

CHAPTER 919 DEFINITIONS

The following words and terms, wherever they occur in this ordinance, shall be interpreted as follows. Words not listed in this chapter shall be defined according to their dictionary meaning.

Accessory: A use, activity, structure, or part of a structure that is subordinate and incidental to the main activity or structure on the site.

Accessory Structure or Use: A structure or portion of a structure subordinate to and serving the principle use structure on the same lot and customarily incidental hereto.

Adult Uses: Adult uses include adult book stores, adult motion picture theaters, adult mini-motion picture theaters, adult massage parlors, adult steam room/bathhouse/sauna facilities, 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, businesses or places open to some or all members of the public, at 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. Activities classified as obscene as defined by Minnesota Statutes 617.241 are not included.

Adult Use – Accessory: The offering of goods and/or services which are classified as adult uses on a limited scale and which are incidental to the primary activity and goods and/or services offered by the establishment. Examples of such items include adult magazines, adult movies, adult novelties, and the like.

Adult Uses – Principal: The offering of goods and/or services which are classified as adult uses as a primary or sole activity of a business or establishment and include, but are not limited to, the following:

- A. **Adult Use - Body Painting Studio.** An establishment or business which provides the service of applying paint or other substance, whether transparent or non-transparent, to or on the body of a patron when such body is wholly or partially nude in terms of "specified anatomical areas".
- B. **Adult Use - Bookstore.** A building or portion of a building used for the barter, rental or sale of items consisting of printed matter, pictures, slides, records, audio tape, videotape, or motion picture film if such building or portion of a building is not open to the public generally but only to one or more classes of the public excluding any minor by reason of age or if a substantial or significant portion of such items are distinguished or characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas".
- C. **Adult Use - Cabaret.** A building or portion of a building used for providing dancing or other live entertainment, if such building or portion of a building excludes minors by virtue of age or if such dancing or other live entertainment is distinguished or characterized by an emphasis on the presentation, display, depiction or description of "specified sexual activities" or "specified anatomical areas".
- D. **Adult Use - Companionship Establishment.** A companionship establishment which excludes minors by reason of age, or which provides the service of engaging in or listening to conversation, talk or discussion between an employee of the establishment and a customer, if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas".
- E. **Adult Use - Conversation/Rap Parlor.** A conversation/rap parlor which excludes minors by

reason of age, or which provides the service of engaging in or listening to conversation, talk, or discussion, if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas".

- F. Adult Use - Health/Sport Club. A health/sport club which excludes minors by reason of age, or if such club is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas".
- G. Adult Use - Hotel or Motel. Adult hotel or motel means a hotel or motel from which minors are specifically excluded from patronage and wherein material is presented which is distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas".
- H. Adult Use - Massage Parlor, Health Club. A massage parlor or health club which restricts minors by reason of age, and which provides the services of massage, if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas".
- I. Adult Use - Mini-Motion Picture Theater. A building or portion of a building with a capacity of less than fifty (50) persons used for presenting material if such building or portion of a building as a prevailing practice excludes minors by virtue of age, or if such material is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.
- J. Adult Use - Modeling Studio. An establishment whose major business is the provision, to customers, of figure models who are so provided with the intent of providing sexual stimulation or sexual gratification to such customers and who engage in "specified sexual activities" or display "specified anatomical areas" while being observed, painted, painted upon, sketched, drawn, sculptured, photographed, or otherwise depicted by such customers.
- K. Adult Use - Motion Picture Arcade. Any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled or operated still or motor picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing "specified sexual activities" or "specified anatomical areas".
- L. Adult Use - Motion Picture Theater. A building or portion of a building with a capacity of 50 or more persons used for presenting material if such building or portion of a building as a prevailing practice excludes minors by virtue of age or if such material is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.
- M. Adult Use - Novelty Business. A business which has as a principal activity the sale of devices which stimulate human genitals or devices which are designed for sexual stimulation.
- N. Adult Use - Sauna. A sauna which excludes minors by reason of age, or which provides a steam bath or heat bathing room used for the purpose of bathing, relaxation, or reducing, utilizing steam or hot air as a cleaning, relaxing or reducing agent, if the service provided by the sauna is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas".
- O. Adult Use - Steam Room/Bathhouse Facility. A building or portion of a building used for providing a steam bath or heat bathing room used for the purpose of pleasure, bathing, relaxation, or reducing, utilizing steam or hot air as a cleaning, relaxing or reducing agent if

such building or portion of a building restricts minors by reason of age or if the service provided by the steam room/bathhouse facility is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas".

Adult Use -- Specified Anatomical Areas:

- A. Less than completely and opaquely covered human genitals, pubic region, buttock, anus, or female breast(s) below a point immediately above the top of the areola; and
- B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Adult Use -- Specified Sexual Activities:

- A. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or 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
- B. Clearly depicted human genitals in the state of sexual stimulation, arousal or tumescence; or
- C. Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation; or
- D. Fondling or touching of nude human genitals, pubic region, buttocks, or female breast; or
- E. 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 person; or
- F. Erotic or lewd touching, fondling or other sexually-oriented contact with an animal by a human being; or
- G. Human excretion, urination, menstruation, vaginal or anal irrigation.

Animal Clinic: A business for the veterinary care of domestic pets that may include indoor boarding of animals being treated.

Apartment Building: A building that contains several dwellings that each have access from an interior hallway rather than a door on the exterior of the building. Each dwelling in an apartment building is designed for habitation by one household and is equipped with its own cooking and bathing facilities.

Automobile Repair - Major: General repair, rebuilding or reconditioning engines, motor vehicles or trailers; body repair and painting, vehicle steam cleaning, frame and/or unibody straightening and repair, sandblasting and/or steam cleaning, undercoating or rust proofing, upholstery work. This business performs structural and cosmetic repairs to autos, light trucks, and equipment of 9,000 pounds gross vehicle weight and less.

Automobile Repair - Minor: A business that performs mechanical and electrical repairs to autos, light trucks, and equipment 9,000 pounds gross vehicle weight and less. Allowed activities include minor repairs, incidental body and fender work, glass replacement, minor painting and upholstering, tune ups and adjustments, replacement of parts (excluding body and frame), rebuilding of parts or components when installation is available, wheel alignment and balancing, tire repair, radiator repair, washing, cleaning, and polishing, but specifically excluding any operation specified or implied under the definition of "Automobile Repair - Major."

Automobile Service Station: A business that sells fuels for cars and light trucks. May include a

convenience store and/or a car wash.

Bar or Tavern: A business, other than a bottle club as defined in city Code Section 113.04, that derives more than 50 percent of its revenue through the sale of alcohol.

Basement: Means any area of a structure, including crawl spaces, having its floor or base sub-grade (below ground level) on all four sides, regardless of the depth of excavation below ground level.

Bed and Breakfast Home: A private residence, generally a single-family residence, engaged in renting one or more dwelling rooms on a daily basis to tourists, vacationers and business people, where provision of meals is limited to breakfast for guests only.

Buildable Area: The portion of a lot remaining after required yards have been provided.

Building: A structure with a roof, intended for shelter, housing, business, or enclosure.

Building Front Facade: A building elevation which fronts on a public street, public parking lot, private parking lot available to the general public, or pedestrian walk where customer access to a structure is available.

Building Permit Application: A City application form accompanied by drawings that depict the construction details for one or more proposed structures. Such drawings must conform to the Minnesota Building Code, Electrical Code and Plumbing Code. May also include a drawing showing the location of the building on the site and on-site improvements such as grading and drainage.

Building, Principal: A building in which is conducted the principal use of the lot.

Business: Any establishment, occupation, employment, or enterprise where merchandise is manufactured, exhibited, or sold, or where services are offered for compensation.

Business Day: A day on which City Hall is open.

Caliper: A horticultural method of measuring the diameter of a tree trunk for the purpose of determining size. The caliper inches of a tree shall be determined by measuring the tree's diameter 4 feet, 6 inches from the ground.

Cemetery: Land used or intended to be used for burying the remains of human dead and dedicated for cemetery purposes, including mausoleums and mortuaries when operated in conjunction with and within the boundaries of the cemetery.

Child Care Drop-In Program: As defined in Minnesota Statute 245A.02, "drop-in child care program" means a non-residential program of child care in which children participate on a onetime only or occasional basis up to a maximum of 90 hours per child, per month.

Church: (see "Place of Public Worship")

Clear-Cutting: The removal of an entire stand of trees.

Convenience Store: A retail store not more than 8,000 square feet in area that generally carries a reduced inventory of items such as dairy products, snack foods, minor automobile items, groceries, magazines, etc. A convenience store usually includes auto fuel sales but not vehicle repair. A car wash may be allowed as an Accessory Use.

Day Care of Non-Residential Care Program: Care, supervision, rehabilitation, training or habilitation of a person provided outside the person's own home and provided for fewer than 24 hours a day, including adult day care programs. Non-residential care programs include home and community-based services and semi-independent living services for persons with developmental disabilities that are provided in or outside of a person's own home.

Deck: A horizontal, unenclosed platform with or without attached railings, seats, trellises, or other features, attached or functionally related to a principal use or site at any point extending above grade.

Development: Any man-made change to real estate, including but not limited to construction or reconstruction of buildings, installing manufactured homes or travel trailers, installing utilities, construction of roads or bridges, erection of levees, walls, or fences, drilling, mining, filling, dredging, and storage of materials.

District, Zoning: An area delineated on the official zoning map that sets forth standards and guidelines for all development within the prescribed zoning district.

Drive-In: Any use where products and/or services are provided to the customer under conditions where the customer does not have to leave the car or where service to the automobile occupants is offered regardless of whether service is also provided within a building.

Drive-Up Window Service: A building opening, including windows, doors, or mechanical devices, through which occupants of a motor vehicle receive or obtain a product or service.

Drop-In Child Care Program: As defined in Minnesota Statute 245A.02, "drop-in child care program" means a non-residential program of child care in which children participate on a onetime only or occasional basis up to a maximum of 90 hours per child, per month.

Dwelling: A building or portion thereof designated for residential occupancy, including one-family, two-family, multiple family dwellings and group homes, but not including hotels, motels, boarding houses or nursing homes.

Dwelling, Attached: A structure intended for occupancy by more than one family, including duplexes, townhomes, multi-family dwellings and apartments. Accessory dwelling units as defined and permitted by this ordinance are incidental to a principal dwelling unit and are not considered to be attached dwellings.

Dwelling, Single-Family: A building designed for occupancy by one household. Must be attached to a foundation that extends below the frost line; must have sides made of wood, brick, stone, concrete, glass, and/or composite materials; and must conform to the standards of the Minnesota State Building Code. May be constructed on-site or may be constructed in modules off-site and assembled on-site. Also known as a "detached dwelling." Includes "modular home" but not "manufactured home" or "mobile home." Does not include a structure subject to the requirements of the National Manufactured Home Construction and Safety Standards Act of 1974 (HUD Code) or the Manufactured Home Building Code.

Dwelling, Multiple-Family: A building designed with 3 or more dwelling units exclusively for occupancy by 3 or more families living independently of each other but sharing hallways and main entrances and exits.

Dwelling, Two- or Three-Family: A building designed for occupancy by two or three households but otherwise conforming to the definition of Single-Family Dwelling. May be platted into separate ownership tracts as a zero-lot-line dwelling or through the provisions of the Minnesota Common Interest Community Act.

Dwelling Unit: An area within a structure designed and constructed to be occupied by one family which includes permanent provisions for living, cooking, and sanitation. Dwelling unit does not include hotels, motels, group residential facilities, correctional facilities, nursing/convalescent home, rehabilitation centers, or other structures designed for transient residence.

Earth-Sheltered Building: A building constructed so that 50 percent or more of the completed structure is covered with earth. Earth covering is measured from the lowest level of livable space in residential units and of usable space in nonresidential buildings. An Earth Sheltered Building is a complete structure that does not serve just as a foundation or substructure for above-ground construction. A partially completed building shall not be considered an Earth Sheltered Building.

Erosion: Any process that wears away the surface of the land.

Erosion Control: Refers to methods employed to prevent erosion. Examples include soil stabilization practices, horizontal slope grading, temporary or permanent cover, and construction phasing.

Essential Services: Public or private utility systems for sewage, water, gas, electricity; voice, television and digital communications systems. These services include underground, surface, and overhead systems and all accessories thereto such as poles, towers, wires, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, traffic signals, pumps, lift stations, hydrants, and other similar features necessary for the function of the essential service. Wireless radio frequency reception and transmission antennas and support structures shall not be considered an essential service.

Family: Two or more people related to one another by blood, marriage, domestic partnership, adoption or legal guardianship (including foster children) that share a household, kitchen facilities and entrances to a single dwelling unit.

Fence: A tangible barrier constructed of any allowable material erected for the purpose of providing a boundary or as a means of protection, or to prevent uncontrolled access, or for decorative purposes (such as an ornamental gate or ornamental gates), or to screen from viewers in or on adjoining properties and streets, materials stored and operations conducted behind it

Filling: The act of depositing any rock, soil, gravel, sand, or other material so as to change the natural grade of the land; and/or to fill or partly fill a water body, watercourse, or wetland.

Final Grade: Excavation or fill of material to final plan elevation. Final grade completed as part of individual site development.

Final Stabilization:

- A. All soil disturbing activities at the site have been completed and a uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a minimum density of 70% of approved vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures have been employed;
- B. For individual lots in residential construction by either: (a) The homebuilder completing final stabilization as specified above, or (b) the homebuilder establishing temporary stabilization including perimeter controls for an individual lot prior to occupation of the home by the homeowner and information the homeowner of the need for, and benefits of, final stabilization.

Flood: A general and temporary condition of partial or complete inundation of normally dry land areas from overflow of inland or tidal waves, or the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Frequency: The frequency for which it is expected that a specific flood stage or discharge may be equaled or exceeded.

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 Study for the City of Little Canada.

Flood Plain or Flood Prone Area: Any land area susceptible to being inundated by water from any source (see *FLOOD*).

Flood Profile: A graph or a longitudinal plot of water surface elevations of a flood event along a reach of a stream or river.

Flood-Proofing: Any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Flood, Regional: A flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the 100-year recurrence interval. Regional flood is synonymous with the term "base flood" used in the Flood Insurance Study.

Floodway: The bed of wetland or lake and the channel of a watercourse and those portions of the adjoining flood plain which are reasonably required to carry or store the regional flood discharge.

FloorArea: The sum of the gross square footage of a building measured inside its exterior walls.

Floor Area – Finished: To qualify as finished floor area, the space shall be at or above the finished exterior grade, or in the case of lower levels, no less than 42 inches below such grade; must have heat; flooring such as carpet, vinyl, tile, wood or other similar floor covering; a ceiling and walls covered with gypsum board, plaster, or wood which is stained, painted or covered with other residential wall/ceiling covering prior to occupancy. Basements that are neither "look out" or "walk out" levels may be finished, but shall not be counted towards a minimum finished square footage calculation.

Funeral Home: A business that provides human funeral services, including embalming and memorial services. Crematories and mortuaries are accessory uses to a funeral home.

Garage: An attached or detached accessory structure for the purpose of parking vehicles.

Garage Sale: The sale of miscellaneous used items commonly associated with residential use. Garage sales shall not be for the sale of primarily a single commodity. The term "garage sale" includes "sidewalk sale," "yard sale," "basement sale," and "estate sale."

Grading: Excavation or fill of material, including the resulting conditions thereof.

Greenhouse: A structure, primarily of glass, in which temperature and humidity can be controlled for the cultivation or protection of plants

Group Home: A publicly- or privately-owned detached residential building, whether licensed by the State or not, in which unrelated individuals, possibly including their children, reside up to 24 hours per day and share facilities for cooking and laundry, for the purpose of rehabilitation or treatment. A group home is the same as an overnight care facility.

This term does not include any type of residential or non-residential facility for persons convicted of crimes, or for persons accused of crimes who are diverted to the facility before conviction; nor does it include a residential facility whose primary purpose is to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses.

Height: The purpose of determining the height limits in all Airport zones, the datum shall be mean sea level elevation unless otherwise specified.

Heritage Preservation Site: Any area, place, building, structure, lands, districts, or other objects, which have been duly designated heritage preservation sites by this Commission and the City Council.

Home Occupation: An occupation carried on in a dwelling unit by the resident thereof; provided that the use is limited in extent and incidental and secondary to the use of the dwelling unit for residential purposes and does not change its character.

Hospital: A facility providing medical, psychiatric, or surgical services for sick or injured persons primarily on an inpatient basis, including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, and administration, and services to patients, employees, or visitors.

Hotel or Motel: Hotel and Motel are synonymous uses. A hotel or motel means a building or group of buildings in which sleeping accommodations are offered to the public and intended primarily for rental for temporary occupation by persons on an overnight basis, not including bed and breakfast establishments or a rooming house. Such uses may include microwaves and refrigerators for each guest unit.

Housing with Services Establishment: As defined under Minnesota Statute 144D, an establishment providing sleeping accommodations to one or more adult residents, at least 80 percent of which are 55 years of age or older, and offering or providing for a fee one or more regularly scheduled health-related services or two or more regularly scheduled supportive services, whether offered or provided directly by the establishment or by another entity arranged for by the establishment; or an establishment that registers under section MS 144D.025.

Housing with services establishment does not include:

- a. A nursing home licensed under Minnesota Statute 144A;
- b. A hospital, certified boarding care home, or supervised living facility licensed under sections 144.50 to 144.56;
- c. A board and lodging establishment licensed under Minnesota Statute 157 or 245B;
- d. A board and lodging establishment which serves as a shelter for battered women or other similar purpose;
- e. A family adult foster care home licensed by the Department of Human Services;
- f. Private homes in which the residents are related by kinship, law, or affinity with the providers of services;
- g. Residential settings for persons with developmental disabilities in which the services are licensed under Minnesota Rules, parts 9525.2100 to 9525.2140;
- h. A home-sharing arrangement such as when an elderly or disabled person or single-parent family makes lodging in a private residence available to another person in exchange for services or rent, or both;
- i. A duly organized condominium, cooperative, common interest community, or owners' association of the foregoing where at least 80 percent of the units that comprise the condominium, cooperative, or common interest community are occupied by individuals who are the owners, members, or shareholders of the units; or
- j. Services for persons with developmental disabilities that are provided under Minnesota Statute 245B.

Household: Any number of individuals living together on the premises as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house or hotel as defined herein. A family is a household but not every household is a family.

Impervious Surface: The area of a lot occupied by a constructed hard surface that either prevents or retards the entry of water into the soil and causes water to run off the surface in greater quantities and at an increased rate of flow than prior to development. Examples include but are not limited to decks with one-fourth (1/4) inch spacing or less; decks with a surface underneath that is impervious; concrete patios; bituminous patios; landscaping rocks over plastic liners; courts (sport and tennis); sand boxes with liners; roofs; structures; paved driveways and other driveway surfaces (crushed bituminous, concrete, gravel, other rock, packed dirt, etc); landscape beds with linings; and concrete sidewalks. Exceptions include the following topics: wood decks with one-fourth (1/4) inch spacing or more with pervious material underneath the deck; driveway and sidewalks constructed of pavers provided proof of proper installation is provided; wood chip sidewalks; and retaining walls.

Kenel, Commercial: A business for boarding, breeding, raising, grooming, selling, training or other animal husbandry for dogs, cats or other domestic animals.

Land Reclamation: The reclaiming of land by the importation, depositing, or grading of soils in excess of 400 cubic yards so as to elevate the grade.

Landscaping / Nursery Business: A retail business devoted to the growth, display, and/or sale of plants, shrubs, trees; and/or landscaping materials and services.

Little Free Library: A weather-resistant box with a door, used as an informal book donation and lending device, mounted on a post and installed in a yard.

Lot of Record: A parcel of land, whether subdivided or otherwise legally described, as of the effective date of this ordinance, or approved by the City as a lot subsequent to such date and which is occupied by or intended for occupancy by one principal building or principal use together with any accessory buildings and such open spaces as required by this ordinance and having its principal frontage upon a street.

Lot: Land occupied or to be occupied by a building and its accessory buildings, together with such open spaces as are required under the provisions of this zoning regulation, having not less than the minimum area required by this zoning ordinance for a building site in the district in which such lot is situated and having its principal frontage on a street or a proposed street approved by the Council.

Lot Line, Front: A boundary of a recorded land parcel that runs along an existing or dedicated public street but not an alley. If the lot is at the intersection of two streets, the shorter of the two exterior lot lines is the front lot line.

Lot, Substandard: A lot or parcel of land for which a deed has been recorded in the Office of the County Recorder upon or prior to the effective date of this chapter which does not meet the minimum lot area, structure setbacks or other dimensional standards of this chapter.

Manufactured (Mobile) Home: A structure transportable in one or more sections which in the traveling mode is 8 body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 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, and which complies with the Manufactured Home Building Code.

Manufactured Home Community: A contiguous parcel of land which has been designed and developed for the placement of manufactured homes on a permanent basis.

Mean Ground Level: The elevation established for the purpose of regulating the number of stories and the height of buildings. Grade shall be the mean level of the finished surface of the ground adjacent to the exterior walls of the buildings.

Metes and Bounds: A method of property description by means of their direction and distance from an easily identifiable point.

Mobile Home: See Manufactured Home.

Modular Home: A non-mobile housing unit that is basically fabricated at a central factory and transported to a building site where final installations are made, permanently affixing the module to the site.

Motor Home: "Motor home" means a motor vehicle designed to provide temporary living quarters. A motor home has a living unit built into, integral to, or permanently or temporarily attached to the chassis of a motor vehicle. This includes a sleeping unit added to the bed of a pick-up truck. "Motor home" is also defined in Statute 168.002, Subdivision 17.

National Pollutant Discharge Elimination System (NPDES): The program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits under the Clean Water Act (Sections 301, 318, 402, and 405) and United States Code of Federal Regulations Title 33, Sections 1317, 1328, 1342, and 1345.

New Construction: For the purposes of determining insurance rates, structures for which the start of construction commenced on or after the effective date of an initial Flood Insurance Rate map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

Non-Conforming Building or Structure: A structure or building, the size, dimensions, or location of which was lawful prior to [effective date of this ordinance] or on the effective date of any amendment to this ordinance, but that fails by reason of such adoption or amendment to conform to the requirements of this ordinance.

Non-Conforming Use: Any use lawfully being made of any land, building, or structure not otherwise abandoned, existing on [effective date of this ordinance] or on the effective date of any amendment of this Ordinance, that does not comply with the use regulations of this Ordinance or the amendment.

Nursing Home: A facility that provides nursing services and custodial care on a 24-hour basis for two or more unrelated individuals outside of their homes, who for reasons of illness, physical infirmity or advanced age, require such services, but not including hospitals, clinics or similar institutions.

Obstruction: (in relation to flood plains): Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel modification, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or regulatory flood plain which may impede, retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water.

Office: A building that provides work space for professional, financial, administrative, clerical, and similar services. Also known as an "office building."

Office-Showroom Building: A building in which at least 20 percent of the floor space is devoted to office activities, the remainder being used for either warehousing, display, light manufacturing, or research and testing. Floor to ceiling joist heights in the warehouse would be not more than 14 feet.

Office-Warehouse Building: An industrial building that is primarily devoted to the temporary storage and distribution of goods but includes a small percentage of its space for office work related to the warehouse. Floor to ceiling joist heights in the warehouse would exceed 14 feet.

On-Site Waste Water Management System: A septic tank and soil absorption system or other individual or cluster type sewage treatment system.

Open Space: An area on a lot not occupied by any structure or impervious surface.

Ordinary High Water: The boundary of public waters which may include wetlands, and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high-water level is the elevation of the top of the bank of the channel. For reservoirs and flowages, the ordinary high-water level is the operating elevation of the normal summer pool.

Outdoor Storage: The keeping, in an un-roofed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than 24 hours. This shall not include the display of vehicles for sale in a new or used car sales lot. Such activities may be the principal use of the land or as an accessory use to another principal use.

Overnight Care Facility: See Group Home.

Park: Land and related buildings owned by the government for public recreation.

Parking: The act of keeping a passenger vehicle as defined herein on an approved parking space, properly surfaced, for a temporary period of time. (new off-road parking definition)

Parking Island: Landscaped areas within parking lots used to separate parking areas and to soften the overall visual impact of a large parking area from adjacent properties.

Paved: A parking space or storage space which is surfaced with only the following materials: Asphalt, concrete, and natural or man-made paving stones such as brick, granite, or concrete pavers, provided such pavers have a flat surface area of no less than nine square inches. (new off-road parking definition)

Performance Standard: Criterion established to control and limit the impacts generated by, or inherent in, uses of land or buildings. The term “performance standard” shall be synonymous with “finishing standard.”

Permanent Cover: Final site stabilization. Examples include grass, gravel, asphalt, and concrete.

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: Includes any individuals, corporation, partnership, association, or any other entity, including state and local governments and agencies.

Personal Services: Establishments that primarily engage in providing services generally involving the care of the person or person's possessions. Personal services may include but are not limited to: laundry and dry-cleaning services, barber shops, beauty salons, health and fitness studios, music schools, informational and instructional services, tanning salons, and portrait studios.

Place of Public Worship: A building, together with its accessory buildings and uses, where people regularly assemble for religious worship and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

Public Waters: Any waters as defined in Minnesota Statutes, section 103G.005, Subd. 15, 15a.

Reach: (in relation to flood plains): A hydraulic engineering term to describe a longitudinal segment of a stream or river influenced by a natural or man-made obstruction. In an urban area, the segment of a stream or river between two consecutive bridge crossings would most typically constitute a reach.

Recycling and Salvage Center: A facility engaged solely in the storage, processing, resale, or reuse of recyclable and recovered materials.

Recreational Camping Vehicle: As defined in Statute 327.14, Subd. 7, (a) any vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses; (b) any structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation; (c) any portable, temporary dwelling to be used for travel, recreation, and vacation, constructed as an integral part of a self-propelled vehicle; and (d) any folding structure, mounted on wheels and designed for travel, recreation, and vacation use. See also Motor Home.

Registered Land Survey: A survey map of registered land designed to simplify a complicated metes and bounds description, designating the same into a tract or tracts by registered land survey number. (M.S. § 508.47)

Regulatory Flood Protection Elevation: The regulatory flood protection elevation shall be an elevation no lower than one foot above the elevation of the regional flood plus any increases in flood elevation caused by encroachments on the flood plain that result from designation of a floodway.

Residential Care Program or Facility: A program that provides 24-hours-per-day care, supervision, food, lodging, rehabilitation, training, education, habilitation, or treatment outside a person's own home, including a program in an intermediate care facility for four or more persons with developmental disabilities. Residential programs include home and community-based services for persons with developmental disabilities that are provided in or outside of a person's own home.

This term does not include any type of residential facility for persons convicted of crimes, or for persons accused of crimes who are diverted to the facility before conviction; nor does it include a residential facility whose primary purpose is to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses.

Residential Specialty Shops: Antiques and collectibles shops, including rare coin and rare book dealers; art, craft and hobby shops, including instruction; gifts, novelty and souvenir shops; interior decorating studios; jewelry shops; tailoring and custom clothing shops; tea rooms.

Restaurant: A business where meals or prepared food, including beverages and confections, are served to customers for consumption on or off the premises. Such a facility may include indoor and outdoor seating and/or drive through services. At least 50 percent of the gross revenue shall be obtained directly through the sale of food.

Restaurant, Convenience Food: A restaurant in which customers place orders at a counter and the meal is typically delivered before they sit at a table. These facilities often include drive-up window service.

Restaurant, Drive-In Service: A restaurant in which customers stay in their cars and are served food in the parking lot. Commonly known as a “drive-in.”

Retail Business: An establishment primarily engaged in the sale of goods and materials to the general public not otherwise specifically defined in code.

Root Zone: The area inside the drip line of a tree that contains its roots.

Runway: Any surface of the airport which is specifically designated and used for the landing and/or take-off of aircraft.

Salvage Yard, Vehicle: A business in which inoperable motor vehicles are stored outdoors while they await dismantling, crushing or stripping for parts.

Sanitary Sewer System: Pipelines or conduits, pumping stations, and force main, and all other construction, devices, appliances, or appurtenances used for conducting sewage or industrial waste or other wastes to a point of ultimate disposal.

Sediment Control: Measures and methods employed to prevent sediment from leaving the site. Sediment control practices include but are not limited to silt fences, sediment traps, earth dikes, drainage swales, check dams, subsurface drains, pipe slope drains, storm drain inlet protection, and temporary or permanent sedimentation basins.

Self-Storage Facility: A building or group of buildings that contains equal or varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of residential or commercial customer’s goods or wares.

Semi-Public Use: The use of land by a private, nonprofit organization to provide a public service that is ordinarily open to some persons outside the regular constituency of the organization.

Seniors Housing: A multiple-family structure or cluster of detached single-family structures designed for and restricted to occupants who are at least 55 years of age. The facility may include common areas for the congregation of occupants for activities or meals. The facility may include independent living, assisted living and/or memory care housing and related facilities.

Setback: The horizontal distance between a structure and the perimeter of the parcel on which it is located. A setback is a minimum distance and not the same as a Build-to Line, but houses along a street are expected to match the average of adjacent houses’ front yard setbacks.

Shore Impact Zone: Land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50 percent of the structure setback.

Shoreland: Land located within the following distance from public waters: 1,000 feet from the ordinary high-water level of a lake, pond or flowage; and 300 feet from a river or stream, or the landward extent of a floodplain designated by ordinance on a river or stream, whichever is greater. The limits of Shorelands may be reduced whenever the waters involved are bounded by topographic divides which extend landward from the waters or lesser distances and when approved by the Commissioner.

Site Plan: A scaled drawing that depicts existing and proposed physical improvements including parcel boundaries, easements, topography, natural features and nearby off-site conditions. Usually submitted to the City as part of an application for a land development or a building permit.

Sketch Plan: An informal drawing, not submitted as an application, that depicts a potential site plan or plat, used by applicants for preliminary discussions and reviews with City staff.

Slope: Means the degree of deviation of surface from the horizontal, usually expressed in percent or degrees.

Solar Energy System: A set of devices whose primary purpose is to collect solar energy and convert and store it for useful purposes including heating and cooling buildings or other energy-using processes, or to produce generated power by means of any combination of collecting, transferring, or converting solar-generated energy.

Special Flood Hazard Area: The land in the floodplain within a community subject to a 1% or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the flood insurance rate map, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, or V1-30, VE, or V. For purposes of these regulations, the term Special Flood Hazard Area is synonymous in meaning with the phrase Area of Special Flood Hazard.

Stabilization: The exposed ground surface has been covered by appropriate materials such as mulch, staked sod, riprap, wood fiber blanket, or other material that prevents erosion from occurring. Grass seeding is not stabilization.

Start of Construction: The first land-disturbing activity associated with a development, including land preparation such as clearing, grading, excavation and filling.

Steep Slope: Land where agricultural activity or development is either not recommended or described as poorly suited due to slope steepness and the site's soil characteristics, as mapped and described in available county soil surveys or other technical reports, unless appropriate design and construction techniques and farming practices are used in accordance with the provisions of this ordinance. Where specific information is not available, steep slopes are lands having average slopes over 12 percent, as measured over horizontal distances of 50 feet or more, which are not bluffs.

Storm Shelter: An accessory building specifically designed and used for the protection of life from weather events.

Storm Water: Defined under Minn. R. 7077.0105, subp. 41(b), and includes precipitation runoff, storm water runoff, snow melt runoff, and any other surface runoff and drainage.

Storm Water Pollution Prevention Program (SWPPP): A program for managing and reducing storm water discharge that includes erosion prevention measures and sediment controls that, when implemented, will decrease soil erosion on a parcel of land and decrease off-site non-point pollution.

Stormwater Treatment Practices: Measures, either structural or nonstructural, that are determined to be the most effective and practical means of preventing or reducing point source or non-point-source pollution inputs to stormwater runoff and water bodies.

Story: That portion of a building included beneath the upper surface of a floor and upper surface of the floor next above, or 14 feet, whichever is less, except that the topmost story

shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement or cellar, or unused under floor space is more than 6 feet above grade, more than 50 percent of the total perimeter, or is more than 12 feet above grade at any point, such basement, cellar, or unused under floor space shall be considered a story.

Structure: Anything constructed, installed, or portable, the use of which requires a location on a parcel of land. This includes a fixed or movable building which can be used for residential, business, commercial, or office purposes, either temporarily or permanently. "Structure" also includes, but is not limited to, swimming pools, tennis courts, signs, sheds, docks, and similar accessory construction. For floodplain management purposes, a walled and roofed building, including gas or liquid storage tanks, that is principally above ground. The term includes recreational vehicles and travel trailers on site for more than 180 days. For floodplain management purposes, a walled and roofed building, including gas or liquid storage tanks, that is principally above ground.

Structure, Permanent: A structure that is attached to frost-free footings.

Subdivision: Any real estate, wherever located, improved or unimproved, which is divided or proposed to be divided for the purpose of sale or lease, including sales or leases of any timeshare interest, unit in a common interest community, or similar interest in real estate.

Substantial Improvement:

1. Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:
 - (a) Before the improvement or repair is started; or
 - (b) If the structure has been damaged, and is being restored, before the damage occurred.
2. For the purposes of this definition, "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure regardless of the actual work performed. The term does not, however, include either:
 - (a) Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or
 - (b) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Surface Water: All streams, lakes, ponds, marshes, wetlands, reservoirs, springs, rivers, drainage systems, waterways, watercourses, and irrigation systems whether natural or artificial, public or private.

Swimming Pool: A structure, whether above or below grade level, designed to hold water more than 24 inches deep to be used for recreational purposes

Tea Room: The serving of limited food and beverage items that do not involve the preparation by cooking or processing on the premises.

Telecommunications Tower: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas.

Townhouse: A dwelling unit attached by party walls to other units and oriented so that all exits open to the outdoors and having no other dwellings directly above or below it. Sometimes known as a row house. Arranged in structures having 3 to 12 dwelling units, which may face the same direction or may be back-to-back. May be for-rent or for-sale.

Travel Trailer: A unit on wheels that is designed for temporary living quarters and designed to

be towed by a motor vehicle.

Trash Handling and Recycling Collection Area: An area designated for the accumulation, storage and pick-up of refuse and recyclable material associated with multi-family home sites, civic and institutional uses, office uses, commercial uses, and industrial uses. This definition does not include trash and recycling containers associated with single family dwellings, or townhome units which do not utilize a communal location for trash and recycling.

Ornamental: A small tree that has high visual impact typically grown for the beauty of its foliage and flowers rather than its functional reasons.

Tree, Specimen: Any canopy tree with a DBH of 36 inches or more and any understory or ornamental tree with a DBH of 10 inches or more that is not exempted as a specimen tree by this ordinance.

Tree, Overstory: A tree that has an expected height at maturity of greater than 30 feet.

Traffic Sight Triangle: An area on the ground beginning at the intersection of the projected curb lines of two intersecting streets, thence 25 feet along one property line, thence diagonally to a point 25 feet from the point of beginning on the other property line, thence to the point of beginning.

Truck or Freight Terminal: A use where buses, trucks, and cargo are stored, where loading and unloading is carried on regularly, and where minor maintenance of these types of vehicles is performed.

Upland: Means all lands at an elevation above the ordinary high water mark.

Use: The purpose or activity for which the land or building thereon is designated, arranged, or intended, or for which it is occupied, utilized, or maintained, and shall include the performance of such activity as defined by the performance standards of this ordinance.

Use, Principal: The main use of land or buildings as distinguished from subordinate or accessory uses.

Utilities, Major: Major utilities shall include the following:

- (A) Public infrastructure services providing regional or community-wide service that entail the construction of new buildings or structures such as waste treatment plants, potable water treatment plants, solid waste facilities, and electrical substations;
- (B) Commercial wind energy conversion systems (public or private).

Variance: An exception by board action from the literal provisions of the zoning ordinance on a case-by-case basis.

Vegetation, Native: Any indigenous tree, shrub, ground cover or other plant adapted to the soil, climatic, and hydrographic conditions occurring on the site.

Vehicle, Emergency: For the purpose of evaluating vehicles which may be parked in residential areas, the term emergency vehicle shall include ambulances, police and sheriff's department vehicles, fire protection vehicles, emergency towing vehicles, and other law enforcement vehicles.

Vehicle, Passenger: A vehicle capable of moving under its own power which is licensed and operable for use on public roadways, and shall include the following vehicles: Passenger automobiles, pick-up trucks and sport-utility vehicles of less than 9,000 pounds gross vehicle weight, pick-up trucks and sport-utility vehicles of between 9,000 pounds and 13,000 pounds with no visible commercial messages, commuter vans of a capacity up to 16 persons, and motorcycles.

Vehicle, Recreational:

- (A) A vehicle that is used primarily for recreational or vacation purposes, and which is licensed and operable for use on public roadways, whether self-propelled, carried on, or towed behind a self-propelled vehicle.
- (B) Operable recreational equipment that is not licensed for used on the public roadway, but used off-road, such as all-terrain vehicles, boats, off-road motorcycles, race vehicles, snowmobiles, or similar equipment. Such equipment shall be properly licensed if the State of Minnesota provides for such licensing.
- (C) Licensed, operable trailers which may be used to tow recreational equipment, whether such trailers are loaded or unloaded, including utility trailers. Where a trailer is loaded with recreational equipment, such trailer and equipment shall be considered to be one piece of equipment for the purposes of this section

Vehicle, Large Commercial: A vehicle used for commercial purposes which is a semi-tractor and/or semi-trailer, dump truck, or any other commercial vehicle that does not qualify under the definition of a “Small Commercial Vehicle.

Vehicle, Small Commercial: A vehicle used primarily for commercial purposes, including pick-up trucks and sport-utility vehicles larger than 9,000 pounds gross vehicle weight, but less than 13,000 pounds gross vehicle weight which display a commercial business message, and all other commercial vans or trucks, regardless of commercial message which are no greater than any of the following dimensions: 22 feet in length, 8 feet in height, and 8.5 feet in width.

Vehicle Fuel Sales: Buildings and premises where gasoline, oils and greases, batteries, tires and automobile accessories may be supplied and dispensed at retail (or in connection with a private operation where the general public is excluded from use of facilities), and where in addition, the following services may be rendered and sales made, and no other:

- (A) “Vehicle Repair, Mechanical” as defined by this ordinance
- (B) Sales of cold drinks, packaged foods, tobacco, and similar convenience goods for filling station customers, as accessory and incidental to principal operation;
- (C) Provision of road maps and other informational material to customers; and
- (D) Provision of restroom facilities.

Uses permissible at a vehicle fuel sales establishment do not include “Vehicle Repair, Body” as defined by this ordinance, storage of automobiles not in operating condition, or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in fuel stations.

Vehicle Repair, Mechanical: Repair or replacement of any of the components of a motor vehicle except body parts. Does not include body painting.

Vehicle Repair, Body: Repair or replacement of the exterior body parts or the chassis or uni-body components of a motor vehicle.

Vehicle Sales or Rental: Businesses primarily engaged in the retail sale of new and used—in operating condition—automobiles, noncommercial trucks, motor homes, recreational vehicles or farm machinery; including incidental storage, maintenance, and servicing.

Vehicle Storage: The act of keeping a recreational or commercial vehicle as defined herein on a parcel in an eligible storage location for an extended period of time without regular use.

Water-Oriented Accessory Structure: A small, above ground building or other improvement, except stairways, fences, docks, and retaining walls, which, because of the relationship of its use to a surface water feature, reasonably needs to be located closer to public waters than the normal structure setback. Examples of such structures and facilities include boathouses, gazebos, screen houses, fish houses, pump houses, and detached decks.

Water Course: A channel or depression through which water flows such as rivers, streams, or creeks and may flow year-round or intermittently. Same as “waterway.”

Watershed: The area drained by the natural and artificial drainage system bounded peripherally by a bridge or stretch of high land dividing drainage areas.

Wetlands:

- A. Lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this ordinance, wetlands must:
 - 1. Have a predominance of hydric soils;
 - 2. Be inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and
 - 3. Under normal circumstances, support a prevalence of hydrophytic vegetation.
- B. "A wetland" or "the wetland" means a distinct hydrologic feature with characteristics of item A, surrounded by non-wetland and including all contiguous wetland types, except those connected solely by riverine wetlands. "Wetland area" means a portion of a wetland or the wetland.
- C. Wetlands does not include public waters wetlands and public waters unless reclassified as wetlands by the commissioner under Minnesota Statutes, section 103G.201.
- D. The wetland size is the area within its boundary. The boundary must be determined according to the United States Army Corps of Engineers Wetland Delineation Manual (January 1987). The wetland type must be determined according to Wetlands of the United States, (1971 edition). Both documents are incorporated by reference under part 8420.0112, items A and B. The local government unit may seek the advice of the technical evaluation panel as to the wetland size and type.

Wetlands, Exceptional Quality: Exceptional quality wetlands contain an abundance of different plant species with dominance evenly spread among several species. Such wetlands may support some rare or unusual plant species. Invasive or exotic plant species are either absent or limited to small areas where some disturbance has occurred. This higher level of plant species variety generally provides high wildlife habitat value and may also support rare wildlife species. The shorelines of exceptional quality wetlands are natural and unaffected by erosion. These wetlands exhibit no evidence of significant man induced water level fluctuation. Exceptional quality wetlands provide excellent water quality protection, high aesthetic quality, and provide excellent opportunities for educational and scientific activities within the community.

Wetlands, High Quality: High quality wetlands are still generally in their natural state and tend to show less evidence of adverse effects of surrounding land uses. Exotic and invasive plant species may be present and species dominance may not be evenly distributed among several species, however, a minimum of 20 different species can be found within the basin. There tends to be little evidence of water level fluctuation due to storms and their shorelines are stable with little evidence of erosion. The combination of these factors results in these wetlands being judged as providing a greater level of water quality protection and significantly better wildlife habitat. They show little if any evidence of human influences and their greater levels of species variety, wildlife habitat and ecological stability results in higher aesthetic quality. These characteristics also offer opportunities for educational or scientific value to the community.

Wetlands, Low Quality: Wetlands included in this category have been substantially altered by agricultural or urban development that caused over nutrification, soil erosion, sedimentation and water quality degradation. As a result of these factors, these wetlands exhibit low levels of plant species and a related reduction in the quality of wildlife habitat. These wetlands may also tend to exhibit extreme water level fluctuations in response to storms and show evidence of shoreline erosion. While these wetlands do provide for water quality and serve an important role in protecting water quality downstream, the combination of these characteristics cause these wetlands to provide low levels of water quality protection and to have poor aesthetic quality. They often exhibit evidence of significant human influences and they are deemed to be of little educational or scientific value to the community.

Wetlands, Medium Quality: Medium quality wetlands have a slightly higher number of plant species present than low quality wetlands, often with small pockets of indigenous species within larger areas dominated by invasive or exotic species. Their relatively greater species variety results in slightly better wildlife habitat. They exhibit evidence of relatively less fluctuation in water level in response to storms and less evidence of shoreline erosion. As a result of these characteristics, these wetlands provide somewhat better water quality protection. They also exhibit relatively less evidence of human influences and therefore, tend to be of a higher aesthetic quality. These wetlands are still judged to be of limited educational or scientific value to the community.

Wetland Buffer: An area of non-disturbed ground cover abutting a wetland left undisturbed to filter sediment, materials, and chemicals.

Wholesale Sales: Business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users; or to other wholesalers. Wholesale establishment does not include contractor's materials or office or retail sales of business supplies/office equipment.

Wind Energy Conversion System: A wind-driven machine that converts wind energy into electrical power for the primary purpose of resale or off-site use

Yard, Front: That part of the property between the front lot line and either the principal building.