

1305.04 Definitions.

(revised 07/27/20)

- Acre. A quantity of land containing forty-three thousand, five hundred and sixty (43,560) square feet or one hundred sixty (160) square rods in whatever shape and pattern (e.g. circular, square, triangular, irregular, broad or narrow).
- Acre, net (as applied to PUD density calculations). One (1) acre of land, minus the two-thirds (2/3) of that portion of the acre encompassed by wetlands, one-half (1/2) of that portion of the acre encompassing wholly or partially hills, mounds, or slopes that drop at a rate of twelve percent (12%) or more per every fifteen (15) feet or more of distance; and the entire area of public streets.
- Administrative officer. The zoning administrator, building inspector, their deputies or assistants, and any other officials of the city charged with or engaged in the administration of this Code or any portion thereof.
- Administrator. The zoning administrator.
- Agricultural uses. Uses customarily associated with the growing of farm produce and the raising of farm animals for general use; but not including raising and feeding (feed lots) of livestock, fur farms and kennels.
- Alteration. As applied to a building or structure, a change or rearrangement in the structural parts or in the existing facilities, or an enlargement, whether by extending on a side or by increasing in height, or by moving from one location to another.
- Alley. A minor public or private way which is used primarily for vehicular service access to the back or side of a lot abutting on a street.
- Animals, domestic. Common household pets, such as dogs and cats, other animals kept for amusement, companionship, decoration, or interest.
- Animals, farm. Animals traditionally kept or raised on a farm for the purpose of providing food or products for sale or use, such as cattle, horses, goats, sheep, swine, fowl, bees, and animals raised for fur.
- Animals, wild. Animals such as wolves, tigers and poisonous snakes that are not normally a domestic animal or farm animal and would ordinarily be confined in a zoo or found in the wild.
- Antenna. Equipment, used for transmitting and/or receiving telecommunication, television or radio signals, which is located on the exterior, or outside, of any building or structure.

- Antenna, dish. A parabolic-shaped antenna (including all supporting apparatus) which is used for transmitting or receiving telecommunication, television or radio signals, which is located on the exterior, or outside, of any building or structure.

- Class I: Dish Antenna under thirty (30) inches or more in diameter; six (6) feet in surface area; or six (6) feet in height.

- Class II: Dish Antenna thirty (30) inches or more in diameter; six (6) square feet or more in surface area; or six (6) feet or more in height.

- Apartment. A room or suite of rooms located in a one- or two-family building or multiple dwelling, which shall include a bath and kitchen accommodation, intended or designed for use as an independent residence by a single household.

- Appeal. An application for the review of an order, requirement, decision, determination or interpretation of this Code made by an administrative officer in the application and/or enforcement of this Code.

- Basement. Any area of a structure, including crawl spaces, having its floor or base subgrade (below ground level) on all four sides, regardless of the depth of excavation below ground level. (revised 05/05/10)

- Bluff. A topographic feature such as a hill, cliff, or embankment having the following characteristics (an area with an average slope of less than 18 percent over a distance for 50 feet or more shall not be considered part of the bluff): (added 02/22/10)

- Part or all of the feature is located in a shoreland area;

- The slope rises at least 25 feet above the ordinary high water level of the water body;

- The grade of the slope from the toe of the bluff to a point 25 feet or more above the ordinary high water level averages 30 percent or greater; and

- The slope must drain toward the waterbody.

- Bluff impact zone. A bluff and land located within 20 feet from the top of a bluff. (added 02/22/10)

- Board. The board of appeals and adjustment established by this Code.

- Boarding house. A structure where sleeping rooms are provided, with a common entrance, internal access to all rooms, one (1) or more bathrooms, and one (1) or more kitchens to provide lodging for at least three (3) but not exceeding five (5) persons. A boarding house is distinguished from a transient accommodation such as a hotel or motel as defined in this chapter. (added 7/14/10)

- Boulevard. That portion of a street lying between the lateral line of the roadway portion thereof (i.e., the back of the curb or curb line) and the right-of-way line thereof which may contain within its boundaries a sidewalk or portion of driveway.

- Brewpub. A restaurant that also has a facility that manufactures and distributes intoxicating malt liquor or wine in total quantity not to exceed 250,000 barrels a year on the premises. (added 10/29/12)
- Building. A structure which is designed and suitable for the habitation or shelter of human beings or animals, or a shelter or storage of property, or is used for trade or manufacturing.
- Building line. A line parallel to a lot line or the ordinary high water level at the required setback beyond which a structure may not extend. (revised 02/22/10)
- Building, accessory structure or use. A subordinate building structure or use which is located on the same lot on which the principal building or use is situated and which is reasonable necessary, appropriate and incidental to the conduct of the primary use of such principal building or principal use.
 - Building envelope. (See Lot, Buildable portion of.)
 - Building height. The vertical distance from the average elevation of the grade along a face of a building to the highest point of the roof surface of flat roofs, the deck line of mansard roofs, or the average height between the eaves and the highest ridge of gable, hip, or gambrel roofs. The height of a stepped or terraced building shall be the height of the tallest segment of the building.
 - Building inspector. The inspector as provided for in the building code.
 - Building, principal. A building in which the principal use, of the lot on which it is located, is conducted.
- Bulk. The term used to indicate the size and setbacks of buildings or structures and location of same with respect to one another and includes the following items:
 - Size and height of buildings or structures.
 - Location of exterior walls at all levels in relation to lot lines, street or to other buildings or structures.
 - Gross floor area of buildings or structures in relation to lot lines, street or to other buildings or structures.
 - All open spaces allocated to buildings or structures.
 - Amount of lot area per dwelling unit.
- Bulk materials. Uncontained solid matter such as powder, grain, stone, sand, sulfur, etc., that has a tendency to become airborne.
- Business. Any occupation, employment or enterprise wherein merchandise is exhibited and sold, or which occupies time, attention, labor and materials, or whereby services are offered for compensation.

