

**CITY OF JORDAN
ORDINANCE NO. 2021-07**

**AN ORDINANCE OF THE CITY OF JORDAN, MINNESOTA AMENDING THE
PROVISIONS OF THE C-1 ZONING DISTRICT IN CHAPTER 154 OF THE JORDAN
CITY CODE**

Subdivision 1. PURPOSE. The City of Jordan 2040 Comprehensive Plan has guided approximately 40 parcels surrounding Jordan’s Central Business District to be rezoned to Neighborhood Commercial (C-1). This ordinance updates the provisions of the C-1 Zoning District to better reflect the goals of the Comprehensive Plan.

Subdivision 2. REPEAL. NOW BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF JORDAN that Sections 154.131-154.136 of the Jordan City Code is hereby repealed in its entirety.

Subdivision 3. REPLACEMENT BY NEW SECTIONS 154.131-154.136. NOW BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF JORDAN that Sections 154.131-154.136 shall now read as follows:

NEIGHBORHOOD COMMERCIAL (C-1).

§ 154.131 PURPOSE.

This district is established to plan for neighborhood commercial centers which are complementary and in close proximity to residential uses. Commercial uses in this district should not generate large volumes of vehicular traffic and should primarily serve nearby residents.

§ 154.132 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. The following are generalized categories. If a use is not specifically listed, the Zoning Administrator shall determine if the use is substantially similar in nature. The Zoning Administrator or applicant may seek input from the Planning Commission

- (A) Single-family detached dwelling
- (B) Group family day care serving 14 or less children
- (C) State licensed residential facility
- (D) Bed and breakfasts and residential short term rental units

§ 154.133 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. The requirements of § 154.047 Conditional Use Permits shall be met in addition to the following conditions:

- (A) Grocery, Convenience store.
- (B) Retail Store
- (C) Beauty shop, Barber shop.
- (D) Laundry, Dry cleaning, Tailoring.
- (E) Cafes, Bakeries, Florists, Delicatessens.
- (F) Automotive Service Station, subject to the following:
 - (1) The parcel must abut either a collector or arterial street
 - (2) The criteria in Section 154.153(C) (1) through (5) must be met
- (G) Business and professional offices, such as: accounting, auditing, bookkeeping offices, civic/social and fraternal association offices, educational offices, governmental offices, insurance offices, investment offices, legal offices, library and art galleries, medical/dental offices, post office, and real estate offices.
- (H) *Funeral Home*. Subject to the following:
 - (1) A plan shall be submitted identifying the access points and traffic circulation on the property. Said plan must provide for a minimal interference to the circulation pattern on abutting streets and to adjoining uses of property.
 - (2) Where the use abuts land in the R-1, R-2, or R-3 districts, a landscape buffer strip having a minimum width of 10 feet and consisting of coniferous and deciduous trees and shrubs shall be provided along said lot lines.
- (I) *Two-family dwellings*. Subject to the following:
 - (1) Two-family dwellings must provide for 2 off-street parking stalls with immediate access off-street and 1 garage stall measuring at least 14 feet in width and 20 feet in depth for each unit
 - (2) Each unit must have separate entrances
 - (3) All units must meet the current Building Code and Fire Code
 - (4) Each unit shall have a minimum of 900 square feet of livable floor area
 - (5) Must meet all other requirement of the Zoning Chapter
- (J) *Apartments*; located above the first floor provided off-street parking requirements are met
- (K) *Multiple-family dwellings*; provided off-street parking requirements are met
- (L) Uses not explicitly enumerated in this Section as permitted uses, but are closely similar thereto.

§ 154.134 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.

- (A) *Accessory structures*, provided:

- (1) A detached accessory structure shall not exceed 840 square feet, or exceed the ground floor area of the principal structure located on the same lot, whichever is less.
 - (2) Garage door openings shall not exceed 9 feet in height.
 - (3) No accessory structure shall be constructed on any lot prior to the time of construction of the principal building to which it is an accessory.
 - (4) The sidewall of the accessory structure shall not exceed 10 feet, measured from the finished grade. The highest point of the entire accessory structure cannot exceed the height of the primary structure.
 - (5) The roof pitch, measured as steepness of roof, of an accessory structure may meet, but not exceed the roof pitch of the primary structure.
 - (6) Exterior building materials, roof style, and colors are similar to the principal structure.
 - (7) The accessory structure shall be constructed on a concrete slab or footing.
 - (8) The accessory structure shall be located to the side or rear of the principal structure, and are not permitted within the front yard or within a corner side yard.
 - (9) One accessory structure is permitted on a lot with an existing attached garage. One accessory structure is permitted on a lot in addition to a detached garage with the combination of the 2 structures not exceeding 1,000 square feet. A detached garage shall be considered a detached accessory structure.
- (B) *Off-street parking and loading*; subject to §§ 154.221 through 154.230
- (C) *Signs*; subject to §§ 154.241 through 154.260
- (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 (100) 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) *Gardening or other horticultural use* where no sale of products is conducted on the site.
- (F) *Fences and walls*, in accordance with § 154.096(B) and (C).
- (G) *Decorative landscape features*, including but not limited to statues, rocks, reflecting ponds, benches, arbors, terraces, and patios
- (H) *Permitted Home Occupations*, subject to §§ 154.371 through 154.378.
- (I) *Boarders*. The keeping of not more than 2 boarders or roomers by a resident family.
- (J) Storage buildings, screen houses, and recreational buildings
- (K) Satellite dishes and antennae.
- (L) Private swimming pool or tennis court
- (M) Solar collection device.
- (N) Car wash, subject to the following:
- (1) The car wash must be accessory to an automotive service station (“Gas Station”) on the same parcel
 - (2) Stacking space shall be provided to accommodate 4 vehicles
 - (3) Stacking space does not interfere with on-site circulation patterns or required on-site parking or loading areas
 - (4) Parking and stacking spaces shall be screened from view of abutting residential districts

- (5) Provisions are made to control and reduce noise and special precautions shall be taken to limit the effects of noise associated with the car wash operation, dryer and vacuum machines. The car/truck wash doors must remain closed during the entire operation cycle of the car/truck wash and dryer and larger setbacks may be required.

154.135 LOT REQUIREMENTS (SEE TABLE C, COMMERCIAL LOT REQUIREMENTS TABLE).

- (A) Corner lot. If a corner lot has a rear lot line that is common with the side lot line or a lot to the rear, no building shall occupy that portion of the rear yard of the corner lot that abuts on such street for a depth equal to or greater than the front yard for such lot to the rear.
- (B) Dormer. A single-family house which legally existed or for which a valid building permit had been granted on or before January 3, 1983 may be expanded by an addition or dormer provided the addition does not extend beyond the existing side yard setback line and provided the combined width of the side yard for said building and adjacent building thereto is not less than 10 feet.
- (C) One principal building. There shall be no more than 1 principal building structure on 1 lot except as provided through the submittal and approval of a planned unit development.
- (D) 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 section; 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.
- (E) Encroachment exceptions. The following shall not be encroachments on yard setback requirements.
- (1) Bays not exceeding a depth of 2 feet or containing an area of more than 20 square feet. Awnings, door hoods, chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, eaves, gutters and the like, provided they do not extend more than 3 feet into a yard and provided such encroachment is no closer than 4 feet from all lot lines.
 - (2) Yard lights and the nameplate signs, floodlights or other sources of light illuminating authorized illuminated signs or illuminating parking areas, loading areas, or yards for safety and security purposes, provided the direct source of light is not visible from the public right-of-way or adjacent residential property.
 - (3) In front yards only, awnings and door hoods extending 5 feet into the required front yard setback area.
 - (4) In front yards only, vestibules extending 5 feet into the required front yard setback area if the vestibule (a) is designed, constructed and attached to the principal structure in accordance with the requirements of the Building Code; (b) is constructed of materials compatible with the principal structure; and (c) has an area as measured to the outside of the outside walls which does not exceed 30 square feet.
 - (5) In front yards only, heating, ventilating and air conditioning equipment, provided that no portion of such equipment shall extend more than 6 feet from the principal

structure, no portion shall be more than 36 inches in height, and such equipment shall be screened from view from a public right-of-way by evergreen plantings. Canopies no more than 12 feet wide, which shall not extend more than ½ the distance into the required front or side yard, if there is a demonstrated need and no other practical alternate solution, provided that the encroachment is approved by the Fire Chief and Zoning Administrator.

- (6) Terraces, steps, uncovered porches, stoops or similar structures which do not extend more than 2 ½ feet from the height of the ground floor level of the principal building can extend 3 feet into the setback area provided such encroachment is no closer than 5 feet from any lot line and is outside of any easement.
 - (7) Flag poles, bird baths, and other ornamental features detached from the principal building
 - (8) Recreational and laundry drying equipment, arbors and trellises provided they are a minimum 10 feet from a lot line.
 - (9) In side or rear yards only, heating, ventilating, and air conditioning equipment in interior side yards, side yards abutting a street and rear yards, provided that such equipment shall extend no more than 6 feet from the principal structure and the equipment shall be screened from view with evergreen plantings.
 - (10) In rear yards only, balconies, breezeways, detached outdoor picnic shelters and recreational equipment, except as regulated hereinafter.
- (F) *Trash Storage Prohibited in front yard.* There shall be no front yard storage of trash or trash containers except in the 24-hour period prior to a scheduled pickup.
- (G) *Setbacks* (SEE Table C, Commercial Lot Requirements Table)

§ 154.136 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 noise such noise be reasonably necessary to the preservation of life, health, safety or property. Sounds in excess of these limitations are violations of this Section whether the sound originates in a residential district or any other district.
- (B) *Trash Storage Prohibited in front yard.* There shall be no front yard storage of trash or trash containers except in the 24-hour period prior to a scheduled pickup.
- (C) *Boulevards, sidewalks, and street trees.* In projects involving new construction, the plans and improvements must include construction of a sidewalk where one is included in the

city's sidewalk plan and boulevard sod and street trees shall be provided consistent with city requirements.

- (D) *Communication structures.* Satellite dishes, antennae, and similar devices shall not be allowed in the required front yard nor within 12 feet of the side lot line or rear lot line.
- (E) *Business Inside.* All business, service, storage, merchandise, display and repairs and processing, where permitted, shall be conducted wholly within an enclosed structure except for off-street vehicular parking, off-street loading, and for storage or displays of goods complying with Section 154.134 (D).
- (F) *Sale of Goods.* Goods produced on the premises shall be sold only on the premises, at retail, and the processes and equipment employed in production shall not produce any offensive odor, dust, smoke, ash, gas, noise, vibration or refuse. 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. 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 Section, the regulations and standards adopted by the Minnesota Pollution Control Agency shall be employed.
- (G) *Site Layout for Commercial Uses.* The site layout of a commercial use 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 purposes of separation and screening from residential zoning and uses;
 - (5) View 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.
- (H) *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.
- (I) *Utilities.* Shall be placed underground and meters shall be screened from view from the street.

- (J) *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.
- (K) *Landscaping* – Development and modifications to all parcels is subject to the provisions of §§ 154.321 through 154.326 General Landscaping Requirements
- (L) *Required Parking.* Development and modifications to all parcels and buildings are subject to the provisions of §§ 154.221 through 154.230 Off-street Parking and Loading Spaces.
- (M) *Signs.* Development and modification to all parcels, street uses and buildings are subject to the provisions of §§ 154.241 through 154.260 Signs.
- (N) *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.

Subdivision 4. AMENDMENT. NOW BE IT ORDAINED AND ENACTED by the City Council of the City of Jordan that Table C in Chapter 154 of the Jordan City Code is hereby amended to read as follows:

TABLE C: COMMERCIAL LOT REQUIREMENTS (See §§ 154.130 through 154.150 for complete lists).								
	<i>Minimum Lot Size</i>	<i>Lot Width</i>	<i>Front Yard Setback</i>	<i>Rear Yard Setback</i>	<i>Side Yard Setback</i>	<i>Maximum Height</i>	<i>Bulk or Density</i>	<i>Maximum Impervious Surface Coverage</i>
C-1 Neighborhood Commercial Business District 154.130	Lot Area: 6,000 sq ft	60 ft	10 ft	10 ft	<i>Interior Lot:</i> 8 ft <i>Corner Lot:</i> 10 ft	No structure or building shall exceed 3 stories or 35 ft in height, whichever is less, except the following which may not exceed 53 ft 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.	Bulk: Floor area ratio shall not exceed 1.2	70%
C-2 Central Business District 154.140	Lot Area: 2,000 sq ft	20 ft	0 ft	0 ft	0 ft	No structure or building shall exceed 3 stories or 35 ft in height, whichever is less, except the following which may not exceed 75 ft in height: church spires, belfries, and copulas that do not contain usable space; monuments; flag poles; chimneys; cooling towers; elevator penthouses; and radio, television, and other communication towers. A 4-story building or building maximum 50 ft in height, whichever is less, may be approved as a conditional use pursuant to § <u>154.143</u> .	Density: Minimum lot area per dwelling unit in a multiple-family development shall not be less than 2,000 sq ft	
C-3 Highway Commercial District 154.150	Lot Area: 20,000 sq ft	150 ft	See § <u>154.156</u> Lot Requirements	20 ft	<i>Interior Lot:</i> 15 ft or half the building height, whichever is greater <i>Corner Lot:</i> 20 ft	No structure or building shall exceed 3 stories or 35 ft in height, whichever is less, except the following which may not exceed 53 ft 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 ft may be approved with a conditional use permit	Bulk: Floor area ratio and the ground floor area ratio shall not exceed 0.7	70%

Subdivision 5. AMENDMENT. NOW BE IT ORDAINED AND ENACTED by the City Council of the City of Jordan that Section 154.225(E) of the Jordan City Code are hereby amended to read as follows:

§ 154.225 NUMBER OF REQUIRED OFF-STREET PARKING SPACES

(E) *Neighborhood Commercial District (C-1) and Central Business District (C-2).* Required parking for commercial uses located in the C-1 zoning district and all uses in the C-2 zoning

district shall be determined by the Council following review by the Planning Commission. Review and approval shall be based on:

- (1) The number of off-street parking spaces to be provided.
- (2) The number and accessibility of on-street parking in the area.
- (3) Provisions made by the owner or tenant for joint or shared parking.
- (4) Assessment or pending assessment for 1 or more parking spaces under state statues in which case the number of parking spaces forming the basis for such assessment shall constitute an equal number of spaces for computing off-street parking requirements.
- (5) Other factors affecting the need for off-street parking.

Subdivision 6. AMENDMENT. NOW BE IT ORDAINED AND ENACTED by the City Council of the City of Jordan that Section 154.061 of the Jordan City Code is hereby amended to read as follows:

R-1 Single-Family Residential District

R-2 Medium Density Residential Single-Family District

R-3 Townhouse and Multiple-Family Residential District

R-4 Multiple-Family Residential District

R-5 Manufactured Home District

C-1 Neighborhood Commercial District

C-2 Central Business District

C-3 Highway Commercial District

I-1 Light Industrial District

I-2 General Industrial District

CD Conservancy District

PUD Planned Unit Development District

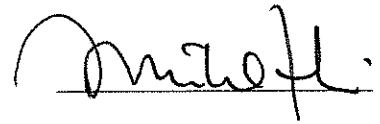
PRD Planned Residential District

PCD Planned Commercial District

PID Planned Industrial District

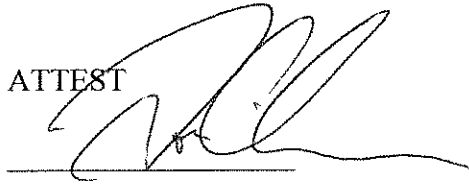
PMD Planned Mixed-Use District

Subdivision 7. EFFECTIVE DATE. This ordinance shall be effective as of May 18, 2021.
ORDAINED by the City Council of the City of Jordan, Scott County, Minnesota this 17 day of May, 2021.



Mike Franklin, Mayor

ATTEST



Tom Nikunen, City Administrator

Moved by:
Seconded by:

Published:
Filed with Scott County: