

202 Definitions

202.010 Unless specifically defined below, in Section 205.091 pertaining to Flood Plain Management, or in Section 208.020 pertaining to Signs, words or phrases used in the City of Shoreview Code of Ordinances shall be interpreted so as to give them the same meaning as they have in common usage and so as to give subject code its most reasonable application.

Accessory Apartment. A clearly secondary dwelling unit created within an owner-occupied, single-family dwelling and meeting the permit requirements of this ordinance.

Accessory Building. An attached or detached subordinate building with the exception of enclosed porches. Examples include, but are not limited to, garages, storage sheds and gazebos.

Accessory Structure. A subordinate structure, or a portion of the main structure, the use of which is incidental to that of the main structure or to the use of the premises.

Accessory Structure, Attached. An accessory structure that has a contiguous foundation, roof, floor or wall system connected to the main building.

Accessory Structure, Detached. An accessory structure that is separated from the principal structure by at least 6 feet with no connecting structures except for at-grade sidewalks or pathways.

Accessory Structure, Water-Oriented. A small, above-ground building or structure which because of its relationship to the use and enjoyment of a public water, is permitted to be located closer to the water than the required structure setback. Examples of such structures include boathouses, storage sheds, patios, screen porches/gazebos, and detached decks. Stairways, fences, retaining walls, docks and dock sections, and boatlifts are not included in this definition.

Accessory Use. A use, on the same lot with, and of a nature customarily incidental and subordinate to, the principal use.

Agriculture. The cultivation of the soil and all activities incident thereto, except that said term shall not include the raising and feeding of hogs, sheep, goats, cattle, poultry and fur bearing animals.

All Terrain Vehicle. A motorized floatation-tired vehicle of not less than three low-pressure tires, but no more than six tires, that is limited in engine displacement of not less than 800 cubic centimeters and a total dry weight less than 600 pounds.

Alley. A minor way providing secondary vehicular access to the side or rear of two or more properties abutting on a street.

Amusement Center. Any location, establishment owning, operating, maintaining or keeping 6 or more electrical and mechanical devices.

Ancillary Uses. Uses that are subordinate to the principal and accessory uses on the property including but not limited to recreational structures, fire pits, laundry-drying equipment and play equipment.

Animal, Domestic. Animals kept within the home as pets, such as fish, dogs, cats, household birds, and similar animals.

Animal, Non-Domestic. Animals which are kept outside the home for purposes of food or pleasure such as cattle, hogs, horses, bees, sheep, goats, llamas, chickens (*Gallus gallus domesticus*), birds, such as emus and pigeons, and similar animals.

Animal, Wild. Any animal, reptile or amphibian which is of a species not usually domesticated; or of a species which, due to size, wild nature or other characteristics, may be dangerous to humans; or would ordinarily be confined in a zoo or found in the wild. The term includes but is not limited to:

- (a) Animals and birds, the keeping of which is licensed by the state or federal government, such as wolves, pheasants, and raptors such as eagles, falcons, hawks, and owls.
- (b) Weasels, wild ferrets, badgers, deer and bison.
- (c) Crossbreeds of wild animals and domesticated animals such as the cross between dogs and coyotes and dogs and wolves.
- (d) All members of the Felidae family including, but not limited to, lions, tigers, cougars, leopards, ocelots, cheetahs, and servals, but not including domestic cats or cats recognized as a domestic breed, registered as a domestic breed, and shown as a domestic breed by a national or international multibreed cat registry association.
- (e) Any member of the Canidae family, such as wolves, foxes, coyotes, dingoes, and jackals, except domesticated dogs.
- (f) Any poisonous animal such as a rattlesnake, coral snake, water moccasin, puff adder, cobra, Gila monster or golden frog.

Rev. Date
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- (g) Any snake or reptile which by its size, vicious nature or other characteristic may be dangerous to human beings.
- (h) Any skunk, or raccoon whether captured in the wild, domestically raised, descended or not descended, vaccinated against rabies or not vaccinated against rabies.
- (i) Bears.
- (j) All nonhuman primates, including, but not limited to, lemurs, monkeys, chimpanzees, gorillas, orangutans, marmosets, lorises, and tamarins.
- (k) Any other animal, bird, or reptile which is commonly considered wild.

Antenna. Any device or equipment designed for transmitting or receiving light, sound or electronic signals, which is located on the exterior of, or outside of, a building or structure and which is or could be attached to a tower.

Approved. As applied to material, device or method of construction, shall mean approved by the City Manager or his/her designee under the provisions of this Ordinance, or approved by other authority designated by law to give approval in the matter in question.

Arterial, Minor. Streets as designated in the Comprehensive Guide Plan that are intended to connect cities with adjacent communities and the regional highway system.

Arterial, Principal. Streets as designated in the Comprehensive Guide Plan that have regional or nationwide significance because they connect metropolitan centers with one another and connect major business concentrations to another.

Authorizing Body. The City Council, Planning Commission, Board of Adjustments and Appeals, or City Manager or authorized to grant a permit based on the provisions of this ordinance.

Automobile Body Repair and Painting. Motor vehicle rebuilding or reconditioning including body, frame or fender straightening and repair, painting and vehicle steam cleaning.

Automobile Service Stations. A place where gasoline, kerosene or any other motor fuel, lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles. Services may include greasing and oiling, the sale of automobile accessories on the premises, and replacement of parts and motor services, including general repair, and the rebuilding or reconditioning of engines.

Awning. A temporary hood or cover which projects from the wall of a building, and which can be retracted, folded or collapsed against the face of the supporting building.

Basement. Any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualified as a first story as defined herein.

Bed, of lake or stream. The land at or below the Ordinary High Water Level on water bodies defined as "protected" by the Minnesota Department of Natural Resources.

Billboard. (See Sign, Off-Premises Advertising).

Block. An area of land within a development that is entirely bounded by streets, or by streets and the exterior boundary or boundaries of the subdivision, or a combination of the above with a river, lake or rail line.

Bluff. (See Slope, Bluff)

Bluff Impact Zone. A bluff and the adjoining land located within 20 feet of the top of the bluff.

Boat. Any contrivance used or designed for navigation on water.

Boathouse. A structure with a foundation designed for and capable of housing a boat.

Boat Lift. A structure used to lift a boat out of the water and which may have a canopy.

Board of Adjustments and Appeals. The Planning Commission serves as the Board of Adjustments and Appeals.

Buildable Area. The area of a lot contained within the front, side and rear setbacks.

Building. Any structure for the shelter, support or enclosure of persons, animals, chattels or property of any kind, and when separated by party walls without openings, each portion of such building so separated shall be deemed a separate building.

Building Code. The building code of the City, including the fire code.

Building Facade. That portion of any exterior elevation of a building extending from grade to the top of the parapet wall or eaves and the entire width of the building elevation.

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Building Setback Line. A line located parallel to and a specified distance from a lot line, top of bluff, or OHW level which represents the closest distance that a building/structure is permitted to be located from the lot line, top of bluff or OHW level.

Business. Any establishment, occupation, employment or enterprise wherein merchandise is manufactured, exhibited or sold, or which occupies time, attention, labor and materials or where services are offered for compensation.

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Butt Lot. Any lot, the side of which coincides with the back lot of two or more corner lots.

Camouflaged. Using shape, color, and texture to cause an object to appear to become part of something else. Camouflage does not mean invisible but rather appearing as part of another structure, such as a building, wall, or roof. Includes wireless telecommunication facilities disguised to appear as another structure such as a building, clock tower, chimney, church steeple, flag pole, light pole, sign, tree, or utility pole.

Canopy. A roof-like structure projecting over any entrance of a store, building or place of entry.

Cellar. That portion of a building having more than half of the clear floor-to-ceiling height below the average grade of the adjacent ground.

Church. A building, together with its accessory buildings and uses, where persons 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.

City Manager or his/her designee. The Manager of the City as appointed by the City Council or his/her designee.

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

Club or Lodge. A non-profit association of persons who are bona fide members paying annual dues, with a use of premises being restricted to members and their guests. It shall be permissible to serve food and meals on such premises, providing adequate dining space and kitchen facilities are available. Serving of alcoholic beverages to members and their guests shall be allowed providing such serving is secondary and incidental to the operation of the dining room for the purpose of serving food and meals and providing further that serving of alcoholic beverages is in compliance with the applicable Federal, State and Municipal laws.

Collector Street. A street so designated on the Comprehensive Plan and designed to collect traffic from individual properties and minor arterials.

Commercial Antenna or Tower. An antenna or other device and/or an associated tower designed for use for commercial purposes or to provide a telecommunications service with the intent to make a profit.

Commercial Recreation. Non-public and quasi-public establishments engaged in providing amusement or entertainment for a fee or admission charge, including but not limited to the following facilities and activities: dance halls; dance area in a restaurant; bowling alleys; billiards and pool establishments; commercial sports facilities such as arenas, rinks, race tracks, public golf courses and driving ranges; amusement centers, amusement parks, membership sports and recreation clubs, public outdoor swimming pools, riding academies, carnival operations, expositions, taverns and bars, indoor theaters and indoor firearms ranges.

Commercial Use. The use of land or buildings for the sale, lease, rental or trade of products, goods, and/or services.

Commercial Usage Vehicle. Vehicles and equipment designed or modified for use in any construction, demolition, or maintenance activity.

Tractors.

All trailers or towed equipment exceeding a gross vehicle weight of 1,500 pounds but not including recreational vehicles or trailers used to transport boats, snowmobiles or ATV's.

Snow removal vehicles and equipment and tree trimming vehicles and equipment.

Earth moving vehicles and equipment.

Trucks, vans and pickups with a manufacturer's nominal rated carrying capacity of more than ¾ ton and gross vehicle weight exceeding 9000 pounds.

Community Based Residential Facility. A public or private facility, licensed by the State of Minnesota which for gain or otherwise, regularly provides one or

more persons, who are handicapped by reason of mental retardation, mental illness, chemical dependency or physical handicap, with a 24 hour 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. This may include a separate dwelling unit, located within the principal building, for the care provider and the employment of persons providing care and supervision for the residents of the home.

Comprehensive Plan. The Shoreview Comprehensive Plan adopted by the City Council and subsequent amendments thereto.

Concealed. Fully hidden from view. Refers to a wireless telecommunication facility that is not evident and is hidden or integrated into a structure such as a building, wall, or roof.

Conditional Use. A specific type of structure or land use listed in the Development Code that because of special requirements or characteristics may be allowed but only after an in-depth review procedure and with appropriate conditions and restrictions so as to be compatible with other land uses in the area and uphold the integrity of the Comprehensive Plan.

Controlled Access/Beach Lot. A separate riparian property owned and maintained jointly by non-riparian property owners in the vicinity and used by said non-riparian owners for lake-related recreation activities.

Court. An open unoccupied space bounded on two or more sides by the exterior walls of a building or buildings on the same lot.

Coverage. That portion of a lot which has been covered with an impervious surface or structure.

Cul-de-sac. A local street with only one outlet which is permanently terminated by a vehicular turn around.

Curb Level. The level of the established curb in front of the building measured at the center of such front. Where no curb level has been established, the City Engineer shall establish such curb level or its equivalent for the purpose of this ordinance.

Day Care Facility, Licensed. A public or private establishment enrolling children from more than one other family where tuition, fees, or other forms of compensation for the care of the children is charged, and which is licensed or approved by the State of Minnesota to operate as such.

Deck. A horizontal, unenclosed platform, without a roof which may be attached or unattached to a structure, including any attached railings, seats, trellises, or other features not more than 36 inches above the platform, and whose platform, if attached to a dwelling, is larger than permitted for a landing, not including steps and ramps.

Density Per Gross Acre. The quotient of the total number of dwelling units divided by the total area of the site.

Density, Residential. A density established within individual residential land use categories in the official Land Use Plan element of the Shoreview Comprehensive Plan.

Developer. Any person, firm, association, partnership or corporation who owns or controls land which is to be developed.

Development. The construction, installation or alteration of any structure; the extraction, clearing or other alteration of terrestrial or aquatic vegetation, land or the course current or cross section of any water body or water course; or the division of land into two or more parcels.

District. Referring to a zoning district, as defined by ordinance, it is a section of the City for which the regulations governing the height, area, use of buildings and premises are the same.

Department of Natural Resources (DNR). The state agency which guides and controls the natural resources for Minnesota.

Double Frontage Lot. A lot which front and rear lot lines abut substantially parallel rights-of-way.

Drive Up Facility. An establishment which by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services or obtain goods while remaining in their motor vehicles.

Dwelling Structure. A building with one or more dwelling units thereof occupied or intended to be occupied for residential purposes, but not including rooms in motels, hotels, nursing homes, boarding houses, trailers, tents, cabins, or trailer coaches.

Dwelling, One or Single Family. A dwelling structure containing one dwelling unit.

Dwelling, Multiple Family. A dwelling structure containing two or more dwelling units that are attached side-by-side and/or are stacked ceiling to floor. The terms "duplex", "double dwelling", "tri-plex", and "quad" are

commonly used to refer to multiple family dwelling structures with two, three, and four dwelling units.

Dwelling Unit. Residential accommodation located within a dwelling structure which includes permanently installed cooking, eating, living, and sanitation facilities arranged, designed, used or intended for use exclusively as living quarters for one family.

Earth Sheltered Structure. A building with 50 percent or more of the wall area covered with a minimum depth of 12 inches of earth.

Easement. A grant by an owner of land for the specific use of said land for a public or quasi-public purpose.

Energy System, Conventional. An energy system, including supply elements, furnaces, burners, tanks, boilers, related controls, and energy distribution components that uses nonrenewable energy sources (such as coal, oil, natural gas and nuclear materials).

Enforcement Officer. As designated by the City Manager, shall be responsible for enforcing the provisions of this section.

Equipment Enclosure. A structure, shelter, cabinet, box, or vault designed for and used to house and protect the electronic equipment necessary and/or desirable for processing wireless telecommunication signals and data, including any provisions for mechanical cooling equipment, air conditions, ventilation, and/or auxiliary electric generators.

Exterior Property Areas. Open space on the premises under the control of owners or operators of such premises.

Extermination. The control and elimination of insects, rodents or other pests by eliminating their harborage places, by removing or making inaccessible materials that may serve as their feed, by poison spraying, fumigating, trapping or by another recognized and legal pest elimination method.

Family. One or more persons related by blood, marriage or adoption, including foster children, and up to two boarders, or a group of not more than five persons (excluding servants) some or all of whom are not related by blood, marriage or adoption, living together and maintaining a common household.

Final Plat. Final map, drawing, or chart on which the developer's plan of a development is presented to the City Council for approval and which, if approved, will be submitted to the County Register of Deeds.

Fire Chief. The Chief of the Fire Department serving the City of Shoreview.

Fire Department. The Fire Department serving the City of Shoreview.

Flood Protection Elevation, Regulatory. 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 or floodway.

Floor Area, Gross (GFA). The sum of the gross horizontal areas of the several floors of a building (including cellars and basements) measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for motor vehicles, or any space where the floor-to-ceiling height is less than six feet.

Floor Area, Net (NFA). The total of all floor areas of a building, excluding stairwells, elevator shafts, equipment rooms, interior vehicular parking or loading, restrooms and utility rooms.

Foundation Area. That portion of the lot covered with roofed structures generally measured to the foundation or footings.

Fuel Station. Any building, land area or other premises, or portion thereof, used or intended to be used for the retail dispensing or sales of vehicular fuels, including the sale of automobile accessories and groceries, but not including any vehicle repair or maintenance.

Grade. The degree of rise or descent of a sloping surface, or, regarding signs, the elevation or level of the ground at the place the sign is to be erected.

Grade, Adjacent Ground Elevation. The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line or, when the property line is more than five feet from the building, between the building and a line five feet from the building.

Habitable Space. Space in a structure for living, sleeping, eating or cooking. Bathroom, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.

Hardship. As defined in Minnesota Statutes, Chapter 462.357, Subd. 6(2), as may be amended.

Height, Antenna or Tower. The distance measured to the highest point of the antenna or tower from the mean ground level measured at the base of a free-standing facility or the projected base as determined by extending the antenna or tower base down vertically to the ground. For building mounted antennas, height is measured to the highest point of the equipment enclosure from the top of the cornice of a flat roof, from the top line of a mansard roof, from a

Rev. Date 7/5/11 Ord. #879

point on the roof directly above the highest wall of a shed roof, from the uppermost point on a round or other arch-type roof, or from the highest gable on a pitched or hip roof.

Height, Building. With the exception of substandard riparian lots, building height shall be measured as follows: A distance to be measured from the mean curb level along the front lot line or from the mean ground level for all that portion of the structure having frontage on a public right-of-way, whichever is higher, to the top of the cornice of a flat roof, to the top line of a mansard roof, to a point on the roof directly above the highest wall of a shed roof, to the uppermost point on a round or other arch-type roof, or to the mean distance of the highest gable on a pitched or hip roof. For substandard riparian lots, building height is measured from the highest roof peak to the lowest point at finished grade. Finished grade is the final grade upon completion of construction. Grade is defined as the lowest point within 5 feet of the building in accordance with the Uniform Building Code.

High Tech. Employment base land use activity conducted entirely within a building and involved in research, testing, development and processing of new highly specialized products, such as medical and integrated hybrid circuits and electronic instruments, and which involves little or no toxic by-products and other industrial wastes and/or pollutants and does not require heavy transportation needs or exterior storage.

Home Occupation. Any occupation carried out for gain by a resident and conducted as an accessory use within the resident's dwelling unit.

Housekeeping Amendment. A proposed amendment to the Comprehensive Plan that consists of editorial changes to correct typographical errors or changes to clarify the meaning of and relationship between plan components or proposed amendments to elements of the Comprehensive Plan not required by the Minnesota Land Planning Act.

Impervious Surface Coverage. Any surface that prevents substantial infiltration of precipitation and prohibits the growth of vegetation. Such surfaces include, but are not limited to, driveways, parking lots, patios, roofs, sidewalks, streets, swimming pools and tennis courts. Impervious materials include asphalt; brick; concrete; crushed rock or stone; gravel; plastic; and stone. The City Manager or his/her designee shall determine whether any proposed surface or material is pervious or impervious. The use of the material shall be considered when making a determination of the pervious or impervious nature of any material, i.e., areas subject to repeated pedestrian and vehicular traffic become compacted and are considered impervious.

Individual Sewage Treatment System. A septic tank and soil absorption system or other individual or cluster type sewage treatment system as defined in Chapter 7080 of the Minnesota Pollution Control Agency's rules.

Industrial Use. The use of land or buildings for the production, manufacture, warehousing, storage, or transfer of goods, products, commodities, or other wholesale materials.

Infestation. The presence, within or contiguous to a dwelling or premises, of noxious insects, rodents, vermin or other pests.

Infrastructure. The various utilities necessary for a contemporary development project, including water, sewer, streets, etc.

Inoperable Vehicle. A vehicle including, but not limited to, any automobile, truck, trailer, marine craft, snowmobile, motorcycle, all terrain vehicle, mobile home, pickup camper, camping trailer, and other equipment for motorized transportation, that (i) has a missing or defective part that is necessary for the normal operation of the vehicle, (ii) is stored on blocks, jacks, or other supports, or (iii) does not display a license or displays a license that is expired. Unmounted pickup campers or vehicles which are towed shall not be deemed inoperable vehicles if they otherwise possess all parts and are capable of normal operation and display a license that is not expired.

Institutional Housing. Housing for students, mentally ill, infirm, elderly, nurses, physically handicapped and similar housing of a specialized nature.

Kennel. Any place where four (4) or more dogs over six (6) months of age are kept for private or commercial purposes.

Key Lot. Any lot, the rear lot line of which abuts the side lot line of one or more adjoining lots or parcels, or any lot, the side lot line of which abuts the rear lot line of one or more adjoining lots or parcels.

Landing. A horizontal, unenclosed platform that is attached to the principal structure adjacent to an entry; that not including steps, does not exceed 5 feet in depth perpendicular to the structure or 7 feet wide; and which leads to a walkway. It may have a roof (covered landing). (Also commonly referred to as steps or a stoop.)

Rev. Date 8/4/08 Ord. 832

Landmark Tree. A well-shaped, healthy tree of significant age for its species with a trunk diameter as measured four and one-half feet above the ground that meets or exceeds the following: 15 inches - Ash, Birch, Black Cherry, Cedar, Maple, Pine, Spruce, Elm, Oak, and other species; and 30 inches - Box Elder, Cottonwood, and Willow.

Loading Space. A space accessible from a street, alley or way, in a building or on a lot, for the use of trucks while loading or unloading merchandise or materials.

Local Street. Those streets identified in the Comprehensive Plan which are of limited continuity used primarily for access to abutting properties and the local needs of the neighborhood.

Lot. A parcel of land designated by metes and bounds, registered land survey, or other accepted means.

Lot Area. The land area within the lot lines, excluding any street rights-of-way and easements for street rights-of-way.

Lot, Corner. A lot situated at the junction of and fronting on two or more streets.

Lot Coverage. See Impervious Surface Coverage.

Lot Depth. The mean horizontal distance between the front property line and the rear lot line. The greater frontage of a corner lot is its depth and its lesser frontage is its width.

Lot, Interior. A lot other than a corner lot.

Lot Line, Front. The boundary of a lot which abuts an existing or dedicated public or private street. In the case of a corner lot, it shall be the shortest dimension on a public street.

Lot Line, Rear. That boundary of a lot line which is most distant from and is or is approximately parallel to the front lot line. If the rear lot line is less than ten feet in length, or if the lot forms a point at the rear, the rear lot line shall be deemed to be a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line.

Lot Line, Side. Any boundary of a lot which is not a front or rear lot line.

Lot of Record. Title for a lot of record must have been created and recorded in the Office of the Ramsey County Recorder or the Ramsey County Registrar of

Titles prior to April 3, 1991, the effective date of Shoreview Ordinance 552 (Recodification of the Shoreview Code of Ordinances).

Lot Width. The mean width of a lot measured at right angles to the mean depth.

Manufactured Homes. A structure, transportable in one or more sections, which in the traveling mode is eight 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 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 required by the secretary and complies with the standards established under Minnesota Statutes, Section 327.3.

Manufacturing. Establishments engaged in the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics, or resins.

Marquee. (See Canopy)

Medical Uses. Uses primarily engaged in furnishing medical, surgical or other services to individuals, including the offices of physicians, dentists, and other health practitioners, medical and dental laboratories, outpatient care facilities, blood banks and oxygen and miscellaneous types of medical supplies and services.

Mining. The excavation of earth materials such as sand, gravel, rock, industrial minerals, peat, etc. for the purpose of sale, and including quarrying, well operation, milling (such as crushing, screening, washing and flotation) and other preparation customarily done at the mine site or as part of a mining activity.

Mobile Home. Any vehicle used or constructed to permit its use as a conveyance upon public streets or highways, and including self propelled or non-self propelled vehicles designed in a manner to permit long term occupancy as a dwelling place for one or more persons, having no foundation other than wheels, jacks or skirtings.

Mobile Home Park. Any site or tract of land upon which two or more occupied mobile homes are located regardless of the charge or absence of charge for accommodations.

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

Non-Conforming. Initially in compliance with applicable City or predecessor governmental unit regulations but no longer in compliance due to a change in such regulations.

Nuisance. As defined in Section 210.

Nursing Home. An intermediate care or skilled nursing care facility providing care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves. Such facilities must be defined and licensed as nursing homes by the State of Minnesota under Health Department regulations (14M) 44-67 and Minnesota Statutes Section 144.56.

Occupant. Any person living and sleeping in a dwelling unit or having actual possession of said dwelling or rooming unit.

Office Uses. Those commercial activities that take place in office buildings where goods are not produced, sold or repaired.

Office/Showroom. A multi-tenant building with a gross floor area of at least 30% finished office space, in addition to showroom, warehousing and distribution uses including product display, storage, wholesale, and distribution of manufactured products, supplies, and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions.

Office/Warehouse. A multi-tenant building with gross floor area consisting of at least 15% finished office space, in addition to warehousing and distribution uses including storage, wholesale, distribution of manufactured products, supplies, and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions.

Official Flood Plain Map. The Flood Insurance Rate Map (FIRM) panels numbered 27123C0005G, 27123C0010G, 27123C0020G, 27123C0030G and 27123C0036G, along with the attached Flood Insurance Study (FIS) for Ramsey County (All Jurisdictions) all dated June 4, 2010 and prepared by the Federal Emergency Management Agency (FEMA).

Open Sales Lot. Any land used or occupied for the purpose of buying, selling, renting or leasing any goods, materials, or merchandise and for the storing of the same under the open sky prior to sale.

Open Space. Any parcel or area of land or water essentially unimproved and set aside, dedicated, designed or reserved by a developer or governmental unit for public or private use.

Open Space, Common. A parcel or parcels of land or areas of water, or a combination of land and water within a development which is designed and intended for the use and enjoyment of residents of the development. Common open space includes all land in excess of the individual building lots and land accepted for public dedication.

Open Space, Usable. The minimum dimension for usable open space shall be ten (10) feet and the minimum area shall be one hundred (100) square feet or whatever minimum is required by regulation.

Openable Area. That part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.

Operator. Any person who has charge, care or control of a multiple residence or rooming house, in which dwelling units or rooming unit are let for occupancy.

Ordinary High Water (OHW) Level. The boundary of public waters and wetlands and 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.

Outside Display Area. An area set aside for the display of materials and/or products for sale or lease.

Owner. Owner or owners of the freeholder of the premises or lesser estate therein, a mortgagor or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or other person, firm or corporation in control of a building, including their manager and agents.

Parapet. A low wall which is an architectural component of a flat roofed building and which extends above the roof line of the building to which attached.

Parking Space. An area to be used exclusively as a temporary storage space for one motor vehicle.

Party Wall. A common wall which divided two (2) independent structures.

Pawnbroker Shop. “Pawnshop” means the location at which or premises in which a pawnbroker regularly conducts business.

Pedestrian Way. A public right-of-way across or within a block or development reserved for people traveling on foot.

Permitted Use. A term used in zoning ordinances that refers to a list of uses that are specifically allowed in a zoning district.

Planned Unit Development (PUD). A type of development which may incorporate a variety of land uses planned and developed as a unit. The Planned Unit Development is distinguished from the traditional subdivision and site plan approval processes of development in that development standards such as setbacks, height limits, and minimum lot sizes may be altered by negotiation and agreement between the developer and the municipality, except that land uses and densities shall be consistent with that permitted by the Land Use Plan.

Person. An individual, firm, corporation, association or partnership.

Plumbing or plumbing fixtures. Water heating facilities, water pipes, gas pipes, garbage disposal units, water closets, waste pipes, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes-washing machines or other similar equipment, catch basins, drains, vents, or other similarly supplied fixtures, together with all connections to water, gas, sewer or vent lines.

Porch, Unenclosed. A horizontal roofed platform, attached or unattached to a dwelling, with a wall system that consists of roof support members, with or without railings, and no doors, screens or windows. If attached to a dwelling, the platform is larger than permitted for a landing, not including steps and ramps.

Porch, Enclosed. A horizontal roofed platform, attached or unattached to a dwelling, heated or unheated, with a wall system that consists substantially of screens, windows, and/or doors. If attached to a dwelling, the platform is larger than permitted for a landing, not including steps and ramps.

Preliminary Plat. A tentative map, drawing or chart of a proposed subdivision meeting requirements herein enumerated.

Premises. A lot, plot or parcel of land, including the building or structures thereon.

Principal. Something of primary importance.

Principal Unit. The existing single family dwelling located on a host parcel.

Private Antenna or Tower. An antenna or other device and/or associated tower designed for the private use and enjoyment of the property owner that will not be used to provide a telecommunications service with the intent to make a profit. These devices include, but are not limited to, devices designed for reception of television broadcast signals, multi-channel multipoint distribution service, direct broadcast satellite services, AM/FM radio, telephone, internet, or any facility designed to transmit or receive amateur radio or citizen band radio.

Property Line. A line of record separating a parcel (or lot) which divides a parcel from another parcel or from a public or private street or any other public space.

Public/Quasi-Public Facilities. Uses such as schools, churches, and government buildings and facilities, including parks, playgrounds, trails and other recreational areas.

Public Waters. As defined in Minnesota Statutes Section 103G, Subd. 15 and any amendments thereto.

Recreation Vehicle. A vehicle used or designed for use for temporary residential occupancy including but not limited to campers, motorhomes, mobile homes, pickup campers, camping trailers, tent trailers and travel trailers.

Recreational Equipment. Play apparatus, such as swing sets, slides, sandboxes, poles for nets, canoes and kayaks less than 18 feet in length, paddle boats, picnic tables, lawn chairs, barbecue pits and similar equipment or structures but not including tree houses, swimming pools, playhouses or sheds utilized for storage or equipment.

Recreational Facility. A facility, not used for commercial purposes, that is located on or next to the ground, including but not limited to: putting greens, volleyball, tennis and basketball courts; batting, pitching soccer and golf cages and nets; hockey and ice rinks; skate board ramps, trampolines, portable flooring for aerobics, dance, and weight lifting.

Rest Home. A private home for the care of children, aged or infirm, or a place of rest for those suffering from bodily disorders. Such home does not contain equipment for surgical care or from the treatment of disease, injury or mental care, nor provides maternity care.

Restaurant. An establishment, where food and drink are prepared and served for human consumption, principally within the establishment or for take-out to be

Ord. 874
Rev. Date
11/15/10

consumed off-premises. Musical entertainment may be offered within a restaurant when clearly secondary to the restaurant use.

Right of Way. The land covered by a public road or other land dedicated for public use or for certain private use; such as land through which a power line passes, above or underground.

Riparian Lot. A lot of record that abuts a public water that is subject to the City of Shoreview's Shoreland Management regulations.

Roof Line. The uppermost line of the roof of a building, or in the case of an extended facade, the uppermost height of said facade.

Sanitary Sewer System. Pipelines or conduits, pumping stations, force mains, and all other appurtenances used for conducting domestic and non-domestic sewage to a treatment facility.

Rev.Date
7/5/11
Ord. #879

Satellite Earth Station. The antenna and all other equipment necessary for processing electronic signals traffic (including, but not limited to voice, data, and video) received from terrestrial distributions prior to transmission via satellite and of traffic received from the satellite prior to transfer of channels of communication to terrestrial distribution systems.

Seasonal Residential Sales Event. An advertised event hosted by one or more households at a residence of one of the participants which involves the sale of merchandise, generally on a non-appointment basis. The merchandise may include but is not limited to handcrafted items, used household or personal items, new merchandise, and agricultural produce. These events are more commonly referred to as garage or estate sales and boutiques.

Rev. Date:
4/18/05
Ord. #774

Setback. The minimum horizontal distance, measured in feet between a structure and a property line, top of bluff, OHW level or between two structures such as in the case of freestanding signs or on-site sewage treatment systems.

Shopping Center. A group of commercial establishments planned, developed, and managed as a unit with off-street parking provided on the property.

Shore Impact Zone. Land located between the OHW level of a public water and a line parallel to the OHW at a distance equal to 50 percent of the minimum required building setback from the OHW level.

Shoreland. Land located within the following distances from public water: (1) 1,000 feet from the ordinary high water mark of a lake, pond, or flowage; and (2) 300 feet from a river or stream, or the landward extent of a flood plain designated by ordinance on such a river or stream, whichever is greater. The limits of shorelands may be reduced whenever the waters involved are

bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the Department of Natural Resources.

Sidewalk. An improved pedestrian surface that is typically located adjacent to a roadway.

Sign. See Section 208.020.

Slope, Bluff. A topographic feature such as a hill, cliff, or embankment having all of the following characteristics:

Part or all of the feature is located in the shoreland area;
The slope rises at least 25 feet above the ordinary high water level;
The grade of the slope from the toe of the bluff to a point 25 feet above the ordinary high water level averages 30 percent or greater; and
The slope must drain towards the water body.

Slopes, Steep. Slopes between 12% and 18% for horizontal distances of 50 feet or more, including all soils grouped in County Soil Survey Slope Class C.

Slopes, Very Steep. Slopes between 19% and 30% for horizontal distances of 50 feet or more, including all soils grouped in County Soil Survey Slope Classes D, E, F.

Snowmobile. A self-propelled vehicle designed for travel on snow or ice steered by skis or runners.

Solar Collector. A device, or combination of devices, structure, or part of a device or structure that transforms direct solar energy into thermal, chemical or electrical energy and that contributes significantly to a structure's energy supply. No window or skylight smaller than 30 square feet in area shall be construed as a solar collector within the meaning of this definition.

Solar Energy. Radiant energy (direct, diffuse and reflected) received from the sun.

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 of buildings and other energy-using processes, or to produce generated power by means of any combination of collecting, transferring or converting solar-generated energy.

Solar Energy System, Active. A solar energy system that requires external mechanical power to move the collected heat.

Solar Energy System, Passive. A solar energy system that uses natural and architectural components to collect and store solar energy without using any external mechanical power.

Special Purpose Trailer. A trailer having a gross vehicle weight of less than 1,500 pounds. Special purpose trailers include utility trailers and trailers used to transport boats, snowmobiles or ATV's.

Stable. Any building, incidental to an existing residential, principal use, that shelters horses for the exclusive use of the occupants of the premises.

Storage Area, Outside. An area, subject to certain conditions, set aside for storage of equipment and materials.

Story. That portion of a building included between the surface of any floor and the surface of the floor next above; or if there is no floor above, the space between the floor and the ceiling next above. A basement shall be counted as a story; a cellar shall not be counted as a story. If the finished floor level directly above a useable or unused under-floor space is more than six feet above grade as defined herein for more than fifty percent of the total perimeter or is more than twelve feet above grade as defined herein at any point, such usable or unused underfloor space shall be considered as a story.

Story, First. The lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level below grade, as defined herein, for more than fifty percent of the total perimeter, or more than eight feet below grade, as defined herein, at any point.

Street. A public way for vehicular traffic designated as a street, highway, thoroughfare, parkway, throughway, road arterial, lane, place or however otherwise designated. The width of a street is measured between right-of-way lines.

Street Frontage. The proximity of a parcel of land to one or more streets. An interior lot has one (1) street frontage and a corner lot has two (2) frontages.

Street Line. The line coinciding with the lot and the street right-of-way line.

Street, Private. A street serving as vehicular access to two or more parcels of land, which is not a through street, and which is not dedicated to the public but is owned by one or more private parties.

Structure. A combination of materials to form a construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water.

Structure, Alterations. Any change in the supporting members of a building such as bearing walls, columns, beams or girders, or any change in the dimension or configuration of the roof or exterior walls.

Subdivider. Any person commencing proceedings under this ordinance to effect a subdivision of land for himself or others.

Subdivision. The separation of an area, parcel or tract of land under single ownership into two or more parcels, tracts, lots or long term leasehold interests, except those separations specified in Chapter 462.358, Subd. 4b of Minnesota Statutes and any amendments thereto.

Substandard Lot. A lot of record that does not meet the minimum standards of the zoning district in which it is located.

Supplied. Installed, furnished or provided by the owner or operator.

Swimming Pool. Any enclosure, above or below grade, having a water surface area exceeding one hundred square feet and a water depth greater than eighteen inches at any point.

Temporary Sales Office. A temporary place of business on the premises of a development used to promote real estate purchases exclusively within that development. Such offices may remain until 80% of the development is sold.

Toe of Bluff. Lowest elevation of the lowest 50-foot long segment of a bluff.

Top of Bluff. Highest elevation of the highest 50-foot long segment of a bluff.

Tower. Any self-supporting pole, spire, or structure, or any combination, that is constructed primarily for the purpose of supporting one or more antennas and all supporting lines, cables, wires, bracing and linkage systems designed. This definition includes, but is not limited to, lattice towers, guy towers and monopole towers. A tower does not include building mounted Wireless Telecommunications Facilities (WTF).

Townhouse. A one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common fire resistant walls.

Transit Bench. A bench rest maintained on a publicly dedicated street or right-of-way for the convenience and comfort of persons waiting for buses or other vehicles.

Rev. Date 7/5/11 Ord. #879

Truck Terminal. A building or area in which trucks, including tractor or trailer units, are parked, stored, or serviced, including the transfer, loading or unloading of goods. A terminal may include facilities for the temporary storage of loads prior to transshipments.

Undeveloped Land. Land which is not developed with structures of the maximum number, type, bulk and height allowed by the integrated Development Ordinance of Shoreview.

Use. The method or manner of employing a lot or structure.

Use, Principal. The specific primary purpose for which land is used.

Utilities. Underground or overhead gas, electrical, steam or water transmission or distribution systems; collection, communication (excluding wireless telecommunication facilities), supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, traffic signals, hydrants or other similar equipment and accessories in conjunction therewith; but not including buildings.

Variance, Standard. A departure from the standards of this ordinance, but not including land use, building use, or administrative procedures granted only upon a demonstration of hardship.

Ventilation. The process of supplying and removing air by natural or mechanical means to or from any space.

Veterinary Clinic. A commercial activity catering to the medical needs of animals and having no outside runs or shelters for the keeping of animals.

Warehousing. The storage of materials or equipment within an enclosed building as a principal use including packing and crating.

Waste Container. A disposable or non-disposable receptacle that is waterproof and fly tight, used primarily for storage of refuse and other waste materials between collections by households accumulating small quantities of refuse or other waste materials.

Waste Materials. All other discarded, combustible or noncombustible, organic or inorganic materials infrequently accumulated in the operation of a house, including but not limited to, vehicles, vehicle parts, major appliances, furniture, building materials, animal manure, trees, limbs and trunks, metal scrap, and other material that cannot be temporarily stored in a waste container or bundle because of its size or shape.

Wetland. As defined by the Wetland Conservation Act of 1987 and amended in 1992.

Wholesaling. The selling of goods, equipment and materials by bulk to another business that in turn sells to the final customer.

Wireless Telecommunication Facility. Equipment, including commercial antennas, commercial telecommunication towers, and equipment enclosures, designed for the transmission and reception of all types of data, including, but not limited to, writing, signs, signals, pictures, and sounds of all kinds without the aid of wire, cable, or other like connections between the points of origin and reception of such transmission, including all instrumentalities and apparatus incidental to such transmission. As used in the Shoreview Municipal Code, the term "wireless telecommunication facility" shall not include amateur radio antenna or towers; mobile transmitting devices, such as vehicle or handheld radios/telephones and their associated transmitting antennas; satellite earth stations; or broadcast towers.

Rev. Date
7/5/11
Ord. #879

Workmanlike. Whenever the words “workmanlike state of maintenance and repair” are used in this ordinance they shall mean the standards of the trade or industry involved.

Yard. The space between a lot line and building line that is unoccupied and unobstructed from the ground upward except as may be permitted by the Development Ordinance. All ground, lawn, court, walk, driveway or other open space constituting part of the same premises as a resident building.

Rev. Date:
4/18/05
Ord. #774

Yard, Front. A space extending the full width of the lot between any building and the front lot line, and measured at the closest point to the front lot line. The front yard includes any area between any building and the front lot line that is not a side yard, as defined. Such front yard is unoccupied and unobstructed from the ground upward except as may be permitted in the Development Ordinance.

Rev. Date
4/18/05
Ord. #774

Yard, Rear. A space extending the full width of the lot between the principal building and the rear lot line, and measured at the closest point of the rear lot line. The rear yard includes any area between any building and the front lot line that is not a side yard, as defined. Such rear yard is unoccupied and unobstructed from the ground upward except as may be permitted in the Development Ordinance.

Yard, Required. The open space between the lot line and the buildable area having the width or depth required in the district in which it is located.

Rev. Date
4/18/05
Ord. #774

Yard, Side. A space extending from the front yard to the rear yard between the principal building and side lot line measured from the side lot line to the

closest point of the principal building. Such side yard is unoccupied and unobstructed from the ground upward except as may be permitted in the Development Ordinance.

Zero Lot Line. The location of a building on a lot in such a manner that one or more of the building's sides rest directly on a lot line.

Zoning District. An area within the limits of the zoning jurisdiction for which the regulations and requirements governing use, lot and bulk of structures and premises are uniform.

Zoning District Map. A map showing the boundaries of the zoning districts as established by the Development Ordinance and designated as the "Zoning District Map."