.***
9. ***Waste materials: All indoor waste materials shall be cleaned and removed on a daily basis. The issuance of the conditional use permit shall be conditioned upon receipt of a written agreement either through another vet clinic or kennel or directly with a cremation service for the pick up of disposed animals. If it is contracted direct, that a cabinet freezer be on-site for the period between pick-ups.***
10. ***Leash requirements: All animals shall remain on a leash when outdoors.***
11. ***Dangerous Dogs: Dangerous dogs or potentially dangerous dogs, as defined by MS 347.50, shall be allowed to be kenneled or cared for on the premises for a maximum ten days, if they are required to be isolated for a biting incident, per state statutes.***
12. ***Building Codes: The applicant shall meet all required building codes prior to the filing of the conditional use permit with the Scott County Recorder's office.***
13. ***Safety Issues: if issues with security arise, the owner would upon notification of the city, install a fence around the perimeter of the operation.***

- 14. Other requirements: The animal holding kennel shall comply with other applicable sections of the City Code, including but not limited to Chapter 6, Section 6.36 Kennels and Chapter 10, Sections 10.10 to 10.13.**
- I. Lumber yard or construction material sales Manufacturing and processing.**
  - J. Multiple principal buildings on one lot, as a part of an approved Planned Unit Development.**
  - K. Outdoor Seating Areas for On-sale liquor establishments and restaurants, Class 1, II and III subject to the following:**
    - 1. Meets the standards of a Conditional Use Permit (CUP) set forth in the City Code.**
    - 2. The seating area shall be located on private property, shall be subject to the same setbacks as the principal building and outside of any recorded easement areas and demonstrated on a site plan.**
    - 3. The seating area shall also be considered as part of the impervious calculation for the site.**
    - 4. The seating shall consist of good quality patio or café type furniture that enhances the appearance of the business.**
    - 5. No beverages or food shall be served to persons outside of the designated outdoor seating area.**
    - 6. The seating area shall have a permanent surface of concrete, asphalt, wood or other fabricated construction material.**
    - 7. The seating shall be located so as not to compromise safety. Seating shall not obstruct the entrance or any required exits or be located on landscaping or parking areas. If seating is located on private sidewalks or walkways, it shall be located so as to leave a minimum of a four foot (4') wide passageway for pedestrians and must meet applicable building and fire codes.**
    - 8. No additional parking is required for sixteen (16) outdoor seats or less. Any additional seating over sixteen (16) seats shall require one (1) parking space per each three (3) additional seats over 16 seats.**
    - 9. The outdoor seating area shall be accessory to the principal use and shall not exceed thirty percent (30%) of the square footage of the principal use building space.**
    - 10. Exterior sound producing equipment shall not be allowed.**
    - 11. Lighting shall be permitted to the extent that it only illuminates the designated area. Lighting shall be directed perpendicular to the ground or directly on a building so that no direct rays are visible from off the property.**
    - 12. The business owner or designated person shall regularly inspect the premises, all adjacent streets, sidewalks alleys, parking areas and sidewalks within seventy-five (75) feet and remove all litter. Appropriate receptacles for rubbish, garbage, cigarette paraphernalia, etc. must be provided in close proximity to the outdoor seating area.**
    - 13. Additional conditions may be imposed by the City and listed on the approved conditional use permit including but not limited to hours of outdoor seating area**

*use, elevation of outdoor seating platform, and additional screening or buffering to residential zoned or used areas.*

**14. The permit shall be reviewed at least annually for compliance.**

**For establishments with Liquor Licenses the following regulations apply in addition to those (#1 to #14) listed above:**

- 1. The seating shall be located in a compact and contiguous location to the principal structure. No alcoholic beverages shall be served or consumed in an outdoor seating area unless the liquor license approved by the City specifies the compact and contiguous location.**
- 2. The outdoor seating area shall be defined with the use of landscaping and permanent attractive fencing with at least 50% capacity that contains the tables and chairs for the use as demonstrated on a site plan. It shall also prevent the passage of any person or substance from the area.**
- 3. No alcoholic beverages shall be served to persons outside of the designated outdoor seating area or those not seated at tables. Signage shall be posted that prohibits consumption of alcohol outside of the designated outdoor seating area as approved by the Conditional Use Permit.**
- 4. Bars are prohibited in outdoor seating areas (with exception of a service bar for the exclusive use of the establishment's employees).**
- 5. Patrons shall only access the outdoor seating area through the main building entrance.**
- 6. No other ingress or egress to the outdoor area shall be allowed other than required emergency exits.**

