

515.09
Definitions

Adult Uses. As defined in section 1190 of the city code.

Alley. A public right-of-way other than a street that affords a secondary means of access to abutting property.

Amusement Center. As defined in section 1180 of the city code.

Bar. Any premises wherein alcoholic beverages are sold at retail for consumption on the premises and minors are excluded therefrom by law. It shall not mean premises wherein such beverages are sold in conjunction with the sale of food for consumption on the premises and the sale of said beverages compromises less than 25% of the gross receipts.

Bed and Breakfast Establishment. An owner-occupied, one-family dwelling that offers short-term lodging, with or without meals, for compensation.

Building. Any roofed structure used or intended for supporting or sheltering any use or occupancy. An accessory building shall be considered an integral part of the principal building if it is connected to the principal building by a covered passageway.

Club or Lodge. Buildings or facilities owned or operated by a corporation, association or persons for a social, educational or recreational purpose; but not primarily for profit or to render a service that is customarily carried on as a business.

Drive-Thru Establishment. Any portion of a building, structure or property from which business is transacted, or is capable of being transacted, directly with customers located in a motor vehicle.

Dwelling. A building or portion thereof used exclusively for residential purposes, forming a habitable unit for one family. Garage, tents and accessory structures shall not be considered dwellings and shall at no time be used as a dwelling, either temporarily or permanently.

Dwelling, Multiple. A building designed with three or more dwellings exclusively for occupancy by three or more families living independently of each other.

Dwelling, One-Family Attached. A building containing dwellings in which:

- a) Each dwelling is located on its own parcel; and
- b) Each dwelling is attached to another by party walls without openings; and
- c) Each dwelling has primary ground floor access to the outside; and
- d) The term refers primarily to dwelling types such as townhouses and row houses.

Dwelling, One-Family Detached. A residential building containing not more than one dwelling entirely surrounded by open space on the same lot.

Dwelling, Two-family. A building designed exclusively for occupancy by two families living independently of each other, typically referred to as a double bungalow or duplex, where the entire building is located on a single lot.

Essential Services. Underground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communication, supply or disposal systems by public utilities, municipal or other governmental agencies.

Family. One or more persons each related to the other by blood, marriage, adoption or foster care, or a group of not more than three persons not so related, maintaining a common household and using common cooking facilities.

Floor Area, Gross. The sum of the gross horizontal areas of the several floors of such building or buildings measured from the exterior faces and exterior or from the centerline of party walls separating two buildings. Basements devoted to storage and space devoted to off-street parking shall not be included.

Garage, Private. A building for the private use of the owner or occupant of a principal building situated on the same lot of the principal building for the storage of motor vehicles with no facilities for mechanical service or repair.

Garage, Public. A building or portion of a building, except any herein defined as a private garage or as a repair garage, used for the short-term parking of motor vehicles as a business enterprise.

Grade. The average finished ground level of the land around the perimeter of a lot, structure, or building.

Height. The vertical distance from average grade around the perimeter of a structure to the highest point of a structure.

Home Occupation. An occupation, profession, activity or use that is clearly a customary, incidental and secondary use of a residential dwelling and which does not alter the exterior of the property or affect the residential character of the neighborhood.

Hotel. A facility containing four or more guest rooms and offering transient lodging accommodations on a daily rate to the general public, plus no more than two dwelling units as accessory uses to the hotel and occupied only by the property owners or on-site managers.

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

Lot, Corner. A lot abutting on more than one street and situated at an intersection of streets.

Lot, Interior. A lot abutting on only one street.

Lot, Through. A lot abutting on more than one street but not situated at an intersection of streets.

Lot, Through Corner. A lot abutting on more than one street and situated at more than one intersection of streets.

Lot Area. The area of a horizontal plane within the lot lines.

Lot Depth. The shortest horizontal distance between the front lot line and the rear lot line measured from a 90-degree angle from the street right-of-way within the lot boundaries.

Lot Line, Front. The boundary of a lot that abuts a public street. On a corner lot, it shall be the street-abutting lot line with the shortest dimension. On a through lot, all street-abutting lot lines shall be deemed front lot lines. On a through corner lot, the street-abutting lot lines on opposite sides of the lot shall be deemed front lot lines.

Lot Line, Rear. The lot line not intersecting a front lot line that is most distant from and most closely parallel to the front lot line.

Lot Line, Side. Any lot line that is not a front, rear or side street lot line.

Lot Line, Side Street. Any street-abutting lot line that is not a front or rear lot line.

Lot of Record. Land designated as a separate and distinct parcel in a subdivision, the plat of which has been recorded in the office of the recorder of Hennepin County, Minnesota; or a parcel of land, the deed to which was recorded in the office of the recorder or registrar of titles of Hennepin County, Minnesota prior to the adoption of the ordinance codified in this title.

Lot Width. The horizontal distance between side lot lines. In the case of irregularly shaped lots located on a cul-de-sac or curved street, lot width shall be measured at the required front and rear setback line.

Motor Vehicle Repair, Major. General repair, rebuilding or reconditioning engines, motor vehicles or trailers; collision service, including body, frame or fender straightening or repair; overall painting or paint job; vehicle steam cleaning.

Motor Vehicle Repair, Minor. A use that is customarily associated with a service station, and that includes minor repairs, incidental body and fender work, upholstery, replacement of parts and motor services to passenger automobiles and trucks not exceeding 3/4 ton capacity, but not including any operation specified under “automobile repair-major.”

Non-conforming Lot. A lot of record or other parcel of land that does not comply with the lot requirements for any permitted use in the zoning district in which it is located.

Non-conforming Structure. Any structure permitted by existing city ordinance upon the effective date of this code, which would not conform to the applicable regulations if the structure were to be erected under the provisions of this code.

Non-conforming Use. A lawful use of land that does not comply with the use regulations for its zoning district but which complied with applicable regulations at the time the use was established.

Owner or Property Owner. The owner of record according to Hennepin County property tax records.

Principal Structure or Use. The primary use and chief purpose of a lot or structure as distinguished from subordinate or accessory uses or structures. A principal use may be either permitted or conditional.

Senior Housing. A multiple dwelling building or group of buildings with open occupancy limited to at least one person 55 years of age or older per dwelling. This includes assisted living but not institutions such as nursing homes.

Setback. The minimum required horizontal distance between a structure and a lot line, as measured perpendicular to the lot line.

Setback, Front. The minimum required horizontal distance between a structure and the front lot line.

Setback, Rear. The minimum required horizontal distance between a structure and the rear lot line.

Setback, Side. The minimum required horizontal distance between a structure and the side lot line.

Setback, Side Street. The minimum required horizontal distance between a structure and the side street lot line.

Street. A public right-of-way greater than 30 feet in width platted or dedicated for the purpose of accommodating vehicular traffic or providing access to abutting property.

Street Center Line. A line equidistant between the longitudinal boundaries of the right-of-way dedicated to the city for use as a public street, except where only a portion of the proposed street has been dedicated, which shall be presumed to have a width of 60 feet unless otherwise determined by the city council.

Structure. Anything constructed or erected on or connected to the ground, whether temporary or permanent in character.

Useable Open Space. A required ground area or terrace area on a lot which is graded, developed, landscaped and equipped and intended and maintained for either active or passive recreation or both, available and accessible to and useable by all persons occupying a dwelling or rooming unit on the lot and their guests. Such areas shall be grassed and landscaped or covered only for recreational purpose. Roofs, driveways and parking areas shall not constitute useable open space.

Use, Accessory. A use which:

- a) Is subordinate to and serves a principal building or principal use;
- b) Is subordinate in area, extent and purpose to the principal structure or principal use as served;
- c) Is located on the same lot as the principal structure or principal use served and except as otherwise expressly authorized by the provisions of this title.

Use, Conditional. A use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, would not be detrimental to public health, safety or general welfare.

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

Yard. The horizontal distance between the principal structure and a lot line, as measured perpendicular to the lot line. Eaves are not to be considered part of the principal structure for the purpose of determining the location or extent of a yard.

Yard, Front. The horizontal distance between the principal structure and the front lot line, extending across the full width of the lot.

Yard, Rear. The horizontal distance between the principal structure and the rear lot line, extending across the full width of the lot.

Yard, Side. The horizontal distance between the principal structure and the side lot line, extending from the front yard to the rear yard.

Yard, Side Street. The horizontal distance between the principal structure and the side street lot line, extending from the front yard to the rear yard.