- Business services. Services performed primarily for other businesses, including such services as secretarial, clerical, employment agencies, business machine service, printing, etc.
- Caliper inches. The diameter of a tree measured at 4.5 feet above the ground. (added 4/28/08)
- Call Center. An office for providing incoming and outgoing telephone and computer services, customer service, technical service, or telemarketing activities through electronic communications. (added 7/27/20)
- Cemetery/Memorial garden. Land used or dedicated to the burial of the dead, including crematoriums, mausoleums, funeral chapels and necessary sales and maintenance facilities. (added 7/14/10)
- Clear vision area. The clear vision area shall be an area within a triangle that is measured along the edge of the driving surface of the road at the intersection of two roads (public or private) and extending thirty (30) feet in each direction from the intersection with a line connecting the two end points. (revised 3/18/09)
- Clear-cutting. The complete removal of trees or shrubs in a contiguous patch, strip, row, or block. (revised 02/22/10)
- Clinic. A building for out-patient medical treatment of humans or small animals.
- Clubs and lodges. Buildings and facilities owned and operated by a corporation or association of persons for social, recreational, charitable, educational or cultural purposes, but not operated primarily for profit or for purposes which are customarily associated with a business.
- Clubs, sports and fitness. A place of assembly where membership may be required and is directed toward the general public with the commercial promotion of sports and physical fitness.
- Commission. The Planning Commission, as established by the Code of Ordinances, City of Arden Hills, Chapter 2.
- Commercial recreation, indoor. A commercial recreational use conducted within an enclosed building, including arcade, arena, art gallery, assembly hall, athletic and health clubs, auditorium, bowling alley, club or lounge, community center, pool or billiard hall, or a variety of organized or franchised sports, including but not limited to basketball, ice hockey, wrestling, soccer, tennis and volleyball. This definition does not include public uses on public property. (added 7/14/10)
- **Commercial recreation, outdoor. An accessory commercial recreational use conducted outdoor including but not limited to horseshoes, bocce ball, or cornhole.**
- Comprehensive plan. A compilation of policy statements, goals, standard and maps for guiding the physical, social and economic development, both private and public, of the city and its environs and may include, but is not limited to, the following items: Statements of

policies, goals, standards, a land use plan, a community facilities plan, a transportation plan and recommendations for plan execution.

- Conditional use. A use which, because of unique characteristics, cannot be classified as a permitted use in a district, and which, after due consideration by the Planning Commission and Council, pursuant to the applicable procedures contained in this Code and the Arden Hills City Code of Ordinances, may nevertheless be permitted with restrictions on a site by conditional use permit granted by the Council.

- Conditional use permit (C.U.P.). A permit required for certain land uses classified as Conditional Accessory Uses or Conditional Principal Uses.

- Consumer small loan establishment. Any establishment that offers consumer small loans, commonly referred to as "payday loans," as defined in Minnesota State Statute 47.60 as amended from time to time. (added 12/3/08)

- Council. The City Council, as established by the Code of Ordinances.

- Crematorium. A facility containing properly installed, certified apparatus intended for use in the act of cremation. (added 7/14/10)

- Critical root zone. The minimum area around a tree that should remain undisturbed. To calculate the critical root zone, measure the tree's caliper inches. For each caliper inch of tree, 1.5 feet of root radius must be protected. For example, if a tree's is 10 caliper inches, then its critical root radius is 15 feet ($10 \times 1.5 = 15$). The critical root zone is 30 feet. (added 4/28/08)

- Day care facility. Any licensed facility, public or private, which for gain or otherwise, regularly provides one or more persons with care, protection, supervision, habilitation, rehabilitation or developmental guidance on a regular basis, for periods of less than twenty-four (24) hours per day, in a place other than the person's own home, including but not limited to day care centers, day nurseries, daytime activity centers, day treatment programs, and day services. (revised 7/14/10)

- Day care, family. Day care for no more than ten children at one time of which no more than six are under school age. The licensed capacity must include all children of any caregiver when the children are present in the residence. (added 7/14/10)

- Day care, group family. Day care for no more than 14 children at any one time. The total number of children includes all children of any caregiver when the children are present in the residence. (added 7/14/10)

- Density. The number of dwelling units permitted by this Code on one (1) acre.

- Density net. The number of dwelling units permitted by the Code on one (1) net acre of land.

- Density transfer. The relocation of housing units or square footage of building area computed on part of a building site to another part of the site resulting in an increase in density to the transfer area for the purpose of preserving open space, forested areas,

environmental or terrain features deemed worthy of preservation by the Planning Commission.

- Density zoning. Density zoning shall be interpreted as the provision of lot areas smaller than the minimum requirement of this Code under conditions whereby the total number of dwelling units is not greater than the amount permitted under normal conditions.
- Dog kennel, Commercial. A structure specifically designed and commercially used for the harboring of three (3) or more dogs that are more than three (3) months old.
- Dog kennel, Residential. A structure specifically designed and residentially used for harboring of up to three (3) dogs that are more than three (3) months old.
- Dog run. A structure specifically designed for domestic use for the harboring and exercise of not more than two (2) dogs.
- Drive-up Window. A window or other opening at a business establishment that allows customers to purchase and/or receive a service or product without having to enter the building. (added 12/03/08)
- Dwelling. A building or portion thereof, designed or used exclusively for residential occupancy, including single-family, two-family and multiple family uses, but not including hotels, motels, nursing homes, boarding or rooming houses, tents, seasonal cabins, or motor homes or travel trailers.
- Dwelling, live-work unit. A dwelling unit in combination with a shop, office, studio, or other work space within the same unit, where the resident occupant both lives and works. A live-work unit is not synonymous with a home occupation because it is designed as a mixed-use facility, whereas the home occupation is secondary and accessory to the residential use. (added 7/14/10)
- Dwelling, multiple family. A dwelling containing three (3) or more attached dwelling units.
 - Dwelling, single-family. A dwelling that consists of one (1) dwelling unit.
 - Dwelling, two-family. A dwelling that consists of two (2) dwelling units.
- Dwelling unit. A residential building or portion thereof intended for occupancy by one (1) family with facilities for living, sleeping, cooking and eating but not including hotels, motels, nursing homes, tents, seasonal cabins, boarding or rooming houses, motor homes or travel trailers.
 - Dwelling unit, single-family attached. A dwelling unit which is located on its own individual lot but joined along a single lot line to one (1) or more other dwelling units with a party wall and having a separate point of entry.

- Dwelling unit, single family detached. A dwelling which is not joined to any other dwelling unit, and is located on a separate lot with the structure surrounded by open space and having a separate point of entry.
- Easement. A right or privilege in favor of a person or a government authority to use a parcel of land or portion thereof for specific purpose.
- Enclosed Parking. A structure used for the storage of a vehicle which must be covered and completely enclosed by walls or doors on four sides. (added 10/4/12)
- Equal Degree of Encroachment. A method of determining the location of floodway boundaries so the flood plain lands on both sides of a stream are capable of conveying a proportionate share of flood flows.
- Exterior storage. The storage of goods, materials, equipment, manufactured products and similar items not fully enclosed by a building.
- Family. An individual or two (2) or more persons, each related to the other by blood, marriage, adoption or foster care, or a group of not more than four (4) persons, some or all of whom are not related by blood, marriage or adoption, living together and maintaining a common household. (These regulations shall not be applied so as to prevent the City from making reasonable accommodation as required by the Federal Fair Housing Amendments Act of 1988).
- Financial institution. An establishment that provides financial and banking services to consumers or clients. Typical uses include banks, savings and loan associations, credit unions, investment companies, and automated teller machines (ATMs). Financial institution shall not include a consumer small loan operation. (added 7/14/10)
- Flood. A temporary increase in the flow or stage of a stream or in the stage of a wetland or lake that results in the inundation of normally dry areas.
- 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.
- Flood plain. The beds proper and the areas adjoining a wetland, lake or watercourse which have been or may be covered by the regional flood.
- Flood-proofing. A combination of structural provisions, changes, or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages.
- Floodway. A 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.

- Floor area. Means the sum of the horizontal area of all floors of a building measured from the exterior faces of the exterior walls, or from the centerline of walls separating two buildings, Excluding: decks, garages, covered porches conforming with Section 1325.03 Subd 2.D; attics, crawl spaces and basements that do not meet the minimum ceiling height per Minnesota State Building Code requirements.
- Floor area ratio (F.A.R.). The ratio obtained by dividing the sum of a building's floor area by the amount of lot area.
- Frontage. The uninterrupted front boundary line of a lot, or the length of such line, which abuts on a street.
- Garage, private. An accessory building or portion of the principle building which is intended and used for the storage of the private passenger vehicles of the family or families who reside upon the lot upon which the garage is located.
- Garage, repair. A building or space for the repair or maintenance of motor vehicles, including body work, painting and vehicle wash, and incidental display and sales of automotive products but not including factory assembly of such vehicles, auto wrecking, or junkyards.
- Garage, truck. A building that is used or intended to be used for the storage of motor trucks, truck trailers, tractors and commercial vehicles exceeding one-ton rated capacity.
- Grading and Excavating. The act of excavation or filling or combination thereof to alter the contour of land for development purposes. (added 7/14/10)
- Higher education, campus. The facilities for technical colleges, junior colleges, colleges and universities approved by the Minnesota Higher Education Coordinating Board for the Minnesota Department of Education. These facilities can include, but are not limited to, classrooms; laboratories; seminaries; dining and residence halls; athletic, wellness, and spiritual facilities; administrative offices; performance art centers; parking and transit structures; and child care facilities. (added 9/25/2017)
- Home occupation. The accessory or conditional accessory use of a residential structure for any gainful occupation or profession.
- Hospital. An institution licensed by the state department of health, providing primary health services and medical or surgical care, to sick or injured persons, primarily inpatients. May include related facilities such as laboratories, outpatient facilities, or training facilities. (added 7/14/10)
- Hotel/motel. Any building, or group of buildings, having five (5) or more guest rooms intended or designed to be rented or hired out to be occupied, or which are occupied for sleeping purposes by transient guests. (revised 7/14/10)
- House of worship. A place of worship or religious assembly and its accessory facilities used by the congregation such as the following: rectory, meeting hall, offices for administration of the institution, licensed child or adult daycare, playground, or cemetery. A house of worship does not include buildings or uses used exclusively for residential,

schools, recreational, commercial, or other uses not normally associated with worship.
(revised 7/14/10)

- Household. The person or persons occupying a single dwelling unit. A household may consist of a single family, one (1) person living alone, two (2) or more families living together or any group of related or un-related persons who share living arrangements.

- Industry. Uses such as the manufacturing, compounding, processing, packaging, treatment, assembling or warehousing of products and materials.

- Junkyard. An open area where waste, used or second-hand materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including but not limited to, scrap iron and other metals, paper, rags, rubber, tires and bottles. A junkyard includes a vehicle wrecking yard but does not include uses established entirely within enclosed buildings.

- Landscape lot area. That portion of a lot required to remain as open space, free of buildings, parking and drives. Landscape lot areas may consist of:

- Naturally vegetated areas,
- Wetlands or ponding areas,
- Planting beds, ground cover and mulch areas (vegetative, rock, bark chip, etc.),
- Decorative walkways and areas not to exceed fifteen percent (15%) of the required landscape lot area, and

- Outdoor recreation areas.

- Landscaping. Plantings such as trees, grass, shrubs.

- Loading area. Any area where trucks are maneuvered and parked, for the purposes of loading or unloading products, materials or equipment.

- Lot. A parcel of land described by metes and bounds measurement, reference to a registered land survey, plat, record of survey map, or other means, and separated from other parcels or portions by said description, and which is occupied by, or is suitable under this Code and other applicable ordinances for occupancy by one (1) principal building, or used together with any accessory buildings or uses and such open spaces as are required by this Code.

- Lot area. The total site area within the lot lines.

- Lot area, net buildable. The space remaining on a lot after the minimum landscape area, open space and setback requirements of this Code have been met.

- Lot area per family. The lot area per family is the lot area required by this Code to be provided for each family in a dwelling.

- Lot, buildable portion of. (Building Envelope) The area of a lot on which a principal structure may be placed. The portion of a lot remaining after the minimum building setbacks have been met. (Lot area, net buildable, is more limiting as other deductions are included).
- Lot, corner. A lot situated at and abutting on the intersection of two (2) or more streets having an angle of intersection of not more than one hundred thirty-five (135) degrees. A lot abutting upon a curve street shall be deemed a corner lot if the tangents to the curve at its point of beginning within the lot or at the points of intersection of the side lot lines with the street line intersect at the interior angle of less than one hundred thirty-five (135) degrees. A corner lot shall maintain front yard requirements for each street frontage.
- Lot coverage. The total allowable amount of lot area, expressed as a percentage, which may be covered by a principal use and its accessory structures.
- Lot depth. The mean horizontal distance between the mean front road and the mean rear lot line. The greater frontage of a corner lot is its depth, and its lesser frontage is its width.
- Lot line. A property boundary line of any lot held in single or separate ownership or separately described; except that where any portion of the lot extends into the abutting street or alley, the lot line shall be deemed to be the street or alley line.
- Lot line, front. The boundary of a lot abutting a street. On a corner lot, the shortest street lot line shall be the front lot line.
- Lot line, rear. The lot line most nearly parallel to and most remote from the front lot line.
- Lot line, side. Lot lines other than front or rear lot lines. On a corner lot, the longest street lot line shall be a side lot line.
- Lot, interior. A lot other than a corner or reversed corner lot.
- Lot, reversed corner. A corner lot, the rear of which abuts upon the side of another lot whether across an alley or not.
- Lot of record. A lot existing as of April 10th, 1993, date of this Code or approved by the city as a lot subsequent to such date, and includes non-conforming lots.
- Lot, shoreline. A lot having one (1) or more lot lines fronting on public waters.
- Lot, through. A lot that has a pair of opposite lot lines abutting two (2) substantially parallel streets, and which is not a corner lot. On a through lot, the determination of whether the street frontage is to be considered a front yard or rear yard shall be as subject to the provisions of this Code.
- Lot width. The mean horizontal distance between the side lot lines at the minimum front setback line.

- Lowest floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor. (added 05/05/10)
- Manufactured home. A structure, transportable in one or more sections, 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 therein; except that the term includes any structure which meets all the requirements and with respect to which the manufacturer voluntarily files a certification and complies with the standards established under this Code and Minnesota State Statutes as amended from time to time. The term "manufactured home" does not include the term "recreational vehicle." (revised 05/05/10)
- Manufacturing and processing. All uses which include the compounding, processing, packaging, treatment, or assembly of products and materials. Generally, these are industries dependent upon raw materials refined elsewhere. These uses include, but are not limited to: fabrication of wood, metal, and plastic products; assembly of electronic components, equipment, and appliances; processing of chemicals, plastics, food products, and nonalcoholic beverages; manufacturing of clothing and textile products; distribution centers, lumber yards, printing and binding shops, machine shops, sheet metal shops, sign shops, contractor's shops and storage yards.
 - Class I: Above uses without exterior storage.
 - Class II: Above uses with permitted exterior storage.
- Metes and bounds. A method of property description utilizing directions and distances commencing from and terminating at an easily identifiable point.
- Microbrewery. A facility that manufactures and distributes intoxicating malt liquor or wine in total quantity not to exceed 250,000 barrels a year. A microbrewery may have space dedicated as a taproom to distribute on-sale and off-sale alcohol in compliance with MN state statute 340A.301, subd. 6b. (added 10/29/12)
- Microdistillery. A facility that manufactures and distributes premium, distilled spirits in total quantity not to exceed 40,000 proof gallons in a calendar year. (added 10/29/12)
- Mineral extraction. The use of land for surface or subsurface removal of sand, gravel, rock, industrial minerals, and other nonmetallic minerals not regulated under Minn. Stat. Chaps. 93.44 - 93.51; or Successor Statutes. Mineral extraction does not include grading and excavating as defined in this Chapter. (added 7/14/10)
- Mobile home. A manufactured home designed, constructed, and equipped for use as a single-family dwelling, which has a width of less than twenty (20) feet over more than twenty-five (25) percent of its length; or which is not placed on a permanent foundation complying with the requirements of the state building code or which is not continuous and solid for the entire perimeter of the structure.

- Mobile home park. Any premises on which are parked two (2) or more occupied mobile homes, excluding premises on which mobile homes are sold for removal to another site.
- Mortuary, funeral home. An establishment engaged in undertaking services such as preparing the dead for burial and arranging and managing funerals, but not including a crematorium. (added 7/14/10)
- Motorized vehicle leasing and rentals. A business that leases or rents motorized vehicles to the general public. Includes minor services and washing as an accessory use. Not more than eight (8) rental or lease vehicles on site at one time.
- Motorized vehicle service. A business that provides repair or maintenance services for motorized vehicles including engine repair, replacement or parts and engine service, but does not include body work, painting, factory assembly of vehicles or vehicle wrecking yards.
- Multiple occupancy building. A building containing two or more independent businesses with or without separate exterior entrances and for which signage, parking and site requirements are unified in a consistent visual and functional manner.
- Native vegetation. "Native Vegetation" - Plant species indigenous to Minnesota, or that expand their range into Minnesota without being intentionally or unintentionally introduced by human activity, and are classified as native in the Minnesota Plant Database (Minnesota DNR, 2002 or as amended). Native Vegetation does not include Weeds. (revised 02/22/10)
- Nonconforming building. A building lawfully existing as of the effective date of the adoption of this Code, or amendment hereto, which under the provisions of this Code could not be built because of restrictions on height, setbacks, yards, lot coverage, floor area ratio, or other characteristics of the building or its location on the lot where it exists.
- Nonconforming use. A building, structure or use of a building, structure or parcel of land, or a portion thereof, lawfully existing as of the effective date of the adoption of this Code or amendment hereto, as a matter of right or by permit, which is not permitted in the zoning district in which it is located.
- Nursery. Any land used to raise trees, shrubs, flowers, and other live plants for sale and commerce.
- Nursing Home and Assisted Living Facility. A facility that provides daily assistance and long-term residence for disabled or elderly individuals. This includes a combination of housing, supportive services, personalized assistance and health care designed to respond to the individual needs of those who need help with activities of daily living, such as dressing, grooming, bathing, etc. (added 7/14/10)
- Obstruction. 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(s). A room, suite of rooms, or a building containing rooms or suites of rooms in which persons conduct commercial activities, provide professional services, or carry on occupations and where goods are not stored, produced, sold at retail or repaired, including but not limited to the following: executive and administrative offices, business offices such as insurance, real estate, sales and similar offices, professional offices such as offices of engineers, surveyors, architects, accountants, attorneys and bookkeepers and similar offices, but excluding medical clinics. (revised 7/14/10)

- Office showroom/warehouse. An office facility in which more than 50 percent of the total floor area is utilized for the display and sale of goods or merchandise on the premises, and/or for the storage and distribution of goods or merchandise from the premises. (added 7/14/10)

- Off-street parking areas. Structures or areas of ground used for the storage or parking of motor vehicles.

- Open sales lot. Any land used or occupied for the purpose of buying and selling any goods, materials, or merchandise, and for the storing of same under the open sky prior to sale.

- Open space. (See landscape lot area.)

- Ordinary high water level. The boundary of public waters and 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 and as determined by the Minnesota Department of Natural Resources. The ordinary high water mark is commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. (revised 02/22/10)

- Outdoor display and sales. The display of goods for sale or rent outside an enclosed building. (added 3/28/16)

- Park facilities. The use of any lots or parcel of land and any structure or building thereon for public active and passive recreation purposes by the Arden Hills Parks and Recreation Department or the Ramsey County Parks and Recreation Department. (added 11/25/13)

- Parking space. A land area of such shape and dimensions and so prepared as to be usable for the parking of a motor vehicle, and so located as to be readily accessible to a public street or alley. Truck loading and unloading space shall not be included in such area.

- Pathway, pedestrian way. A public or private way, running across or located within a platted lot or block or an unplatted parcel of land, used primarily for pedestrian traffic.

- Pawn shop. The location at which or premises in which a pawnbroker regularly conducts business. (added 7/14/10)

- Pawnbroker. (a) Except as provided in paragraph (b), "pawnbroker" means a person engaged in whole or in part in the business of lending money on the security of pledged goods left in pawn, or in the business of purchasing tangible personal property to be left in pawn on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

- (b) The following are exempt from the definition of "pawnbroker": any bank regulated by the state of Minnesota, the comptroller of the currency of the United States, the Federal Deposit Insurance Corporation, the board of governors of the Federal Reserve System, or any other federal or state authority and their affiliates; any bank or savings association whose deposits or accounts are eligible for insurance by the Federal Deposit Insurance Corporation or any successor to it and all affiliates of those banks and savings associations; any state or federally chartered credit union; and any industrial loan and thrift company or regulated lender subject to licensing and regulation by the Department of Commerce.
(revised 7/14/10)

- Person. Any individuals, firm, partnership, corporation, company, association, joint stock association or body politic; includes any trustee, receiver, assignee or other similar representative thereof.

- Personal services. Services customarily rendered for compensation. Such services shall only involve minor storage and related sales of products and supplies related to the service offered and for customers ordinarily utilizing the service offered. Typical personal services include but are not limited to: apparel tailoring and cleaning; hair styling, trimming and cutting; beauty services; photographic services; and other services of a similar nature.

- Planned unit development (P.U.D.). The development of a tract of land in a unified manner, pursuant to a development plan specifically approved by the city.

- Planning commission. The planning agency of Arden Hills as prescribed in Minnesota Statutes Chapter 462.354. It is advisory to the City Council on all matters related to the Comprehensive Plan and all official controls that implement the Comprehensive Plan, and all other matters referred to it by the City Council.

- Protected waters. Any waters of the State as defined by State law. However, no lake, pond or flowage of less than ten (10) acres in size and no river or stream having a total drainage area less than two (2) square miles shall be regulated for the purposes of these regulations.

- Public use. The use of any lot, parcel of land and any structure or building thereon exclusively for public purposes by any department or branch of government, federal, state, county or city, excluding independent school districts, without reference to the ownership of said lot, parcel of land, building or structure.

- Public waters. Means a body of water capable of substantial beneficial public use. This shall be construed to mean, for the purposes of these regulations, any body of water, which has the potential to support any type of recreational pursuit or water supply purpose. 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 natural resources, shall be exempt.

- Railroad right-of-way. A strip of land with tracks and auxiliary facilities for track operation, but not including depots, loading platforms, station, train sheds, warehouses, car shops, car yards, locomotive shops or water towers.

- Reach. 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.

- Recreation, commercial. Recreational facilities which are operated for profit or render a service which is customarily considered as a business.

- Recreation, residential. Play apparatus such as swing sets and slides, sandboxes, poles for nets, picnic tables, lawn chairs, barbecue stands, and similar equipment or structures, when used on residential property, but not including electronic towers, tree houses, swimming pools, playhouses exceeding twenty-five (25) square feet of floor area, or sheds utilized for storage of equipment.

- Recreational vehicles (RVs). Vehicles for recreational or utilitarian uses that can be driven, towed, or hauled. Including, but not limited to, motor homes and travel trailers, snowmobiles, pull campers, all terrain vehicles (ATVs), tent trailers, or other similar vehicles. (revised 02/07/08)

- Recreational vehicles (for the purposes of Section 1335 only). A vehicle that is built on a single chassis, is 400 square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light duty truck, and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. For the purposes of Section 1335, the term recreational vehicle shall be synonymous with the term travel trailer/travel vehicle. (added 05/05/10)

- Recreational Vehicles, Utility Trailers, Riding Lawn Mowers, and Watercraft Height. The distance as measured from the ground to the highest point of the recreational vehicle, utility trailer, or watercraft, including any covering, as stored. This does not including antennas and utility/mechanical systems provided they are accessory and take up no more than ten (10) percent of the roof surface area. RVs and watercraft on a trailer shall be measured as one. (revised 02/07/08)

- Recreational Vehicles, Utility Trailers, Riding Lawn Mowers, and Watercraft Length. The distance as measured from end to end of the recreational vehicle, utility trailer, or watercraft, including any hitch, motor, and covering, as stored. RVs and watercraft on a trailer shall be measured as one. (revised 02/07/08)

- Regional flood. 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", 1 percent annual chance flood, or 100-year elevation.

- 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. (added 05/05/10)

- Research animals. Animals kept in a laboratory setting for the purpose of testing and research related health care products.

- Research and development facility. Establishments which conduct research, development, or controlled production of high technology electronic, industrial, or scientific products or commodities for sale; or establishments conducting educational or medical research or testing. May include limited accommodations for researchers or research subjects. Research with animals is considered a separate category. (added 7/14/10)

- Residence hall, dormitory. A building designed for or used as group living quarters for students of a high school, college, university or seminary, organized and owned, or leased in its entirety, by a high school, college, university or seminary. (added 7/14/10)

- Residential facility. Any licensed facility, public or private, which for gain or otherwise, regularly provides one or more persons with a twenty-four (24) hours per day substitute for care, food, lodging, training, education, supervision, habilitation, rehabilitation and treatment they need, but which for any reason cannot be furnished in the person's own home, including but not limited to, state institutions under the control of the commissioner of public welfare, foster homes, residential treatment centers, maternity shelters, group homes, residential programs, or schools for handicapped children.

- Restaurant. A business establishment whose principal business is the preparation, service and sale of food and beverages to be consumed by customers while seated at tables or counters located within the building on the premises.

- Restaurant, fast food. Any restaurant which meets a number of the following requirements:

- Customarily provides quick service to its customers;

- Offers to its customers a limited, standardized menu of inexpensive food and/or beverages;

- Serves its customers from a counter located within the building on the premises and does not customarily offer service at the table by waiter or waitress;

- Allows customers to consume their orders of food and/or beverages at tables or counters within the building, in their automobiles parked on the premises, or away from the premises as the customers choose;

- Packages and services a substantial proportion of its food and/or beverages in disposable wrappers, containers, cartons, boxes and bags;
- Provides a number of trash, litter, or garbage cans in the parking areas and within the building on the premises for the deposit of the disposable packaging in which the food and/or beverages are provided;
- Prepares and cooks a substantial proportion of its food in volume, in advance of orders by customers, and usually in anticipation of predicted volumes of customers at certain times of the day;
- Specifies the items of food and/or beverage offered to customers on signs, placards, posters, valances, or boards posted in conspicuous places throughout the building rather than on printed menus given to the customers;
- Generates a high volume and rapid flow of in-and-out traffic because of its quick service mode of operation.
- Retail sales and service. An establishment engaged principally in the sale or rental of primarily new goods and the provision of services directly to the consumer, excluding those uses defined more specifically in this Code. Motor vehicle sales, motor vehicle leasing and rentals, exterior equipment rental and sales lots, repair garages, pawn shops, thrift stores, and open sales lots are not included in this definition of retail sales and service. (revised 2/29/16)
- Roadway. The entirety of a private street and that portion of a public street extending from the back of the curb (i.e., the curblines) on one side to the back of the curb (i.e., the curblines) on the other side, used primarily for vehicular traffic.
- Schools, bus terminal. School bus terminal shall be a building or space engaged primarily in the transportation and activities associated with the transportation of students.
- Schools, general education. Nursery, primary, elementary and secondary schools.
- Schools, specialized education. Trade, vocational, business, barber, beauty, art, music, dancing, driving and other professional schools, with or without on-site housing. (revised 01/20/11)
- Service station. A place where gasoline, kerosene, diesel or other motor fuel or lubricating oil or grease for operating motor vehicles are offered for sale to the public and deliveries are made directly into motor vehicles. Includes greasing and oiling, one-bay motor vehicle wash and the sale of automobile accessories on the premises. Also includes minor repairs, incidental body and fender work, minor painting and upholstery, replacement of parts and motor services to passenger automobiles and trucks not exceeding one and one-half (1.5) tons capacity. It shall not include major general repair, rebuilding or reconditioning of engines, motor vehicles or trailers; collision service, including body, frame or fender straightening or repair; overall painting or paint job.

- Setback. The minimum horizontal distance between a structure and the ordinary high water level or between a structure and a road, well, highway, or property lines.

- Setback, minimum building. The minimum horizontal distance allowed by this Code, between a structure and a lot line.

- Shore impact zone. The land located between the ordinary high water level and a line parallel to it at a setback of 50 percent of the structure setback. (revised 02/22/10)

- Shoreland. The land located within the following distances from protected waters:

- One thousand (1,000) feet from the ordinary high water mark of a lake, pond, or flowage; and

- Three hundred (300) feet from a river or stream, or the landward extent of a flood plain on such rivers or streams, whichever is greater.

- The practical limits of shorelands may be less than the statutory limits where the limits are designated by natural drainage divides at lesser distances, as shown on the official zoning map of the City.

- Sidewalk. A hard surfaced public or private way, used primarily for pedestrian traffic.

- Sign. A name, identification, description, display, logo, illustration or device which is affixed to, painted or represented directly or indirectly upon a building or other surface or piece of land, and which directs attention to an object, product, place, activity, person, institution, organization or business.

- Significant tree. A tree that is important to the site and the neighborhood character, that is structurally sound and healthy, and that meets at least one of the following standards: (revised 04/28/08)

- A deciduous hardwood tree that is at least ten (10) caliper inches, including but not limited to, ironwood, catalpa, oak, hard maple, walnut, hickory, birch, black cherry, hackberry, locust and basswood.

- A deciduous softwood tree that is at least twelve (12) caliper inches, including but not limited to, cottonwood, poplars/aspens, box elder, willow, silver maple and elm.

- A coniferous evergreen tree having foliage on the outermost portion of the branches year-round and which is at least fifteen (15) feet or more in height.

- A group of deciduous trees that are at least eight (8) caliper inches or coniferous trees that are at least fifteen (15) feet in height, that provide a buffer or screening along an adjacent public street or between differing land uses.

- Soil processing. The processing of sand, gravel or other materials mined from the land.

- Staging Area. Any exterior area that is used to load, unload, stack, pile, store or assemble materials, equipment or vehicles to be used either on site or off site.

- Story. That portion of a building included between the surface of any floor and the surface of the floor next above it, or, if no such floor above, the space between such floor and the ceiling next above it.

- Story, half. A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished for use. A half-story containing independent apartment or living quarters shall be counted as a full story.

- Streets. A public or private way, consisting in the case of a private way of a roadway and in the case of a public way of a roadway and a boulevard (the latter of which may contain a sidewalk), used primarily for vehicular traffic, whether designated as a street, avenue, parkway, road, lane, thoroughway, expressway, highway, place or however otherwise designated. The term "streets" includes the following classifications:

- Collector street. A street which carries traffic from local streets to streets and highways of higher classifications. It provides for both land access service and local traffic movements within residential neighborhoods, commercial areas and industrial areas.

- Cul-de-sac. A street with a circular turn-a-round and only one outlet.

- Local street. A street of limited continuity used primarily for access to the abutting properties and the local needs of a neighborhood.

- Minor arterial. A street system that interconnects with and augment the urban major arterial system and provide service to trips of moderate length at somewhat lower level of travel mobility than major arterials. This system distributes travel to geographical areas smaller than those identified with the higher system.

- Major arterial. Usually a divided highway with four (4) or more lanes and serves the major centers of activity of a metropolitan area, the highest traffic volume corridors, and the longest trip desire. The major arterial carries a high proportion of the total urban area travel on a minimum mileage. Almost all fully and partially controlled access facilities are a part of this class.

- Expressway. A type of major arterial with a controlled access roadway and expressway ramps to provide ingress or egress to other levels of streets. The use of expressway ramps allows the uniform flow of traffic on a major arterial highway without undue delays.

- Structural alterations. Any change in the supporting members of a building such as bearing walls, columns, beams or girders, or any substantial changes in the roof and exterior walls.

- Structure. Anything constructed, the use of which requires a permanent location on the ground or attachment to something having a permanent location on the ground, including, but not limited to, buildings, factories, sheds, detached garages, cabins, manufactured homes, signs, recreational vehicles not meeting the exemption criteria otherwise specified in the zoning code, and other similar items.

- Structure, accessory. A detached, subordinate structure, the use of which is incidental and related to that of the principal use of or principal structure on the lot on which it is located.

- Structure, multiple-occupancy. (See Multiple occupancy building).

- Structure, principal. The predominant structure upon a lot in which the principal use of the lot is conducted.

- Structure, temporary or portable. A structure which is not intended for permanent occupancy but which may be suitable in certain situations for specific periods of occupancy pending either construction of permanent facilities or a change in conditions that will eliminate the need for the temporary structure. Portable classrooms, portable offices, and air-supported structures are examples of temporary or portable structures.

- Studios. A building or space within a building where professional artists, musicians, photographers, dancers, designers, etc. practice their profession or teach; display and sales of products used or produced in the profession is considered an accessory use.

- Substantial damage. Damage of any origin sustained by a structure where the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. (added 05/05/10)

- Substantial improvement. (added 05/05/10) Within any consecutive 365-day period, any reconstruction, rehabilitation (including normal maintenance and repair), repair after damage, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.

- Any alteration of an "historic structure," provided that the alteration will not preclude the structure's continued designation as an "historic structure." For the purpose of this Ordinance, "historic structure" shall be as defined in 44 Code of Federal Regulations, Part 59.1.

- Thrift Store. A business for which the stock of goods is primarily used and may include the following operational characteristics:

- Receipt of used items directly from the public at the business location.

- Processing, conditioning, cleaning, or repair of used or returned items for resale.

- Storage of used items on site for processing, resale, or disposal.

- Receipt of goods through purchase, consignment, or donation.

(added 2/29/16)

- Tower. Any pole, spire or structure, or any combination thereof, to which an antenna is attached, or which is designed for an antenna to be attached, and all supporting lines, cables, wires and braces; including but not limited to a free-standing radio (including ham radio and private radio transmitting) or television receiving antenna, a windmill, and a wind-power generator.

- Townhouse. A single-family dwelling, which maintains private ingress and egress, contains no independent dwellings above or below it, and is attached to other similar dwellings by a common wall.

- Use. The purpose for which land or premises or a building thereon is designated, arranged or intended, or for which it is or may be occupied or maintained.

- Use, accessory. A use which is incidental to the principal use of the lot on which it is maintained or conducted.

- Use, principal. The primary or predominant use for which the lot and structure, if any located thereon, is conducted or maintained.

- Use, principal multiple-operation. A business or industrial operation which consists of two or more distinguishable uses, all of which are dependent upon each other, but none of which is predominately or clearly the principal use and all of which are generally compatible with the permitted allowable uses in the district.

- Use, conditional accessory. A use which is both an accessory use and a conditional use and which, after due consideration by the Commission and Council, pursuant to the applicable procedures contained herein, may be allowed as an accessory use by Conditional Use Permit granted by the Council.

- Use, conditional principal. A principle use which, because of unique characteristics, cannot be classified as a permitted principle use in any particular district, and which, after due consideration by the commission and council, pursuant to the applicable procedures contained herein, may nevertheless be allowed on a site in a particular zoning district by Conditional Use Permit be granted by the council. Includes temporary uses which require conditional approval before being allowed.

- Utility distribution lines. The distribution facilities of electric power, gas, water and communication companies which directly serve abutting properties.

- Utility substation. A structure used for the relay or distribution of electric, water, sewer, telephone, etc., services.

- Utility transmission lines. The transmission facilities of electric power and communication companies which do not directly serve abutting properties.

- Utility trailer. Equipment used for recreational or utilitarian purposes that can be towed; such as special purpose trailers (i.e. boat trailers, ATV trailers) or other hauling trailers. (revised 02/07/08)

- Utility vehicle. A vehicle, with or without a motor, and/or adapted for temporary living, sleeping, business or storage purposes; having a frame, but no foundation other than wheels, blocks, studs, jacks, horses or skirting, which does not reach or meet building code requirements and has been or may be equipped with wheels or other devices for transporting purposes. This term shall include travel trailers, camping trailers, tent trailers, recreation vehicles, farm tractors, riding yard and garden tractors and trailers. A permanent foundation shall not change the character of the vehicle.

- Variance. A modification or variation of a specific permitted development standard required as a provision of this Code, to allow an alternative development standard not stated as acceptable in the official control, but only as applied to a particular property for the purpose of alleviating a hardship, practical difficulty or unique circumstance, except that modification in the allowable uses within a district shall not be allowed as a variance. (revised 05/05/10)

- Vehicle wash. A building, or portion thereof, which principal use is the washing of vehicles.

- Vehicle wrecking yard. Any open space where three (3) or more used motorized vehicles are stored which do not possess current state auto licenses.

- Warehousing. The storage and distribution of materials or equipment within an enclosed building, but not including personal storage facility. (revised 7/14/10)

- Watercraft. Motorized water-oriented vehicles including, but not limited to, power boats, cruisers, jet skies, fishing/hunting boats, pontoon boats, and any non-motorized craft with greater than a two person capacity. This definition excludes non-motorized one and two person crafts such as canoes, kayaks, and paddle boats. (revised 02/07/08)

- Waterfront uses. Boat docks and storage, water recreation equipment and other uses normally associated with to lakeshore property.

- Wetlands. Transitional low-lying areas between terrestrial and aquatic systems, either created or natural, covered with shallow and sometimes temporary or intermittent waters as defined in the United States Fish and Wildlife Service Circular No. 39. This includes, but is not limited to swamps, marshes, bogs, sloughs, wet meadows, and shallow lakes and ponds with emergent vegetation. (revised 02/22/10)

- Wetland alteration. Alteration of a wetland includes changes to the wetland and/or wetland buffer strip in regards to size, depth or contour; dredging; tilling; damming; alteration of the watercourse; ditching; tiling; grading; draining; discharge of water; appropriation of water; changes in vegetation; or otherwise altering or destroying a wetland or wetland buffer or their functions. Alterations would not include Native Vegetation plantings or selective clearing or pruning of prohibited or restricted noxious

weeds, unless within a Drainage and Utility Easement in which case submission of and written approval by the City is required. (added 02/22/10)

- Wetland buffer strip. An area of vegetated ground cover around the perimeter of a wetland that, either in its natural condition or through intervention, has the characteristics of buffering the wetland from surrounding landscaping. (added 02/22/10)

- Wetland delineation. An assessment tool utilized to determine the boundary of a wetland using the US Army Corps of Engineers Wetland Delineation Manual (January 1987) as well as any additional boundary determination requirements established in Minnesota Rules Chapter 8420. A "Wetland Delineation Report" is a document that summarizes the observations, results and conclusions performed during the assessment when wetlands are present. (added 02/22/10)

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

- Yard, minimum required. The minimum open space extending between a minimum building setback line and the adjoining lot line in which a principle building may not be placed and in which accessory buildings may only be placed as regulated in this Code.

- Yard, rear. A yard extending across the full width of the lot and measured between the rear line of the lot and the rear line of the main building.

- Yard, side. A yard between the building and the adjacent sideline of the lot and extending from the front yard to the rear yard.

- Yard area, required rear. The minimum required rear yard depth multiplied by the average width of the total rear yard.

- Zoning map. The map or maps incorporated into this Code as a part hereof, delineating the zoning districts.