**L. Public and private colleges/universities and technical schools licensed by the State of Minnesota, subject to the following conditions:**

- 1. Shall be located adjacent to an arterial or collector street as identified in the comprehensive plan, or otherwise located so that access can be provided without conducting significant traffic on local residential streets.**
- 2. Shall have all buildings set back fifty (50) feet from all property lines.**
- 3. Shall meet off-street parking requirements of the City Ordinance.**
- 4. Shall have drop-off and pick-up areas located outside of the public right-of-way, and designed to enhance vehicular and pedestrian safety.**
- 5. Shall have recreational areas designed for group sports activities set back twenty five (25) feet from residential property, with adequate screening to protect neighboring properties from noise and adverse visual impacts.**
- 6. Shall comply with applicable City Code design and performance standards.**
- 7. Shall not have any lighted playing fields unless the visual impact on residential areas can be substantially mitigated.**

**M. Recreational facility, commercial, including miniature golf facilities, provided:**

- 1. The site shall contain at least 4 acres.**

2. All access must be from a collector, minor arterial, or a frontage road.
3. At least 15% of the site shall be landscaped.
4. Outdoor lighting shall be on decorative poles and shall be not higher than 30 feet. All rays shall be directed perpendicular to the ground ~~unless globe lighting is utilized.~~
5. Decorative fencing shall be utilized to contain the area and said fencing shall not be higher than five feet.

**N. Transit Station or Park-and-Ride, provided:**

1. ***The proposed development does not have any detrimental effect upon the general health welfare safety and convenience of persons residing or working in the neighborhood and is not detrimental or injurious to the Neighborhood.***
2. ***The proposed development promotes a desirable relationship of structures to one another open spaces and topography both on the site and in surrounding neighborhoods. The height, area, setbacks and overall mass as well as parts of any structure buildings walls, signs, lighting and landscaping are appropriate to the development the neighborhood and the community.***
3. ***The proposed development considers and fully addresses traffic impacts, ingress, egress, internal traffic circulation, off street parking facilities, loading and service areas. Pedestrian ways are so designated as to promote safety and convenience.***
4. ***All other requirement for conditional use permits are met.***

**O. Veterinarian clinic or *animal* hospital, provided:**

1. The use shall be located in a separate building unless a complete party wall is utilized with a totally separate heating, ventilation and air conditioning system and where abutting uses are not a restaurant or food use.
2. Outdoor lighting shall be on decorative poles and shall be not higher than 30 feet. All rays shall be directed perpendicular to the ground ~~unless globe lighting is utilized.~~
3. Applicable conditions listed under "Kennels", Subd 3 E. of this section be met.

**Subd. 4. Interim Uses**

**A. Temporary Structure to operate as business. Subject to the following:**

1. The temporary structure meets building codes and obtains the required building permits.
2. The temporary structure meets the current zoning requirements.
3. Customers are separated from the construction of the permanent facility.
4. The temporary structure provides for water and sewer.
5. A Letter of Credit is provided for the removal of temporary improvements.
6. The site accommodates the storm water drainage.
7. The parking lot is an impervious surface.

(Adopted by the City Council of the City of Jordan June 20, 2005.)

**B. *Temporary Outdoor Seasonal Sales Stands, shall be allowed without a public hearing, provided an administrative permit, which meets the following criteria is obtained:***

1. ***All temporary/seasonal outdoor sales shall be allowed only through the issuance of an administrative permit.***

2. **Duration: Administrative permits for temporary/seasonal outdoor sales shall be for a period not to exceed ninety (90) days.**
3. **Performance Standards:**
  - a. **Off-street parking and loading shall be provided as required by the Off-Street Parking Requirements of this Ordinance.**
  - b. **The use of a public address system shall not be allowed.**
  - c. **The site upon which the temporary/seasonal outdoor sale is to be conducted shall be kept in a neat and orderly fashion, free from litter, refuse, debris, junk, or other waste which results in offensive odors or unsightly conditions.**
  - d. **Display of items shall be arranged in as compact a manner as reasonably practicable with particular reference to vehicle and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other catastrophe.**
  - e. **No uses or displays shall be permitted in required parking areas, required green areas, parking setback areas, or any right-of-way or other public property.**
  - f. **Tents, stands, and other similar temporary structures may be utilized subject to the following requirements:**
    - i. **A site plan be submitted which clearly identifies the location of the temporary structure.**
    - ii. **The Zoning Administrator determine that the size and location such structure shall not impair the parking capacity, emergency access, or the safe and efficient movement of pedestrian and vehicular traffic on or off the site.**
    - iii. **If the temporary structure is greater than one hundred twenty (120) square feet in size and/or includes electrical service, the City Administrator may defer matter to the City Building Official for review and approval.**
4. **Signage shall be limited to one (1) sign not to exceed thirty-two (32) square feet. The sign may be a banner, shall have a professional appearance, and shall be mounted or erected in an appropriate location. This limitation applies to all signs associated with the sale, including those affixed to vehicles. The sign may be illuminated but shall comply with all requirements of the Sign Ordinance.**
5. **All lighting shall comply with the lighting standards of this Ordinance.**
6. **The sale and associated parking shall not obstruct parking spaces needed by any permanent business established on the site except when a sale is held when the business is closed.**
7. **No portion of the use or event shall take place within one hundred (100) feet of any residential buildings.**

