

SECTION 2: DEFINITION OF TERMS

Subdivision 1: Purpose

For the purpose of this ordinance, the following words and terms shall be interpreted as herein defined. Words in the present tense include the future; words in the singular include the plural; words in the plural include the singular; the word "shall" is mandatory; and the word "may" is permissive.

A.

Abut, Abuts, or Abutting

These terms refer to areas with boundaries, which physically touch one another at least at a single point, provided however that when used in the context of annexation; said terms shall also be construed to include areas having boundaries, which would touch but for an intervening roadway, railroad, waterway or parcel of publically owned land.

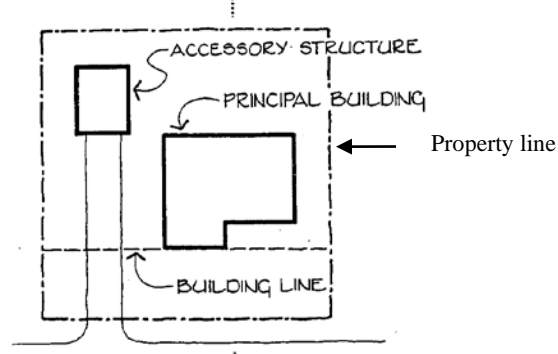
Access

A means of vehicular approach or entry to or exit from property.

Accessory Structure

A subordinate attached or detached building located on the same lot as the principal building, of which the use is incidental and accessory to the use of the principal building.

FIGURE 1: Principal and Accessory Structures



Accessory Structure, Attached

An accessory building or structure that immediately abuts the principal building; is connected by a common wall, an enclosed passageway, breezeway, or other similar roof structure.

Accessory Structure, Detached

An accessory building or structure that does not immediately abut the principal building; is not connected by a common wall, an enclosed passageway, breezeway, or other similar roof structure. Such structure is entirely surrounded by open space on the same lot as the principal building.

Accessory Use

A use that is (1) incidental and subordinate in area, extent, and purpose to the principal use; (2) contributes to the comfort, convenience, or necessity of the principal use; (3) is located on the same lot or within the same building; and within the same zoning district as the principal use by the same party as the principal use, and (4) will not alter the character of the area or be detrimental thereto.

Adult Day Center

A facility licensed by the State of Minnesota that provides adult day care to functionally impaired adults on a regular basis for periods of less than twenty-four (24) hours a day in a setting other than a participant's home or the residence of the facility operator. Functionally impaired adult means an adult having a condition that includes 1) having substantial

difficulty in carrying out one (1) or more of the essential major activities of daily living, such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working; or 2) having a disorder of thought or mood that significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life; and 3) requiring support to maintain independence in the community. (*Ord. No. 594*)

Adult Oriented Business

Any business engaged in adult uses.

Adult Uses

Adult uses include adult bookstores, adult motion picture theaters, adult picture rental, adult mini-motion picture theaters, adult massage parlors, adult steam room/bathhouse sauna facilities, adult clubs, adult cabarets, adult companionship establishments, adult rap/conversation parlors, adult health sport clubs, adult cabarets, adult novelty businesses, adult motion picture arcades, adult modeling studios, adult hotels/motels, adult body painting studios, and other premises, enterprises, establishments, business or places open to some or all members of the public, or in which there is an emphasis on the presentation, display, depiction or description of “specified sexual activities” or “specified anatomical areas” which are capable of being seen by members of the public. This includes bars and or businesses with topless people, bottomless people, nude dancing, strip clubs, and dancing establishments with any type of partial of full nudity.

Adult Uses-Accessory

A use, business, or establishment having more than 5% but less than 10% of its stock in trade or floor area allocated to, or more than 10% but less than 20% of its gross receipts derived from adult movie rentals or sales and/or adult magazines or other adult material sales or rental.

Adult Uses-Principal

A use, business, or establishment having 10% or more of its stock in trade or floor area allocated to, or more than 20% of its gross receipts derived from adult use.

Agriculture

The use of land for agricultural purposes, including farming, dairying, pasturage agriculture, horticulture, and animal and poultry husbandry, and the necessary accessory uses for storing the products. This term shall include incidental retail sales by the producer of products raised on the farm. This term does not include kennels, riding academies, commercial stables, and the commercial raising of fur-bearing animals.

Agricultural Sales and Service

A use primarily engaged in the sale or rental of farm tools and implements, feed, grain, tack, animal care products, and farm supplies. This definition excludes the sale of large implements, such as tractors and combines, but includes food sales and indoor farm machinery repair services that are accessory to the principal use.

Alley

A public thoroughfare which provides secondary access to abutting property.

Alteration

Any construction which would result in a change in height, occupancy of use, or lateral dimensions of an existing structure.

Ambulance Service

A privately or publically owned facility for the dispatch, storage, and maintenance of emergency medical care vehicles.

Annexation

The incorporation or detachment of land into or from the City of Isanti, which results in a change to the corporate limits of the City.

Animal(s)

All living, non-human beings, including but not be limited to, cattle, swine, sheep, goats, farmed cervidae, horses, bison, mules, or other equines, llamas, poultry and/or ratitae.

Animal Boarding Facility

An establishment in which dogs and cats are kept for boarding, safekeeping, convalescence, humane disposal, placement, or sporting purposes.

Animal Grooming and Training Service

An establishment providing bathing, trimming or training services for domestic animals on a commercial basis. The term includes the boarding of domestic animals for a minimum period of not more than forty-eight (48) hours; incidental to the grooming and training services.

Animal Sales and Service

A business establishment primarily engaged in animal related services, including animal boarding facilities, training and grooming services and veterinary clinics.

Antenna

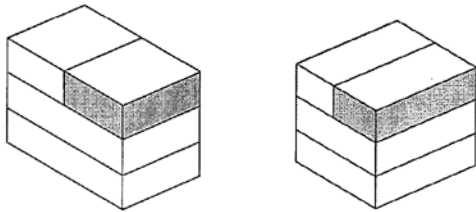
Any structure or device used for the purpose of collecting or radiating electromagnetic waves, including but not limited to directional antennas, such as panels, microwave dishes, and satellite dishes, and omni-directional antennas, such as whip antennas.

Apartment Building (See Dwelling, Apartment)

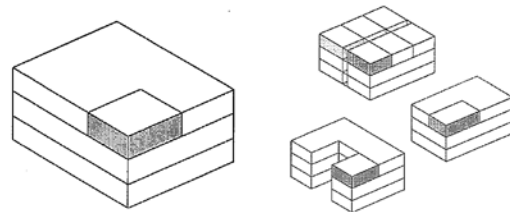
A multiple family dwelling designed with three (3) or more units grouped in one building and used exclusively for occupancy by three (3) or more families living independently of each other but sharing common hallways and main entrances and exits.

FIGURE 2: Apartment Dwelling Types

Small Apartments



Low Rise Apartments



Appendage (Building/Structure)

A structure added or attached to a principal or accessory structure. This definition shall include but is not limited to roofs, awnings, or a lean-to.

Archery Range

An indoor or outdoor facility that may include buildings or structures used for target practice with bows and arrows.

Artist Studios

An establishment where work space for artists or artisans, including individuals being taught, studying, or practicing one of the fine arts. This may include music, art, photography, printing, painting, sculpturing, acting or writing. This definition includes accessory sale of art produced on the premises.

Assisted Living Facility

A facility for the elderly that provides rooms, meals, personal care, and supervision of self administered medication, and may provide other services such as recreational activities, financial services, transportation or other activities of daily living, appropriate for the residents.

Attic

That part of a building which is immediately below, and wholly or partly within, the roof framing.

Automobile Car Wash Establishment

Mechanical facilities for the washing and waxing of private automobiles, light trucks and vans; which may be accessory to a motor vehicle repair facility, body shop or gas station.

Awning

A roof-like cover, often constructed of fabric, plastic, vinyl, metal, or glass, designed and intended for protection from the elements or as a decorative embellishment, and which projects from a wall of a structure.

B.**Bakery**

An establishment primarily engaged in the retail sale of baked goods for consumption off site. The products may be prepared, cooked, or baked either on or off premises. Such service may include incidental food service. A bakery shall be considered a general retail use.

Bar

An establishment primarily devoted to the serving of alcoholic beverages for consumption on the premises and in which the service of food is incidental to the consumption of such beverages. This definition shall include taverns, cocktail lounges, night clubs, and other similar liquor serving establishments, which serve liquor, beer, or wine.

Basement

The portion or portions of a building that is partly or completely below grade.

Bed & Breakfast

An owner occupied single-family dwelling in which a room or group of rooms forming a single habitable unit and one (1) meal per day are provided for a fee to the transient traveling public for the purpose of sleeping, but not for cooking.

Block

A tract of land bounded by streets or a combination of streets or public parks, cemeteries, railroad right-of-way, shorelines, unsubdivided acreage, or boundary lines of the corporate limits of the city.

Boarding House

A building other than a hotel or motel, where for compensation and by prearrangement for definite periods, meals, and/or lodging are provided for persons, not members of the principal family, not to exceed ten (10) persons. The definition may also be referred to as a lodging house or rooming house.

Brewer Tap Room

Facilities on the premises of, or adjacent to, a malt liquor brewery for the on-sale and consumption of malt liquor produced by the brewer pursuant to Minnesota Statute section 340A.301, subdivision 6(b), as amended from time to time.

Brewpub

A restaurant that conducts the retail sale of malt liquor brewed on the premises and is licensed under Minnesota Statutes section 340A.301, subdivision 6(d), as amended from time to time.

Broadcasting or Recording Studio

An establishment containing one or more broadcasting studios for over-the-air, cable or satellite delivery of radio or television programs or studios for the audio or video recording or filming of musical performances, radio or television programs or motion pictures. Such term does not include transmission towers.

Buffer Zone

An area of land separating two distinct land uses that acts to soften or mitigate the effects of one land use on the other. Such areas shall include landscaping and screening as required by this Ordinance.

Buildable Area

The area of a lot remaining after the minimum yard areas, setbacks, and open space requirements of this ordinance have been met; excepting any floodplain, wetland, easement, or similarly designated unbuildable lands.

Building (See Structure)

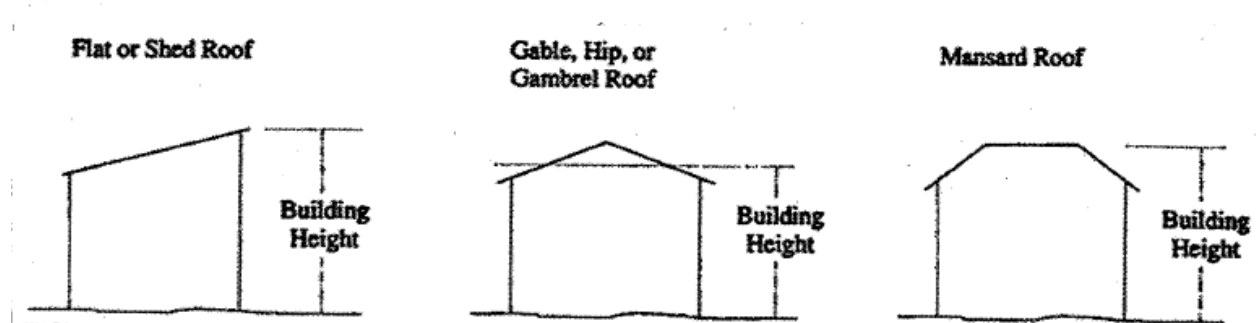
Building Front

That exterior wall of a building which faces a front lot line of the lot.

Building Height

The vertical distance from the average of the highest and lowest point of that portion of a lot covered by a building to the highest point of the roof for flat roofs, to the deck line of mansard roofs and to the mean height between eaves and ridge for gable, hip, and gambrel roofs.

FIGURE 3: Measuring Building Height



Building Maintenance Service

An establishment providing routine maintenance of buildings, to include, but is not limited to, window washing, building cleaning, pest exterminators, or disinfecting services.

Building Official

The Building Official for the City of Isanti or his or her authorized representative.

Building, Principal

A building in which the primary or predominant use of the lot is conducted. May also be referred to as the principal structure.

Building Setback Line

The minimum distance, as required by the Ordinance, by which a building or structure must be separated from a street right-of-way or lot line.

Business Services

Establishments primarily engaged in rendering services to other business establishments on a fee or contract basis, such as advertising and mailing; personnel and employment services; management and consulting services; equipment rental and leasing (indoor only); photo finishing; copying and printing; travel; office supply; and other similar services.

C.

Caliper

A measurement of the size of a tree equal to the diameter of its trunk measured four and one-half (4.5) feet above natural grade.

Campground

Any area that is occupied or intended or designed or improved for occupancy by transients using recreational vehicles, motor homes, or mobile trailers for dwelling, lodging, or sleeping purposes and is held out as such to the public. Campground does not include any manufactured housing or mobile home community.

Canopy

A permanently roofed shelter projecting over a sidewalk, driveway, entry, window or other similar area, which shelter may be wholly supported by a building (includes an awning) or may be wholly or partially supported by columns, poles, or braces extending from the ground (such as the structure found at a gasoline station). A marquee is not a canopy.

Caretaker's Residence

A dwelling unit which is used exclusively by the owner, manager, or operator of a principal permitted use and which is located on the same parcel as the principal use.

Carport

A permanent roofed structure having one or more sides open designed for or occupied by private passenger vehicles.

Catering Service.

An establishment that prepares and provides food and / or refreshments at public and private events for a fee.

Cemetery

Land used to for the burial of the dead, including crematories, mausoleums, and columbariums.

Certificate of Occupancy

A document issued by the Building Official allowing for the occupancy and use of a building, and certifying that the structure and proposed use is in compliance with all the applicable codes and ordinances.

Channel

A natural or artificial depression of perceptible extent, with definite bed and banks to confine and conduct water either continuously or periodically.

City Administrator

The City Administrator for the City of Isanti or his or her authorized representative.

City Council

The City Council of the City of Isanti.

City Engineer

The City Engineer for the City of Isanti or his or her authorized representative.

City Planner

The City Planner for the City of Isanti or his or her authorized representative.

Club, Private

A non-profit association or organization of persons who are bona fide members paying annual dues that may hold regular meetings and that may be subject to other regulations controlling such uses, maintain dining facilities, serve alcohol, or engage professional entertainment for the enjoyment of dues paying members and their guests on the premises owned or leased by the organization. The definition may include private lodges.

Coffee House

An informal restaurant primarily offering coffee, tea, and other beverages, and where other non-alcoholic refreshments and limited menu items may also be sold.

Commercial Kennel

A place where more than three (3) dogs over six months of age are kept and where the business of selling, boarding, breeding, showing, treating and grooming dogs is conducted.

Commercial Recreation

Any establishment whose main purpose is to provide the general public with an amusing or entertaining activity and where tickets are sold or fees are collected for the activity; which includes, but is not limited to, bowling alley, pool hall, dance hall, skating rinks, trampoline, firearms range (indoor only), boat rental, amusement rides, indoor

playgrounds, trampolines, swimming pools and water slides, miniature golf, arcades, auditoriums, performance centers, arenas, art gallery, driving ranges, and other similar uses.

Commercial Speech

Speech advertising a business, profession, commodity, service or entertainment.

Commercial Wireless Telecommunication Services

Licensed commercial wireless telecommunication services including cellular, personal communications services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized (ESMR), paging, and similar services that are marketed to the general public.

Commercial Wireless Telecommunication Service Facility

A facility that transmits and/or receives electromagnetic signals. It includes antennas, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, telecommunications towers or similar structures supporting said equipment, equipment buildings, parking areas, and other accessory development and related equipment.

Community Center

A place, structure, area, or facility used for conventions, conferences, seminars, product displays, recreation activities and entertainment functions that are generally open to the public and are designed to accommodate and service a significant portion of the community. Accessory functions may include, but are not limited to, temporary outdoor displays or food and beverage preparation for on-site consumption. May also be referred to as civic centers or convention centers.

Community Development Director

The Community Development Director for the City of Isanti or his or her authorized representative.

Community Garden

An assigned space or property on private land that is reserved for use by an organized group of community members for the cultivation of fruits, vegetables, plants, flowers, or herbs; in which the organized group is solely responsible for all necessary maintenance of this space.

Community Recreation

A private recreational facility for use solely by the residents and guests of a particular residential development, planned unit development, or residential neighborhood; which includes indoor and outdoor recreational facilities. Such facilities are planned in association with the development and are located either within or immediately adjacent to the development.

Comprehensive Plan

The Comprehensive Land Use Plan prepared and adopted by the City of Isanti, indicating the general location recommended for major land uses, streets, parks, public buildings, and other public improvements.

Condominiums

A multiple dwelling or development containing three (3) or more individually owned dwelling units and jointly owned and shared areas and facilities, which is subject to the provisions of the Minnesota Condominium Law, Minnesota Statutes, Section 515.01 to 515.29, as amended.

Congregate Living Facility

Senior citizen housing where at least one (1) meal per day is prepared in a common dining facility on the premises and where a variety of common medical and social services may be provided.

Contractor's Shop

An establishment used for the indoor repair, maintenance or storage of a contractor's vehicles, equipment or materials, and may include the contractor's business office. This term includes, but is not limited to heating, air conditioning, painting, plumbing, roofing, electric and building.

Contractor's Yard

An establishment used for the outdoor storage of a contractor's vehicles, equipment, or materials.

Convenience Store

A small retail establishment usually located within or associated with another use that offers for sale convenience goods, such as prepackaged food items, tobacco, periodicals, and other household items. The establishment is operated primarily for the convenience of the motoring public, walk-in shopper, and those looking to purchase a few items.

Cul-de-sac

A minor street with only one (1) outlet and having an appropriate turn-around for the safe and convenient reversal of traffic movement.

Custom Processing

The slaughtering, eviscerating, dressing, or processing of an animal or processing meat products for the owner of the animal or of the meat products, if the meat products derived from the custom operation are returned to the owner of the animal. No person may sell, offer for sale, or possess with intent to sell meat derived from custom processing except in conformance with this ordinance.

Custom Processor

A person who slaughters animals or processes non-inspected meat (not under continuous inspections by either the Minnesota Department of Agriculture or US Department of Agriculture for meat processing activities) for the owner of the animals, and returns the majority of the meat products derived from the slaughter or processing to the owner. This does not include a person who slaughters animals or processes meat for the owner of the animals on the farm or premises of the owner of the animals.

D.**Day Care Center**

A facility where tuition, fees or other forms of compensation is charged for the care of children and which is licensed by the state as a day care center.

Deck

A horizontal, unenclosed platform structure with or without attached railings, seats, trellises, or other features that is attached or functionally related to the principal use or site.

Dedication

The transfer of property interests from private to public ownership for a public purpose. The transfer may be of fee-simple interest or of a less than fee interest, including an easement.

Delicatessen

A retail store that serves cooked or prepared foods such as cheeses, cold cooked meats, and salads for consumption off-premises.

Density Bonus

The granting of an allowance of additional density in a development in exchange for the provision, by the developer, of other desirable amenities from a public perspective. Density bonuses shall be calculated utilizing the maximum density limits as defined within the underlying zoning district.

Density, Gross

The quotient of the total number of dwelling units divided by the total project area, expressed in units per acre.

Density, Net

The quotient of the total number of dwelling units divided by the developable acreage of the site, resulting in the number of dwelling units per net residential acres of land. Developable acreage excludes wetlands, lakes, roadways, and other areas not suitable for building purposes.

Density Transfer

A way of retaining open space or natural features, to include but is not limited to lakes, ponds, wetlands, woodlands, and trees; by concentrating densities in compact areas adjacent to existing development and utilities.

Developer

The legal or beneficial owner(s) of a lot or parcel of any land proposed for inclusion in a development, including the holder of an option or contract to purchase.

Distillery

A distillery operated within the state producing premium, distilled spirits in total quantity exceeding 40,000 proof gallons in a calendar year, pursuant to Minnesota Statute section 340A.301, as amended from time to time.

Diversion Channel

A channel that intercepts surface water runoffs and that changes the accustomed course of all or part of a stream.

Draining

The removal of surface water or groundwater from land.

Dredging

To enlarge or clean-out a water-body, water course, or wetland.

Drive-Thru Facility

A facility that is used for the dispensing of services or items to customers waiting in motor vehicles. These facilities may require access lanes, lighting, signage, and audio systems for customer convenience. The term does not include a drive-in theater.

Driveway

A minor private way used by vehicles and pedestrians on an individual lot or parcel of land.

Dry Cleaning Establishment

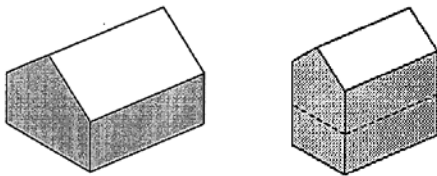
An establishment that launders or dry cleans articles dropped off on the premises by the customer or where articles are dropped off, sorted, and picked up for laundering or cleaning at a secondary location.

Dwelling/Dwelling Unit

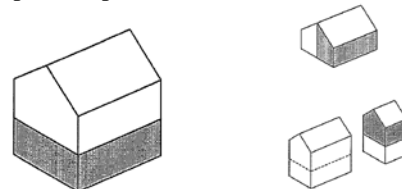
Any building or portion thereof designed or used predominantly for residential occupancy of a continued nature, in which a single complete kitchen facility, sleeping room, and bathroom provided within the unit for the exclusive use of a single household. This definition does not include rooms in motels, hotels, nursing homes, boarding houses; or trailers, tents, cabins, trailer coaches, recreational vehicles, or any type of lodging.

FIGURE 4: Dwelling Types

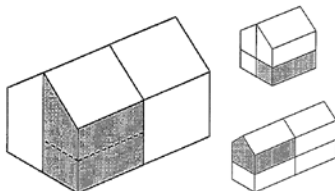
Single-Family



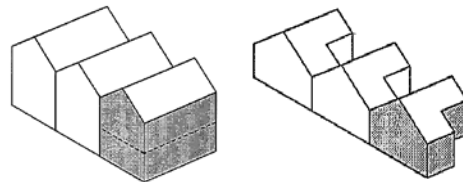
Duplex, Triplex



Quadraminium



Townhouse / Rowhouse



Dwelling, Apartment

A room or suite of rooms which is designated for, intended for, or occupied as a residence by a single family or an individual; and is equipped with cooking facilities.

Dwelling, Attached

A dwelling which is joined to another dwelling at one or more sides by a party wall or walls.

Dwelling, Detached

A dwelling which is entirely surrounded by open space on the same lot.

Dwelling, Multiple Family

A building or portion thereof containing three (3) or more dwelling units. Such term includes, but is not limited to, townhomes, rowhomes, triplexes, quadraminiums, condominiums, and apartments.

Dwelling, Rowhouse

A multiple family dwelling structure consisting of attached dwelling units, owned individually, with each residence having its own front and rear yards as well as independent access to the exterior of the building in the ground story.

Dwelling, Single Family (One Family)

A detached dwelling containing accommodations for and occupied by a single family unit. A single-family detached dwelling shall include a modular home or manufactured home, as defined in this Section. A manufactured home must receive HUD certification and meet the construction and safety standards promulgated by the United States Department of Housing and Urban Development (HUD) in effect at the time application is made for a building permit. All single-family detached dwellings, including manufactured homes that meet the definition of dwelling, shall comply with the provisions of this Ordinance.

Dwelling, Townhouse

A single family dwelling unit attached to other dwelling units by common walls, side by side, extending from the foundation to the roof and without any portion of one dwelling unit located above any portion of another dwelling unit; and with each dwelling unit having a separate entrance from the outside of the building. Such structures shall be of the town or row house types, as contrasted to multiple-family dwelling (apartment) structures.

Dwelling, Triplex / Quadraminium

A single building on a single lot, which contains three (3) or four (4) separately owned dwelling units, all of which have individually separate entrances from the exterior of the structure and which are attached by common walls and each unit is equipped with separate cooking, sleeping, eating, living, and sanitation facilities.

Dwelling, Two-Family

A building designed exclusively for occupancy by two (2) families in separate dwelling units, to include: (1) Duplex, a two-family dwelling with one unit above the other; and (2) Twinhome, a two-family dwelling with two units side by side.

E.

Earth Sheltered Buildings

Buildings constructed so that more than fifty percent (50%) of the exterior surface area of the buildings, excluding garages and other accessory buildings, is covered with earth and the building code standards are satisfied.

Easement

Authorization by a property owner to the use of land by the public, a corporation, or persons for specific purposes as the construction of utilities, drainage ways, or roadways.

Easement, Conservation

An easement created where restrictions are imposed on the development or alteration of property to preserve natural features.

Educational Institutions

A public, private, or parochial institution that provides educational instruction to students. Such term does not include trade or business schools, or colleges and universities. Accessory uses may also exist on the same site, such as playing fields, sports courts, and playgrounds.

Equipment Building

A cabinet, shelter, or building used by telecommunication providers to house equipment at a facility.

Erosion

The detachment and movement of soil or rock fragments by water, wind, ice, and/or gravity.

Essential Services

Underground or overhead gas, electrical, steam or water transmission, or distribution systems; collection, communication, supply, or disposal systems including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, fiber optics, police call boxes, traffic signals, hydrants, or other similar equipment and accessories in conjunction therewith; but not including buildings.

Expansion

An increase in the area, size, shape, volume, height, weight, or intensity of the use. Expansion can also be determined by: (1) the extent to which the current use reflects the nature and purpose of the original use; (2) any difference in character, nature, and kind of use involved; and (3) any substantial difference in affect upon the neighborhood resulting from differences in activities conducted on the property.

Explosive Material

Any chemical compound mixture or device, the primary and common purpose of which is to function by explosion with substantially simultaneous release of gas and heat, the resulting pressure being capable of producing destructive effects.

External Illumination

The illumination of a sign which is produced by an artificial source of light not contained within the sign itself.

F.**Family**

The definition of family shall meet one of the following: (1) A person or persons related by blood, marriage, or adoption, together with any such person's domestic servants, or gratuitous guests, maintaining a common household dwelling unit; (2) group or foster care of not more than six (6) wards or clients by an authorized person, unrelated by blood, marriage or adoption, together with any such person's domestic servants or gratuitous guests, all maintaining a common household in a dwelling unit and approved and certified by the appropriate public agency; or (3) a group of not more than five (5) persons unrelated by blood, marriage, or adoption maintaining a common household in a dwelling unit.

Farm Implement

An establishment engaged in the selling of any implement, machine, equipment, engine, motor, combine, tractor or attachment used or intended for use in farming or agricultural operations. Accessory uses may also exist on the same site, such as open sales lot, repair and service areas, and office related uses.

Farming

An area of land consisting of five (5) or more contiguous acres used for the production and/or cultivation of farm crops, to include: vegetables, fruit, cotton, corn, grain, etc. and their storage. The term farm does not include the raising of farm animals, to include but is not limited to poultry, swine, dairy and/or beef cattle, sheep, goats, etc.

Farmer's Market

The offering of for sale fresh agricultural products directly to the consumer in an open air market, in a pre-designated area.

Feeder Line

A power line that carries electrical power from one or more wind turbines or individual transformers associated with individual wind turbines to the point of intersection with the electrical power grid, in the case of interconnection

with the high voltage transmission systems the point of interconnection shall be a substation servicing the WECS.

Fence

A structure serving as an enclosure, barrier, or boundary, usually made of posts, chain link, masonry, boards, rails, or other materials as permitted by this Ordinance.

Fence, Chain-link

A fence, which permits direct vision through at least 90% of any one (1) square foot segment of vertical fence area.

Fence, Decorative

A fence that contributes to the identification and beauty of the principal structure and does not act as a retaining structure. Decorative fences include wood or vinyl picket fences, split rail fences or decorative iron fences.

Fence, Privacy

Any fence used for screening of outdoor living areas and for enclosures where restricted visibility or protection is desired.

Filling

The depositing on land, whether submerged or not, of sand, gravel, earth, or other materials of any composition.

Financial Institution

Provides financial and banking services to consumers and clients. Typical uses may include banks, savings and loan associations, savings banks, credit unions, lending establishments, and automatic teller machines (ATM); which may be accessory to a financial institution.

Firearms Dealer

Any person or business establishment engaged in the sale, lease, trade, or other transfer of firearms, ammunition, ammunition components, and hunting or shooting equipment at wholesale or retail. Firearms dealers shall not include any person engaged in the business of building, repairing, or modifying of firearms such as a gunsmith.

Flea Market

A building or open area in which stalls or sales areas are set aside, rented or otherwise provided and which are intended for use by various individuals to sell articles that are; but are not necessarily limited to, homemade, handcrafted, old, obsolete or antique and may include the selling of goods at retail by businesses or individuals who are generally engaged in retail trade.

Flood Fringe

That portion of the flood plain outside of the floodway. Flood fringe is synonymous with the term "floodway fringe" used in the Flood Insurance Rate Maps.

Flood Plain

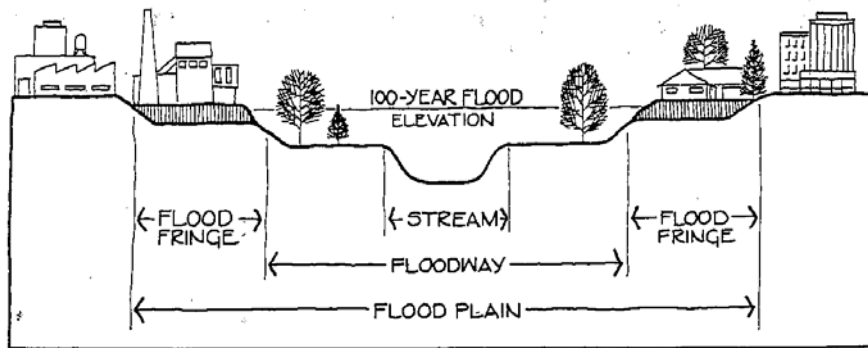
The areas adjoining a water course which have been or hereafter may be covered by the regional flood.

Floodway

The channel of the water course and those portions of the adjoining flood plains which are reasonably required to carry and discharge the regional flood.

FIGURE 5: Diagram of Floodplain / Floodway

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Floor Area

The sum of the gross horizontal areas of the several floors of a building measured from the exterior walls, including basements and attached accessory buildings.

Funeral Home

An establishment engaged in undertaking services such as preparing the dead for burial, and arranging and managing funerals. This term includes mortuaries and funeral chapels. This term shall also permit a caretaker’s residence as accessory to the funeral home.

G.

Garage

A detached accessory structure or a portion of the principal structure used for the parking and storage of vehicles, merchandise, or equipment, and which is not a separate commercial establishment open to the general public. When associated with a residential use, it shall be limited to use for parking and storage of vehicles, non-commercial trailers, and household equipment.

Garage Sale

Garage sale shall include rummage sales, basement sales, yard sales, porch sales, and all other periodic sales at a residential location intended for the limited purpose of isolated or occasional sales for the selling of use goods or home-crafted items by the residents thereof.

Garage Width

The width of a garage is not limited to the garage door, but is considered the width of that portion of the building façade that is backed by garage space. It is measured from outside of exterior wall to outside of exterior wall that lie perpendicular to the garage door or entry.

Garden Center

A place of business where retail and wholesale products and produce are sold to the retail consumer. These centers, which may include a nursery and/or greenhouses, import most of the items sold. These items may include plants, nursery products and stock, fertilizers, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm tools and utensils.

Gas Station

A business providing retail sale of fuel for motor vehicles. This use does not include motor vehicle repair facilities or motor vehicle body shops. The term may include accessory retail sales such as a convenience store or automobile car wash establishment.

General Office

Use of a building for business, professional or administrative offices. A general office is characterized as an establishment with a low proportion of vehicle trips attributed mainly to visitors and/or clients. Examples include, but are not limited to, offices providing architectural, computer software consulting, data management, engineering, interior design, real estate, motor vehicle sales office (no on-site vehicle display; i.e. broker or wholesaler), insurance, investment

or legal services. This definition does not include a bank and/or financial institution, physician, dentist, optometrist, psychiatric or chiropractic offices. (*Ord. No.631*)

General Retail Establishment

An establishment providing retail sale of new products to the public and rendering services incidental to the sale of such products, including but not limited to the following: art supplies and art works, auto parts, baked goods, bicycles, books, collectibles, compact discs and tapes, dry goods, notions and novelties, flowers and plants, food and beverages (except liquor stores), furniture and floor coverings, hardware, hobbies, household goods, jewelry, luggage, major appliances, music, newspapers and magazines, paint and wallpaper, pets, pharmaceutical products, photo equipment and processing, picture frames, records, sewing apparatus, sporting goods, stationery, tobacco products, toys and games, and wearing apparel. The term also includes, but is not limited to, antique stores, delicatessen, electronics and cell phone stores, firearms dealers, furniture and appliance rental establishments, grocery stores, portrait studio, specialty food stores, or video rental (non-adult use) or sales business. The term does not include an adult use (principal or accessory), building supply or home improvement center, garden center, liquor store, lumber yard, pawn shop or second hand store.

Golf Cart

A small, self-propelled recreational motor vehicle used for carrying golfers and their equipment.

Golf Course

A tract of land laid out with at least nine (9) holes for playing a game a golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse and shelters as accessory uses.

Government Office

Administrative, clerical, or public contact office of a government entity, to include but is not limited to, a post office or incidental storage and maintenance of the agency's vehicles in an enclosed building

Grade

The elevation established for the purpose of regulating the number of stories or height of a building or structure. Grade shall be the average level of the finished surface of the ground adjacent to the exterior walls of the building.

Grade, Established

The elevation of the finished street at the centerline or curb as fixed by the City Engineer or by such authority deemed by law to determine such an elevation.

Greenhouse

Retail business establishment whose principal activity is the selling of plants grown on the site and having outside storage, growing areas, or display.

Gross Area

The total area in acres of a tract of land to include public right-of-way, retention ponds, public land, etc.

Ground Transportation Service

An establishment providing for the storage, maintenance, or dispatching of: public passenger vehicles, school buses, tow trucks, taxi cab services, or vehicles licensed by the State of Minnesota and used for the transportation of elderly or handicapped persons.

Gunsmith

A person who designs, builds, repairs or modifies firearms to a particular design or to customer specifications.

H.

Hazardous Material

Any substance that, because of its quantity, concentration, or physical or chemical characteristics poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. The term includes, but is not limited to hazardous substances and hazardous wastes.

Hazardous Waste

Any refuse or discarded material or combinations of refuse or discarded materials in solid, semi-solid, liquid, or gaseous form which cannot be handled by routine waste management techniques because they pose a substantial present or potential hazard to human health or other living organisms because of their chemical, biological, or physical properties. Categories of hazardous waste include, but are not limited to, explosives, flammables, oxidizers, poisons, irritants, and corrosives.

Health Care Clinic

An establishment containing offices and facilities where human patients can receive medical, dental, optometric, chiropractic and/or psychiatric services on an outpatient basis only.

Health Club

A building or portion of a building where members or non-members utilize space and/or equipment for the purpose of physical exercise, leisure time activities, conducting of sports, or other customary and usual recreational activities; which is operated by a profit or not-for-profit organization. May also be referred to as a gym.

Hobby Farm

The incidental use of land for the production and/or cultivation of farm crops and the keeping of animals generally raised on a farm. The keeping of animals is subject to MN State Statute 343. (*Ord. No. 672*)

Home Day Care

A dwelling in which a permanent occupant of the dwelling provides for the care of children or adults. Such facility shall meet the requirements of the State of Minnesota for day care providers.

Home Improvement Center

An establishment providing the sale or rental of building supplies, construction equipment or home decorating fixtures and accessories. This term does include a lumber yard, building supply, or hardware store and may include outdoor storage of tool and equipment sales or rental.

Home Occupation, Extended

Any gainful occupation or profession engaged within a dwelling unit or an accessory building or attached garages by an occupant of the dwelling unit as a use clearly incidental to the principal use of the dwelling unit for residential purposes; and which exceeds the requirements for a permitted home occupation. Extended home occupations, where allowed in the applicable zoning district, may be allowed as an Interim Use subject to the provisions of Section 21, Article 3 of this Ordinance.

Home Occupation, Permitted

Any gainful occupation or profession engaged within a dwelling unit on the premises by an occupant of the dwelling unit as a use that is clearly incidental to the principal use of the dwelling unit for residential purposes that does not change the residential character of the lot or structures thereon and which is of a type that historically has been found to not endanger the health, safety, or welfare of other persons residing in the area by reasons of blight, noise dust, odor, glare, vibration, increased vehicular traffic, unsanitary or unsightly conditions, fire hazard or other similar conditions that have the likelihood of disturbing the peace, comfort, or quiet enjoyment of indoor and outdoor spaces of neighboring residential properties. Permitted home occupations where allowed in the applicable zoning district may be allowed as an accessory use subject to the regulations and standards provided in Section 13 of this Ordinance.

Home Occupation, Special

Any gainful occupation or profession engaged within a dwelling unit on the premises by an occupant of the dwelling unit as a use that is clearly incidental to the principal use of the dwelling unit for residential purposes; and which exceed the specific requirements for a permitted home occupation and has been found by its nature, scale, size, location, and other similar conditions to have the likelihood to disturb the peace, comfort, or quiet enjoyment of the indoor or outdoor spaces of neighboring residential properties. Special home occupations, where allowed in the applicable zoning district, may be allowed as an Interim Use subject to the provisions of Section 21, Article 3 of this Ordinance.

Hospice

One main building; or a portion thereof, in which terminally ill persons live in order to receive appropriate Medicare certified hospice services.

Hospital

An establishment providing physical and mental health services, in-patient or overnight accommodations, and medical or surgical care for the sick or injured.

Hotel

Any building or portion thereof where lodging is offered to transient guests for compensation and in which there are more than five (5) sleeping rooms with no cooking facilities in an individual room or apartment. This definition shall include motels.

Household

A family living together in a single dwelling unit with common access to, and common use of, living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit.

Household Maintenance and Small Engine Repair Facility

Establishments that are primarily engaged in the provision of maintenance and repair services to individuals and households, rather than businesses and would exclude automotive repair. Typical uses include household goods, furniture, appliances, or lawn and garden equipment as well as engines used in outboard motors, snowmobiles, and motorcycles may also be included. Accessory uses may include retail sales of parts and accessories.

I.**Impervious Surface**

Areas where water cannot readily penetrate the soil such as an artificial or natural surface through which water, air, or roots cannot penetrate. Examples include, but are not limited to concrete and asphalt patios, walkways, driveways, sheds, pools, concrete and asphalt pads, and buildings.

Improved Surface

Includes, but is not limited to impervious surface, pavers, patio block or large (1.5 inch minimum) crushed rock of a depth of not less than six (6) inches.

Instructional/Learning Center

A business that provide instruction in specific areas of knowledge or activities such as math, science, reading, dance, cheerleading, gymnastics, martial arts, and other similar uses. This term does not include educational institutions or trade/business schools.

Intense Development

Any new development or redevelopment of a building or parcel that results in but is not limited to higher densities, increased floor area, increased building height, increased size and scale of uses or change of use to one that is considered more intense, results increased lot coverage or smaller minimum setback requirements.

Internal Illumination

The illumination of a sign which is produced by an artificial source of light concealed or contained within the sign itself, and which becomes visible in darkness through the translucent portion of the sign.

J.**Junk Yard**

Land or buildings where waste, discarded salvaged materials are bought, sold, exchanged, stored, cleaned, packed, disassembled, or handled. This includes, but is not limited to, scrap metal, rags, paper, rubber products, glass products, lumber products, and products from wrecking of automobiles, other vehicles accessory to any business or industrial use of the same lot. A junkyard does not include accessory uses established in conjunction with a permitted manufacturing process when conducted within an enclosed area or building. The storage of unlicensed or inoperable motor vehicles for a period in excess of thirty (30) days shall also be considered a junkyard.

L.

Lakes and Ponds

Natural or artificial bodies of water which retain water year round. A lake is a body of water of two (2) or more acres. A pond is a body of water of less than two (2) acres. Artificial ponds may be created by dams or may result from excavation. The shoreline of such bodies of water shall be measured from the maximum condition rather than from the permanent pool in the event of any difference.

Landscaping

The placement of trees, grass, bushes, shrubs, flowers, garden areas, and/or the arrangement of foundations, patios, decks, street furniture, and ornamental concrete or stone walk areas and artificial turf or carpeting.

Lattice Tower

A self-supporting structure, erected on the ground, which consists of metal strips or bars to support antennas and related equipment.

Laundromat

A facility where patrons wash, dry, or iron clothing or other fabrics in machines provided on the site for operation by the patron.

Limited Light Industrial

Indoor assembly, fabrication, packaging, or processing of finished parts or products and temporary storage incidental thereto conducted wholly within a single building. No materials/equipment used in the limited light industrial process shall be stored outside. Limited light industrial uses must be non-hazardous and shall be conducted in such a manner as to prevent external environmental impacts from the industrial process, such as soot, smoke, noise, vibration, odor, dirt, or other similar nuisances. Such use shall not generate significant volumes of traffic on adjacent streets. Included in this category is machine shop; businesses engaged in the processing fabrication, assembly, and packaging of food, textile, leather, cloth, wood, paper (but not the manufacturing of paper from pulpwood), plastic or metal products (but not the processing of raw materials); and other similar uses.

Liquor Store

A retail establishment selling alcoholic beverages “off-sale” in their original packages (sealed or corked containers) for consumption off the licensed premises only.

Living Area

The area of a dwelling including, but not limited to, bedrooms, bathrooms, kitchens, living rooms, and dining rooms, but excluding garages.

Loading Space

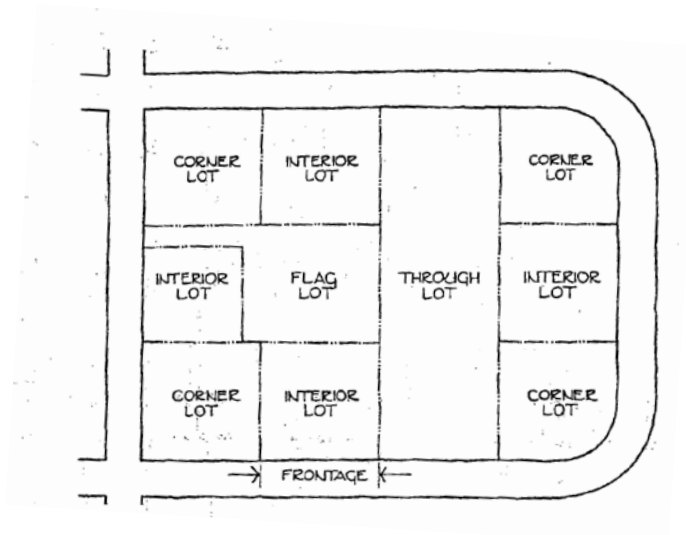
An off-street space or berth designed and used for the loading or unloading of commercial vehicles.

Lot

A parcel of land of sufficient size to meet zoning and platting requirements for use, coverage, and area, and to provide such yards, setbacks, parking, landscaping, and other open spaces as are required by this Ordinance for the zoning district in which said parcel is located.

FIGURE 6: Types of Lots

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Lot Area

The area of a horizontal plane bounded by the front, side or rear lot lines, but not including any area occupied by the waters of lakes or rivers or by street rights-of-way.

Lot, Corner

A lot abutting two or more streets at their intersection.

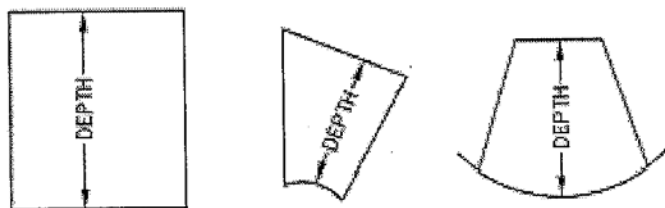
Lot Coverage

The area of a lot occupied by impervious surface as defined within this Ordinance. .

Lot Depth

The mean horizontal distance between the front lot line and the rear lot line of a lot, measured within the lot boundary.

FIGURE 7: Lot Depth Measurement



Lot, Double Frontage

An interior lot having frontage on two (2) streets.

Lot, Flag

A lot not directly fronting or abutting a public right-of-way and where access to the roadway is limited to a narrow private right-of-way.

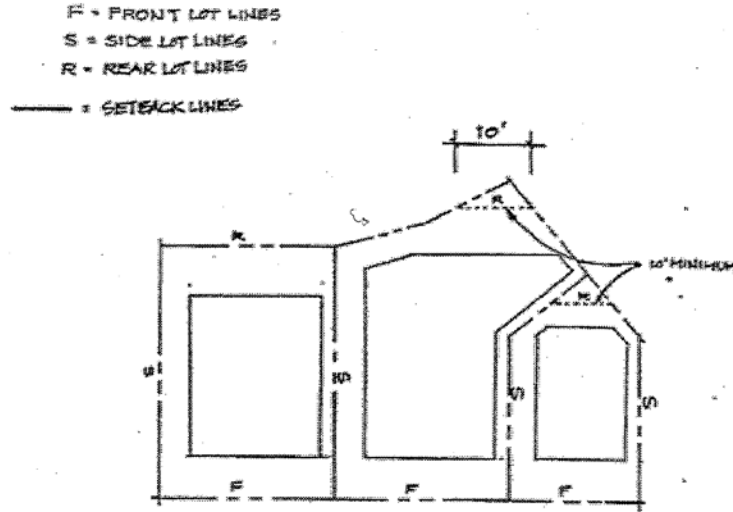
Lot, Interior

A lot other than a corner lot, including through lots.

Lot Lines

The lines bounding a lot as defined herein.

FIGURE 8: Examples of Lot Lines



Lot Line, Front

The boundary of a lot which is along an existing or dedicated public street. The front of a corner lot is the side of the lot having the least dimension. If both sides of the lot are the same dimension, the owner shall, at the time he or she applies for a permit under this ordinance, choose the street which the lot shall be deemed to front upon.

Lot Line, Rear

That lot line which is parallel to and most distant from the front lot line of the lot. In the case of an irregular, triangle, or oddly shaped lot, the rear lot line shall be an imaginary line, parallel to and farthest from the front lot line, not less than ten (10') feet in length and entirely within the lot. In the case of lots which have frontage on more than one road or street, the rear lot line shall be opposite the designated front lot line.

Lot Line, Side

Any lot line other than a front or rear lot line.

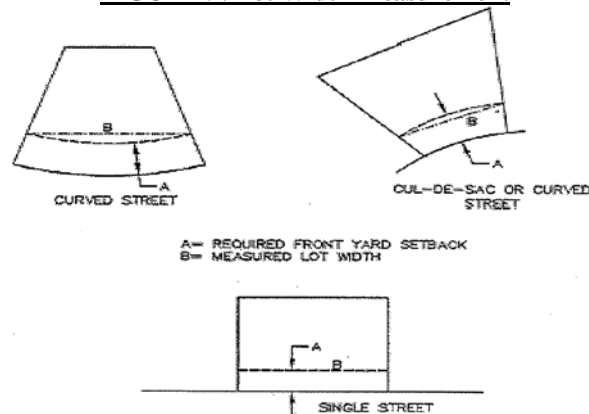
Lot, Through

A lot having a pair of opposite lot lines along two, more or less, parallel public streets. A through lot is not a corner lot. On a through lot, both street lines shall be deemed as front lot lines.

Lot Width

The distance between the side lot lines measured at the front building setback line.

FIGURE 9: Lot Width Measurement



Lot of Record

A parcel of land, whether subdivided or otherwise legally described of record as of the effective date of the Ordinance, or approved by the City as a lot subsequent to such date and which is occupied by or intended for occupancy by one (1) principal building or principal use together with any accessory buildings and such open spaces as required by this Ordinance and having its principal frontage on a street, or a proposed street approved by the City Council.

M.**Manufactured Home**

A structure, not affixed to or part of real estate, transportable in one or more sections, which in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length or, when erected on site, is five hundred (500) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in it. Such residential dwelling(s) are built in accordance with the Federal Manufactured Home Construction and Safety Standards.

Manufactured Home Community (or Land Lease Community)

A parcel of land under single ownership on which two (2) or more manufactured homes are sited, in which the landowner retains the rights of ownership. Home sites within the community are leased to individual homeowners, who retain customary leasehold rights.

Manufactured Home Development

A general category of development that includes manufactured home subdivisions and manufactured home communities (or land lease communities). A manufactured housing development does not include real property used for the display and sale of manufactured units, nor does it include real property used for seasonal recreational purposes only, as opposed to year round occupancy.

Manufactured Home Lot

A parcel of land for the placement of a single manufactured home within a manufactured home park for the exclusive use of the occupants of the manufactured home.

Manufactured Home Stand

The part of the individual manufactured home lot which has been reserved for placement of the home, appurtenant structures or additions.

Manufactured Home Subdivision

A subdivision designed and/or intended for the sale of lots for siting manufactured homes.

Manufacturing, Heavy

The manufacture or compounding process of raw materials. These activities or processes would necessitate the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process. These activities may involve outdoor operations as part of their manufacturing process. These types of uses generate large amounts of waste and byproducts, of which, require a large generator license through the Minnesota Pollution Control Agency.

Manufacturing, Light

An establishment engaged in the indoor manufacturing, assembly, fabrication, packaging or other industrial processing of finished parts or products, primarily from previously prepared materials, or the indoor provision of industrial services, where there are few external effects across property lines. This term includes, but is not limited to, a business engaged in the processing, fabrication, assembly, treatment or packaging of food textile, leather, cloth, wood, paper, chemical, plastic or metal products, but does not include basic industrial processing from raw materials.

Manufacturing, Medium

The processing and manufacturing of materials or products predominately from extracted or raw materials. These activities do not necessitate the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process. These types of uses generate an intermediate amount of waste and byproduct, which result in a small generators license through the Minnesota Pollution Control Agency.

Massage Therapy (not adult use)

Any establishment having a fixed place of business where any person, firm, association, or corporation engages in or carries on a permitted to be engaged in or carried on the activity of massage, defined as any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external soft parts of the body with the hands or with the aid of any mechanical or electrical apparatus or appliance with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations commonly used in this practice by a certified massage therapist.

Meat Food Product

A product usable as human food and made wholly or in part from meat or a portion of the carcass of animals.

Meat Market

Also known as a butcher shop; a shop in which meat and poultry (and sometimes fish) are sold.

Meat Processing Plant

A premise used, or intended to be used for the processing or packing of meat that is intended for human consumption or the production or packing of processed meat that is intended for human consumption.

Mechanical Equipment

Air conditioning, heating, ventilation, or other equipment that are reasonably necessary to the operation of a building or use within a building.

Medical Research Laboratory

An establishment providing medical or dental laboratory services or photographic, analytical, or testing services for medical research purposes. This term does not include a research and development facility that primarily serves an educational or industrial establishment.

Medical Support Facilities

Uses and facilities such as, but not limited to: on-site medical waste storage and disposal, warehousing and storage of medical related equipment and supplies, garages, and other facilities commonly associated with medical institutions and uses.

Micro Brewery

A facility where malt liquor is manufactured for sale, pursuant to Minnesota Statute section 340A.301, subdivision 6(d), (i), and (j); as amended from time to time.

Micro Distillery

A distillery operated within the state producing premium, distilled spirits in total quantity not to exceed 40,000 proof gallons in a calendar year, pursuant to Minnesota Statute section 340A.301, as amended from time to time.

Mixed-Use Building

A building in which the first floor is devoted to non-residential uses and subsequent floors above are devoted to residential uses.

Mobile Home

A residential dwelling unit that was fabricated in an off-site manufacturing facility, designed to be a permanent residence, built prior to enactment of the Federal Manufactured Home Construction and Safety Standards of 1974, which became effective June 15, 1976.

Modular Home

A non-mobile dwelling unit constructed on-site in accordance with Minnesota State Building Code and comprised of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. This term includes pre-fabricated housing and sectional housing.

Monopole

A wireless communication facility, which consists of a monopole structure, erected on the ground to support wireless communication antennas and connecting appurtenances.

Motel

A building or group of buildings used primarily for the temporary residence of motorists or travelers.

Motor Vehicle Body Shop

An establishment providing repair or rebuilding of motor vehicle bodies through replacement, smoothing, sanding, or painting of the exterior surfaces of such vehicles within an enclosed building.

Motor Vehicle Rental/Leasing Facility

An establishment where contracts are prepared and reservations are taken for the rental or leasing of automobiles, light trucks, or vans. This term includes accessory parking and servicing of such vehicles for rent or lease.

Motor Vehicle Repair Facility

An establishment providing the repair or servicing of motor vehicles, including the sale, installation and servicing of related equipment and parts, where all work is performed in an enclosed building. The term includes, but is not limited to: oil changes and vehicle lubrication, repair or servicing of batteries, tires, mufflers, brakes, shocks, transmissions, engines or upholstery. The term does not include the dismantling or salvage, tire re-treading or recapping, or body bumping and painting.

Motor Vehicles Sales Facility

Any business establishment that sells or leases new or used automobiles, trucks, vans, trailers, recreational vehicles, boats, snowmobiles, ATVs, motorcycles, or other similar motorized transportation vehicles. This definition does not include mobile home sales. Accessory uses may also exist upon the same site, such as open sales lots, repair and services areas, and office related uses.

Motor Vehicle Sales, Temporary

A promotional open sales lot event for the sale of vehicles owned and/or resold by a licensed dealer through the State of Minnesota or owned and/or repossessed vehicles by a financial institution conducting the sale or affiliate to sell at their own sale; conducted outside the confines of the commercial structure in which a business is normally conducted, at which new or used automobiles, trucks, vans, trailers, recreational vehicles, boats, snowmobiles, ATVs, motorcycles, or other similar motorized transportation vehicles are offered for sale for an approved length of time. The definition does not include mobile home sales.

Museum

An establishment for preserving and exhibiting artistic, historical, scientific, natural or manmade objects of interest; which is intended and designed to be used by members of the public for viewing with or without admission charge during specified hours of operation to include, at a minimum, four days a week and five hours a day or five days a week and four hours a day; and which may include as an accessory use the operation of a museum gift shop for the purpose of offering goods for sale to the public to be used by the purchaser as gifts or for the purchaser's own personal use.

N.**Non-commercial Gardening**

A space or area on private property used by a single property owner for the cultivation of fruits, vegetables, plants, flowers, or herbs for consumption by the private property owner.

Non-Commercial Speech

Dissemination of messages not classified as commercial speech, which include, but are not limited to, messages concerning political, religious, social, ideological, public service and informational topics.

Nonconforming Lot

A lot of record, lawfully existing on the effective date of this Ordinance, which does not comply with one (1) or more of the lot area, width, or depth regulations applicable to the district in which it is located because of the adoption of or amendment to the City's development regulations.

Nonconforming Structure

A structure, or portion thereof, lawfully existing on the effective date of this Ordinance, which does not comply with one (1) or more of the bulk regulations applicable in the zoning district in which it is located because of the adoption of an amendment to the City's development regulations.

Nonconforming Use

A use of land or structures, lawfully existing on the effective date of this Ordinance, which currently is not allowed, or which does not comply with one (1) or more of the regulations applicable in the district in which it is located because of the adoption of or amendment to the City's development regulations.

Nursery, Retail

The retail handling of any article, substance, or commodity related to the planting, maintenance, or harvesting of garden plants, shrubs, trees, packaged fertilizers, soils, chemicals or other nursery goods and related products in small quantities to the consumer.

Nursery, Wholesale

The growing, storage, and sale of garden plants, shrubs, trees, or vines for resale, including incidental retail sales conducted from within a building such as a greenhouse.

Nursing Home

A state-licensed facility used to provide care for aged or infirm persons who require nursing and personal care and related services in accordance with state regulations. A nursing home may be a senior residential health care facility, an intermediate health care facility, or a long-term care facility. Such uses provide regular medical supervision and rehabilitation therapy but do not contain equipment for surgical care or for treatment of serious injury. Such definition does not include hospitals, clinics, sanitariums, or other similar institutions.

O.**Office-Showroom**

A building in which less than 20 percent of the floor space is devoted to office / showroom activities, the remainder being used for either warehousing, display, light manufacturing, or research and testing.

Off-Site Parking

A parking facility located on a privately-owned parcel of land other than the site for which it is intended to serve.

Off-Street Loading Space

A space accessible from the street, alley, or way, in a building or on the lot, for the use of trucks while loading or unloading merchandise or materials. Such space shall be of such size as to accommodate at minimum one (1) truck of the type typically used in the particular business.

Off-Street Parking

Parking space(s) accessible from a street, alley, or way; either within a building or on a lot that has been set aside for the exclusive use of parking of automobiles and other vehicles.

On-Site

Located on the lot in question, except in the context of on-site detention, when the term means within the boundaries of the development site as a whole.

On-Street Parking

Storage space for a vehicle that is located within the street right-of-way.

Open Sales Lot

The premises on which new or used passenger vehicles, vans, trailers, boats, recreational vehicles, golf carts, snowmobiles, ATVs, motorcycles, and other similar motorized transportation vehicles in operating condition are displayed for sale or lease in the open and not within an enclosed building.

Ordinary High Water Mark

A mark delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape. The ordinary high water mark is commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial.

Outdoor Display and Sales

Land devoted to the display of goods for sale, rent, lease, advertising, or trade where such goods are not enclosed within a building.

Outdoor Display and Sales, Temporary

A promotional sales event conducted outside the confines of the commercial structure in which the business is normally conducted and that occurs on a paved sidewalk or concrete area on the same lot as the principal structure.

Outdoor Seating Area

A designated area with seats and/or tables located outdoors of a restaurant, coffee shop, or other food services establishment.

Outdoor Storage

The storing or maintaining of materials, goods, inventory, equipment, or other tangibles exterior to any permanent, fully enclosed building.

Outlot

A platted lot to be developed for a use which will not involve a building or which is reserved for future re-platting before development.

Overlay District

A zoning district that encompasses one (1) or more primary zoning districts, or portions thereof, and that imposes additional requirements, or relaxes one (1) or more standards required by the primary zoning district.

Owner

The person or persons having the right of legal title to, beneficial interest in, or a contractual right to purchase a lot or parcel of land.

P.**Parking Aisle**

A drive lane, other than a street, that provides access for vehicles entering and departing parking spaces.

Parking Facilities

Parking lots or structures that are either accessory to a principal use found on the premises or are considered the principal use of the premises and meet the requirements as stipulated within this Ordinance.

Parking Lot

An open, hard surfaced area where motor vehicles are stored for the purpose of temporary, daily, or overnight off-street parking.

Parking Space

A space of definite length and width designed for parking of motor vehicles within a parking area that is directly accessible to a parking aisle or driveway. Said space shall be exclusive of drives, aisles, or entrances giving access thereto.

Parking Space, Tandem

An arrangement of parking spaces such that one or more spaces must be driven across in order to access another space or spaces.

Parking Structure

A structure or portion of a structure composed of one or more levels or floors used exclusively for the parking or storage of motor vehicles. A parking structure may be totally below grade (underground parking garage) or totally above grade with those levels being either open or enclosed.

Party Wall

A wall which divides two adjoining properties and in which each of the owners share the rights.

Patio

A level, surfaced area directly adjacent to a principal building, without a permanent roof intended for outdoor lounging, dining and the like.

Pawnshop

Any business establishment that loans money on deposit of personal property or deals in the purchase or possession of personal property on condition of selling the same back again to the pledger or depositor, or loans or advances money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property.

Permit, Administrative

A written permit granted by the Zoning Administrator or his/her designee allowing for a particular temporary use, activity, or event; providing the provisions of this Ordinance are met.

Permit, Building

A written permit or certification issued by the building official permitting the construction, alteration, or extension of a permanent structure under provisions of this Ordinance and regulations issued herein.

Permitted Use

A use which may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations, and performance standards (if any) of such districts.

Person

A natural person, that person's heirs, executors, administrators, or assigns, and also includes a firm, partnership, corporation, its or their successors or assigns or the agent of any of the aforesaid.

Personal Recreational Motor Vehicle

Any self-propelled vehicle, power assisted vehicle or any vehicle propelled or drawn by a self-propelled vehicle powered by a motor having a piston displacement capacity of twenty-five (25) cubic centimeters or less or an electric motor that is incapable of propelling the vehicle at a speed in excess of twenty (20) miles per hour on a flat surface, including but not limited to trail bike, mini-bike, go-cart, motorized scooter, motorized golf cart, or motorized skate board.

Personal Service Establishment

An establishment providing services, which are of a recurring and personal nature to individuals. This term includes, but is not limited to, barber shop, beauty salon, shoe repair, seamstress, tailor, manicure / pedicure establishments or tanning salons. This term does not include a portrait studio, dry cleaning establishment, laundromat, photocopy center, health club, massage establishment, body piercing or tattoo parlor, or a repair shop for household items.

Planned Unit Development (PUD)

A large lot or tract of land developed as a unit rather than as an individual development wherein two or more buildings may be located in relationship to each other rather than to lot lines or zoning district boundaries.

Print Shop

A facility for the custom reproduction of written or graphic materials for individuals or businesses. Typical processes include, but are not limited to, photocopying, blueprinting, and facsimile sending and receiving, and including off-set printing.

Private Street

A road or street that is not publically owned and maintained and is used by occupants of the development, their guests, and the general public.

Public Building or Use

Any building held, used, or controlled exclusively for public purposes by any department or branch of government at the state, county, or municipal level; in which such structure or use is principally of an institutional nature and serves a public need, such as libraries, museums, post offices, police and fire stations, public utilities, and other public services.

Public Open Space

Any publicly owned open area, including but not limited to the following: parks, playgrounds, school sites, parkways, and undeveloped wetlands, and wooded areas.

Public Street

A public roadway, constructed within the boundaries of an officially deeded and accepted public right-of-way; having been constructed to City standards, which provides access to abutting property.

Public Utility

Persons, corporations, or governments supplying gas, electric, transportation, water, sewer, or land line telephone service to the general public. For the purpose of this Ordinance, commercial telecommunication facilities shall not be considered public utility uses, and are defined separately.

Public Waters

Any waters of the State which serve a beneficial public purpose, as defined in Minnesota Statutes, Section 105.37, Subdivision 14. However, no lake, pond, or flowage of less than 10 acres in size and no river or stream having a total drainage are less than two square miles need be regulated by the municipality for the purposes of these regulations. A body of water created by a private user where there was no previous shoreland, as defined herein for a designated private use authorized by the Commissioner of the Department of Natural Resources shall be exempt from the provisions of these regulations.

R.

Recreation Support Facilities

Those facilities used exclusively for the preparation, maintenance, and storage of equipment used in recreational activities and business operations.

Recreational Vehicle

A vehicle or vehicular unit which can be driven, towed or hauled, and which is primarily designed as a temporary living accommodation for recreational camping and travel use. Recreational vehicles include travel trailers, camping trailers, truck campers, and self-propelled motor homes.

Recreational Vehicle Repair Facility

An establishment providing repair and servicing of recreational vehicles, including the sale, installation and servicing of related equipment and parts, where all work is performed in an enclosed building. Accessory uses may also exist on the site, such as indoor sales / rental and open sales lots for recreational vehicles and golf carts as well as office related uses.

Recycling Collection Center

A facility designed to be a collection point where only recyclable materials are sorted and/or temporarily stored prior to delivery to a permanent site or shipment to others for reuse and/or processing into new products. This term does not include junk yards, salvage yards or scrap operations.

Related Equipment (Telecommunication Towers)

All equipment ancillaries to the transmission and reception of voice and data radio frequencies. Such equipment may include, but is not limited to, cable, conduit and connectors.

Religious Institutions

A place of worship or religious assembly, where people regularly assemble for religious purposes and related social events with related accessory uses and facilities such as the following: rectory or convent; private school, meeting hall, offices for administration, or licensed child or adult day care; and which is maintained and controlled by a religious body organized to sustain public worship and religious ceremonies.

Research and Development

An establishment which conducts research, development or controlled production of high-technology electronic, industrial, or scientific products or commodities for sale or laboratories conducting educational or medical research or testing.

Residential Facility, Licensed (Group Home)

A facility required to be licensed by the state or county that provides one or more persons with twenty-four (24) hour per day substitute care, food, lodging, training, education, supervision, habilitation, rehabilitation or treatment that cannot be furnished in the client's home. Licensed residential facilities (group homes) are limited to those facilities licensed and/or regulated by the Department of Human Services and the Department of Health. These types of facilities may include, but are not limited to, state institutions for human services, foster homes, residential treatment centers, maternity shelters, group homes, residential programs, supportive living residences for functionally impaired adults, or schools for handicapped children.

Residential Kennel

A place where more than two (2) dogs over six months of age are kept on the premises which are zoned and occupied for residential purposes, and where the keeping of such animals is incidental to the occupancy of the premises for residential purposes. No more than five (5) dogs are permitted at a residential kennel.

Restaurant, Carry-Out

Establishments where food is usually ordered by telephone and prepared on the premises for consumption off the premises, with no seating or other area provided on the premises for consumption. The establishment may deliver food to the customer or the customer may pick the food up. Carry-out facilities may be accessory to a sit-down restaurant.

Restaurant, Drive – In

An establishment whose primary business is serving food to the public for consumption on the premises by order from and service to patrons parked in motor vehicles outside the principal structure.

Restaurant, Drive –Thru

A restaurant with an accessory drive-through facility as defined within this Ordinance.

Restaurant, Fast Food

An establishment where most customers order and are served their food at a counter or in a motor vehicle in packages prepared to leave the premises, or able to be taken to a table or counter to be consumed on the premises.

Restaurant, Sit-Down

An establishment whose principal business is the sale of food and/or beverages to customers, which are consumed at tables located on the premises and where the taking of food or beverage from the establishment is purely incidental.

Retaining Wall

A structure constructed and erected to prevent erosion between two (2) areas or pieces of property at different elevations.

Retreat Center

A semipublic use oriented to using the natural features and outdoor character of the area for short-term stays and featuring educational, contemplative and human development workshop and related training activities, which may include the following: passive recreation (non-motorized) oriented to appreciating the outdoor and natural character of the area; a nature center, conservatory, interpretive center, exhibit, museum or library space; residential buildings (cabins) for short-term occupancy by a single family or unrelated individuals attending an educational or similar event or workshop at the retreat (but not designed or intended for use as a residence); and/or having limited communal facilities for dining, sanitation, meeting, educational or worship purposes. (*Ord. No. 672*)

Right-of-Way

A strip of public land occupied or intended to be occupied by a road, crosswalk, utility line, railroad, electric transmission line or other similar use.

Road (See Street)**Rotor Diameter**

The diameter of the circle described by the moving rotor blades.

S.

Satellite Dish Height

The height of the antenna or dish measured vertically from the highest point of the antenna or dish when positioned for operation, to ground level.

Scrap Operation, Indoor

A place of business primarily engaged in the indoor storage, sale, dismantling, or other processing of used, source-separated, or waste materials which are not intended for reuse in their original form.

Screening

A fence, wall, berm, or landscaping intended to serve as an acoustic barrier, to obstruct undesirable views, or generally to reduce the impact of adjacent development.

Second hand Store

Retail sales of previously used merchandise, such as clothing, household furnishings or appliances, sports/recreational equipment; which is resold through a broker for the owner at an agreed upon price. This definition does not include the selling of used vehicles, auto parts, scraps or waste.

Self Storage Facility

A building or group of buildings with controlled access that contains individual and compartmentalized, controlled access stalls or lockers for the storage of a customer's goods or possessions. No sales, service, or repair activities other than the rental of dead storage units are permitted on the premises.

Senior Citizen Housing

A multiple-family structure specifically designed for independent living of retired individuals or couples over the age of 55, where no meal service is provided to the households.

Senior Residential Care Facility

Includes, but is not limited to, nursing homes, congregate living facilities, and assisted living facilities as herein defined. Other similar facilities will be considered.

Setback

The minimum allowable distance between the front, rear, side, or street side lot lines and the foundation wall of a building, parking lot, sign, or any other structure.

Shopping Center, Community (medium-scale)

Establishments containing more than 10,000 square feet but less than 30,000 square feet of gross floor area; which typically offers a wide range of apparel and other goods for consumer or household use.

Shopping Center, Neighborhood

A center designed to provide convenience shopping for the day-to-day needs of consumers in the immediate neighborhood. Such business establishments provide primarily for retail shopping, personal service establishments, pharmaceuticals, food sales or markets, and other services that meet the daily needs of the neighborhood area.

Shoreland

Land located within the following distances from public water; (a) 1,000 feet from the ordinary high water mark of a lake, pond, or flowage; and (b) 300 feet from a river or stream; or the landward extent of a flood plain designated by Ordinance on such a river or stream whichever is greater. The practical limits of the waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the Commissioner of the Department of Natural Resources.

Showroom

An area where merchandise can be displayed and viewed by business patrons or customers.

Sign

A name, identification, display, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure, or land in view of the general public and which directs attention to a product, place, activity, purpose, institution, or business.

Sign, Banner

A temporary sign constructed of cloth, paper, plastic, or other material upon which copy is written and supported either between poles or posts or fastened to a building or structure.

Sign, Billboards

A large sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at another location other than the premises on which the sign is located.

Sign, Canopy / Awning

Any message or identification which is affixed to a projection or extension of a building or structure, erected in such a manner as to provide a shelter or cover over the approach to any entrance of a store, building, or place of assembly.

Sign, Changeable Copy

A sign in which the display or message must be changed manually rather than by electronic means.

Sign, Dynamic Display

Any characteristic of a sign that appear to have movement or that appear to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. This includes a display that incorporates a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components. This also includes any rotating, revolving, moving, flashing, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows the sign face to present a series of images or displays.

Sign Face

The surface of the sign upon, against, or through which the message of the sign is exhibited.

Sign, Freestanding

Any sign supported by structures or supports that are placed on or anchored in the ground, and that are independent from any building or other structure.

Sign, Governmental

A sign that is erected by a governmental unit for the purpose of identification and directing or guiding traffic.

Sign, Holiday

Signs or displays which contain or depict a message pertaining to a national or state holiday, and no other matter.

Sign, Illuminated

Any sign which is lighted by an artificial light source, either directed upon it or illuminated from an interior source.

Sign, Integral

Names of buildings, date of construction, commemorative tablets and the like which are of a permanent type of construction and which are an integral part of the building or the construction.

Sign, Monument

A freestanding sign not supported by exposed posts or poles, which is architecturally designed with an internal structural framework or integrated into landscaping or other solid structural features located directly at grade where the base width dimension is fifty (50) percent or more of the greatest width of the sign.

Sign, Mural

A sign applied to the wall of a building that covers all or substantially all of a wall and depicts a scene or event.

Sign, Name Plate

A sign indicating the name and address of a building or the name of an occupant thereof and the practice of a permitted occupation therein and no greater than two (2) square feet.

Sign, Off-Premise

A sign whose message advertises a product, service, business, event or activity which is not offered for sale, rent or does not take place on the premises in which the sign is located. The term off premise sign shall also include a billboard sign on which space is leased or rented by the owner thereof to others for the purpose of conveying a commercial or noncommercial message.

Sign, On-Premise

A sign whose message advertises a product, service, business, event or activity which is offered for sale, rent or does take place on the premises in which the sign is located.

Sign, Pennants

Pieces of cloth, paper, or plastic intended to be individually supported or attached to each other by means of rope, string, or other material, and intended to be hung on buildings or other structures, or between poles. Pennants do not include any written, graphic, or other form of copy.

Sign, Primary Frontage

The portion of any frontage containing the primary public entrance to a building or building unit.

Sign, Portable

A sign so designed as to be movable from one location to another and which is not permanently attached to the ground, sales display device, or structure.

Sign, Public

Signs of a public, non-commercial nature to include safety signs, danger signs, trespassing signs, traffic signs, signs indicating scenic or historical points of interest, memorial plaques, and the like, when signs are erected by on order of a public officer or employee in the performance of official duty.

Sign, Pylon

A freestanding sign permanently affixed to the ground by supports, but not having the appearance of a solid base.

Sign, Real Estate

A business sign placed upon a property advertising that particular property for sale, for rent, for lease or sold.

Sign, Secondary Frontage

The frontage containing secondary public entrances to a building or building unit as well as building walls facing a public street or primary parking area.

Sign Structure

The supports, foundations, uprights, bracing, and framework for a sign, including the sign area.

Sign, Temporary

A sign designed to be displayed for a limited amount of time that is not permanently affixed to the land or a structure. Temporary signs may be constructed of or include paper, cloth, canvas, inflatable objects, pennants or other light non-durable material.

Sign, Unified Business Center

A group of two (2) or more buildings, planned or developed in a joint manner with shared parking facilities, regardless of whether such buildings, units, or uses are located on the same lot or parcel.

Sign, Wall

A sign mounted or attached parallel to a wall or painted on the wall surface which displays one sign surface.

Sign, Window

Any sign, picture, symbol, or combination thereof, placed inside a window or upon the window that can be viewed through the window by the public.

Site

Any lot or parcel or combination of lots or parcels assembled for the purpose of development.

Slaughter House

Any land, building, place or establishment in which animals are slaughtered, eviscerated, or dressed.

Small Wind Energy Conversion System (WEC)

A WECS of equal or less than 100kW in total nameplate generating capacity.

Social Service Facility

A facility that is operated by an organization, which provides such services as training, counseling, health or the distribution of food and/or clothing. The term includes, but is not limited to, a facility offering life skills training, substance abuse, counseling, housing services or a neighborhood recovery center. The term does not include an emergency residential shelter.

Specified Anatomical Areas

Less than completely and opaquely covered human genitals pubic region, buttock, anus, or female breasts below a point immediately above the top of the areola; and human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities

1. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral copulation, copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, the use of excretory functions in the context of a sexual relationship, and any of the following sexually-oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zooerasty; or
2. Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation; or
3. Fondling or touching of nude human genitals, public region, buttocks, or female breast; or
4. Situations involving a person or persons, any of whom are nude, clad in undergarments or in sexually revealing costumes, and who are engaged in activities involving the flagellation, torture, fettering binding or other physical restraint of any such persons; or
5. Erotic or lewd touching, fondling or other sexually oriented contact with an animal by a human being; or
6. Human excretion, urination, menstruation, vaginal or anal irrigation.

Stacking Lane

The paved area specifically designated as a waiting area for vehicles whose occupants will be patronizing a drive-thru facility or auto-oriented use. Such space is located directly along-side a drive-thru window, facility, or entrance used by patrons in lanes heading towards and away from the establishment.

Steep Slope

Lands having slopes over 18 percent or more, as measured over horizontal distances of fifty (50') feet or more.

Story

That portion of the building between the surface of any floor and the surface of the next floor and the ceiling next above it, as defined in the International Residential Code and International Building Code.

Street

A thoroughfare which affords a principal means of access to abutting property and which has been accepted by the City as a public way.

Street, Collector

A street that serves a dual purpose of accommodating traffic and the provision of more direct access to adjacent properties. Major collector connects to minor arterials and services shorter trips within the City or County. Minor

collector streets provide the connection between neighborhoods and commercial / industrial areas and the major collector / minor arterial system.

Street, Curvilinear

Curved thoroughfares that run parallel to the natural topography.

Street, Local

A street designed to provide vehicular access to abutting properties. Such streets are designed for short trips at low speeds.

Street, Minor Arterial

A street that connects urban service areas to cities / towns inside and outside of the region, which services medium to short range trips. Such streets provide connections to collector roads. Land access is restricted to concentrations of commercial or industrial land uses.

Street, Principal Arterial

A street that provides higher speed travel and mobility for long distance trips. These roads function to carry larger volumes of traffic to minor arterials and collectors. Access along such facilities is extremely limited.

Structure

Anything which is built, constructed or erected on the ground or attached to the ground; an edifice or building of any kind; or a piece of work artificially built up and/or composed of parts joined together in some definite manner whether temporary or permanent in character, including decks and signs.

Structure, Temporary

A structure without footings or a foundation, which can be easily removed from the property when a designated time period, activity, or use for which the structure was intended has ceased.

Swimming Pool

Any indoor or outdoor structure intended for swimming, wading, or recreational bathing. The structure may be constructed, installed or located in-ground, partially in-ground, or above ground and may include permanent and storable swimming pools, hot tubs, and spas.

Swimming Pool, Storable or Temporary

A pool capable of holding water to a maximum depth of twenty-four (24) inches or less than 5,000 gallons and constructed entirely on or above ground, and is designed and constructed to be readily disassembled for storage and re-assembled to its original integrity.

T.

Tattoo Parlor / Body Piercing Studio

An establishment whose principle business activity is the practice of one or both of the following: (1) placing designs, letter, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin: (2) creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.

Tavern

Establishment serving "on-sale" liquor, beer, or wine with or without food service.

Telecommunication Facility

A facility that transmits and/or receives electromagnetic signals. It includes antennas, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, telecommunication towers or similar structures supporting said equipment, equipment buildings, parking areas, other accessory development and related equipment.

Telecommunication Facility, Co-Located

A telecommunication facility comprised of a single telecommunication tower or building supporting one or more antennas, dishes, or similar devices owned or used by more than one public or private entity.

Telecommunication Facility, Commercial

A telecommunication facility that is operated primarily for a business purpose or purposes.

Telecommunication Facility, Exempt

Includes, but is not limited to the following:

1. A single round or building mounted receive-only radio or television antenna including any mast, for the sole use of the resident occupying a residential parcel on which the radio or television antenna is located, with an antenna height not exceeding forty (40) feet.
2. A ground or building mounted citizens band radio antenna including any mast, if the height (post and antenna) does not exceed thirty-five (35) feet.
3. A citizens band radio antenna, ground, building, or tower mounted antenna operated by a federally licensed amateur radio operator as part of the Amateur Radio Service, existing at the time of the adopting of this Ordinance.
4. A ground or building mounted receive only radio or television satellite dish antenna (TVRO) provided the dish is not located in the front yard of the parcel on which it is located and provided the height of said dish does not exceed the height of the ridgeline of the primary structure on said parcel.
5. A ground or building mounted digital satellite link panel for high speed internet usage provided that the device is not located in the front yard of the parcel in which it is located and provided the height of said dish does not exceed the height of the ridgeline of the primary structure on said parcel.
6. City government owned and operated towers supporting receive and/or transmit antennas, including the supporting structures, for all public safety and service purposes, which existed at the time of the adoption of this Ordinance.

Telecommunication Facility, Multiple-User

A telecommunication facility comprised of multiple telecommunication towers or buildings supporting one or more antennas owned or used by more than one public entity, excluding research and development industries with antennas to service internal uses only.

Telecommunication Facility, Non-Commercial

A telecommunication facility that is operated solely for a non-business purpose.

Telecommunication Tower

A mast, pole, monopole, guyed tower, lattice tower, freestanding tower, or other structure designed and primarily used to support antennas. A ground or building mounted mast greater than ten (10) feet tall and six (6) inches in diameter supporting one or more antennas, dishes, arrays, etc. shall be considered a telecommunications tower.

Temporary Patient/Family Housing

A facility owned or operated by a public or non-profit organization intended to be used solely for the temporary occupancy of patients being treated at a local hospital or outpatient clinic or family members of patients being treated at a local hospital or outpatient clinic. This may include the provision of food service to the occupants only.

Tennis Club

A commercial facility for the playing of tennis at which there is a club house including rest rooms. A tennis facility may provide additional services such as swimming, outdoor recreation, and related retail sales and may include a restaurant and cocktail lounge is approved as part of the conditional use process.

Theater, Indoor (non-adult use)

A building or portion of a building devoted to showing motion pictures, or for dramatic, operatic, dance, musical and other performances to be viewed by the public.

Thrift Store

A profit or nonprofit business or organization that engages in or specializes in the sale or resale of previously owned or used goods and merchandise that is donated or principally donated. This definition does not include antique shops, pawn shops, or second hand stores.

Tool and Equipment Rental Facility

Establishments primarily engaged in the rental of tools, lawn and garden equipment, party supplies and other similar equipment. Included in this type of use is the incidental storage, maintenance, and servicing of said equipment. The term does not include motor vehicle rental facilities.

Premium Topsoil

As defined by MNDOT specification standard.

Townhouses

A single-family dwelling unit constructed in a group of three (3) or more attached dwelling units of not more than two (2) stories each and contiguous to each other only by sharing one (1) common wall, in which each unit extends from foundation to roof and with open space on at least two (2) sides. Such structures are to be of the town or row house type as contrasted to multiple dwelling apartment structures. No single structure shall contain in excess of eight (8) dwelling units.

Trade / Business School

A specialized instructional establishment that provides on-site training of business, commercial, and/or trade skills.

Transient Merchant

Any person, individual, co-partnership, incorporation, both as principal and agent, who is engaged in, does, or transacts any temporary and transient merchant business selling goods, wares, and merchandise; and who for the purpose of carrying on such business, has complied with the requirements of this Ordinance and Section 245 of the Isanti City Code and hires, leases, occupies, or uses a site, parking lot, vacant lot, motor vehicle or trailer in a zoning district where it is allowed by this Ordinance. This definition shall not apply to wholesalers selling to retailers, individuals making contact with others for the purpose of establishing a customer delivery route for food or dairy products, garage/rummage, or estate sales, bazaars/flea markets/farmer's markets, vendors associated with special events, auctions held by a licensed auctioneer, temporary motor vehicles sales as defined within this Ordinance, or a court-ordered sale.

Transitional Lot

Land that acts as a buffer between uses or different density or intensity and compatibility. Transitional yard requirements may be imposed at specified locations to act as a sort of buffer zone.

Transmitting Antenna, Commercial Receiving

Any antenna erected for the commercial use of information.

Transmitting Antenna, Private Receiving

Any antenna erected for the non-commercial use of information.

Trees, Coniferous/Evergreen

A woody plant which, at maturity, is at least thirty (30) feet or more in height, with a single trunk, fully branched to the ground, having foliage on the outermost portion of the branches year round.

Trees, Deciduous

A woody plant which, at maturity, is at least thirty (30) feet or more in height, with a single trunk, un-branched for several feet above the ground, having a defined crown, and which loses its leaves annually.

Trees, Street

A tree planted within or on the street right-of-way.

Truck Freight Terminal

A facility for the receipt, transfer, short term storage, and dispatching of goods transported by truck.

U.

Undue Hardship

As used in connection with the granting of a variance, undue hardship means the property in question cannot be put to a reasonable use if used under the conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted will not alter the

essential character of the locality. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance. Undue hardship also includes, but is not limited to, inadequate access to direct sunlight for solar energy systems.

Useable Lot Area

One hundred (100) percent of the minimum lot size requirements for each district shall be free from wetlands, stormwater ponding areas, steep slopes, flood hazard areas, easements, or any other natural or man-made features that may restrict development on the property.

Uses

The purpose or activity for which the land or building is designated or intended, or for which it is occupied, utilized, or maintained.

Use, Conditional

A land use which because of its unique characteristics cannot be properly classified as a permitted use in a particular district. After consideration of the impact of such use upon neighboring land and of the public need for the particular use at the particular location, a permit for such Conditional Use may be granted by the City Council.

Use, Interim

A temporary use of until a particular date, until the occurrence of a particular event or until zoning regulations no longer permits it. An interim use is granted to a particular individual and does not accrue to the subject property.

Use, Permitted

A use that may lawfully be established within a particular zoning district.

Use, Principal

The primary or main use of land or buildings as distinguished from subordinate, incidental or accessory uses.

Use, Prohibited

A use that is not permitted in any zoning district.

Use, Principal

The specific purpose for which land is used.

Use, Substandard

Any use existing prior to the date of this Ordinance which is permitted within the applicable zoning district but does not meet the minimum lot area, frontage, setbacks, water frontage length, or other dimensional standards or this Ordinance.

Use, Temporary

A temporary use is one established for a fixed period of time with intent to discontinue such use upon the expiration of such time. Such uses do not involve the construction or alteration of any permanent structure.

V.

V-types Sign

Two separate faces at one location that are at an angle of forty-five (45) degrees or less to each other.

Variance

A modification of the literal provisions of this Ordinance granted when strict enforcement of the Ordinance would cause undue hardship due to circumstances unique to the individual property on which the variance is granted. The essential elements of the variance are undue hardship and unique circumstances, as distinguished from a mere inconvenience.

Veterinary Clinic

An establishment where animals or pets are given medical care and/or surgical treatment. Use of a clinic as a kennel shall be limited to short-term boarding and shall be incidental to the clinical use.

W.

Warehouse

The commercial storage of merchandise and personal property.

Water Treatment Plant

An establishment engaged in operating a water treatment plant or operating the water supply system. The water supply system may include pumping stations, aqueducts or distribution mains.

Wetlands

An area where water stands near, at, or above the soil surface during a significant portion of most years, saturating the soil and supporting a predominantly aquatic form of vegetation and which may have the following characteristics:

1. Vegetation belonging to the marsh (emergent aquatic) bog, fen, sedge meadow, shrubland, southern lowland forest (lowland hardwood), and northern lowland forest (conifer swamp) communities. (These communities correspond roughly to wetland types 1, 2, 3, 4, 5, 6, 7, and 8 described by the United States Fish and Wildlife service, Circular 39, "Wetlands of the U. S.", 1956).
2. Mineral soils with grey horizons or organic solids belonging to the Histosol order (peat and muck).
3. Soil which is water logged or covered with water at least three months of the year. Swamps, bogs, marshes, potholes, wet meadows, and sloughs are wetlands, and properly, may be shallow water bodies, the waters of which are stagnant or actuated by very feeble currents, and may at times be sufficiently dry to permit tillage but would require drainage to be made arable. The edge of a wetland is commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial.

Wholesale Establishment

An establishment providing indoor or outdoor storage and sale of factory-direct merchandise for resale. This term includes, but is not limited to, mail-order and catalog sales, importing, wholesale or retail sale of goods received by the establishment, and wholesale distribution, but does not include sale of goods for individual consumption.

Wind Energy Conversion System (WECS)

Any device, wind turbine, and accessory facilities, including the support structure of the system such as a tower that operates by converting the kinetic energy of wind into electrical energy. The energy may be used on-site or distributed to the electrical grid.

Wind Energy Conversion System (WECS) Total Height

The height of a freestanding WECS shall be measured as the distance from ground level to the highest point on the tower, including the vertical length of any extensions such as the rotor blade. The height of a building mounted WECS shall be measured as the distance from the point where the base of the system is attached to the building or to the lowest point on the WECS, whichever is closer to the ground, to the highest point on the WECS, including the vertical length of any extensions such as the rotor blade.

Wind Energy Conversion System (WECS) Monopole Tower

A vertical structure consisting of a single pole, constructed without guyed wires and anchors; which is used in the operation of a WECS.

Wind Energy System

An electrical generating facility that consists of a wind turbine, feeder line(s), rotor blades, associated controls and may include a tower.

Wind Turbine

Any piece of electrical generating equipment that converts the kinetic energy of blowing wind into electrical energy through the use of airfoils or similar devices to capture the wind.

Window

The area of the building façade which is occupied by transparent or translucent glass or other similar material.

Y.

Yard

An open space on the same lot with a building, in which open space is unoccupied and unobstructed from the ground upwards, except for permitted obstructions provided within this Ordinance.

Yard, Front

A yard extending along the full length of the front lot line between the side lot lines.

Yard, Rear

A yard extending along the full length of the rear lot line between the side lot lines.

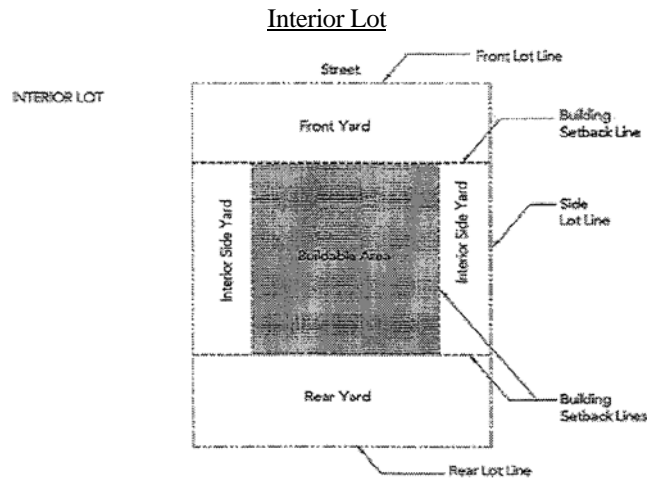
Yard, Required

A minimum front, rear, or side yard, as established in the building bulk regulations for each particular zoning district.

Yard, Side

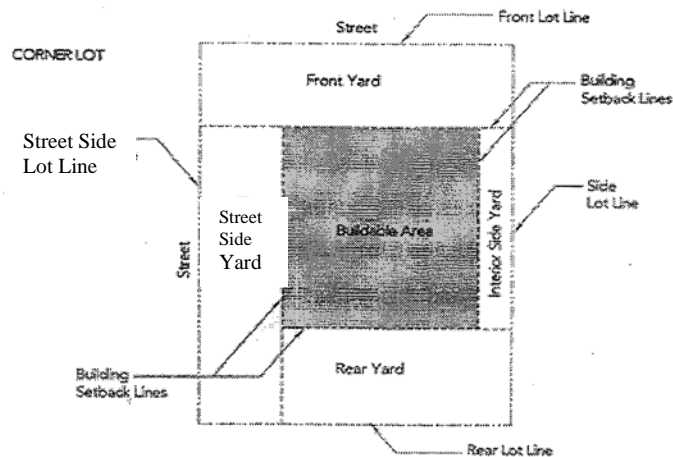
A yard extending along a side lot line from the front yard to the rear yard.

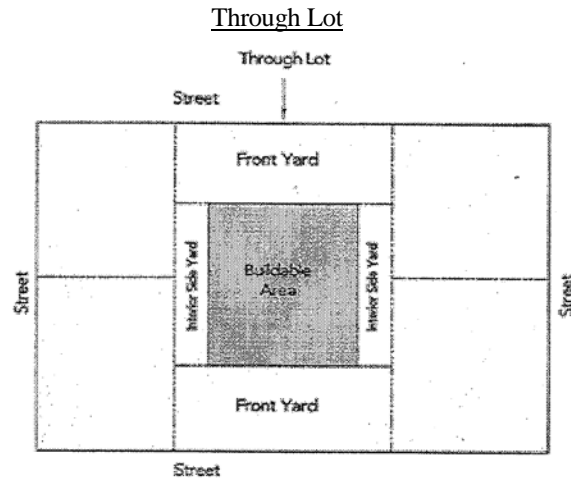
FIGURE 10: Yard Illustrations



Corner Lot

Continues on Next Page





Z.

Zero Lot Line

A structure in which is sited on two (2) or fewer lot lines with no yard, permitting site design flexibility and lower development costs through more efficient development and lower per-unit land costs.

Zoning Administrator

The person appointed by the City Council to enforce the Zoning Ordinance.

Zoning District

An area or areas within the limits of the City for which the regulations and requirements governing use are uniform.

Zoning Map, Official

The map or maps incorporated into this Chapter as part thereof, and as amended, designating the zoning districts.