

**CITY OF JORDAN, MINNESOTA
ORDINANCE NO. 2024-04**

**AN ORDINANCE AMENDING SUBSECTIONS 154.142, 154.143, 154.152, AND 154.153
OF THE JORDAN CITY CODE**

NOW BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF JORDAN AS FOLLOWS:

Section 1. Background.

In the Fall of 2023, the Jordan Planning Commission directed City Staff to consider an ordinance amendment to allow outdoor seating as a permitted use without the need for a Conditional Use Permit.

Section 2. Findings.

- A. The City Council finds there are appropriate amendments to be made to the Outdoor Seating Land Use as a permitted use without the need for a Conditional Use Permit.
- B. Subsections 154.142, 154.143, 154.152, & 154.153 of the City Code, is hereby amended as proposed in Exhibit A.

Section 3. Effective Date.

This Ordinance shall become effective from and after its passage and publication.

ORDAINED by the City Council of the City of Jordan, Scott County, Minnesota this ____ day of _____ 2024.

Mike Franklin, Mayor

Moved by: _____
Seconded by: _____

ATTEST:

Tom Nikunen, City Administrator

Published in the Jordan Independent on the ____ day of _____, 2024.

EXHIBIT A

The following Outdoor Seating subsections are amended as follows:

§ 154.142 PERMITTED USES.

(I) Outdoor seating area for food, on sale liquor establishments and restaurants, Class I, II, and III subject to the following:

(1) The seating area shall be located on private property, shall be subject to the same setbacks as the principal building, be located outside of any recorded easement areas, and demonstrated on a site plan.

(2) Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. if located within 300 feet of any property line within a Residential Zoning District.

(3) Fencing of at least 4 feet in height shall be constructed surrounding the outdoor seating area.

(4) No beverages or food shall be served to persons outside of the designated outdoor seating area.

(5) The seating area shall have a permanent surface of concrete, asphalt, wood or other fabricated construction material.

(6) No additional parking is required if the outdoor seating area does not exceed 500 square feet. Parking will be required at the same rate as the principal use for that portion of outdoor seating in excess of 500 square feet.

(7) Exterior sound amplification equipment shall not be allowed.

§ 154.143 CONDITIONAL USES.

~~(G) Outdoor seating area for food, on sale liquor establishments, and restaurants.~~

§ 154.152 PERMITTED USES.

(F) Outdoor seating area for food, on sale liquor establishments and restaurants, Class I, II, and III subject to the following:

(1) The seating area shall be located on private property, shall be subject to the same setbacks as the principal building, be located outside of any recorded easement areas, and demonstrated on a site plan.

(2) Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. if located within 300 feet of any property line within a Residential Zoning District.

(3) Fencing of at least 4 feet in height shall surround the outdoor seating area.

(4) No beverages or food shall be served to persons outside of the designated outdoor seating area.

(5) The seating area shall have a permanent surface of concrete, asphalt, wood or other fabricated construction material.

(6) No additional parking is required if the outdoor seating area does not exceed 500 square feet. Parking will be required at the same rate as the principal use for that portion of outdoor seating in excess of 500 square feet.

(7) Exterior sound amplification equipment shall not be allowed.

§ 154.153 CONDITIONAL USES.

~~—(L) Outdoor seating area for food, on sale liquor establishments and restaurants, Class I, II, and III. Subject to the following:~~

~~—(1) Meets the standards set forth in § [154.047](#) Conditional Use Permit.~~

~~—(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 4 foot wide passageway for pedestrians and must meet applicable building and fire codes.~~

~~—(8) No additional parking is required for 16 outdoor seats or less. Any additional seating over 16 seats shall require 1 parking space per each 3 additional seats over 16 seats.~~

~~—(9) The outdoor seating area shall be accessory to the principal use and shall not exceed 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 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.~~