**Subd. 5. Accessory Uses.** The following uses are permitted accessory uses as such uses are defined and in accordance with the required lot provisions and design standards. However, any incidental repair or processing necessary to conduct a permitted principal use shall not occupy more than 30 percent of the floor area.

- A. **Off-street parking and loading.**
- B. **Signs.**
- C. **Electronic amusement devices (machines) where the principal use is a Class I, Class II or Class III restaurant, ~~or a~~ dry goods, drug, variety, hobby, or toy store, **grocery store, gas station, bar, or laundromat.** Up to four such devices are permitted. However if the area of the principal use is at least 15,000 square feet, up to 30 such devices are permitted.**
- D. **Temporary outdoor storage or display of goods used in conjunction with and on the same site as the permitted use provided that the goods are not outdoors overnight; the storage or display area does**

not exceed 200 square feet; and the storage or display is not within the required front yard, or when a side yard abuts a street in the side yard, setback area.

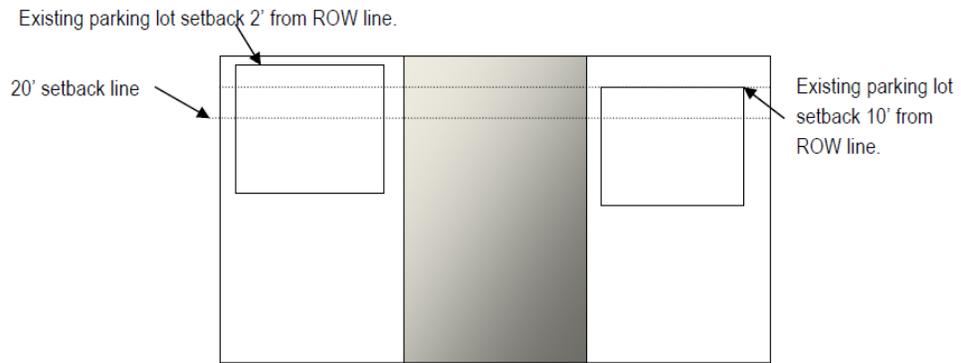
**E. Lots of Record**

- (i) For purposes of this section only, the term “small lots” shall mean those lots of record platted before August 2010 which are expected to be zoned highway commercial under the City’s 2008 Comprehensive Guide Plan and are less than 20,000 square feet in area and less than 150 feet wide.
- (ii) Small lots shall be considered conforming lots under this Chapter and may not be subdivided.
- (iii) Existing principal and accessory buildings located on a small lot shall be considered conforming buildings or structures. Any maintenance or expansion of principal buildings located on small lots must be reviewed through the site plan process in order to obtain a building permit. No expansion to a principal building on a small lot will be permitted if the expansion (1) reduces the current front yard setback, or (2) is proposed to be located within 15 feet of a structure located upon an adjacent lot. New accessory buildings on small lots must comply with the setbacks of this Chapter. Accessory buildings existing at the time of adoption of this revised Chapter may not be expanded.
- (iv) The City Council may provide for other exemptions from this Chapter which are necessary to accommodate the commercial use of small lots and existing buildings thereon. The Council shall make written findings supporting its determination.

Subd. 6. Lot Requirements.

A. Minimum Lot Size, Yards and Setbacks.

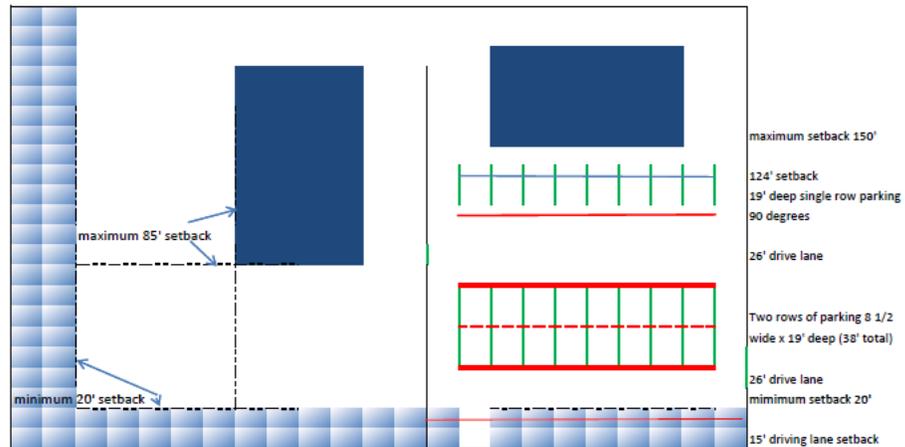
- 1. Lot Area: **20,000 square feet**
- 2. Lot Width: **150 feet**
- 3. Front Yard: ***In the front yard, a build-to line is established which provides a minimum and maximum setback for principal buildings as follows:***
  - a. ***Corner lots: minimum 20 feet and maximum 85 feet from property lines. The setbacks apply to both frontages.***
  - b. ***Interior lots: minimum 20 feet and maximum 150 feet from front property line.***
  - c. ***The build-to-line setbacks for corner and interior lots may be varied for commercial planned unit developments or mixed use planned unit developments provided development sites are designed around the perimeter of the planned unit development for uses that will conform to the build-to-line setbacks. The overall development plan shall conform to this subdivision and planned unit development requirements in Section 11.45.***
  - d. ***On interior lots, the minimum front yard setback to parking or driving lanes shall conform to the off-street parking regulations for the highway commercial district. Where the average depth of front yard parking lots and/or drive lanes adjacent to the lot in question is less than the required minimum front setback depth, the required front yard setback shall not be less than the average depth of such existing front yards; however, the depth of a front yard shall not be less than 10 feet.***



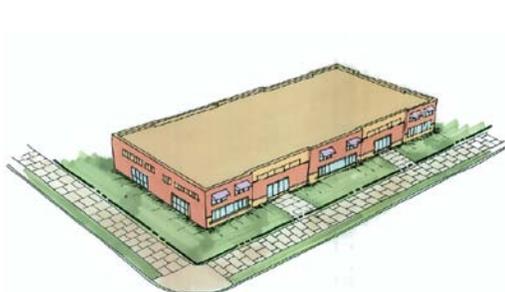
Lot in Question: center lot which is an existing lot of record.

Parking may be setback average of adjacent lots ( $2' + 10' = 12'/2$  or  $6'$ ), or a minimum 10'. In this case, the parking lot would need to be a setback a minimum of 10'. This is outside of most utility easements.

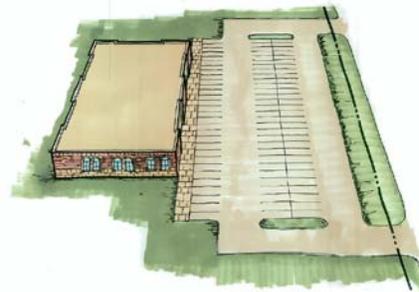
- e. ***If a public sidewalk or trail is located in the abutting public right-of-way or easement, a pedestrian walkway shall be provided and designed through the parking lot to the main entrance of the building. There is no maximum parking setback.***



Maximum and Minimum Setback Illustration



***Minimum Setback 20 feet***



***Maximum Setback 150 feet***

- 4. Rear Yard Depth 20 feet
- 5. Side Yard:
  - a. Interior lot 15 feet or 1/2 the building height (whichever is greater)
  - b. Corner lot 20 feet
- B. Maximum Height. No structure or building shall exceed **three stories or 35** feet in height, whichever is less, except the following which may not exceed 53 feet in height: church spires, belfries and cupolas that do not contain usable space; monuments; flag poles; chimneys; cooling towers; elevator penthouses; and radio, television and other communication towers. **Structures higher than 35 feet may be approved with a conditional use permit.**
- C. Bulk. The floor-area ratio and the ground floor area ratio shall not exceed 0.7.
- D. Impervious Surface Coverage: 50%

Subd. 7. Design and Performance Standards. The design and performance standards are established to encourage a high standard of development by providing assurance that land uses will be compatible. The performance standards are designed to prevent and eliminate those conditions which depreciate property values that cause blight or are detrimental to the environment. Before any building permit is approved, the Zoning Administrator shall determine whether the proposed use will conform to the design and performance standards. The applicant or owner shall supply data necessary to demonstrate such conformance.

