

**CITY OF JORDAN
ORDINANCE 2020-04**

**AN ORDINANCE AMENDING CITY CODE CHAPTER 154 TO CORRECT INCONSISTENCIES
AND IMPROVE CLARITY**

Subdivision 1. Purpose. As part of an annual process, staff have identified Code Sections that contain various errors, inconsistencies, or that may be misleading. Proposed code changes are proposed only to correct errors or inconsistencies and not to change the intent of altered City Code Sections.

Subdivision 2. Amendment. NOW BE IT ORDAINED AND ENACTED by the City Council of the City of Jordan that City Code Sections 154.020, 154.046, 154.173, 154.175, 154.177, 154.373, 154.374, and 154.375 of the Jordan City Code is hereby amended to read as follows:

§ 154.020 DEFINITIONS.

INTERMODAL SHIPPING CONTAINER. A standardized reusable steel box used for the safe, efficient, and secure storage and movement of materials and products within a global containerized intermodal freight system.

OUTDOOR SALES AND DISPLAY. Land devoted to the display of goods, products or merchandise for sale, rent, lease or trade where such goods are not enclosed within a building. This can also include the selling of goods or products outside.

§ 154.046 ZONING AMENDMENT.

- (A) *Criteria for approval.* The Council may amend this subchapter and the zoning map in relation to land uses within a particular district or as to the location of district lines (rezoning). Amendments shall not be made indiscriminately but shall only be used as a means to reflect changes in the goals and policies of the city as reflected in the Comprehensive Plan, policies plan or changes in conditions in the city.
- (B) *Procedure.* Amendment may be initiated by the Council, the Planning Commission or upon application of a property owner. Individuals wishing to initiate an amendment shall complete a zoning amendment application form and submit it to the city. Any amendment not initiated by the Planning Commission shall be referred to that Commission for review, and no amendment shall be acted upon by the Council until it has received the Planning Commission recommendations or until 60 days have elapsed from the date of reference of the amendment without a report by the planning agency or otherwise in compliance with M.S. § 15.99, Subd. 2. The procedure for a property owner to initiate a zoning amendment is as follows:
- (1) The property owner or his or her agent shall meet with the Zoning Administrator to explain the situation, learn the procedures, and obtain an application form.
 - (2) The applicant shall file the completed application form together with the required exhibits with the Zoning Administrator and shall pay a filing fee as established by the City Council.

- (3) The Zoning Administrator shall set the date for a public hearing and shall have notices of such hearing published in the official newspaper at least once, not less than 10 days and not more than 30 days prior to said hearing. A zoning map amendment shall require notification of all property owners within 350 feet of the outer boundaries of the property in question however, failure of any property owner to receive such notification shall not invalidate the proceedings. The notice shall include a description of the land and the proposed change. The mailed notice requirement shall be waived for a city-wide zoning amendment initiated by the Planning Commission or City Council.
- (4) The Planning Commission shall hold the public hearing and then shall recommend to the City Council within 30 days, 1 of 3 actions — approval, denial, or conditional approval.
- (5) The City Council shall act upon the application within 30 days after receiving the recommendation of the Planning Commission. The zoning amendment shall require the affirmative vote of the majority of the members of the City Council.
- (6) No application of a property owner shall be considered by the Planning Commission within the 1 year period following a denial of such request, except the Planning Commission may permit a new application, if in the opinion of the Planning Commission, new evidence or a change of circumstances warrant it.
- (C) *Comprehensive Plan.* An amendment to this chapter or the zoning map shall be construed as an amendment to the Comprehensive Plan and its map.
- (D) *Procedure for PUD zoning.* Applications for establishment of the PUD District shall be made pursuant to §§ 154.191 through 154.199

§ 154.173 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 Code Ch. 122 Sexually Oriented Businesses.
- (B) Boiler shop, brewing, or distilling facilities.
- (C) Bulk storage of oil, gasoline, liquid fertilizer, chemicals and similar liquids, provided:
 - (1) All uses associated with bulk storage of oil, gasoline, liquid fertilizer, chemicals, similar liquids and hazardous substances shall comply with the requirements of the fire code, the Minnesota Department of Agriculture and other hazardous substance legislation by the federal government. The user of such material shall have documents from the above offices that the use is in compliance. All existing above ground liquid storage tanks with a capacity of 2,000 gallons or more shall comply with the requirements of the fire code within 12 months following the enactment of this chapter.
 - (2) Bulk storage containers shall be setback a minimum 1,000 feet from residentially zoned properties.
 - (3) Bulk storage containers shall be screened with landscape materials and a berm from adjacent commercial and residential properties.
- (D) Business trade school and/or technical school.
- (E) Communication transmission tower and power line, per applicable City Code provisions.

- (F) Firing range. An indoor facility where firearms are discharged at targets and which is designed so that projectiles fired from firearms at targets are prevented, by means of backstops, berms, or other barriers, from going beyond the walls of the facility; provided:
- (1) The firing range shall not be located on any lot adjacent to an existing residential district.
 - (2) The firing range shall not be located within 1,000 lineal feet, measured from building to building, licensed to dispense intoxicating or non-intoxicating liquor, nor shall they be in a building that dispenses liquor.
 - (3) The use, occupancy and construction of the building shall conform to the Minnesota State Building Code.
 - (4) The building and method of operation shall comply with M.S. Chapter 87A.
 - (5) The building and method of operation shall conform with the applicable Minnesota Pollution Control Agency, Environmental Protection Agency, and OSHA standards for indoor ventilation, emission into the atmosphere, indoor sound levels, lead containment and outside noise standards.
 - (6) The design and construction of the firing range shall completely confine all ammunition rounds within the building and in a controlled manner. The design and construction of the firing range shall be certified by a registered engineer in the State of Minnesota. The certified plans shall include the specifications and construction of the bullet trap(s), ceilings, exterior and interior walls and floors. The certified plans shall state what type and caliber of ammunition the range is designed to totally confine.
 - (7) No ammunition shall be used in the range that exceeds the certified design and construction specifications of the firing range.
 - (8) A written log of range users shall be maintained by the range operator and available for inspection by the city at any/all times. The name and address of the user shall be verified by photo identification. The log shall include, but not be limited to the following:
 - (a) Name, address and phone number of the range users
 - (b) Time and date the user was in the range.
 - (9) Firearms shall not be stored on the premises when the range is closed for business, unless they are stored in an acceptable gun safe. An acceptable gun safe shall meet ALL of the following standards
 - (a) Shall be able to fully contain firearms and provide for their secure storage.
 - (b) Shall have a locking system consisting of, at minimum, a mechanical or electronic combination lock. The mechanical or electronic combination lock utilized by the safe shall have at least 10,000 possible combinations consisting of a minimum of 3 numbers, letters, or symbols. The lock shall be protected by a casehardened (Rockwell C 60+) drill resistant steel plate, or drill resistant material of equivalent strength.
 - (c) Boltwork shall consist of a minimum of 3 steel locking bolts of at least ½ inch thickness that intrude from the door of the safe into the body of the safe or from the body of the safe into the door of the safe, which are operated by a separate handle and secured by a lock.
 - (d) A gun safe shall be capable of repeated use. The exterior walls shall be constructed of a minimum of 12-gauge thick steel for a single-walled safe, or the sum of the steel walls shall add up to at least .100 inches for safes with 2 walls. Doors shall be constructed of a minimum of 1 layer of 7-gauge steel plate reinforced construction or at least 2 layers of a minimum 12-gauge steel compound construction.
 - (e) Door hinges shall be protected to prevent the removal of the door. Protective features include, but are not limited to, hinges not exposed to the

outside, interlocking door designs, dead bars, jeweler's lugs, and active or inactive locking bolts.

- (10) On-site supervision shall be supplied at all times by an adult with credentials as a range operator. The range operator shall be responsible for the conduct of their place of business and the conditions of safety and order in the place of business and on the premises.
 - (11) The applicant shall provide and maintain proof of liability insurance which shall require the insurer notify the City Administrator in writing within 10 business days of cancellation of the policy, a change in the limit of the policy and/or a change in policy ownership. Said policy shall be available for inspection by the City Administrator and/or his/her assigns at all times.
 - (12) On site instruction shall be given only by certified firearms instructors. Current certificates for firearms instructors shall be on display in a conspicuous location in the premises and available for public inspection at all times.
 - (13) An outside security plan for the general grounds shall be submitted to the City Administrator or designee for review and approval.
 - (14) The transport of firearms on the premises, to the premises and from the premises shall conform to state law.
 - (15) Minors shall not be allowed in the range unless accompanied by an adult at all times. This provision shall not be interpreted to prohibit minors from participating in a firearm safety class which is supervised by an adult instructor.
 - (16) Required license(s) are obtained from the City of Jordan.
 - (17) The Council reserves the authority to review or modify the performance standards for the range.
- (G) Grain elevators and grain milling, provided:
- (1) The site plan shall indicate that adequate provision has been made for loading and unloading grain and storage of any vehicle used in the operation.
 - (2) At least 15% of the site must be landscaped.
 - (3) The use may not be located within 500 feet of any property used for residential purposes or zoned R-1, R-2, R-3, R-4, or R-5.
- (H) Heliport.
- (I) Inflammable liquid storage not to exceed 500,000 gallon, provided:
- (1) Adequate provisions for containing any spillage on the site must be included on the site plan and on the site.
 - (2) A plan for fire control and suppressions must be submitted to the city and found to be acceptable.
 - (3) The use shall not be located within 1,000 feet from any residential use or RR, R-1, R-2, R-3, R-4, or R-5 district.
- (J) Outdoor storage areas accessory to the principal use or structure which exceed a 2:1 land to building ratio, and are screened in accordance with City Code § 154.177 (G)(2), provided:
- (1) Outdoor storage shall be located outside of the front yard areas and shall not be placed between the principal building and an abutting street.
 - (2) Outdoor storage shall be completely screened from any adjacent street, sidewalk, public walkway, or public park.
 - (3) Outdoor storage shall be screened from abutting residential uses with a wall, solid fencing, evergreen hedge, or equivalent material. All screening shall be six feet in height.
- (K) Outdoor Sales and Display areas accessory to the principal use or structure which exceed a 2:1 land to building ratio, provided:
- (1) No open sales lot shall exist unless the same use occupies space in a principal building on the same lot.
 - (2) The size of the open sales lot shall not be greater than four times the square footage the use has within the building on the same property.

- (3) The site of the open sales lot must be adequately screened to minimize impact on adjacent properties.
- (L) Regional pipelines, provided:
 - (1) Shall be located within an easement having a minimum width of 100 feet.
 - (2) Shall not be any closer than 250 feet from a residential building.
 - (3) Shall not be any closer than 400 feet from any school, church, or other public assembly area.
 - (4) Shall be duly marked to identify its location.
- (M) Retail sales of heavy industrial, manufacturing or construction machinery or equipment, and farm or agriculture related equipment, provided:
 - (1) The site shall contain at least 5 acres.
 - (2) No building or outdoor storage or material shall be located closer than 500 feet from any residentially zoned or residentially zoned or residentially used property.
 - (3) Outdoor storage area shall be landscaped consisting of coniferous and deciduous trees and measuring at least 10 feet in width.
- (N) Sewage disposal plant, provided:
 - (1) The site must contain at least 5 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.
- (O) Structures over 3 stories or 45 feet.
- (P) Wind energy conversion systems (WECS), subject to requirements of the City Code.
- (Q) Motor vehicle sales. Subject to the following:
 - (1) The use must be accompanied by a permitted use under City Code § 154.172.
- (R) Planned Unit Developments.
- (S) Trailers and Intermodal Shipping Containers in accordance with City Code Section §154.177 (B)

§ 154.175 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 they comply with applicable City Code provisions for the various uses.

- (A) Off-street parking and loading areas and parking ramps.
- (B) Fences and walls in accordance with § 154.177(J).
- (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) Satellite dishes and antennae.
- (F) Solar collection devices.
- (G) A security/caretaker office to a mini-storage warehouse.
- (H) 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.
- (I) 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.

- (J) Outdoor Storage areas which are less than or equal to a 2:1 land to building ratio, provided:
 - (1) Outdoor storage shall be located outside of the front yard areas and shall not be placed between the principal building and an abutting street.
 - (2) Outdoor storage shall be completely screened from any adjacent street, sidewalk, public walkway, or public park.
 - (3) Outdoor storage shall be screened from abutting residential uses with a wall, solid fencing, evergreen hedge, or equivalent material. All screening shall be six feet in height.
- (K) Outdoor Sales and Display areas which are less than or equal to a 2:1 land to building ratio, provided:
 - (1) No open sales lot shall exist unless the same use occupies space in a principal building on the same lot.
 - (2) The size of the open sales lot shall not be greater than four times the square footage the use has within the building on the same property.
 - (3) The site of the open sales lot must be adequately screened to minimize impact on adjacent properties.

§ 154.177 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 Minnesota Rules 7030.0040, which includes standards for activities by the noise area classification (NAC) system, established in part by Minnesota Rules 7030.0050, unless such noise be reasonably necessary to the preservation of life, health, safety or property.
- (B) *Trailers*. Use of any trailers for storage, or of intermodal shipping containers, shall be allowed by conditional use permit only, subject to annual review.
 - (1) Such trailers or containers shall not be allowed unless screened, or maintained on the exterior.
 - (2) 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.
 - (3) 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.
 - (4) 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.

- (5) 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 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.
- (6) 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 it conforms to the regulations and standards adopted by the Minnesota Pollution Control Agency.\
- (F) *Nuisance.* 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 Ch. 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 6 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 outdoor storage shall be screened. 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 § 153.11(M) and City Code Ch. 153 Subdivisions.
- (5) Perimeter trees. Industrial sites shall contain, at a minimum, 1 tree required per 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.
- (7) Parking lot landscape. Requirements for parking lots are outlined in §§ 154.221 through 154.230.
- (8) Miscellaneous screenings. As identified in § 154.177(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 1 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 fence and walls and hedges are permitted in the yard setback area under the following conditions:
 - (1) A fence or wall not exceeding 6 feet in height may be constructed in any side or rear yard setback area;
 - (2) A fence or wall not exceeding 3½ feet in height may be constructed in any front yard;
 - (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 International 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 2 feet to a height of 5 feet within the triangle described as beginning at the intersection of the projected curb lines of 2 intersecting streets, thence 30 feet along 1 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 sod and street trees shall be provided consistent with city requirements.

- (M) *No more than 1 building.* There shall be no more than 1 principal building on 1 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 Sediment Control provisions of City Code Ch. 153 Subdivisions.
- (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 of §154.221 through § 154.230 Off-street Parking and Loading Spaces.
- (R) *Signs.* Development and modification to all parcels, street uses, and buildings are subject to the provisions of §§ 154.241 through 154.260 Signs.
- (S) *Architecture and materials.* Development and modification to all parcels, structures, and buildings are subject to the provisions of § 154.311 through 154.316 Architectural Control and Building Materials.

§ 154.373 PERMITTED HOME OCCUPATION.

- (A) *Examples.* Permitted Home Occupations include, but are not limited to: photo or art studio, dressmaking, barber shops, beauty shops, tourist homes, secretarial services, day care for up to 14 children, family day care, foster care, professional offices such as legal, accounting, insurance or computer technician and teaching with musical, dancing and other instructions which consist of no more than 2 pupils at a time, the sale of products whose name brand are not marketed and sold in a wholesale or retail outlet, minor repair services, and similar activities if certain design and performance standards are met. Licensed tattoo establishments are not allowed as a home occupation.
- (B) *Approval.* The Zoning Administrator may issue a home occupation permit based upon proof of compliance with the provisions of this subchapter. The approval shall remain in full force and effect until such time as there has been a change in conditions or until such time as the provisions of this subchapter have been changed. A fee shall accompany application for the home occupation permit if so designated by City Council ordinance.
- (C) *Denial.* If the Zoning Administrator denies the permit, the applicant may appeal the decision to the City Council which shall make the final decision.
- (D) *Regulations.* The following regulations shall apply:
 - (1) No person other than those who customarily reside on the premises shall be employed on the premises.
 - (2) Activities associated with the occupation shall be conducted entirely within the principal building whenever possible and should not be conducted in an accessory building.
 - (3) Activities associated with the occupation shall not create a parking demand in excess of what which can be accommodated in an existing driveway. Such occupation does not generate more than 2 vehicles at 1 time.
 - (4) The following activities, and those similar, are prohibited: repair service or manufacturing which requires equipment other than found in a home; teaching which customarily consists of more than 2 pupils at a time; over-the-counter sale

of merchandise produced off the premises, except for those brand name products that are not marketed and sold in a wholesale or retail outlet.

- (5) Any home occupation which does not meet the specific requirements for a permitted home occupation as defined in this section shall require a “special home occupation license” which shall be applied for, reviewed and approved in accordance with the provisions of this section.

§ 154.374 SPECIAL HOME OCCUPATION.

- (A) *Examples.* Special home occupations include, but are not limited to: barber and beauty services, day care for over 12 children, carpentry or woodworking, group nursery, bed and breakfasts as noted in division (C)(c) of this section, dog grooming, photography studio, saw sharpening, small appliances and small engine repair and other occupations similar in nature. Licensed tattoo establishments shall not be permitted as a home occupation.
- (B) *License.* A special home occupation license shall require a public hearing before the Planning Commission, following published notice in the official newspaper of the city and mailed notice to property owners within 350 feet of the property in which the home occupation is proposed, not less than 10 days nor more than 30 days prior to the hearing. The Planning Commission shall forward a recommendation to the City Council which shall make a decision regarding the issuance of a license based on the provisions listed in this section, within 60 days of the completed application for the request. A fee shall accompany application for the special home occupation license if so designated by City Council ordinance.
 - (1) *Declaration of conditions.* The Planning Commission and the Council may impose such conditions of the granting of a “special home occupation license” as may be necessary to carry out the purpose and provisions of this section.
 - (2) *Duration.* A “special home occupation license” may be issued for a period of 1 year after which the license may be reissued for periods of up to 5 years each.
 - (3) *Requirements:*
 - (a) No person other than those who customarily reside on the premises and 1 full-time equivalent additional employee shall be employed on the premises.
 - (b) Parking demand may be accommodated through utilization of on-street parking.
 - (c) An accessory building may be used for the storage of items incidental to the licensed home occupation.
 - (d) Bed and breakfasts may be permitted provided that:
 - (1) It shall be part of an owner-occupied residential structure.
 - (2) Four or fewer rooms are for rent for a period not to exceed 14 consecutive days during any 90-day period.
 - (3) The establishment conforms with all applicable federal and state regulations, and Building Code requirements.
 - (4) The primary entrances to all guestrooms are located inside the dwelling.
 - (5) A guest register is maintained and available for city inspection.
 - (6) No food preparation or cooking is conducted within guestrooms.
 - (7) Food service is limited to breakfast.

- (8) No other commercial use may occur on the property. Gatherings such as luncheons, banquets, parties, weddings, meetings, and fund-raising events are prohibited.
- (9) Parking shall be accommodated on the property and parking requirements for guests are in addition to those required for the principal residential use. Parking shall conform to the requirements of §§ 154.221 through 154.230 Purpose and Proof of Parking of this chapter

§ 154.375 GENERAL PROVISIONS.

- (A) The following activities are prohibited:
- (1) Manufacturing business.
 - (2) Mechanical or electric equipment not customarily found in a home.
 - (3) Interior or exterior alterations and construction features which are not customarily found in a dwelling.
 - (4) Production of light glare, noise, odor or vibration that will in any way have an objectionable effect upon adjacent or nearby property.
 - (5) Equipment which will create electrical interference to surrounding properties.
 - (6) Exterior outdoor storage of equipment or materials, with the exception of personal automobiles used in the home occupation, which may be parked on the site.
 - (7) Display or evidence visible from the property exterior that indicates the premises are used for any purpose other than that of a dwelling.
 - (8) Signage, except as permitted in accordance with §§ 154.241 through 154.260 Signs.
- (B) Any home occupation shall be clearly incidental and secondary to the residential use of the premises, should not change the residential character thereof, and shall result in no incompatibility or disturbance to the surrounding residential uses.
- (C) The floor area devoted to the home occupation, other than day care, shall not exceed 25% of the total ground area occupied by buildings on the lot.
- (D) Whenever within 1 year after granting approval, the use as permitted by the approval has not been initiated, then such approval shall become null and void unless a petition for extension of time in which to complete the work has been granted by the Zoning Administrator.

Subdivision 3: NOW BE IT ORDAINED AND ENACTED by the City Council of the City of Jordan that the following sections of Chapter 154 of the Jordan City Code, as shown with ~~striketrough text~~, are hereby removed:

§ 154.020 DEFINITIONS.

~~OPEN SALES LOT (OUTDOOR STORAGE). Any land used or occupied for the purpose of buying, selling, leasing, renting or trading goods, materials or merchandise where such goods are not enclosed in a building.~~

Subdivision 4: Effective Date. This ordinance is effective immediately following its publication in the official newspaper of the City.

ORDAINED by the City Council of the City of Jordan, Scott County, Minnesota
this 3rd Day of August, 2020.

Tanya Velishek, Mayor

ATTEST:

Tom Nikunen, City Administrator

Drafted by:
City of Jordan
210 East First Street
Jordan, MN 55352

DRAFT