

**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THE CITY COUNCIL OF THE CITY OF JORDAN THAT SECTION 11.41, INDUSTRIAL ZONING DISTRICT OF THE ZONING ORDINANCE IS HEREBY REPEALED AND REPLACED WITH THE FOLLOWING:

**SEC. 11.41. LIGHT INDUSTRIAL DISTRICT (I-1)**

Subd. 1. Purpose. This district is established to preserve areas in close proximity to major thoroughfares for a broad range of light industrial uses and guide its development in a way that maintains a positive visual image by buffering adjacent uses from the negative impacts typically associated with industrial development.

Subd. 2. Permitted Uses. Within any (I-1) Light Industrial District, no structure or land shall be used except for one or more of the following uses and as such uses are defined in accordance with the design and performance standards.

- A. Automotive repair and service.
- B. Manufacturing or assembly of a wide variety of products or other similar light industries
- C. Mini-storage facilities
- D. Office buildings
- E. Parcel delivery
- F. Professional construction trades such as electricians, plumbers, mechanical, HVAC; excluding contractor yards.
- G. Public parks and open space
- H. Public utilities and associated buildings
- I. Single and mixed use developments which comply with Planned Unit Development requirements
- J. Warehousing, and wholesaling conducted entirely within an enclosed building,

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. Adult uses, subject to City Ordinance Chapter 122.
- B. Bus Terminal
- C. Communication Transmission Tower and Power Lines
  - 1. All power transmission lines of 35,000 volts or less shall be placed underground. Lines carrying more than 35,000 volts shall be reviewed to determine the appropriate method of placement.
  - 2. Above ground lines and overhead towers shall have an easement with a minimum width of 100 feet.
  - 3. Lines in excess of 35,000 volts and relay towers shall not be located closer than 250 feet from an existing or proposed residential structure, church, school, or public assembly area.
  - 4. Transmission towers, if permitted, must be on single (monopole) decorative poles painted a neutral color to minimize visibility off-site to the greatest extent possible.
  - 5. The tower shall meet minimum setback requirements in the I-1 district. If the height of the tower is greater than the setback from the property line, the tower shall be designed and engineered to collapse within the distance between the tower and the property line, with supporting documentation provided by a licensed engineer.
  - 6. The tower shall not exceed 175 feet in total height (including the extension of any antenna).

7. Lights and/or flashing equipment shall not be permitted unless required by state or federal agencies;
  8. Towers shall be protected with a corrosive resistant finish.
  9. Signage shall not be allowed on the tower, other than danger or warning signs.
  10. The applicant shall submit proof, from a professional licensed engineer, that the proposed tower cannot be co-located on an existing tower within ½ mile radius due to:
    - i. Structural capacity of existing towers with the inability to reinforce, modify or replace the existing structure at a reasonable cost;
    - ii. Interference that may be caused by placing it on an existing tower;
    - iii. The height of existing towers are insufficient to function reasonably; or
    - iv. The applicant is unable to lease space on an existing or approved tower or building, following a good faith effort to do so.
  11. Proof, from a licensed engineer shall be provided that the planned tower will not interfere with existing communications for public safety purposes.
  12. The tower shall be constructed to accommodate antennas being placed at varying heights on the tower.
  13. Existing vegetation on the site shall be preserved to the maximum extent possible
  14. The tower shall be surrounded by the security fence six feet in height with a lockable gate.
  15. All applicable provisions of the City Code and State Building Code, herein adopted, shall be complied with.
  16. Equipment and buildings shall be screened from view by suitable landscaping, except where a design of non-vegetative screening better reflects and compliments the architectural character of the surrounding neighborhood.
  17. All obsolete or unused towers and accompanying accessory facilities shall be removed within twelve (12) months of the cessation of operations at the site unless a time extension is approved by the City. After the facilities are removed, the site shall be restored to its original or an improved state. The user of the tower and/or accompanying accessory facilities shall be responsible for the removal of facilities and the restoration of the site.
  18. The applicant shall submit a plan illustrating anticipated sites for future locations of communication towers and/or communication devices/apparatus.
  19. Wireless telecommunication towers and antennas will only be considered in city parks, within the I-1 District, if the park is of sufficient size and character, the tower location is not near playgrounds and the Park Advisory Commission has recommended approval to the Planning Commission and City Council.
- D. Business Trade School and/or Technical School
  - E. Daycare Facility
  - F. Garden Supply Store/Greenhouse
  - G. Vehicle repair and service
  - H. Wind Generators
  - I. Outdoor Storage provided the area be no greater than 10% of the size of the building footprint and outdoor storage regulations identified in Subd. 7 B. are met.
  - J. Research laboratories, investigation, testing or experimentation conducted entirely within an enclosed building
  - K. Public Sewage Disposal Plant, provided:
    1. The site must contain at least five acres.
    2. At least 15% of the site must be landscaped.
    3. The site shall not be located within 1,000 feet of any RR, R-1, R-2, R-3, R-4 or R-5 district unless a landscape buffer area measuring at least 50 feet wide is provided consisting of densely planted coniferous and deciduous trees in which case the site may be located within 500 feet of said districts.
  - L. Planned Unit Developments.

Subd. 4. Interim Uses. Within the I-1, Limited Industrial District, the following uses may be allowed provided the requirements of City Code Section 11.11 are followed:

A. Mining, provided:

1. A plan shall be submitted showing the route the trucks will use in traveling to and from the site.
2. Access to the property is subject to City approval and shall be located where it is likely to cause the least disruption to existing use of property in the area.
3. The persons responsible for mining and future land reclamation must remove debris, dust, dirt or sand from the street at appropriate intervals consistent with the City requirements.
4. A plan for reclamation showing finished grade and cover materials shall be submitted along with a staging plan so that no one area is left exposed for longer than 90 days. Materials used to reclaim land shall be consistent with the conditions in the natural environment on the property and with the future land use.
5. Mining shall not be allowed unless the City finds the plan for reclamation of the land is suitable.
6. A bond or letter of credit may be required by the City to ensure that any damage caused to street or public property is corrected by the owner.
7. Applicants shall comply with other sections of the City Code, as applicable.

B. Land Reclamation, provided

1. The access to the property is subject to approval and shall be located where it is likely to cause the least disruption to existing use of property in the area.
2. Materials used to reclaim land shall be consistent with the conditions in the natural environment on the property and with the future land use.
3. Persons responsible for land reclamation shall remove debris, dust, dirt or sand from the street at appropriate intervals consistent with city requirements.
4. A bond or letter of credit may be required by the City to ensure that any damage caused to street or public property is corrected by the applicant.
5. Applicants shall comply with other sections of the City Code, as applicable.

C. Proof of Parking. Subject to the review and processing of an interim use permit as regulated by this Chapter, the Planning Commission may reduce the number of required off-street parking spaces when the applicant can demonstrate in documented form a need which is less than required. In such situations, the City shall require a site plan illustrating "Proof of Parking" availability. The plan shall illustrate where the additional parking will be located and how the traffic circulation will coordinate with the site plan and existing parking lot should use or needs change. The Planning Commission shall also consider:

1. The on street parking available by the site.
2. The expected usage of the site and parking demand.
3. Surrounding land uses and zoning districts.
4. The provisions of this chapter affecting the parking lot or loading area.
5. Any other associated aspect that the Planning Commission deems necessary to evaluate the request.
6. The applicant shall install the additional required off-street parking within three (3) months of written notification by the Zoning Administrator.
- 7.

Subd. 5. Permitted Accessory Uses. Within any Industrial District, the following uses are permitted accessory uses as such are defined and in accordance with the required lot provisions and design and performance standards, provided applicable city code provisions are met.

A. Off-street parking and loading areas and parking ramps.

B. Fences and walls.

C. Signs.

D. Temporary buildings located on the premises for construction purposes for a period not to exceed the time necessary for such construction.

E. Solar collection devices.

- F. A security/caretaker office to a mini-storage warehouse.
- G. Commercial sales of products directly manufactured or assembled as a part of the principal use, provided that no more than 20% of the gross floor area is used for this purpose.
- H. Communication Structures. Satellite dishes, antennae and similar devices provided they are not located in the required front yard or within 15 feet of the side lot line or rear lot line. (Moved from performance standards)

Subd. 6. Lot Requirements.

A. Minimum Lot Size, Yards and Setbacks. Where the average depth of front yards of buildings adjacent to the lot in question is less or greater than the required minimum front yard 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 25 feet or be required to exceed 50 feet.

Lot Area: 43,560 square feet (1.0 acres)

Lot Width: 150 feet

Front Yard: 50 feet

Rear Yard Setback: 20 feet

Side Yard Setback, internal lot: 15 feet, corner lot: 25 feet.

Rear Yard Setback, corner lot: 25 feet

B. Maximum Height. No structure or building shall exceed three stories or 45 feet in height, whichever is less, except the following which may not exceed 75 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 45 feet may be approved with a conditional use permit.

C. Bulk. The floor area ratio shall not exceed .50. This shall be calculated by taking the total floor area on a zoning lot divided by the total lot area of that zoning lot, or in the case of planned development by the net site area.

D. Impervious Surface Coverage: Maximum 70%.

E. One Principal Building. There shall be no more than one principal building on one lot except as provided through a planned unit development)

F. Yard. No yard or other open space shall be reduced in area so as to make such yard or other open space less than the minimum required by this Chapter; and if the existing yard or other open space as existing is less than the minimum required, it shall not be further reduced. No required yard or open space of any structure shall be included as a part of any yard or open space required for another structure.

**G. Lots of Record**

- (i) For purposes of this section only, the term "small lots" shall mean those lots of record platted before January, 2011 which are expected to be zoned industrial under the City's 2008 Comprehensive Guide Plan and are less than 43,560 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 industrial use of small lots and existing buildings thereon. The Council shall make written findings supporting its determination.

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. Noise. It is unlawful to make, continue or cause to be made or continued, any noise in excess of the noise levels set forth in MN Administrative Rules 7030.0040, which includes standards for activities by the noise area classification (NAC) system, established in part by MN Rules 7030.0050, unless noise such noise be reasonably necessary to the preservation of life, health, safety or property

B. Exterior Storage.

1. All materials and equipment shall be stored within a building, unless outdoor storage is approved through the issuance of a conditional use permit. This excludes materials, trailers or equipment in use in construction or landscaping on the premises, and except for off-street parking and loading areas.
2. Trailers: Use of any trailers for storage, or of containerized storage devices, shall be allowed by conditional use permit only, subject to annual review.
  - a. Such trailers or containers shall not be allowed unless completely screened, or maintained on their exterior in an orderly and slightly manner.
  - b. All such trailers or containers shall be located to the rear of the principal structure, and shall be parked in good order so as to minimize their visibility from the street.
  - c. All such trailers or containers must be moveable on premises, may not contain fuels, volatile chemicals, or other flammable materials, and shall be subject to inspection by state and local fire department officials. No such trailers or containers may be stacked.
  - d. Earthen or other permanent fixed ramps may not be used with trailers or containers used for storage. The wheels on such trailers must remain at grade, i.e., wheels may not be dug into the ground to create a ramp.
  - e. Trailers and containers used for storage shall occupy no more than an area equal to 7% of the manufacturing and warehousing floor area of the permanent structures on the property, except that up to four (4) such trailers and containers may be placed on any property that has a completed principal structure; however in no instance shall the total area of such storage exceed the total area of the manufacturing/warehousing area of the principal structure.

- f. Unlicensed vehicles designed as a contractor's job shop or office shall not be permitted.

C. Refuse and waste. All waste material, debris, refuse, or garbage shall be kept in an enclosed building or properly contained in a closed container designed for such purposes, with the exception of crop residue. The owner of vacant land shall be responsible for keeping such land free of refuse. Wastes shall be disposed of in a manner that is not dangerous to public health and safety, nor will damage public waste transmission or disposal facilities.

D. Toxic or Noxious Matter. Any use shall be so operated in compliance with the Clean Air Act, as amended, the Environmental Protection Agency (EPA) and MN Pollution Control Agency (MPCA) regulations. All activities that emit radioactivity shall comply with the minimum requirements of the Federal regulatory body.

E. Air Pollution. Any use shall be operated so as to control the emission of smoke or particulate matter to the degree that it is not detrimental to, or shall not endanger the public health, safety, comfort or general welfare of the public. For the purpose of this Chapter, the regulations and standards adopted by the Minnesota Pollution Control Agency shall be employed.

F. Nuisances. Unused refrigerators, or similar containers with doors which fasten automatically when closed shall not be exposed or accessible to the public. In addition, the regulations and standards adopted in City Code Title IX, Section 90, Nuisances, Health and Safety shall be employed. Any proposed use creating periodic earthshaking vibration shall be prohibited if undue vibrations are perceptible beyond boundaries of the property on which the use is located. This standard shall not apply to vibrations during the process of construction.

G. Screening.

1. Where any business or industry (structure, parking or storage) is adjacent to property zoned or developed for residential or highway commercial use, that business or industry shall provide an earth berm a minimum of six feet in height and screening along the boundary of the residential and/or commercial property. Screening shall also be provided where a business, parking lot, or industry is located across the street from a residential zone, but not on that side of a business or industry considered to be the front.

2. All exterior storage shall be screened. The exceptions are (1) merchandise being displayed for sale (2) materials and equipment presently being used for construction on the premises.

3. The screening required in this Section may consist of a fence, trees, shrubs, and berms, but shall not extend within 15 feet of any street or driveway. The screening shall be placed along property lines or in case of screening along a street, 20 feet from the street right-of-way with landscaping between the screening and pavement. Planting of a type approved by the Council may also be required in addition to or in lieu of fencing.

H. Landscaping and Required Yards/Setbacks. All developed uses shall provide a landscaped yard, including grass, decorative stones, or shrubs and trees, along all streets. This yard shall be kept clear of all structures, storage, and off-street parking.