- A. Service Streets. To the extent possible, a service street shall be located between the arterial street and the business establishment. The service street shall provide access to the arterial street subject to service-street standards required by the City. Service street traffic shall not be routed on, or directed to, local residential streets. Service streets shall meet the following standards:

**1. Service streets or frontage roads shall be designed in accordance with Design Standards outlined in Section 12.15, Subd. 2 of the Subdivision Ordinance.**

**2.** Access from service streets to principal arterials shall be no more frequent than one for each 500 feet of principal arterial frontage.

**3.** Service streets shall be dedicated to the City.

- B. Business Inside. All business, service, storage, merchandise, display and repair and processing, where permitted, shall be conducted wholly within an enclosed structure except for off-street vehicular parking and off-street loading or **where approved by conditional use permit.**

- C. Storage. Open storage in conjunction with a permitted business shall be prohibited.

- D. Sale of Goods. Goods produced on the premises shall be sold only on the premises and the processes and equipment employed in production shall not produce any offensive odor, dust, smoke, ash, gas, noise, vibration or refuse.

- E. Site Layout. **A sketch plan showing the proposed lot(s), proposed streets, sidewalks and trails and their connectivity to existing and proposed pedestrian systems, the use, density, and relationship to the surrounding land, generalized natural features including topography, significant trees and woods, water bodies and wetlands, shall be provided.** The site layout must be compatible with and not detrimental to other surrounding property in the general area and make adequate provision for:

**1.** The needs of pedestrians, automobiles and bicycles, including proper circulation and parking, **and connections of trails and sidewalks to the Municipal Sidewalk and Trail System or planned system;**

**2.** Use of the existing topography and site vegetation in the location and orientation of structures and other facilities;

3. Traffic conditions;
4. Transitional features and decorative walls or live hedges for separation and screening purposes;
5. Views to and from the site;
6. Storage of trash in the principal building or in an accessory building of architecture and materials identical to the principal building;
7. Planted parking islands to control parking and traffic circulation where appropriate and landscape breaks in areas intended for the parking of approximately 20 cars in a row;
8. Proper drainage of a site;
9. Location of curb cuts so that no cuts exist closer to an intersection than 30 feet from the point of intersection of the setback lines adjacent to intersecting streets; and
10. Relating the use of the site to existing and proposed uses of other abutting properties.

F. Landscaping.

1. At least **10** percent of the site shall have diversified landscaping in addition to the landscaping required in setback areas, ***or around the perimeter of the property or along street frontages.***
2. All landscaped areas are to be developed with live deciduous and coniferous plants, trees and shrubs which provide a variety of color, textures, heights, and forms consistent with the needs of the site, ***size of structure***, and other elements of the plan.
3. All trees are to be at least 2-1/2 inches in diameter one foot off the ground at the time of planting. The landscaped areas may contain some stone, wood, patio blocks, sculpture, and other appropriate ornamental features. ***Existing "significant trees" as defined in Section 12.02 of the Subdivision Ordinance shall be preserved.***
4. ***All landscaped areas shall be kept free of weeds and debris and shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing and trimming.***
5. ***Maintenance of any landscaping between the curb of any street abutting the parcel and the property line shall be the responsibility of the owner of that parcel, unless a recognized association or district has assumed responsibility for maintenance.***
6. ***Design flexibility. Alternatives to the requirements listed above may be approved by the City Council, upon recommendation of the Planning Commission for existing lots of record prior to August 2010, where due to lot size and/or configuration it is determined it is not feasible to landscape 10% of the lot area and reasonably accommodate a facility and off-street parking.***

G. Parking area landscape and screening requirements.

1. ***The purpose of parking lot landscaping is as follows:***
  - a. ***to provide shade throughout a parking area to reduce the amount of heat absorbed by the pavement,***
  - b. ***to screen cars from surrounding streets and properties,***
  - c. ***to avoid the negative aesthetic impacts of large expanses of parking areas,***

- d. *to orient planters and other landscape features to direct pedestrians to building entrances,*
- e. *to encourage creative design of parking areas.*

2. **Minimum landscape requirements.** *Trees or planter boxes shall be located in the parking areas with 20 or more parking spaces, to meet the minimum landscape requirements outlined in Subdivision 6 F of this Section.*



3. **Boundary trees.** *Required boundary trees which shade parking areas may count towards the fulfillment of parking lot trees. Trees in the public right-of way are not included in this calculation.*

4. **Approved parking lot landscape planter designs.**

- a. *Planters shall have minimum internal area of 25 square feet, excluding a curb or border area; curb widths shall be consistent with the city's standards.*
- b. *All landscape planters with trees shall have a minimum internal dimension of 4½ feet.*
- c. *Parking area infield planters or tree wells shall be placed at the intersection of parking stalls and be designed to reduce damage to trees from vehicles overhanging the planter. Single trees within these planters shall be installed at the center of the parking stall intersections.*
- d. *Row end planters shall not exceed the length of a standard parking stall or two parking stalls depending on row width.*
- e. *Including curb or border, vehicles shall not overhang planters or tree wells by more than two feet.*

5. **Design flexibility.** *Alternatives to the requirements listed above may be approved by the City Council, upon recommendation of the Planning Commission when the applicant demonstrates that the minimum landscape requirements of this Chapter are being met.*

6. **Screening.** *Open parking areas shall be screened from view from adjacent properties and streets using fencing, walls, berms and/or evergreen landscaping. This screening shall have an eventual height of 3½ feet.*



7. **Pedestrian access.** *Parking lot landscaping shall be located so as to discourage pedestrians from having to cross any landscaped areas to reach building entrances from parked cars. This can be achieved through proper orientation of the landscape planters.*

H. **No more Than One Building.** *There shall be no more than one principal building on one lot except as provided **through an approved Planned Unit Development.***

I. **Outdoor Lighting.** *All outdoor lighting which is not globe lighting shall be directed perpendicular to the ground or directly on a building so that no direct rays are visible from off the property.*

J. **Utilities.** *Shall be placed underground and meters shall be screened from view from the street.*

K. **Traffic Visibility.** *No wall, fence, structure, tree, shrub, vegetation or other obstruction shall be permitted in any yard or setback which poses a danger to traffic by obscuring the view from any street or roadway. Visibility from any street or roadway shall be unobstructed above the height of two feet to a height of five feet within the triangle described as beginning at the intersection of the*

projected curb lines of two intersecting streets, thence 30 feet along one curb, thence diagonally to a point 30 feet from the point of beginning of the other curb line, thence to the point of beginning.

- L. Required Yards and Setback Areas. Required yards and setback areas, except driveways and areas used as a garage or accessory building, shall be graded to final elevations and sodded or seeded and landscaped with trees and shrubs. Said grading and landscaping shall be completed within 180 days after first occupancy of the building. Any fence, wall or other similar work must be completed within 180 days after construction commences. All property developed and property for which construction has commenced or a building permit issued prior to December 31, 1991 shall conform to this requirement on or before June 30, 1992.
- M Required Parking. Development and modifications to all parcels and buildings are subject to the provisions on Off-street Parking and Loading Spaces.
- N. *Required Pedestrian and Non-motorized Vehicle Access. Pedestrian access shall be provided to the storefront from internal parking lots. A sidewalk or trail, to be determined by the City Council, shall be provided to connect internal walkways to the City's existing or planned Municipal Sidewalk and Trail system.***
- O. Signs. Development and modification to all parcels, street uses and buildings are subject to the sign provisions.
- P. Land and Water Preservation. Development and modifications to all parcels, structures and buildings are subject to the provision on Land and Water Preservation and Protection.
- Q. Architecture and Materials. Development and modification to all parcels, structures and buildings are subject to the provision on Architectural Control and Building materials, **found in Section 11.80.**

**Subd. 8. Variances from this Section may be recommended to the City Council by the Planning Commission for lots developed on before August, 2010, where regulations are not viable due to lot configuration, topography, etc.**



The conceptual development illustrated to the left, depicts the site design which is intended in the C-3 Zoning regulations. This includes the use of landscaping, buildings set closer to the road with internal parking, sidewalk and trail connections and a clustered commercial area.

**EFFECTIVE DATE.**

This Ordinance shall become effective three days following its publication in the official newspaper of the City.

ORDAINED by the City Council of the City of Jordan, Scott County, Minnesota this \_\_\_\_ day of \_\_\_\_\_ 2010.

\_\_\_\_\_  
 Pete Ewals  
 Mayor

ATTEST:

Moved by:  
 Seconded by:

\_\_\_\_\_  
 Ed Shukle  
 City Administrator

Published:  
 Codified in City Code: