

**CITY OF GRAND RAPIDS  
ORDINANCE 21-09-06**

**AN ORDINANCE AMENDING AND UPDATING MULTIPLE SECTIONS OF  
ARTICLE VI (ZONING) WITHIN CHAPTER 30 LAND DEVELOPMENT  
REGULATIONS**

**WHEREAS**, from time to time, the City of Grand Rapids deems it important to review, and update, if necessary, its Zoning Ordinance (Land Development Regulations); and

**WHEREAS**, at their meeting on May 6, 2021, the Grand Rapids Planning Commission initiated the process to update and amend various portions of the Zoning Ordinance (Land Development Regulations) identified by city staff, and additionally, formed a subcommittee of three Commissioners to work with staff on further developing the potential amendments to the text of the Zoning Ordinance; and

**WHEREAS**, the Planning Commission on September 2, 2021 took up consideration of draft amendments to Chapter 30 of the City Code, as put forth by the subcommittee, and found that amendments were consistent with the Comprehensive Plan and would be in the best interest of the public's health, safety, and general welfare, and recommended that the City Council adopt the draft amendments to said portions of Article VI of Chapter 30 of the City Code; and

**WHEREAS**, the City Council conducted a public hearing on Monday, September 13, 2021 at 5:30 p.m., to consider the amendments to Chapter 30; and

**WHEREAS**, the City Clerk presented the affidavit of publication of the notice of the public hearing; and

**WHEREAS**, the City Council has heard all persons who wished to be heard in regards to the proposed text amendments.

**NOW THEREFORE**, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS, MINNESOTA, that it adopts the Planning Commission's following findings of fact relative to the amendments to provisions within Chapter 30 Land Development Regulations, of the City Code:

1. The amendments will not have an adverse effect on the character of neighborhoods.
2. The amendments would foster economic growth in the community, by allowing additional uses to take place in various zoning districts.
3. That the amendments would be in keeping with the spirit and intent of the Zoning Ordinance by maintaining an updated Ordinance.

4. That the amendments would be in the best interest of the general public, again by maintaining a current and updated Zoning Ordinance and allowing for orderly development.

5. That the amendments would be consistent with the Comprehensive Plan, as referenced in several sections of the Comprehensive Plan and additionally, the amendments will maintain an updated Zoning Ordinance.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS, MINNESOTA,** that the amendments to the City Code are in the best interest of the public’s health, safety, and general welfare, and hereby ordains that the Grand Rapids City Code be amended.

**SECTION 1:            AMENDMENT** “30-596 Parking Lot Design And Maintenance Standards” of the Grand Rapids Municipal Code is hereby *amended* as follows:

AMENDMENT

30-596 Parking Lot Design And Maintenance Standards

- (a) *Intent and scope of applicability.* It is the intent of these standards to promote the safe and efficient storage, circulation and channelization of motor vehicles development on-site. The standards of this section shall apply to the design of all parking areas.
- (b) *Street access.* Each parcel shall be granted at least one curb cut per street which abuts that parcel. However, up to two curb cuts may be permitted on any one street provided that one of the accesses is designated as an entrance and the other as an exit. The location/design of curb cuts shall be reviewed and approved by the city engineer and other governmental agencies, as needed, to comply with applicable planning and engineering standards, including the Trunk Highway 169 South Access Management Plan and the Institute of Transportation Engineers publications, as deemed necessary. The number and width of access drives shall be located to minimize traffic congestion and abnormal traffic hazards. In the absence of specific recommendations, the location/design of curb cuts shall be restricted as follows:
  - (1) No closer than 50 feet to any existing curb cut.
  - (2) No closer than ~~25~~50 feet to the curb return~~nearest point~~ of any street/alley intersection.
  - (3) No curb cut shall exceed 33 feet in width.
  - (4) One-way curb cuts shall not exceed 16 feet in width.
- (c) *Setbacks/landscaping.* All parking lots shall be set back from the property lines as prescribed by Table 2-C in section 30-512. The following landscape requirements shall also apply:
  - (1) Setback areas adjacent to a public street right-of-way shall be maintained as a type C bufferyard or meet the requirements of Table 3-B in section 30-512, whichever is greater.
  - (2) Side and/or rear setback yards shall be landscaped in accordance with the

- bufferyard requirements of Table 3-A and Table 3-B in section 30-512.
- (3) Parking lots designed for equal or more than the number of cars shown in the Threshold Column of Table 2-C in section 30-512, shall be required to provide interior landscaping as identified. The landscape area provided as required in section 30-596(c)(3) can be counted as landscaped area needed to meet this provision. Each landscaped area contained within the perimeter of a parking lot shall be no less than 150 square feet in size, and shall have a minimum dimension of nine feet.
  - (4) Minimum planting requirements are one canopy or evergreen tree per 150 square feet of landscaped area. Plantings shall be guided by the examples of acceptable plantings in Appendix 1. Refer to section 30-512. Ground cover in landscaped areas shall be of natural materials such as grasses or mulch to assist with the health and growth of tree plantings. The sole use of landscape rock, gravel or similar hardscape materials is prohibited.
  - (5) Two property owners may jointly develop a parking lot overlapping a common lot line without meeting the required setbacks on their respective side of the lot line, provided the following conditions are met:
    - a. The entire parking lot is developed as a single project.
    - b. Jointly developing a parking lot will result in an increase in the number of parking spaces over two individually developed lots meeting the setback requirements, or would result in safer traffic patterns.
    - c. The property owners agree to a single curb cut for access, as per subsection (b) of this section, for the two or more parcels.
    - d. The property owners file, with the county recorder's office, a binding agreement addressing joint use.
  - (6) Two or more property owners who have their parcels separated by an alley may jointly develop a parking lot on both sides of the alley allowing vehicles to back into the alley, provided all of the following conditions are met:
    - a. Additional right-of-way easements must be granted to the city on both sides of the existing alley to increase its width to 24 feet. It shall be the responsibility of the property owner(s) to obtain the necessary easements for the city. The easements shall cover the entire width of the owner's lot, as well as the lot(s) across the alley from the owner(s), and must extend to a connection with a developed public street. The easements must be approved by the city attorney prior to acceptance by the city.
    - b. The parking lot design must provide for "head in" parking.
    - c. It shall be the responsibility of the adjacent property owners to pave the alley in accordance with the city's standards. The pavement of the alley, in its required width, shall extend to the public street.
    - d. Other setbacks, landscaping requirements, and design requirements shall still apply to this type of parking lot. The required rear bufferyard shall be constructed at the head of the proposed parking stalls. The parking stalls shall be limited to 19 feet deep.

- e. This parking lot design option will not be applicable in situations where an alley is the dividing line between a commercial and a residential zoning district.
- (d) *Surfacing*. All parking lots other than for a single- or two-family residential use shall be paved with a concrete or bituminous surface in accordance with standards as established by the city. Permeable pavement or pavers are acceptable surfacing materials when approved by the city engineer and installed according to manufacturer's specifications to achieve the desirable permeability. All parking spaces shall be striped (four-inch width minimum) with suitable paint in accordance with approved plans.
- (e) *Maneuvering lanes*. Parking lots may be designed with one- or two-way traffic maneuvering lanes. Each parking space shall have direct unimpeded access to a maneuvering lane and dead-end maneuvering lanes shall only be permitted with the 90 percent degree pattern which is designed to accommodate two-way traffic. Backing from a parking lot directly into a street shall be prohibited.
- (f) *Curb and gutter and/or barriers*. In the interest of efficient lot utilization, to minimize traffic conflicts, and to channelize the flow of traffic and clearly define parking spaces, all parking lots shall have curb and gutter and/or barriers as prescribed as follows:
  - (1) Concrete curb and gutter shall be provided along the edges of any driveway leading from a public right-of-way to a parking and/or loading area, except if the right-of-way is a rural section which is not expected to be improved with curb and gutter in the future. Alternatives to concrete curb and gutter may be used for driveways when approved by the city engineer. Alternatives may be incorporated when there are benefits to areas such as stormwater management and these benefits will not unduly pose problems to traffic flow and safety;
  - (2) Concrete curb and gutter shall be required along any edge of a parking lot adjacent to a landscaped area where a traffic lane, or parallel parking is situated adjacent to the edge of parking lot, except when other alternative designs that provide benefits to stormwater management are approved by the city engineer and/or are permitted by subsection (f)(5) of this section.
  - (3) Where parking is situated perpendicular or diagonal to the edge of a parking lot, a concrete wheel curb, or equivalent, shall be provided not less than two feet from the edge of the pavement.
  - (4) All required interior landscaping shall be protected with concrete curb and gutter, except as permitted by subsection (f)(5) of this section.
  - (5) In lieu of providing concrete curb and gutter required in subsections (f)(2) and (f)(4) of this section, treated landscape timbers may be used provided that:
    - a. Minimum depth of four inches below depth of surface.
    - b. Minimum height of eight inches above the surface of the pavement.
    - c. The minimum nominal dimension of landscaped timbers shall be six inches and only rectangular shaped timbers shall be used.
    - d. The area immediately behind the timbers away from the paving surface shall be backfilled with suitable materials to within two inches of the top of the timbers.
    - e. In addition to landscape timbers, interlocking concrete retaining wall

blocks may be used to provide edge definition, provided that a minimum height of 20 inches along the surface of the parking lot is maintained. Backfilling requirements shall be the same as subsection (f)(5)d. of this section.

- (g) *Drainage.* All parking lots shall have a drainage system which is approved by the city engineer.
- (h) *Lighting.* Shall be so arranged to deflect the light away from R districts so that the source is not visible. All lighting cable shall be placed underground and shall be installed in compliance with the state electrical codes. The average minimum illumination of two footcandles at the parking surface shall be required. The maximum illumination as measured at property lines shall be one footcandle.
- (i) *Maintenance.* It shall be the joint responsibility of the operator and owner of any principal use to maintain, in a neat and aesthetic manner, the parking space, accessway, landscaping and required fences and walls.

(Code 1978, § 23.6(F); Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007; Ord. No. 15-07-05, Exh. C, 7-27-2015)

**SECTION 2:            AMENDMENT** “Table 1 Permitted Uses” of the Grand Rapids Municipal Code is hereby *amended* as follows:

AMENDMENT

Table 1 Permitted Uses

R R / S R R	R-1/ R-1a SR-1/ SR-1a	R-2/ S R-2	R-3/ S R-3	R-4/ S R-4	L B / S L B	G B/ S G B	C B D	M U/ S M U	M / S M	R C / S R C	B P/ S B P	I-1/ S I-1	I-2/ S I-2	C D	P U / S P U	A G	A P	LISTING OF USES IN ZONING DISTRICTS
RESIDENTIAL																		
P	P	P	P	P	P											P		single-family detached
		P	P	P	P											P		twin home attached
		P	P	P	P			P										two-family attached
																R		manufactured home < 24' wide
					P	P	R									P		accessory apartments



R	R		R	R	R	R											R		garage/yard sales
R	R		R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	essential services
R	R		R	R	R	R	R				R						P		outdoor storage
R	R		R	R	R	R											P		private recreation
R	R		R	R	R												P		woodpiles
R	R		R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	temporary buildings
R	R		R	R	R	R	R	R	R	R	R	R	R	R	R	R	P	P	satellite dish/solar collectors
R	R		R	R	R												R		home occupations
																		COMMERCIAL	
																		P	aviation related commercial operation
																		AGRICULTURAL SALES AND SERVICE	
																		P	kennels
							P	P											pet shops
							P	R				R						P	veterinary services
R																		R	farm animals
							P												farm equipment
							P												feed, grain, supplies
<u>R</u>																		<u>R</u>	<u>growers stand</u>
																		AUTOMOTIVE/ RECREATIONAL VEHICLES	
							P												sales: new or used
							R					R							repair/service
							R												car/truck wash
							R	R											gasoline stations
							C U P												junk/salvage yard

						P						P	P		P		auto-truck fleet storage		
						P						P					P	transportation dispatch and storage	
CONSTRUCTION																			
						R	P	P				P						construction material suppliers	
							R						R	R				contractor's yard, materials storage	
							P											equipment/truck sales and service	
							R											equipment and/or tool rental	
FINANCIAL INSTITUTIONS																			
							R	P	P									bank, savings and loan, loan agency, etc.	
FOOD SERVICE																			
							P	P	P	R	R							restaurant	
							R	R	R	R	R			R	R		R	R	vending machines
HEALTH CARE																			
							P	P	P	P	P						R	clinic (outpatient treatment centers)	
										P	P							hospitals	
C U P	CUP	C U P	C U P	C U P	C U P	C U P	C U P	C U P	C U P	C U P	C U P	C U P	C U P	C U P	C U P	C U P	C U P	interim use	
							R	P	P									P	office - business
							R	P	P	P	P							P	professional, scientific, and technical services
							R	P	P	P	P							P	administrative and support services
RECREATION/ENTERTAINMENT																			





						P	P												room
			<u>R</u>	<u>R</u>	<u>R</u>	<u>P</u>	<u>P</u>					<u>P</u>							<u>salon/barber shop</u>
SCHOOLS PUBLIC AND PRIVATE																			
R	R		R	R	R												P		elementary - secondary
						R	P	P				P					P		educational service institution
							P	P									P	P	post high schools and colleges
WAREHOUSE																			
							P					P	P	P		R			general
							P						P						mini storage
							P					P	P	P					motor freight terminal
						R	R	R	R	R	R	R	R	R	R	R	R	R	outdoor storage of land/sea containers
PUBLIC/SEMI-PUBLIC																			
P	P		P	P	P												P	P	athletic facilities - public
																	P	P	cemeteries
R	R		R	R	R	R	R	R										P	churches
							P	P										P	cultural facilities (art galleries, libraries, museums)
R	R		R	R	R						P						R	P	golf and country clubs
													P	P			P		water sewage treatment
											C	U	P	C	U	P	C	U	telecommunications towers
																			treatment, power

P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	substations, neighborhood parks	
C U P	CUP	C U P	C U P	C U P	R	R	C U P	C U P	R	R	R	R	R	R	R	R	R	essential services structure	
													C U P					jail, detention center, and juvenile detention center	
TRANSPORTATION																			
													P	P	P		P	P	major (terminals, hangers, switching yards, sidings, runways, heliports)
	P	P	P	P	P	P	P	P	P				P	P	P	P	P	P	minor (railroad, rights-of-way, streets, transit shelters)
INDUSTRIAL																			
						P							P						monument work/sales
													P			P	P		military post
					R	R	R					P	P	P					manufacturing, light
													P	P					manufacturing, heavy
													P	P	P				light industrial activities not listed
													P	P					heavy industrial activities not listed
						R							P						recycling center
						P							P	P					wholesale distribution facility
					R	R	R						R	R	R				outdoor storage (merchandise/materi al)
C U												C U		C U	C U		C U		mining of sand and gravel

P										P	P	P	P			
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**SECTION 3:            AMENDMENT “30-628 Minimum Number”** of the Grand Rapids Municipal Code is hereby *amended* as follows:

A M E N D M E N T

30-628 Minimum Number

The minimum number of off-street parking spaces by type of use shall be required in accordance with the following schedule. When determining the number of required parking spaces results in a fractional space, any fraction up to and including one-half shall be disregarded and fractions over one-half require one parking space.

RESIDENTIAL USES	MINIMUM PARKING REQUIRED
One- and two-family units	2 per dwelling unit
Multiple-dwellings	2 per dwelling unit <sup>1</sup>
Senior citizens housing	0.5 per dwelling unit
Boarding and rooming houses	1 per rooming unit
Accessory apartments	1 per unit
Bed and breakfast	1 per room <sup>2</sup>
Day care/nursery schools	Same as one-two family units
Group and foster homes	Same as one-two family units
Mobile home parks	2 per dwelling unit

>PUBLIC AND QUASI-PUBLIC USES	MINIMUM PARKING REQUIRED
Churches	1 per 3 seats in largest assembly room
Elementary school	2 per classroom
Junior high school	2 per classroom
Senior high schools	6 per classroom plus 1 per 6 seats in main auditorium
Post high schools	10 per classroom
Stadiums, arenas, auditoriums (accessory to a school)	1 per 6 seats
Stadiums, arenas, theaters and auditoriums	1 per 3 seats
Museums, libraries, and art galleries	1 per 500 square feet (gross floor area)
Golf and country clubs	6 per hole
Government offices	1 per 200 square feet gross floor area
Hospitals	2 per bed
Nursing homes	1 per 3 beds
Clubs and lodges, social and fraternal	1 per 2 persons based on occupancy rating

1 In the R-3 zone, 25 percent of the required parking shall be enclosed. In the R-4 zones, 12.5 percent of the required parking shall be enclosed. 2 Plus minimum requirement for other permitted uses.

BUSINESS USES	MINIMUM PARKING REQUIRED
Business, insurance and general offices	1 per 300 square feet gross floor area
Medical, dental offices and clinics	1 per 300 square feet gross floor area
Agricultural/animal sales	1 per 400 square feet gross floor area
Automotive sales/repair	1 per 300 square feet gross floor area
Beauty Salon/barbershop	3 per chair
Bank/savings and loan/loan agency	1 per 250 square feet gross floor area (see footnote <sup>3</sup> )
Car washes (principal use)	3 plus (see footnote <sup>4</sup> )
Car washes (accessory)	46 stacking spaces per bay
All restaurants, cafes, coffee/beverage	1 per 75 square feet gross floor area, plus 6

establishments, taproom/tasting room, bars	stacking spaces per drive-up window (when applicable)
Athletic facilities	
a. Racquetball/tennis	6 per court
b. All other	1 per 200 square feet gross floor area
Movie theaters	1 per 4 seats
Gasoline stations	3 plus 2 per service stall plus 1 per 100 square feet gross floor area of retail space
Bowling alleys	5 per lane
Hotels, motels and tourist homes	1 space per room, plus 1 space per each 8 rooms, plus 1 space per each employee on maximum shift
Conference center/meeting room/banquet hall	1 per 3 seats (design capacity)
Funeral homes and mortuaries	1 per 3 seats in largest parlor or chapel
Home furnishings stores	1 per 500 square feet gross floor area
Hardware/home improvement	1 per 300 square feet gross floor area
Daycare/group homes (commercial)	1 per 5 persons enrolled
Indoor/outdoor recreation (amusement centers, pool halls, roller and ice rinks, exhibition halls)	1 per 2 persons based on occupancy rating or facility design capacity
Miniwarehouse	1 per 10 units
Convenience retail	1 per 100 square feet gross floor area
Retail sales and services (not listed)	Minimum: 1 per 250 square feet gross floor area (minimum 5) Maximum: 1 per 175 square feet gross floor area when building exceeds 70,000 square feet
Single use retail sales and services (not listed), gross floor area over 100,000 square feet	Minimum: 1 per 300 square feet gross floor area Maximum: 1 per 175 square feet gross floor area

INDUSTRIAL USES	MINIMUM PARKING REQUIRED
Custom manufacturing	1 per 300 square feet retail space plus 1 per employee on major shift
Other manufacturing	2 per 3 employees or 1 per 2,000 square feet gross floor area whichever is greater.
Storage, warehousing, wholesaling	1 per 1,000 square feet gross floor area up to 10,000 square then 1 per 2,000 square feet gross floor area above 10,000 square feet.

3 Plus 4 stacking spaces per drive up window. 4 a) 4 stacking spaces per manual self-serve bay; b) ~~6~~<sup>12</sup> stacking spaces per automatic bay; and c) 1 per 140 square feet gross floor area of retail space. In addition, one detailing space shall be provided for each car wash bay of any type, plus one detail space for each vacuum machine if machines are not located within the stacking spaces. If machines are located within the stacking spaces, no additional detail space is required.

(Code 1978, § 23.7(H); Ord. No. 07-02-04, 2-12-2007; Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007; Ord. No. 16-05-05, Exh. D, 5-23-2016; Ord. No. 18-08-06, Exh. B, 8-27-2018; Ord. No. 20-06-04, Exh. A, 6-22-2020)

**SECTION 4: AMENDMENT “30-564 Uses With Restrictions” of the Grand Rapids Municipal Code is hereby *amended* as follows:**

#### AMENDMENT

##### 30-564 Uses With Restrictions

The following restrictions apply in this article as indicated:

- (a) Accessory apartments (within the CBD zone): Shall be required to have one off-street parking stall per unit.
- (b) Administrative and support services (within the LB, SLB zone): Maximum size of structure 5,000 square feet GFA.
- (c) Automotive/RV repair (within GB, SGB, BP, SBP zone) provided:
  - (1) No repair work shall take place outside of the principal structure; and
  - (2) Any damaged or disassembled (partially or wholly) vehicle stored overnight shall be kept in an enclosure screening the vehicle and/or other materials from public view in such manner as described in section 30-594(h).
- (d) Bank, savings and loan, or loan agency (within the LB, SLB zone): Maximum size of structure 2,000 square feet GFA.
- (e) Bed and breakfast facilities (within R-2, SR-2 zones) provided:
  - (1) One off-street parking space is provided for each guestroom in addition to the minimum number required for residential and any other permitted uses.
  - (2) The facility shall be limited to providing service to four persons, excluding

- children under 12 accompanied by a parent; provided that service to up to ten persons may be allowed in an R-2 zone by conditional use permit.
- (3) The facility shall not have more than two guestrooms; provided that up to five guestrooms may be allowed in an R-2 zone by conditional use permit.
  - (4) Signs identifying bed and breakfast facilities shall not exceed three square feet in area. This provision shall take precedence over any less restrictive sign regulations in this article.
- (f) Bed and breakfast facilities (within R-3, SR-3, R-4, SR-4 zone): Same restrictions as the R-2 zone, except that the facility may serve up to ten persons, but shall not have more than five guestrooms.
  - (g) Brewery/distillery/winery use (within CBD, GB zone): Provided as follows:
    - (1) Ten thousand square feet or less gross floor area.
    - (2) Must be co-located with taproom/tasting room use.
  - (h) Brewery/distillery/winery use (within BP zone). Provided as follows:
    - (1) Greater than 10,000 sq. ft. gross floor area.
  - (i) Car, truck and equipment cleaning establishments (within GB, SGB zone): Subject to the special restrictions established for gasoline and fuel sales and service establishments. See subsection (25). In addition, the vehicle entrance door shall be no more than ten feet high.
  - (j) Churches and similar places of worship provided as follows (within RR, SRR, R-1, SR-1, R-1a, SR-1a, R-2, SR-2, R-3, SR-3, R-4, SR-4, LB, SLB, GB, SGB, CBD zone):
    - (1) No principal building shall be located within 30 feet of any lot line of an abutting lot in an R district;
    - (2) The site shall be at least one-acre in size; and
    - (3) The use shall be subject to the site development standards defined in division 7, and for bufferyard purposes shall be treated as an R-3 property.
  - (k) Clinic (within the PU, SPU zones): Must be accessory to a permitted principal use.
  - (l) Clubs, lodges and membership organizations (within RR, LB, GB, SGB, CBD, MU, SMU, and AG zone):
    - (1) Within GB, SGB, CBD, MU and SMU, may not be located closer than 600 feet to any school.
    - (2) Within RR, LB and AG districts, no commercial (retail or service) uses shall be conducted as part of the organization's operations from the site.
  - (m) Contractor's yard, material storage (within the GB, SGB, I-1, SI-1, I-2 and SI-2 zone): All outdoor storage of equipment, except automobiles and trucks up to two-ton, and materials/supplies shall be screened from public view as per the requirements of section 30-594(h).
  - (n) Construction material suppliers (within LB, SLB zone): Maximum size of structure shall be limited to 3,000 square feet gross floor area, and no more than 1,000 square feet GFA of retail sales space.
  - (o) Customary home occupations are subject to all of the following conditions:
    - (1) Home occupations shall be conducted solely by persons residing in the residence.
    - (2) All business activity and storage shall take place within the interior of the



- residence and shall not take place in an accessory building or buildings.
- (3) There shall be no alteration to the exterior of the residential dwelling, accessory building or yard that in any way alters the residential character of the premises.
  - (4) No sign, display, or device identifying the occupation shall be used.
  - (5) The occupation shall not be visible or audible from any property line.
  - (6) Such occupation shall not involve the retail sale or rental of products on the premises.
  - (7) No vehicle used in the conduct of the occupation shall be parked, stored or otherwise present at the premises other than such as is customarily used for domestic or household purposes such as a van or three-quarter-ton truck.
  - (8) Only on-site off-street parking facilities normal for a residential use shall be used.
  - (9) The use of substances that may be hazardous to the health, safety or welfare of neighbors and neighboring property shall not be used in the conduct of a home occupation.
- (p) Day care centers (within MU, SMU, M, SM, I-1, SI-1, I-2, SI-2 zone): Must be accessory to a permitted use and available only for employees of that permitted use.
- (q) Day care centers for 15 or more persons (within the RR, SRR, R-1, SR-1, R-1a, SR-1a, R-2, SR-2, R-3, SR-3, R-4, SR-4 zone): Licensed by the state within elementary, junior high and senior high schools and religious institutions.
- (r) Educational services institution (within the LB, SLB zone): Maximum size of structure 5,000 square feet GFA.
- (s) Emergency housing facility (within R-1, R-2, R-3, SR-3, R-4, SR-4, LB, SLB, GB, PU, SGB, CBD, MU, SMU, AG zone): Provided as follows:
- (1) Facility shall provide detailed program information including goals, policies, site plan, building plan, staffing pattern, target capacity, security measures, and emergency management plan.
  - (2) The facility shall not be located in a two-family or multifamily dwelling unless it occupies the entire structure.
  - (3) The facility shall be limited to no more than 16 residents in residential zoning districts or 32 residents in nonresidential districts without a conditional use permit.
  - (4) Existing residential structures used for an emergency housing facility shall not be externally altered so that the original residential character of the structure is compromised unless approved by the city council.
  - (5) No on-street parking shall be allowed. Adequate off-street parking shall be required by the city based on the staff and resident needs of the specific facility. Private driveways shall be of adequate width to accommodate effective vehicle circulation. Emergency vehicle access shall be available at all times.
  - (6) Landscaping and buffering shall be provided consistent with the requirements contained in section 30-594.
  - (7) Signage of the emergency housing facility shall be limited to the provisions of division 10 based on the zoning district in which it is located.

- (8) Emergency housing within the R-1 and R-2 districts shall be as accessory uses to the principle use.
- (t) Equipment and/or tool rental (within the GB, SGB zone): All outdoor storage of equipment, except automobiles and trucks up to two ton, and materials/supplies shall be screened from public view as per the requirements of section 30-594(h).
- (u) Essential services (within all zones): Provided as follows:
- (1) Prior to the installation, the owner files with the city engineer/zoning administrator all maps, sketches or diagrams and other pertinent information as deemed necessary by the city engineer/zoning administrator for review of the proposed project.
  - (2) Radio transmitters and receivers accessory to an essential service may be located on existing utility poles or light standards within the public right-of-way provided the radio transmitters and receivers comply with the following standards:
    - a. Radio transmitters and receiver devices located on a utility pole/tower or light standard shall be at least 15 feet above grade.
    - b. Radio transmitters and receiver devices shall not exceed 18 inches in length or width or extend more than 18 inches from the pole.
    - c. Antennas may not extend more than 24 inches from the equipment.
    - d. A map shall be submitted showing the location of all proposed radio transmitters and receivers. The map shall be accompanied by a list of all sites referenced by the closest street address or property identification number. The list of sites must also describe the type of pole to be used.
    - e. The applicant shall notify the city of any changes to the approved list prior to erecting or placing any additional equipment in the right-of-way.
    - f. The applicant shall notify the city at the time of permit application of any obstruction that would cause traffic to be rerouted or stopped.
    - g. The applicant shall enter into an encroachment agreement with the city if required.
- (v) Essential service structures (LB/SLB, GB/SGB, M/SM, RC/SRC, BP/SBP, I-1/SI-1, I-2/SI-2, CD, PU/SPU, AG, AP): Provided they shall not be located within 30 feet of any lot line of an abutting residential district.
- (w) Farm animals (within AG, RR, SRR zone) provided:
- (1) All farm and permitted non-domestic animals must be so contained to prevent the animals from escaping onto neighboring properties or injuring the public.
  - (2) Enclosed pens, corrals, feed lots, and structures used to house farm and permitted non-domestic animals shall be setback a minimum of 25 feet from the nearest lot line or the applicable accessory structure setback, whichever is greater (said setback shall not apply to open grazing or pasture areas).
- (x) Garage/yard sales (within RR, SRR, R-1, SR-1, SR-1a, R-2, SR-2, R-3, SR-3, R-4, SR-4, LB, SLB, AG)—Temporary: Provided as follows:
- (1) The sale is not more than four successive days in duration.

- (2) Not more than three such sales are conducted on the premises in a calendar year.
- (3) There shall be at least one month between sales on the same premises.
- (y) Gasoline and fuel sales and service establishments including accessory car washes (within GB, SGB zone): Subject to all of the following:
  - (1) Minimum front yard of 30 feet.
  - (2) All operations shall be conducted within the principal building except for vacuuming and gas pumps.
  - (3) A curb six inches above grade shall be provided at any edge of a parking lot abutting a property line which adjoins a public street.
  - (4) The site shall be planned so as not to permit water from a car wash to run into a public street or accesses thereto. A drainage system shall be installed subject to the approval of the city engineer.
  - (5) Pump islands, canopies, and tank vents shall conform to yard requirements or a minimum of 20 feet from a street right-of-way whichever is greater.
- (z) Gasoline station (within CBD zone): No more than one carwash bay and/or two service bays shall be permitted as accessory uses.
- (aa) Golf and country clubs (within residential zones and PU, SPU zone): Other than golf driving ranges and miniature golf courses but including clubhouses provided the site shall be 40 or more acres in size and shall have a direct access to a major street as defined by the city comprehensive plan. Swimming pools, tennis courts, structures and parking shall be located a minimum of 50 feet from all residential property lines.
- (ab) Group homes, foster homes or licensed residential facilities for six or fewer persons (within residential zones, LB, SLB and AG zone): Must be licensed by the state for six or fewer persons.
- (ac) Grower stand (within AG, RR, and SRR zone) are subject to all of the following conditions: a. A grower stand is allowed only if it is accessory to an on-site agricultural operation where farm products and value-added farm products are produced. b. The total sales area of a grower stand shall not exceed 1,500 square feet. c. A grower stand shall comply with the height and setback requirements that apply in the zone in which the property is located. d. No more than 15% of the grower stands sales shall come from off-site agricultural products or value-added farm products. e. Adequate on-site parking for consumers and employees shall be provided. If a grower stand consists of a structure, one off-street parking space shall be provided for each 300 square feet of structural floor area, with a minimum of two parking spaces. f. One sign shall be permitted during the operation of the growers stand, with a maximum size of 16 square feet (four feet by four feet). Such sign may contain up to two sides, and shall not encroach on the public right-of-way.
- (ad) Health and fitness club (within LB, SLB zone): Maximum size of structure 3,000 square feet GFA.
- (ae) Individual manufactured homes with a minimum dimension of less than 24 feet (within AG zone): Provided:
  - (1) They are occupied by members of the family or an employee.
  - (2) Not more than two such units are permitted on each farm.
- (af) Manufactured housing as defined by Minn. Stat. § 327.31 and further subject to the

following:

- (1) Manufactured homes will conform to Minn. Stat. §§ 327.31—327.35 (the Manufactured Home Building Code, July 1972 to present) and shall bear the state inspectors seal.
  - (2) Manufactured home foundation installations shall comply with the state building codes.
- (ag) Manufacturing, light (within LB, SLB zone): Subject to the following:
- (1) Not to exceed a gross floor area of 1,000 square feet with at least one-third of such space to be used for retail sales and display purposes.
  - (2) No outdoor storage permitted.
  - (3) No hazardous materials used in the fabrication of materials.
- (ah) Manufacturing, light (within GB, SGB, CBD zone): Subject to the following:
- (1) Not to exceed a gross floor area of 6,000 square feet with at least one-third of such space to be used for retail sales and display purposes.
  - (2) No hazardous materials used in the fabrication of materials.
- (ai) Multifamily residential (within CBD zone): Shall provide one off-street parking space per unit.
- (aj) Office—Business (within LB, SLB zone): Maximum size of structure 5,000 square feet GFA.
- (ak) Outdoor storage (within RR, R-1, SR-1, R-1a, SR-1a, R-2, SR-2 zone): Is accessory to the existing principal use of the property.
- (al) Outdoor storage (within R-3 SR-3, R-4, SR-4, LB, SLB zone): Subject to the following:
- (1) All outdoor storage is accessory to the existing principal use of the property, and shall be accommodated within a central storage area.
  - (2) Such outdoor storage area shall not be within a required yard.
  - (3) The storage area shall be screened from view from all public streets and R districts by a wall, fence and/or plant materials providing 90 percent capacity during all seasons of the year to a height above the ground of six feet, in such a manner as described in section 30-594(h).
- (am) Outdoor storage—Merchandise/material (within GB, SGB, CBD, BP, SBP, I-1, SI-1, I-2, SI-2 zone) is accessory to the existing principal use of the property: Of those items not normally considered to be retail display items, shall be subject to the requirements of section 30-594(h). Such items may include, but shall not be limited to, construction materials, tires, packaged inventory, salvaged/discarded materials, damaged or disassembled vehicles. This would not include such items as cars, trucks, recreational vehicles, lawn equipment, ornaments, etc., to the extent that the display items conform to the setback requirements for parking lots in the district.
- (an) Outdoor storage of land/sea containers (within all nonresidential zones, including MU and SMU): Shall be allowed on a temporary basis as an accessory use subject to the following:
- (1) A permit shall be obtained prior to the arrival and placement of one or more containers on the site. The permit shall be issued for a maximum of 24 consecutive months in industrial zones and 12 consecutive months in all other

nonresidential zones. In unique situations when the lapse of permit and abrupt discontinuance of the land/sea container use will not have a harmful effect upon the principal use of the property, the planning commission may consider approval of a one-time permit term extension, the length of which will be determined by the planning commission, with a maximum extension of no greater than one-year in non-industrial permitted areas. The permit shall identify the number of containers to be placed on the site within the set time period. No permit shall be reissued until at least 18 months has elapsed in industrial zones and six months has elapsed in other nonresidential zones since the expiration of the previous container permit.

- (2) Containers shall not be stacked and shall be placed on a level, stable surface allowing for adequate drainage at all times.
  - (3) Containers shall not be stored in the front yard of the property or in the required side or rear yard setback areas.
  - (4) All non-industrial properties obtaining more than two permits in three years shall screen any containers from the motoring public or residential neighborhoods immediately adjacent to the property where it is located through fencing, walls or landscaping.
  - (5) Containers shall not be placed on parking spaces required to meet the site's parking demand.
  - (6) Containers shall be placed to provide sufficient access to the container and any buildings on the site for fire fighting purposes.
  - (7) The recipient of the permit shall be the only party allowed to use the container.
  - (8) The containers shall be limited to a maximum square footage of container storage area not to exceed two percent of the gross area of the site on which the container is located. In no cases shall the footprint of all of the containers on a site exceed 3,200 square feet.
- (ao) Pharmacy (within the LB, SLB, MU, SMU zone): Must be accessory to a permitted principal use.
- (ap) Pharmacy (within the M and SM zones): May be accessory to a permitted principal use, or as a stand alone principal use, provided the following:
- (1) The lot, upon which a pharmacy, as a principal use, is to be located, shall not be adjacent to residentially zoned property.
  - (2) Type "C" bufferyard requirements shall be adhered to.
  - (3) No greater than five percent of the gross floor area of the structure shall be utilized for the display and sale of merchandise which is not either medication or medical/health care supplies.
- (aq) Private noncommercial recreation (within residential zones and LB, SLB zone): Including tennis courts, hot tubs and swimming pools provided they are located no nearer the front lot line than the principal structure and are not less than ten feet from a property line. Swimming pools shall be completely enclosed with a six-foot high protective fence and a latching gate.
- (ar) Professional, scientific, and technical services (within the LB, SLB zone): Maximum size of structure 5,000 square feet GFA.
- (as) Recycling center (within GB, SGB zone): All outdoor storage of equipment, except

automobiles and trucks up to two-ton, and materials/supplies shall be screened from public view as per the requirements of section 30-594(h).

- (at) Restaurant (within the M, SM zone): Must be accessory to a permitted principal use; no sale of alcoholic beverages.
- (au) Restaurant (within the RC, SRC zone): Must be accessory to a permitted principal use.
- (av) Retail—General sales and service (within the LB, SLB zone): Maximum size of structure shall be limited to 3,000 square feet gross floor area, and no more than 1,000 square feet GFA of retail sales space.
- (aw) Retail—General sales and service (within the AP zone): Shall be permitted to occupy up to 25 percent of the gross floor area in the main terminal building, and shall not have signs visible from the public street right-of-way.
- (ax) Salon/barbershop (within the LB, SLB zone): Maximum size of structure shall be limited to 3,000 square feet gross floor area.
- (ay) Salon/barbershop (within the R-3, SR-3, R-4, SR-4 zone): Must be accessory to a permitted principal use.
- (az) Satellite dishes and solar energy systems/collectors (within all zones): Provided they comply with the yard and height requirements for principal buildings. Where a rear yard abuts a lake or stream, satellite dishes and solar collectors shall not be permitted between the water body and the principal building.
- (ba) Schools—Elementary through secondary (within RR, SRR, R-1, SR-1, R-1a, SR-1a, R-2, SR-2, R-3, SR-3, R-4, SR-4 zone): Subject to the following:
  - (1) Small schools within existing buildings: Schools for 25 or fewer students shall be permitted within the existing principal church or religious building provided that:
    - a. Alterations: There shall be no external alteration of the building(s) or grounds to reflect school usage.
    - b. Parking: There shall be sufficient parking within the existing parking lot to accommodate off-street parking as required by section 30-628.
  - (2) Primary, middle or secondary schools:
    - a. Minimum site area: One-acre.
    - b. Minimum yards: 30 feet from all R district lot lines or the minimum for the district, whichever is greater.
    - c. All other requirements of the zoning district are met.
    - d. The use shall be subject to the site development standards in division 7, and for bufferyard purposes shall be treated as an R-3 property.
- (bb) Shooting ranges (within RC zone): Subject to the following:
  - (1) All shooting ranges shall be subject to the standards set forth in Minn. Stat. ch. 87A, as may be amended.
  - (2) Shooting activities and discharge of firearms shall be limited to 7:00 a.m. to 10:00 p.m. daily.
  - (3) All shooting ranges shall comply with the minimum standards for range design, location, management, operation, noise abatement and safety listed in the National Rifle Association's Range Sourcebook, 1999; or successor

sourcebook.

- (4) No part of any shooting range may be located within 500 feet of any residential dwelling, commercial or industrial building or other structure used for human occupancy.
  - (5) There shall be no discharge of lead shot into any wetland.
- (bc) Senior housing with services (within RR, R-1 and R-2 zone): Subject to the following:
- (1) For six or fewer persons, said use shall be licensed by the State of Minnesota for six or fewer persons.
  - (2) For seven to eight persons, in situations when the area of the lot upon which the proposed use is to be located is equal to or less than two acres, the use will be considered as a conditional use, and, as such will require the issuance of a conditional use permit by the city.
  - (3) For nine to 16 persons, the maximum density of the proposed use shall not exceed four persons per acre.
- (bd) Temporary buildings (within all zones): Incidental to construction work on the premises. Such buildings shall be removed upon completion or abandonment of such work or within the period of one-year from the establishment of the building whichever is the lesser.
- (be) Temporary outdoor sales (within GB, SGB, CBD, MU, SMU, PU, SPU zone): Subject to all of the following:
- (1) The sale is conducted by the owner or lessee of the premises, or with his written permission.
  - (2) The sale is no longer than four months in duration.
  - (3) The setbacks for a parking lot in that district shall be met for the storage and display of all merchandise and equipment used for the sale.
  - (4) One sign shall be permitted per vendor, with a maximum size of 16 square feet (four feet by four feet). Such sign may contain up to two sides. Off-premises signs shall not be permitted.
  - (5) Parking demand shall be sufficiently met. If the use of parking spaces by the temporary outdoor sales results in insufficient parking for the area, the temporary outdoor sales area must be reduced to ensure sufficient parking supply.
- (bf) Vending machines (within LB, SLB, GB, SGB, CBD, MU, SMU, M, SM, SRC, I-1, SI-1, I-2, SI-2, PU, SPU, AP zone): Subject to the following:
- (1) Must be accessory to a permitted principal use.
  - (2) Must conform to setback requirements of principal structure.
  - (3) Must be located adjacent to principal structure.
- (bg) Veterinary services (within CBD zone): Limited to domestic animals only.
- (bh) Veterinary services (within BP, SBP zone): All animals shall be housed indoors.
- (bi) Video arcades (within GB, SGB, and CBD zone): Subject to the following:
- (1) Any arcade with 15 or more machines shall have an adult supervisor on the premises during all hours of operation.
  - (2) No arcade shall be operated within 500 feet of a school, church or residence.
- (bj) Warehouse—General (within PU, SPU zone): Limited to the indoor storage of private recreational vehicles. Warehouse space shall not be leased, rented or sold for

commercial purposes or uses.

- (bk) Woodpiles: Are maintained in a neat, safe and orderly fashion and further provided that they are not stored in the front yard or nearer the front lot line than the principal building, or less than five feet from any other lot line.

(Code 1978, § 23.5(H); Ord. No. 06-03-02, 3-27-2006; Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007; Ord. No. 12-06-07, Exh. E, 6-11-2012; Ord. No. 12-12-11, Exh. C, 12-17-2012; Ord. No. 13-10-12, 10-28-2013; Ord. No. 16-05-05, Exhs. B, D, 5-23-2016; Ord. No. 17-04-02, 4-24-2017)

**SECTION 5:** AMENDMENT “30-482 Zoning Districts Map” of the Grand Rapids Municipal Code is hereby *amended* as follows:

#### AMENDMENT

##### 30-482 Zoning Districts Map

The location and boundaries of the districts established in section 30-481 are shown upon the official zoning map, together with all notations, references and other information shown thereon, and all amendments thereto, shall be as much a part of this division as if fully set forth and described in this section. The zoning map shall be kept on file in the office of the Zoning Administrator. ~~city administrator~~.

(Code 1978, § 23.5(B); Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

**SECTION 6:** AMENDMENT “30-421 Definitions” of the Grand Rapids Municipal Code is hereby *amended* as follows:

#### AMENDMENT

##### 30-421 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Accessory building* means a subordinate building or structure on the same lot with a principal or main building, or the part of the main building occupied or devoted exclusively to an accessory use. In a shoreland zone, an accessory structure or facility means any building or improvement subordinate to a principal use which, because of the nature of its use, can reasonably be located at or greater than normal structure setbacks.



*Accessory use* means a use on the same lot with the principal use of or building that is customarily incidental and subordinate to the principal use or building.

*Administrative and support services* means establishments engaged in activities that support the day-to-day operations of other organizations. The processes employed in this sector (e.g., general management, personnel administration, clerical activities, telemarketing bureaus and contact centers, cleaning activities) are often integral parts of the activities of establishments found in all sectors of the economy.

*Agriculture* means the use of the land for agricultural purpose, including farming, dairying, pasturage, horticulture, animal and poultry husbandry and the necessary accessory uses for packing, treating or storage of produce; provided, however, the operation of any such accessory uses shall be secondary to that of normal agriculture and provided further that these uses shall not include the commercial feeding of garbage or offal to swine or other animals.

*Airport or heliport* means any land or structure which is used or intended for use, for the landing and take-off of aircraft, and appurtenant land or port building or other port structures or rights-of-way.

*Airspace zones A, B, and C.* Refer to article III of this chapter.

*Alley* means a public right-of-way which affords a secondary means of access to abutting property.

*Alterations* means any modification, additions, or change in construction or type of occupancy; any enlargement of a building, either horizontally or vertically; or the moving of a structure from one location to another.

*Animals, domestic,* means fish, dogs, cats, birds and similar household pets.

*Animals, farm,* means cattle, hogs, horses, sheep, goats, rabbits, chickens and other farm animals.

*Animals, wild and exotic,* means animals other than domestic and farm animals that are customarily found in the wild and including snakes, wolves, and tigers and other such animals.

*Antenna support structure* means a building, athletic field lighting, water tower, or other structure, other than a tower, which can be used for location of telecommunications facilities.

*Apartment* means a room or suite of rooms, including bath and kitchen facilities, in a multiple-family building designed for occupancy by a single family.

*Apartment, accessory,* means an apartment that is secondary and incidental to a principal use or building.

*Applicant* means a person who applies for a permit to develop, construct, build, modify or erect a building, structure or use.

*Application* means the process by which the owner of a plot of land within the city submits a request to develop, construct, build, modify or erect a building, structure or use upon that land.

*Attorney* means the city attorney or his designated representative.

*Basement* means a portion of a building located partly underground, but having less than half its floor-to-ceiling height below the average grade of the adjoining ground.

*Bed and breakfast* means a facility where for compensation and by prearrangement for definite periods of time not to exceed one week, morning meals and lodging are provided for not more than eight guestrooms.

*Bluff* means 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):

- (a) Part or all of the feature is located in a shoreland area;
- (b) The slope rises at least 25 feet above the ordinary high water level of the waterbody;
- (c) 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
- (d) The slope must drain toward the waterbody.

*Bluff impact zone* means a bluff and land located within 20 feet from the top of a bluff.

*Board of adjustments and appeals, zoning board, board of adjustment, board of zoning appeals, board or board of appeals* means the planning commission.

*Boardinghouse* means a building other than a motel or hotel, where, for compensation and by prearrangement for definite periods, meals and lodging are provided for not less than three or more than eight persons.

*Boathouse* means a structure designed and used solely for the storage of boats or boating equipment.

*Brewery/distillery/winery*, means a structure or portion of a structure dedicated to the licensed production and packaging of intoxicating malt liquor, distilled spirits, or wine, and not including any permitted associated retail use or uses.

*Building* means any structure having a roof which may provide shelter or enclosure of persons, animals or chattel, and when the structure is divided by party walls without openings, each portion of such building so separated shall be deemed a separate building. The term "building" includes the term "structure."

*Building height* means the distance between the average ground level at the building line and the highest point of the roof or flat roof, to the deckline of a mansard or to the highest gable on a pitched or hipped roof. In a shoreland district, the height of building means the vertical distance between the highest adjoining ground level at the building or ten feet above the lowest ground level, whichever is lower, and the highest point of a flat roof or average height of the highest gable of a pitched or hipped roof.

*Building line* means that line measured across the width of the lot at the point where the main structure is placed in accordance with setback provisions. Building line also means a line parallel to a lot line or the ordinary high water level at the required setback beyond which a structure may not extend.

*Building, principal*, means a building in which is conducted the main or primary use of the lot on which it is located.

*Carport* means an open-sided roofed automobile shelter, usually formed by extension of the roof from the side of a building.

*Carwash* means a principal building which is equipped with a conveyor system or other mechanical equipment and facilities for washing motor vehicles.

*Carwash, accessory*, means an accessory building or part of a principal building equipped with mechanical equipment for washing autos (not a conveyor system) which is accessory to an automobile service or gasoline station and comprises only one normal service bay of the gas station.

*Cellar* means that portion of the building having more than half of the floor-to-ceiling height below the average grade of the adjoining ground.

*Church* means 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 engineer* means the professional engineer employed by the city or person otherwise authorized by the city.

*Clinic* means an establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians, dentists, mental health specialists or similar professionals.

*Club, lodge, membership organization* means a nonprofit organization or association which meets on a regular basis regarding the interests of its members and their guests.

*Cluster housing* means the grouping of housing units which results in higher density clusters while maintaining approximately the same overall allowable site density. Cluster housing shall include townhouses, zero lot line houses, row houses and similar housing types.

*Commercial planned unit developments* are typically uses that provide transient, short-term lodging spaces, rooms, or parcels and their operations are essentially service-oriented. For example, resorts, recreational vehicle and camping parks, and other primarily service-oriented outdoor activities are commercial planned unit developments.

*Commercial use* means the principal use of land or buildings for the sale, lease, rental, or trade of products, goods, and services.

*Commission* means the planning commission of the city.

*Commissioner* means the commissioner of the department of natural resources.

*Communication services* means a public or commercial facility primarily engaged in the provision of broadcasting and other information relay services. This term includes radio and television studios, cable and internet providers, and related services and equipment. This term does not include major communication equipment.

*Comprehensive plan* means a compilation of policy statements, goals, standards and maps for guiding the physical, social and economic development of the city and including a land use plan, a community facilities plan, and a transportation plan which has been prepared and adopted by the city.

*Conditional use* means a use which is permitted in a district only upon issuance of a conditional use permit (CUP). It means a land use or development as defined by ordinance that would not be appropriate generally but may be allowed with appropriate restrictions as provided by official controls upon a finding that certain conditions as detailed in this article exist, the use or development conforms to the comprehensive land use plan of the community, and the use is compatible with the existing neighborhood.

*Congregate housing* means group housing for three or more individuals not related by blood, marriage or adoption on a weekly or longer basis. Typical uses include retirement homes and boardinghouses.

*Construction material suppliers* means establishments (except those known as home centers, and hardware stores) primarily engaged in retailing specialized lines of new building materials, such as lumber, fencing, glass and windows, doors, plumbing fixtures and supplies, paint and wallpaper stores, electrical supplies, prefabricated buildings and kits, and kitchen and bath cabinets and countertops to be installed.

*Council* shall refer to the city council of the city.

*Curb level* means the level of the established curb front of a building measured at the center of such front. Where no curb elevation has been established, the mean elevation of the finished lot grade immediately adjacent to a building shall be considered the curb level for purposes of this article.

*Day care center* means a use defined by Minn. Stat. ch. 462, which is operated for profit for the daytime only care of children and adults.

*Deck* means a horizontal, unenclosed platform with or without attached railings, seats, trellises, or other features, attached or functionally related to a principal use or site.

*Density* means the number of dwelling units residing upon, or to be developed upon, an acre of land.

*District* means an area of land for which there are uniform regulations governing the use of buildings and premises.

*Driveway* means a private roadway, other than a street or alley that provides access to a parking space, garage, dwelling or other buildings and structures.

*Duplex, triplex, and quad*, mean a dwelling structure on a single lot, having two, three, and four units, respectively, being attached by common walls and each unit equipped with separate sleeping, cooking, eating, living, and sanitation facilities.

*Dwelling* means any building or portion thereof, which is designed or used exclusively for residential purposes but not including rooms in motels, hotels, nursing homes, boardinghouses, nor trailers, tents, cabins or trailer coaches.

*Dwelling, attached*, means a dwelling which is joined to another dwelling at one or more sides by a party wall or walls.

*Dwelling, detached*, means a single-family dwelling.

*Dwelling, multiple-family*, means a residential building, or portion thereof, containing three or more dwelling units.

*Dwelling, single-family*, means a detached building designed for or occupied exclusively by one family.

*Dwelling, twin home*, means a residential building containing two dwelling units divided by a common property line and may have different owners.

*Dwelling, two-family*, means a residential building containing two dwelling units.

*Dwelling, unit*, means a building, or portion thereof, which includes complete kitchen and toilet facilities and is designed exclusively for one family.

*Educational service institution* means a specialized establishment dedicated to providing educational instruction and training outside of traditional primary, secondary, and post secondary campus settings. These operations often differ from traditional educational campuses in that there may be flexible operating schedules and generally no associated sports complexes, large bus parking areas, etc. that are associated with a traditional educational campus setting. Such establishments may include: remedial secondary programs/schools, business, computer and management training schools/centers, technical and trade schools, fine art schools and examination and tutoring centers.

*Emergency housing facility* means a building or portion thereof where persons who do not have housing live until more permanent arrangements can be made.

*Essential services* means the erection, construction, alteration or maintenance by private or public utilities, or municipal departments of underground or overhead telephone, gas, electrical, steam, hot water, waste, or water transmission, distribution, collection, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith for the furnishing of adequate service by such private or public utilities or municipal departments. Essential services shall not include waste facilities (transfer facilities, landfills, or other sanitary solid waste).

*Essential service structure* means structures and buildings necessary for the operation of essential services, including buildings not limited to: telephone buildings, telephone booths, gas regulator stations, substations, electrical stations, water tanks, lift stations or pump houses. Essential service structures shall not include transmission/reception antennas.

*Extractive use* means the use of land for surface or subsurface removal of sand, gravel, rock, industrial minerals, other nonmetallic minerals, and peat not regulated under Minn. Stat. §§ 93.44—93.51.

*Family* means an individual, or two or more persons related by blood, marriage or adoption, or group of not more than four persons not so related, living together as a single housekeeping unit using common cooking and kitchen facilities.

*Floodway* means an area subject to periodic flooding as delineated by a flood boundary on the zoning map.

*Floor area* means the sum of the gross horizontal areas of the floors of a building or dwelling unit, measured from the exterior walls, or from the centerline of party walls separating buildings, excluding cellars but including basements.

*Forest land conversion* means the clear cutting of forested lands to prepare for a new land use other than reestablishment of a subsequent forest stand.

*Garage, private*, means an accessory building or an accessory portion of a principal building designed or used solely for the storage of noncommercial motor vehicles, boats, and similar vehicles which are owned and used by the occupants of the building to which it is accessory.

*Garage/yard sale* means the temporary display and sale of goods within the garage and/or driveway of a residence.

*Gasoline station* means a structure plus an area of land that is used or designed for the supply of motor vehicle fuels. For the purpose of this article, this term shall also mean an area or structure used for greasing, changing the oil, washing or repairing automobiles when such uses are accessory to the principal gasoline station use.

*Ghost plat* means a plan that shows the eventual build out of a parcel at urban densities by establishing future lot lines; building envelopes; layout of future streets; easements; and information on how public utilities may be extended to accommodate future, urban development.

*Gross floor area (GFA)* means, for the purpose of computing required parking, the floor area for the building excluding accessory garages, underground parking, areas not enclosed by exterior walls, mechanical rooms, patios, decks, restrooms, elevator shafts, or stairwells.

*Group, foster home*, means a residential use defined by Minn. Stat. ch. 462, which provides housing for the mentally retarded, physically handicapped and those in need of rehabilitation, excepting mental rehabilitation.

*Group usable open space* means open space associated with a multiple-family development that is not part of a required yard, is relatively free of buildings and is available for recreational usage by the residents.

*Grower stand*, means an area accessory to an on-site agricultural operation that is used to sell farm products produced on-site where the total sales area does not exceed 1,500 square feet.

*Guest cottage* means a structure used as a dwelling unit that may contain sleeping spaces and kitchen and bathroom facilities in addition to those provided in the primary dwelling unit on a lot.

*Guestroom* means a room or group of rooms occupied, arranged or designed for occupancy by one or more guests for compensation.

*Hardship* means the same as that term is defined in Minn. Stat. ch. 462.

*Hazardous material* means any substance that because of its quantity, concentration, or physical/chemical characteristic poses a significant present or potential hazard to human health or the environment when improperly used, handled, treated, processed, stored, transported, disposed of, or otherwise managed.

*Health and fitness club* means a business that provides recreational services and facilities, usually for the benefit of its membership or the general public, involving aerobic exercises, strength and cardiovascular equipment, indoor or outdoor game courts, swimming pools, running tracks, massage, tanning and other personal services, saunas, steam room, showers and lockers and the like that may be used at any time that the operation is open for business.

*Home occupation* means a gainful occupation conducted in a residential building which is clearly secondary and incidental to the principle residential use of such building and generates no appreciable increase in traffic at any time over that customarily associated with a residential use.

*Hotel* means a building containing eight or more guestrooms in which lodging is provided with or without meals for compensation and which is open to transient or permanent guests or both, and where no provision is made for cooking in any guestroom, and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge.

*Impervious surface* refers to improvements on or to the land which prevent precipitation from percolating into the soil. Impervious surface includes buildings, concrete or asphaltic pavement, compacted class 5 (gravel), or other similar hard surfaces. It does not include naturally occurring surface bedrock. Porous decks or paving systems over unpaved or uncompacted surfaces are not considered impervious.

*Industrial use* means the use of land or buildings for the production, manufacture, warehousing, storage, or transfer of goods, products, commodities, or other wholesale items.

*Intensive vegetation clearing* means removal of trees, brush or shrubs in a way that would greatly reduce the natural screening and decrease the aesthetic and ecological values of the property.

*Junkyard* means an area where used, waste, discarded, or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, including, but not limited to, scrap iron, and other metals, paper, rags, rubber products, bottles and lumber. Storage of such material in conjunction with a permitted manufacturing process when within an enclosed area or building shall not be included.

*Juvenile detention center* means a secure facility to detain juveniles being held for court.

*Kennel* means any lot or premises used for the sale, boarding or breeding of dogs, cats or other household pets. Kennel shall mean three or more animals over six months of age.

*Land reclamation* means the rehabilitation of land through the establishment on a continuing basis of vegetative cover, soil stability, water conditions, safety conditions and other measures appropriate to the subsequent beneficial use of mined and reclaimed lands. This may include the conversion of the property to other uses.



*Land/sea container* means a fully enclosed metal or other prefabricated material structure, container, holder or receptacle, sometimes called a cargo container, which is independent of any trailer or axels, greater than five feet in length, has an opening for access which may or may not have a door attached, and which is used for purposes of, but not limited to storage, transportation of freight or holding for sale or lease. It does not include tractor-trailers.

*Licensed residential facility* means a program that provides 24-hour-a-day care, supervision, food, lodging, rehabilitation, training, education, habilitation, or treatment outside of a person's own home which is registered under Minn. Stat. ch. 144D.

*Limited clearing* means the removal of trees, brush or shrubs in a noncontiguous pattern to allow visibility and other permitted uses. Limited clearing shall not greatly reduce the natural screening assuming summer leaf on conditions. For the purpose of this definition, trees are woody plants that attain a height of 20 feet or more, with a single woody stem and a definite crown. Brush/shrubs are smaller than trees, usually with multiple woody stems, and seldom exceeds 12 feet in height.

*Lot* means land occupied or to be occupied by a building, land use or group of buildings together with such open spaces or yards as are required by this article and having its principal frontage on a public street. The term "lot" includes the terms "plot" or "parcel."

*Lot area* means the area of a lot in square feet as bounded by the lot lines.

*Lot area per dwelling unit* means the number of square feet of lot area required for each dwelling unit.

*Lot, corner*, means a lot which has at least two contiguous sides abutting upon a street for their full length.

*Lot coverage, building*, means the percent of the lot covered with principle and accessory buildings.

*Lot interior* means a lot other than a corner lot.

*Lot line* means the lines bounding a lot as described in this article.

*Lot of record* means a lot which is part of a subdivision or plat, an auditor's subdivision or a registered land survey; or a parcel of land not so platted, for which a deed has been recorded in the county recorder's office prior to September 10, 1975.

*Lot, through*, means a lot where opposite lot lines abut two parallel streets and which is not a corner lot.

*Lot width* means the width measured along the front lot line of or street line, or the shortest distance between lot lines measured at the midpoint of the building line.

*Manufactured home* means 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 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 the certification required and complies with the standards established under Minn. Stat. ch. 327.

*Manufactured home park* means any premises on which are parked two or more occupied manufactured homes.

*Manufacturing, heavy*, means a use engaged in the basic processing, manufacturing, packaging, assembly, compounding or treatment of materials or products predominantly from extracted or raw materials, or a use engaged in storage of or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

*Manufacturing, light*, means a use engaged in the manufacture, fabrication, processing, packaging or assembly, predominantly from previously prepared materials, of finished products or parts, but excluding basic industrial processing. The activities shall take place in a manner which will not produce offensive conditions observable from neighboring properties.

*Medical equipment and supplies* means establishments primarily engaged in the sale, leasing or rental of durable medical equipment and supplies operating out of a permanent structure. It does not include establishments primarily engaged in the sale of pharmaceuticals, medicines, optical goods, beauty supplies, and food supplement products.

*Membrane structure* means a structure with a canvas or other membrane material canopy suspended from a pole structure that has at least one end that can be opened.

*Mini storage* means an enclosed storage facility containing multiple individual units used solely for the storage of personal property. These units are intended to be leased or rented to private individuals. This facility is not intended to be used for commercial or industrial storage, nor shall the storage of flammable liquids or other hazardous materials be permitted.

*Mining* means the extraction of sand, gravel or other such material from the land in the amount of 400 or more cubic yards.

*Mobile home* is synonymous with manufactured home whenever it appears.

*Mobile home park* is synonymous with manufactured home park whenever it appears.

*Modular housing* means a factory-built home, other than a manufactured home, composed of components substantially assembled in a manufacturing plant which are designed only for final erection or installation on a site-built, permanent foundation and is not designed to be moved once so erected or installed. Modular housing shall be regulated like dwellings which are constructed on site.

*Motel* means a building or group of attached or detached buildings under common ownership containing eight or more guests or sleeping rooms which is used or intended to be used primarily for the accommodation of transient automobile travelers. This term shall include buildings designated as auto courts, tourist courts, motor courts, motor hotels and similar names.

*Motor freight terminal* means a building or area in which freight brought by motor truck is assembled and/or stored for routing in intrastate or interstate shipment.

*Multiple-family dwelling.* See "Dwelling, multiple-family."

*Nonconforming use* means a building or use of land existing at the time of adoption of the ordinance from which this article is derived which does not conform to the regulations of the district or zone in which it is situated.

*Nursery, landscape,* means a business involving retail or wholesale sales of trees, flowering and decorative plants, and shrubs for purposes of transplanting, as well as accessory items directly related to their care and maintenance, which may be conducted within a building or without.

*Nursery school* means a school for children of preschool age.

*Off-road motorized sport vehicle trails* means a trail developed or designated for the purposes for motorized sport vehicles such as all-terrain vehicles and dirt bikes.

*Offices, business,* means a building in which business of a non-retail low-traffic generating nature and clerical services and duties are carried out, including corporate offices, banks, credit unions, insurance and real estate offices and similar uses.

*Open space* means any unoccupied spaces open to the sky on the same lot with a building.

*Ordinary high water level* means 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, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and flowages, the ordinary high water level is the operating elevation of the normal summer pool.

*Outdoor display* means the storage or exhibition outside a commercial building of a representative sample of merchandise, goods or inventory intended for sale, rent or lease in the normal course of the principal occupant's business.

*Outdoor storage* means the practice and keeping of materials, supplies, or equipment on a lot but not within the confines of a structure.

*Performance standard* means a criterion established to control noise, odor, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat generated by or inherent in uses of land or buildings.

*Person* means any natural person, firm, partnership, association, corporation, company or other legal entity, private or public, whether for profit or not for profit.

*Planned unit development* means a type of development characterized by a unified site design for a number of dwelling units or dwelling sites on a parcel, whether for sale, rent, or lease, and also usually involving clustering of these units or sites to provide areas of common open space, density increases, and a mix of structure types and land uses. These developments may be organized and operated as condominiums, time-share condominiums, cooperatives, full fee ownership, commercial enterprises, or any combination of these, or cluster subdivisions of dwelling units, residential condominiums, townhouses, apartment buildings, campgrounds, recreational vehicle parks, resorts, hotels, motels, and conversions of structures and land uses to these uses.

*Principal use of structure* means the main use to which the premises are devoted and the principal purpose for which the premises exist.

*Professional, scientific and technical services*, means a place devoted to experimental study such as testing and analyzing materials, not including manufacturing or packaging of such materials, except incidentally. These activities require a high degree of expertise and training. The establishments in this sector specialize according to expertise and provide these services to clients in a variety of industries and, in some cases, to households. Activities performed include: legal advice and representation; accounting, bookkeeping, and payroll services; architectural, engineering, and specialized design services; computer services; medical and dental clinics; consulting services; research services; advertising services; and other professional, scientific, and technical services.

*Public hearing* means an official public meeting for which notice has been published in the official newspaper.

*Public waters* means any waters as defined in Minn. Stat. § 103G.005, subd. 15.

*Publication* means a notice placed in the official newspaper.

*Recreational equipment, major* means: travel trailers (including those that telescope or fold down), chassis-mounted campers, truck toppers, motor homes, tent trailers, converted buses, watercraft, trailer, all-terrain vehicle, snowmobile, dark house, fish house, and the like.

*Recreational facility, commercial-outdoors*, means an area or structure that offers commercial entertainment or recreation where any portion of the activity takes place outside. This includes but is not limited to batting cages, miniature golf, paint ball, go-cart track, or similar activities. This use may include associated accessory eating and drinking areas, retail sales areas and staff offices. This definition does not include trails for off-road motorized vehicle sports such as dirt bike and all-terrain vehicles.

*Residential planned unit development* means a use where the nature of residency is non-transient and the major or primary focus of the development is not service-oriented. For example, residential apartments, manufactured home parks, time-share condominiums, townhouses, cooperatives, and full fee ownership residences would be considered as residential planned unit developments. To qualify as a residential planned unit development, a development must contain at least five dwelling units or sites.

*Retail, convenience*, means a retail establishment offering for sale a limited line of groceries and household items, except for gasoline, intended for the convenience of the neighborhood.

*Retail, general sales and services*, refers to a broad range of commercial activities operating out of a permanent structure catering to the general public. It does not include other land uses referred to in Table 1 (uses permitted) in section 30-512.

*Right-of-way* means a street, alley or easement permanently established for the passage of persons and vehicles including the traveled surface and adjacent lands that are formally dedicated to such usage.

*Rooming house* means a building that is the primary residence of the owner and in which rooms are provided by the owner, for compensation, to persons not related by blood, marriage, or adoption to the owner.

*Rooming unit* means any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking and eating purposes.

*Senior citizen housing* means housing that is exclusively for occupancy by a family of elderly persons over 65 years of age.

*Senior housing with services* means an establishment, licensed by the State of Minnesota, whose purpose is to provide living accommodations along with health related services primarily for the elderly, as further defined by Minn. Stat. § 144D.01, subpart 4.

*Sensitive resource management* means the preservation and management of areas unsuitable for development in their natural state due to constraints such as shallow soils over groundwater or bedrock, highly erosive or expansive soils, steep slopes, susceptibility to flooding, or occurrence of flora or fauna in need of special protection.

*Setback* means the minimum horizontal distance between a structure, sewage treatment system, or other facility and an ordinary high water level, sewage treatment system, top of a bluff, or property line.

*Sewage treatment system* means a septic tank and soil absorption system or other individual or cluster type sewage treatment system as described and regulated in this article.

*Sewer system* means pipelines or conduits, pumping stations, and force main, and all other construction, devices, appliances, or appurtenances used for conducting sewage or industrial waste or other wastes to a point of ultimate disposal.

*Shooting range* means an area or facility designated or operated primarily for the use of firearms or archery.

*Shore impact zone* means land located between the ordinary high water level of a public water public waters and a line parallel to it at a setback of 50 percent of the structure setback.

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

*Significant historic site* means any archaeological site, standing structure, or other property that meets the criteria for eligibility to the National Register of Historic Places or is listed in the state register of historic sites, or is determined to be an unplatted cemetery that falls under the provisions of Minn. Stat. § 307.08. A historic site meets these criteria if it is presently listed on either register or if it is determined to meet the qualifications for listing after review by the state archaeologist or the director of the state historical society. All unplatted cemeteries are automatically considered to be significant historic sites.

*Solar collector* means a device, structure or part thereof that transfers direct solar energy into thermal, chemical or electrical energy and that contributes significantly to a structure's energy supply.

*Solar energy* means radiant energy, direct, diffuse and reflected, received from the sun.

*Solar skyspace* means the space between a solar collector and the sun that shall be free of obstructions so the collector is not shaded to an extent that precludes its cost-effective operation.

*Stealth* means designed to blend into the surrounding environment; examples of stealth facilities include, without limitation, architecturally screened roof-mounted antennas, antennas integrated into architectural elements, and telecommunications towers designed to appear other than as a tower, such as light poles, power poles, and trees.

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

*Street* means a public thoroughfare which affords the principal means of access to abutting property.

*Street line* means the legal line of demarcation between a street and abutting land.

*Structure* means anything constructed or erected, the use of which requires a location on the ground, or attached to something having a location on the ground.

*Subdivision* means land that is divided for the purpose of sale, rent, or lease, including planned unit developments, as defined in article V of this chapter.

*Surface water-oriented commercial use* means the use of land for commercial purposes, where access to and use of a surface water feature is an integral part of the normal conductance of business. Marinas, resorts, and restaurants with transient docking facilities are examples of such use.

*Taproom/tasting room*, means an area for the on-sale consumption of malt liquor/distilled spirits or wine, produced on the premises of a brewery/distillery/winery or an abutting property in common ownership of the producer, which may include sales of beverages produced and packaged on site for off-premises consumption as allowed by Minnesota Statutes, as amended. A taproom/tasting room use may or may not include a restaurant component.

*Telecommunications facilities* means cables, wires, lines, wave guides, antennas or any other equipment or facilities associated with the transmission or reception of telecommunications located or installed on or near a tower or antenna support structure. The term does not include:

- (a) A satellite earth station antenna two meters in diameter or less located in an industrial or commercial district; or
- (b) A satellite earth station antenna one meter or less in diameter, wherever located; or
- (c) A tower.

*Telecommunications tower or tower* means a self-supporting lattice, guyed, or monopole structure constructed from grade that supports telecommunications facilities; the term does not include amateur radio operations equipment licensed by the Federal Communications Commission.

*Toe of the bluff* means the point on a bluff where there is, as visually observed, a clearly identifiable break in the slope, from gentler to steeper slope above. If no break in the slope is apparent, the toe of the bluff shall be determined to be the lower end of a 50-foot segment with an average slope exceeding 18 percent.

*Top of the bluff* means the point on a bluff where there is, as visually observed, a clearly identifiable break in the slope, from steeper to gentler slope above. If no break in the slope is apparent, the top of the bluff shall be determined to be the upper end of a 50-foot segment with an average slope exceeding 18 percent.

*Tourist home* means a building providing lodging for not less than three, or more than eight tourists where accommodations have no cooking facilities.

*Transportation dispatch and storage* means a facility that provides storage and dispatch of taxi, limousine, charter/school/tour/public transit bus services, and all other similar vehicles that provide passenger transportation.

*Truck* means any vehicle or combination of vehicles or trailers whose total weight loaded or unloaded exceeds 10,000 pounds, or is registered with a GVW of 12,000 pounds or more, except recreational vehicles shall not be considered trucks for the purpose of this article.

*Use* means the purpose or activity for which the land or building thereon is designated, arranged, or intended, or for which it is occupied or maintained and shall include any manner of performance of such activity with respect to the performance standards of this article.

*Use, conditional*, means a permitted use which is potentially detrimental to a neighborhood or area which requires special treatment and the issuance of a CUP.

*Use, permitted by PUD*, means a use which is permitted only if the PUD procedure is used and a plan is formally approved by the city.

*Use, permitted with special restrictions*, means a use which is permitted in the district under which it is listed in division 7 of this article subject to all of the conditions listed.

*Used or occupied* includes the terms "intended," "designed" or "arranged" to be used or occupied.

Value-added farm product, means a farm product that has been changed from its natural state to an item in a different form through canning, drying, freezing, preserving, fermenting, compounding, processing, packing, or a similar alteration, so as to increase the value of the farm product.

*Variance* means the same as that term is defined or described in Minn. Stat. ch. 462.



*Veterinary services* means an establishment providing medical and surgical treatment of household animals including dogs, cats, birds, and similar animals. Large farm animals including cattle, horses, hogs, and similar animals shall not be treated at a small animal veterinary clinic. This term includes grooming and boarding for not more than 30 days and an animal crematorium.

*Warehouse, general*, means a use dedicated to the storage of materials, equipment, merchandise or commodities within an enclosed building, as a principal use, including packing and crating.

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

*Wetland* means a surface water feature classified as a wetland by the Wetland Conservation Act of 1991.

*Wholesale and distribution facility* means establishments or places of business primarily engaged in selling of goods and merchandise to retailers; to industrial, commercial, institutional, and professional business users; or to other wholesalers and related subordinate services.

*Yard or setback* means a required open space on a lot which is unoccupied and unobstructed from the ground upward, except as otherwise provided for in this article. The measurement of a yard shall be construed as the minimum horizontal distance between the lot line and the building line.

*Yard, front*, means a yard existing along the full width of the front lot line between side lot lines and extending from the abutting front street right-of-way line to a depth required in the front yard regulations for the district in which such lot is located. On a corner lot the narrowest street dimension shall be the front yard.

*Yard, interior side*, means a side yard which is not adjacent to a street.

*Yard, rear*, means a yard extending along the full width of the rear lot line between the side lot lines and extending toward the front lot line for a depth as specified in the yard regulations for the district in which such lot is located.

*Yard, side*, means a yard extending along a side lot line between the front and rear yards, having a width as specified in the yard regulations for the district in which such lot is located.

*Yard, street side*, means a side yard which is adjacent to a street.

*Zero lot line housing* means single-family detached dwellings located on individual lots which are designed to have little or no setback from lot lines.

*Zoning administrator* means the person, or designee, charged with the administration and enforcement of this article.

*Zoning district.* See "District."

(Code 1978, § 23.3(A), (D); Ord. No. 06-03-01, 3-13-2006; Ord. No. 06-03-02, 3-27-2006; Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007; Ord. No. 10-01-01, 1-25-2010; Ord. No. 12-06-07, Exh. B, 6-11-2012; Ord. No. 12-12-11, Exh. A, 12-17-2012; Ord. No. 15-07-05, Exh. A, 7-27-2015; Ord. No. 16-05-05, Exh. D, 5-23-2016; Ord. No. 17-04-02, 4-24-2017)

**EFFECTIVE DATE** This Ordinance shall be in full force and effect after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF GRAND RAPIDS COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Dale Adams	_____	_____	_____	_____
Tasha Connelly	_____	_____	_____	_____
Michelle Toven	_____	_____	_____	_____
Rick Blake	_____	_____	_____	_____
	_____	_____	_____	_____

Presiding Officer

Attest

\_\_\_\_\_  
Dale Christy, Mayor, City of Grand Rapids

\_\_\_\_\_  
Kimberly Gibeau, City Clerk City of Grand Rapids