1. Except for driveways, the yard shall extend along the entire frontage of the lot, and along both streets in the case of a corner lot: such yard shall have a depth of at least 10 feet. No landscape material, other than grass, shall be placed within drainage or utility easements. Rock or riprap may be allowed upon review and approval by the City Council provided the proposed material does not interfere with drainage or utilities.

2. All structures and areas requiring landscaping and fences shall be maintained so as not to be unsightly or present harmful health or safety conditions.

3. 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.

4. Tree and woodland preservation shall be accomplished in accordance with the Tree and Woodland Preservation provisions of this Chapter and the Subdivision Ordinance.

5. Perimeter Trees. Industrial sites shall contain, at a minimum, one (1) tree required per forty (40) feet of the site perimeter.

6. Entry Plantings: Each "entry and focal area of a development shall be treated with landscape development (trees, shrubs, etc.). No numerical requirement of plants is provided, but the landscape plan shall reflect the proposed treatment. Trees required on the perimeter calculation are not applicable to this design feature.

c. Parking Lot Landscape: Requirements for parking lots are outlined in Section 11.60 of this Ordinance.

d. Miscellaneous Screenings: As identified in Subdivision 7. G., other screening shall be provided. No numerical requirement of plants is provided. The perimeter tree planting requirement may be used to provide trees for this purpose, if coniferous trees are used.

I. Outdoor Lighting and Glare. Any artificial lighting used to illuminate an off-street parking area, sign or other structure, shall be arranged so as to deflect light away from any adjoining residential zone or from the public streets. Direct or sky-reflected glare, whether from floodlights or from high temperature processes such as combustion or welding, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled in some manner so as not to light adjacent property. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights which cast light on a public street shall not exceed one foot candle (meter reading) as measured from the centerline of said street. Any light or combination of lights which cast light on residential property shall not exceed 0.4 candles (meter reading) as measured from said property. All outdoor 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. Fence and Walls. Maintenance-free fences and walls and hedges are permitted in the yard setback area under the following conditions:

1. A fence or wall not exceeding six feet in height may be constructed in any side or rear yard setback area;

2. A fence or wall not exceeding three and one-half feet in height may be constructed in any front yard setback area;

3. No fence, hedge or wall shall cause a visual obstruction to traffic.

4. Fences and walls are structures and require a building permit and shall meet all Minnesota State Building Code requirements for such structures.

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. Sidewalks and Trails. In projects involving new construction, the plans and improvements must include construction of a sidewalk or trail where one is included in the City's sidewalk or trail plan and boulevard sodding and street trees shall be provided consistent with City requirements.

M. No More Than One Building. There shall be no more than one principal building on one lot except as provided under Planned Unit Development provisions.

N. Utilities. Shall be placed underground and meters shall be screened from view from the street. Buildings designed for human occupancy must have and be connected to City water and the City sanitary sewer system.

O. Fabricating Must be Inside. All fabrication, manufacturing, processing or production shall be conducted wholly within an enclosed building.

P. Erosion. Soil erosion and sedimentation control shall be used/employed during construction and during the duration of the use of the property as required in the Soil Erosion and Sedimentation Control provisions of this Chapter.

Q. Parking and Loading. Off-street parking and unloading areas shall be provided in accordance with the off-street parking and off-street loading requirements. Modifications to all parcels and buildings are also subject to the provisions on Off-street Parking and Loading Spaces.

R. Signs. Development and modification to all parcels, street uses and buildings are subject to the sign provisions.

S. 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.

T. Architecture and Materials. Development and modification to all parcels, structures and buildings are subject to the provision on Architectural Control and Building materials.

#### **Subd. 8. Site Plan and Site Layout.**

A. Application for Site Plan Review. An application for a Site Plan Review: shall be on a form provided by the City and shall include the name, address and telephone number of the applicant, and the name, address and telephone number of the property owner. The application shall also be accompanied by the following information:

1. A certificate of survey of the property;
2. A detailed site plan based on the current survey.
3. Landscaping Plans, including irrigation plans.
4. A tree inventory and tree preservation plan.
5. Lighting plans showing all outside and building exterior lighting.
6. Signage Plans.
7. Grading and erosion control plan, including stormwater drainage calculations.
8. Utility plans.
9. A fire protection plan identifying fire lanes, hydrant locations, post indicator valves and Siamese connections.
10. Building plans, including exterior wall elevations, exterior building materials and cross section floor layouts.

11. Summary sheets which include:
  - A. Proposed densities ground floor area and floor area ratios.
  - B. Acreage or square footage of individual land uses on the site.
12. A summary of operations including but not limited to hours of operation, types of presses used, if any, etc.
13. Any other information the City may request to determine whether the proposed project meets the requirements of this subsection.

B. Site Layout. 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;
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.

**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 \_\_\_\_\_ 2011.

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

ATTEST:

Moved by:  
 Seconded by:

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

Published:  
 Codified in City Code: