

## 9.0 DEFINITIONS

### 9.1 DEFINITIONS

The following words and terms, wherever they occur in this Ordinance, shall be interpreted as herein defined. Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give the same meaning as they have in common usage to give this ordinance the most reasonable application. For purposes of this ordinance must and shall are mandatory and not permissive.

1. Accessory Building, Facility or Structure. A subordinate structure or improvement that is located on the same lot on which the principal building is situated and is reasonably necessary and incidental to the conduct of the primary or principal use of such building and can reasonably be located at or greater than normal structure setbacks. A building is considered an accessory structure if the footprint exceeds 25 square feet and/or 6 feet in height. An attached or detached garage is considered an accessory structure. A retaining wall is considered an accessory facility.
2. Accessory Use. A subordinate use which is located on the small lot on which the principal use is situated and is reasonably necessary and incidental to the conduct of the primary or principal use.
3. Agriculture Uses. Those uses commonly associated with the growing of produce on farms. These include field crop farming, pasture for hay, fruit growing, tree, plant, shrub, or flower nursery without buildings, truck gardening, roadside stand for sale in season, and livestock raising and feeding; but not including fur farms, commercial animal feed lots, and kennels.
4. Alteration. To change or make different; remodel or modify.
5. Animals, Domestic Farm. As defined in Municipal Code Chapter 151.
6. Animals, Domestic Pets. As defined in Municipal Code Chapter 151.
7. Animals, Non-Domestic. As defined in Municipal Code Chapter 151
8. Antenna. That portion of any equipment used to radiate or receive radio frequency energy for transmitting or receiving radio or television waves. Antennas may consist of metal, carbon, fiber, or other electromagnetically conductive rods or elements, to the extent not pre-empted by the Federal Communications Code.
9. Artificial Obstruction. Any obstruction which is not a natural obstruction.
10. Automobile Repair, Major. General repair, rebuilding or reconditioning of engines in motor vehicles or trailers; collision service including body, frame or fender straightening or repair; overall painting or paint job; vehicle steam cleaning; and upholstering.
11. Auto Repair, Minor. Maintenance, repair or replacement of the alternator, generator, starter, water pump, battery, brakes, or part thereof. Minor tune-up which consists of

distributor cap, rotor, and spark plug replacement. Change of oil and filter, fan belt, or hoses. Others include lamp replacement, repair of flat tires, and lubrication.

12. Automobile Service Station. A place where gasoline, stored only in underground tanks, kerosene, motor oil, and lubricants for operation of automobiles are related directly to the public on premises, and including minor accessories and services for automobiles, but not including automobile major repairs and rebuilding.
13. Automobile Reduction Salvage Yard. Any place where any vehicles not in running condition and/or not licensed, or parts thereof are stored in the open and are not being restored to operation for a period of more than thirty (30) days; or land, building or structure used for dismantling or storing of such motor vehicles or parts thereof, and including any commercial salvaging, and scavenging of any other goods, articles or merchandise.
14. Basement. Any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story as defined herein.
15. Bed and Breakfast. An owner or manager occupied dwelling in which a room or rooms are rented on a nightly basis for 1 or more nights for periods of less than a week. Meals may or may not be provided.
16. Bed and Breakfast Unit. A room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.
17. Bluff.
  - a. A topographic feature such as a hill, cliff or embankment having all the following characteristic:
    - (1) Part or all of the feature is located in a shoreland area;
    - (2) The slope rises at least 25 feet above the ordinary high water level of the water body;
    - (3) The grade of the slope from the toe of the bluff to a point twenty-five (25) feet or more above the Ordinary High Water level averaging thirty (30% percent or greater; and
    - (4) The slope drains towards a water body.
  - b. An area with an average slope of less than eighteen (18%) percent over a distance of fifty (50) feet or more shall not be considered part of the bluff
18. Bluff Impact Zone. A bluff and land located within thirty (30) feet from the top of a bluff.
19. Bluff, Toe Of. The lower point of a fifty (50) foot segment with an average slope exceeding 18% percent.
20. Bluff, Top Of. The higher point of a fifty (50) foot segment with an average slope exceeding 18% percent.
21. Boarding House. Home in which lodgers rent one or more rooms for one or more nights.

22. Boathouse. A structure designed and used solely for the storage of boats and boating equipment.
23. Buffer. The use of land, topography, difference in elevation, space, fences or landscape plantings to screen or partially screen a use or property from another use or property or to shield or mitigate noise, lights or other impacts.
24. Buildable Area. The contiguous portion of a lot remaining after each of the following features are subtracted:
  - a. Wetlands and peat or muck type soils.
  - b. Areas below the Ordinary High-water Level of water bodies.
  - c. Areas prone to flooding as indicated in the City Floodplain Management Regulations.
  - d. Steep slopes 25%+.
  - e. Areas subject to easements or other encumbrances prohibiting building.
25. Buildable Lot. A lot of record prior to January 1, 1973 which meets the development requirement of this Title.
22. Building. Any structure used or intended for supporting or sheltering any use or occupancy.
23. Building Code. The MN State Building Code adopted by the City Council.
24. Building Height. A distance to be measured from the mean ground level to the top of a flat roof, to the mean distance of the highest gable on a pitched or hip roof, to the decline of a mansard roof, to the uppermost point on other roof types.
25. Building Line. A line running parallel with the bluffline, ordinary high water mark or lot line, whichever is applicable, at the required setback beyond which a structure may not extend.
26. Building Official. The designated authority charged with the administration and enforcement of the State Building Code.
27. Building Setback. The minimum horizontal distance between the building and the specified lot line or other feature such as an easement as determined by the City as prescribed in this Ordinance.
28. Business. Any establishment, occupation, employment or enterprise where merchandise is manufactured, exhibited or sold, or where services are offered for compensation.
29. Campground. An area accessible by vehicle and containing campsites, cabins, or camping spurs for tent and/or trailer camping.
30. Channel. A natural or artificial depression of perceptible extent, with definite bed and banks to confine and conduct water either continuously or periodically.
31. Church. A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship and which building, together with its

accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

32. Clear-cutting. The complete removal of trees or shrubs in a contiguous patch, strip, row or block.
33. Club or Lodge. A non-profit association of persons who are bonafide members paying annual dues, use of premises being restricted to members and their guests. It shall be permissible to serve food and meals on such premises providing adequate dining room space and kitchen facilities are available. Serving of alcoholic beverages to members and their guests shall be allowed, providing such serving is secondary and incidental to the operation of the dining room for the purpose of serving food and meals and providing further that such serving of alcoholic beverages is in compliance with the applicable federal, state and municipal laws.
34. Cluster Development. A pattern of subdivision development which places housing units into compact groupings while providing commonly owned open space.
35. Commercial Agriculture. The use of land for the growing and/or production of field crops, livestock and livestock products for sale.
36. Commercial Planned Unit Development. Uses that provide transient short term lodging spaces, rooms or parcels and whose operations are essentially service-oriented. For example hotel/motel accommodations, resorts, recreational vehicle and camping parks, and other primarily service oriented activities are commercial planned unit developments.
37. Commercial Uses. The use of land or buildings for the sale or trade of products, goods and/or services.
38. Community Sewage Treatment Facility. Any public or private system for the treatment of greywater and effluent from more than one dwelling unit, business, or other contributing unit. Both community sewage treatment facilities and municipal sanitary sewer are considered central sewers.
39. Comprehensive Plan. The comprehensive development plan prepared and adopted by Chisago City, indicating the goals, objectives, and land use map for guiding the present and future development of the Town.
40. Concept Plan. The first plan submitted to the city portraying the general concept, layout and design of proposed project.
41. Conditional Use. A land use that may be allowed, with or without appropriate conditions or restrictions that is generally compatible and desirable within a particular zoning district, has an unusually significant and major impact on public facilities or the use and enjoyment of nearby properties, and requires the exercise of discretion in determining satisfactory locations and characteristics.
42. Conditional Use Permit. A permit issued by the City in accordance with procedures specified in this Ordinance, as well as its compatibility with the Chisago City Comprehensive Plan, as a flexible device to enable the City to assign dimensions to a

proposed use or conditions surrounding it after consideration of adjacent uses and their functions and the special problems or potential conflicts which the proposed use presents.

43. Conservancy. The implementation of polices for the protection and preservation of the natural character of lands for their value to scenic enjoyment native vegetation, wildlife, water and soil conservation, flood plain management, forestry and other-such purposes.
44. Convenience Store. Retail food sales outlet of fifteen hundred (7500) sq. ft. or less, which may include fuel and other common use items, and may or may not include a car wash.
45. Crown Cover. The ratio between the amount of land shaded by the vertical protection of the branches and foliage area of standing trees to the total area of land, usually expressed as a percentage.
46. Day Care Facilities. A facility for operating less than 24 hours per day that provides training, supervision, recreation, and/or medical services for children from infant to pre-school age, for the disabled, or for the elderly, on a regular basis.
47. Deck. A horizontal unenclosed platform with or without attached railings, seats, trellises, or other features, attached or functionally related to a building and extending more than one foot above ground.
48. Density. The number of dwelling units permitted per acre of land.
49. Deposition. Any rock, soil, gravel, sand or other material deposited naturally or by man into a water body, watercourse, flood plain or wetland.
50. Development. The construction, addition, installation or alteration of any structure, the extraction, clearing or other alteration of terrestrial or aquatic vegetation, land or the course, current or cross section of any water body or water course of the division of land into two or more parcels.
51. Development Permit. Any subdivision, planned unit development, zoning permit, grading permit, plat approval, rezoning, special use permit or variance.
52. Dimensional Requirement. Minimum and maximum setbacks, yard requirements and structure height or size restriction established in the zoning ordinance.
53. District. A section or sections of the City for which the regulations and provisions governing the use of buildings and lands are uniform for each class of use permitted therein.
54. Diversion. A channel that intercepts surface water runoff and that changes the accustomed course of all or part of a stream.
55. Double-front lots. A lot which has a front line abutting on one street and a back or rear line abutting on another street.

56. Draining. The removal of surface water or groundwater from land.
57. Dredging. To enlarge or clean-out a water body, watercourse or wetland.
58. Drive-in / Drive-through Establishment. An establishment which accommodates the patron's motor vehicle, from which products may be purchased and consumed either on-site in the motor vehicle, or off-site; or from which business may be transacted.
59. Duplex, Triplex, and Quad. A dwelling structure on a single lot, having common walls and each unit equipped with separate sleeping, cooking, eating, living, and sanitation facilities.
60. Dwelling. A building or portion thereof occupied or intended to be occupied exclusively for residential purposes, but not including hotels, motels, boarding houses, nursing homes, trailers, tents, trailer coaches or lodging rooms.
61. Dwelling – Attached. A residential dwelling which is joined to another dwelling.
62. Dwelling – Detached. A residential dwelling which is entirely surrounded by open space.
63. Dwelling – Multifamily. A residential dwelling designed for 2 or more families, with the number of families in residence not exceeding the number of dwelling units provided.
64. Dwelling-Single Family. A detached residential dwelling unit designed for occupancy of one (1) family only.
65. Dwelling-Two-Family. A detached residential dwelling containing 2 dwelling units designed exclusively for occupancy of two (2) families living independently of each other.
66. Dwelling Unit. A residential building or portion thereof intended for occupancy by one family or not more than five persons unrelated by blood, but not including hotels, motels, nursing homes, seasonal cabins, boarding or rooming houses, tourist homes or trailers.
67. Earth Sheltered Buildings. Buildings constructed so that more than fifty percent (50%) of the exterior surface area of the buildings, excluding garages and other accessory buildings, is covered with earth and the Minnesota Building Code standards promulgated pursuant to Section 16.85 are satisfied. Partially completed buildings shall not be considered earth sheltered.
68. Eating and Drinking Establishments. Establishment within a building or group of buildings designated for the eating of food and drinking of (including liquor).
69. Engineer, City. The professional engineer engaged by the governing body for services.
70. Entertainment and Amusement Services. The use of the land for a bowling alley, golf, pool hall, dance ball, skating, trampoline, tavern, theater, firearms range, boat rental, amusement rides, riding stables, resorts, campgrounds, deer park, and similar uses

for which fees are charged for admission or use of the facility, or use of the land to gain access to a recreational activity or resource, public or private.

71. Equal Degree of Encroachment. A method of determining the location of encroachment lines so that the hydraulic capacity of flood plain lands on both sides of a stream are reduced by an equal amount when calculating the increases.
72. Essential Services. Gas, underground electrical, steam or water distribution systems, collection, communication, supply or disposal system including poles, wires, mains, drains, sewer, pipes, conduits, cables, fire alarm boxes, traffic signals, hydrants or other similar equipment and accessories in conjunction therewith.
73. Extractive Use. The use of land for surface or subsurface removal of sand, gravel, rock, industrial minerals, other nonmetallic minerals, and peat not regulated under Minnesota Statutes, sections 93.44 to 93.51, as amended.
74. Family. An individual or two (2) or more persons related by blood, marriage, adoption, or foster care arrangement living together as a single housekeeping unit maintaining a common household and using common cooking and kitchen facilities; as distinguished from a group occupying a boarding house, lodging house, hotel, club lodge, sorority or fraternity house, and assisted living facility
75. Feedlots. A lot or building or a group of lots and buildings intended for the confined feeding, breeding, raising or holding of animals, and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. Open lots used for the feeding and rearing of poultry shall be considered feedlots.
76. Farm. A tract of land ten (10) or more acres which is principally used for agriculture activities such as the production of cash crops, livestock, or poultry farming. Such farms may include agricultural dwellings and accessory buildings and structures necessary to the operations of the farm.
77. Farm, Hobby. Small farm that is maintained without expectation of being a primary source of income.
78. Fence. A barrier forming a boundary to, or enclosing some area.
79. Finished Living Area. An area within a residential dwelling which has finished walls, floors, and ceilings (e.g. sheetrock, taped, and sanded).
80. First Story. The lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than four (4) feet below grade, as defined herein, for more than fifty (50) percent of the total perimeter, or not more than eight (8) feet below grade, as defined herein, at any point.
81. Flood. A temporary increase in the flow or stage of a stream or in the stage of a wetland or lake that results in inundation of normally dry areas.

82. Flood Frequency. The frequency, statistically determined, for which it is expected that a specific flood stage or discharge may be equaled or exceeded.
83. Flood Fringe. That portion of the flood plain outside of the floodway. Flood fringe is synonymous with the term "floodway fringe" used in the Flood Insurance Study, Chisago County, Minnesota and incorporated Areas.
84. Flood Plain. The beds proper and the areas adjoining a wetland, lake or watercourse which have been or hereafter may be covered by the regional flood.
85. Flood-Proofing. A combination of structural provisions, changes, or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages.
86. Floodway. The bed of a wetland or lake and the channel of the watercourse and those portions of the adjoining flood plain which are reasonably required to carry or store the regional flood discharge.
87. Floor Area. The area included within the surrounding exterior walls of a building or portion thereof, including the sum of the gross horizontal area of several floors of a building, exclusive of hallways, utility space, restrooms, window showcases, ornamental space not used for assembly, or the like.
88. Floriculture uses. The cultivation of flowers, especially of decorative flowering plants.
89. Forest Land Conversion. The clear cutting of forested lands to prepare for a new land use other than reestablishment of a subsequent forest stand.
90. Forestry. The management, including logging, of a forest, woodland, or plantation, and related research and educational activities, including the construction, alteration or maintenance of woodroads, skidroads, landing area and fences.
91. Garage-Private. An accessory building or accessory portion of the principal building which is intended for and used to store the private passenger vehicles of the residents.
92. Garage – Public. A building or portion of a building, except as herein defined as a private garage or as a repair garage, used for the storage of motor vehicles, or where any such vehicles are kept for remuneration or hire and which any sale of gasoline, oil and accessories is only incidental to the principal traffic.
93. Ghost Plat. A concept of how the land within a subdivision or lot split will be subdivided into urban lots in the future. The layout shall include lots, streets, easements and preservation areas, if applicable.
94. Grade (Adjacent Ground Elevation). The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between a building and the property line, or when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.
95. Grading. Changing the natural or existing topography of land.



96. Intensive Vegetation Clearing. The complete removal of trees or shrubs in a contiguous patch, strip, row or block.
97. Harbor. A portion of a body of water along or landward of the natural shoreline deep enough for recreational watercraft navigation, and so situated with respect to shoreline features as to provide protection from winds, waves, ice and currents. Natural harbors consist of bays and estuaries, while artificial harbors are constructed by dredging.
98. Historic Building and Structure or Site. A structure or site which has been identified by the State Historic Preservation Office as having public value due to their notable architectural features relating to the cultural heritage of the City.
99. Home Occupation. Any occupation or profession carried on by a member of the family residing on the premises, provided that the use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, does not change the residential character of the dwelling or the neighborhood.
100. Horticulture — Non Retail. The growing of fruits, vegetables, flowers and ornamental plants.
101. Hotel. Any building or portion thereof providing provisions for six (6) or more guest, in which lodging is provided with or without meals for compensation and which is open to transient or permanent guests or both, and in which ingress and egress to and from all rooms is through an inside lobby or office, supervised by a person in charge..
102. Impervious Surface. An artificial or natural surface through which water, air, or roots cannot penetrate.
103. Industrial Use. The use of land or buildings for production, manufacture, warehousing, storage, or transfer of goods, products, commodities, or other wholesale items; all permitted, conditional and accessory uses allowed in the "I" district.
104. Interim Use Permit. A permit for temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it.
105. Kennel. Any place where three (3) or more dogs or four (4) animals, including cats, over the age of six (6) months are kept, boarded, trained or offered for sale except when located in a pet shop or veterinary clinic/hospital. A kennel may include secured outdoor runs and/or play areas.
106. Landscaping. Planting and maintaining trees, shrubs and ground cover, such as grass.
107. Light Construction Equipment. Any equipment that can be operated and transported by hand. Such equipment would include tampers, jack hammers, and smaller hand tools, for example.
108. Loading space, Off-Street. Space logically and conveniently located for bulk pickups and deliveries.

109. Lot. A parcel of land designated by plat, metes and bounds, registered land survey, auditors plot, or other accepted means and separated from other parcels or portions by said description for the purpose of sale, lease, or separation thereof. For the purposes of this Ordinance, a lot shall be considered to be an individual parcel, which shall be occupied by no more than one principal building or use and its accessory buildings.
110. Lot Area. The area of a horizontal plane within the lot lines.
111. Lot of Record. A parcel of land, whether subdivided or otherwise legally described of record prior to the adoption of zoning ordinances approved by the City as a lot subsequent to such date and which is occupied by or intended for occupancy by one (1) principal building or principal use together with any accessory buildings and such open spaces as required by this Ordinance and having its principal frontage on a street, or a proposed street approved by the City.
112. Lot, Corner. A lot situated at the junction of and abutting on two (2) or more intersecting streets; or a lot at the point of deflection in alignment of a single street, the interior angle of which is one hundred thirty-five (135) degrees or less.
113. Lot, Frontage. The front of a lot shall be that boundary abutting a public right-of-way.
114. Lot, Interior. Including through lots, excluding corner lots.
115. Lot, Line. A property boundary line of any lot held in single or separated ownership, except that where any portion of the lot extends into the abutting street or alley, the lot line shall be deemed to be the street or alley right-of-way.
116. Lot, Through. A lot fronting on two parallel streets.
117. Lot, Width. The width of a lot shall be considered the distance between straight lines connecting the front lot width at setback. For shoreland width, measurements shall be the distance between straight lines connecting the back lot width at the ordinary high water level.
118. Lot Measurement. The depth of a lot shall be considered the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front of the rearmost points of the side lot lines in the rear.
119. Manufactured Home (Mobile Home). A structure, not affixed to or part of real estate, 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 in it. A manufactured home is commonly referred to as a mobile home or trailer home.
120. Manufactured Home Park. Any site, lot, field, or tract of land upon which two or more occupied manufactured homes are located, either free of charge or for compensation,

and includes any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of the manufactured home park. A manufactured home park is commonly referred to as a trailer park or mobile home court.

121. Manufacturing – Light. All uses which include the compounding, processing, packaging, treatment, or assembly of products and materials provided such use will not generate offensive odors, glare, smoke, dust, noise, vibration or other objectionable influences that extend beyond the lot on which use is located, and does not normally require an urban level of public services such as centralized sewer and water.
122. Medical Uses. Those uses concerned with the diagnosis, treatment and care of human beings. These include hospitals, dental services, medical services or clinics, nursing or convalescent home, orphan's home, rest home and sanitarium.
123. Mineral. Sand, gravel, rock, clay, and similar higher density non-metallic natural minerals.
124. Mineral Extraction. The removal of sand, gravel, rock clay and other minerals from the ground.
125. Mineral Extraction Facility. Any area that is being used for removal, stockpiling and storage, of sand, gravel, topsoil, clay, and other minerals.
126. Modular Homes. A single-family dwelling constructed in modules or sections in a factory and then delivered to their intended site of use. The modules are assembled on a foundation into a single residential building using either a crane or trucks.
127. Motor Fuel Station. A place where gasoline and diesel fuel (stored only in underground tanks), kerosene; motor oil and lubricants for operation of automobiles, are related directly to the public on premises, and including minor accessories and services for automobiles, but not including automobile major repairs and rebuilding.
128. Name Plate. A sign indicating the name and address of a building or the name of an occupant thereof and the practice of a permitted occupation therein.
129. Natural Drainage System. All land surface areas which by nature of their contour configuration, collect, store, and channel surface water run-off
130. Natural Obstruction. Any rock, tree, gravel or analogous natural matter that is an obstruction and has been located within a water body, watercourse, or wetland by a non-human cause.
131. Nonconforming Structure, Use, or Parcel. Any legal use, structure, or parcel of land already of existence, recorded, or authorized before the adoption of official controls or amendments that would not have been permitted to become established under the terms of the official controls as now written, if the official controls had been in effect prior to the date it was established, recorded or authorized.
132. Nursing Home (Rest Home). A state licensed facility or that part of a facility which provided care for aged or infirm persons who require nursing and personal care and

related services in accordance with state regulations. A nursing home may be a residential healthcare facility, an intermediate care facility, or a long term care facility.

133. Obstruction. Any dam, wall, wharf, embankment, levee, dike, abutment, projection, excavation, channel rectification, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter, in, along, across, or projecting into any channel, watercourse, or regulatory flood hazard area which may impede, retard, or change the direction of the flow of water, either by itself or by catching or collecting debris carried by such water, or that is placed where the flow of water might carry the same downstream to the damage of life or property.
134. Off-Street Loading Space. A space accessible from the street, alley, or way, in a building or on the lot, for the use of trucks while loading or unloading merchandise or materials. Such space shall be of such size as to accommodate one (1) truck of the type typically used in the particular business.
135. Open Sales Lot. Any open land used or occupied for the purpose of buying, selling and/or renting merchandise and for the storing of same prior to sales.
136. Ordinary High Water Level. 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 flowage the ordinary high water level shall be the operating elevation of the normal summer pool.
137. Overlay District. A zoning district shown as an overlay on the zoning map. Both underlying and overlay district regulations apply to land use activity.
138. Parking Space. An area of not less than nine (9) feet in width and twenty (20) feet in length, enclosed in the main building, in an accessory building, or unenclosed, sufficient in size to store one (1) automobile which has adequate access to a public street or alley and permitting satisfactory ingress and egress of an automobile.
139. Preliminary Plan. A descriptive proposed plan of a proposed development project.
140. Permitted Use. A use which may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations, and performance standards (if any) of such districts.
141. Person. An individual, firm, partnership, association, corporation, or organization of any kind.
142. Planned Industrial-use Development. A district identified geographically on the zoning map where a mix of residential and light industrial services can be accommodated in an integrated and compatible pattern.

143. Planned Mixed-use Development. A district identified geographically on the zoning map where a mix of residential and commercial and/or retail services can be accommodated in an integrated pattern.
144. Planned Unit Development. A development consisting generally of mixed land uses and housing types in which densities are calculated on a project-wide basis; permitting the clustering of houses or buildings and the provision of common open space intended to create a more flexible, creative and efficient approach to the use of land and subject to the procedures, standards and regulations contained in this title.
145. Planning Commission. The planning agency of the City, designated by the City Council.
146. Pole Building. A building which is primarily supported by poles rather than by a framework of dimension lumber. The sides generally consist of a steel product.
147. Prefabricated Home. A single family dwelling unit which is prefabricated in parts or components at a central factory and transported to a building site where field installations are made permanently.
148. Principal Use. The primary or main use of land or buildings as distinguished from subordinate, incidental or accessory uses.
149. Public Roads. Any town, municipal, county, state or federal road or highway.
150. Public Facilities. Facilities owned or operated by Chisago City, school districts, county, state or other governmental units.
151. Public Open Space. Open space owned or operated by Chisago City, School districts, county, state or other governmental units.
152. Semi-Public Facilities. Facilities partially but not entirely open to the use of the public. Maintained partially or entirely by a private, nonprofit organization.
153. Semi-Public Open Space. Open space partially but not entirely open to the use of the general public. May be maintained partially or entirely by a private nonprofit organization.
154. Public Waters. Any waters as defined in Minnesota Statutes, Section 103G.005, Subdivisions 15 and 15a. However, no lake, pond, or flowage of less than 10 acres in size need be regulated for the purposes of these regulations. A body of water created by a private user where there was no previous shoreland shall be exempt from the provisions of these regulations. The official determination of the size of public water basins and physical limits of drainage areas of rivers and streams shall be made by the Commissioner of the Minnesota Department of Natural Resources.
155. Reach. A hydraulic engineering term used to describe a longitudinal segment of a stream or river influenced by a natural or man-made obstruction. In an urban area, the segment of a stream or river between two consecutive bridge crossings would most typically constitute a reach.

156. Recreation Entertainment. The use of the land for a bowling alley, golf, pool hall, dance ball, skating, trampoline, tavern, theater, firearms range, boat rental, amusement rides, riding stables, resorts, campgrounds, deer park, and similar uses for which fees are charged for admission or use of the facility, or use of the land to gain access to a recreational activity or resource, public or private.
157. Recreational Vehicle. A vehicular portable structure used for amusement, vacation, or recreational activities including but not limited to travel trailers, motor homes, camping trailers, snowmobiles, boats, bicycles, and motorcycles.
158. Recycling Facility. A site permitted by the Minnesota Pollution Control Agency, and Chisago City, used to collect, process, and repair recyclable materials and reuse them in their original form or use them in manufacturing processes.
159. Recycling Collection Site. A site permitted by Chisago City, used to drop-off glass, cardboard, plastic, paper, and aluminum for recycling. No hazardous wastes are allowed on the site. The only processing allowed must be done within a completely enclosed and insulated structure. Such processing shall generally be limited to lass separation, and can sorting and crushing.
160. Regional Flood. A flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the 100 year recurrence interval.
161. Regulatory Flood Protection Elevation. A point not less than one (1) foot above the water surface profile associated with the regional flood plus any increases in flood heights attributable to encroachments on the flood plain. It is the elevation to which uses regulated by this ordinance are required to be elevated or flood proofed.
162. Research. Medical, chemical, electrical, metallurgical or other scientific research and quality control, conducted in accordance with the provisions of this Ordinance.
163. Residential Day Care. A home that provides training, supervision, recreation, and/or medical services for children from infant to pre-school age, for the disabled, or for the elderly, on a regular basis operating less than 24 hours per day.
164. Residential District. The RR-1, RR-2, R-1, R-2, R-3 and R-4 Zoning Districts, are Residential Districts in this Title. The (A) Agricultural District is primarily intended to provide areas for agricultural uses, but for zoning purposes shall also be considered a residential district.
165. Residential PUD. A use where the nature of residency is nontransient 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 free ownership residences would be considered as residential planned unit developments.
143. Resort. A commercial establishment that includes buildings, lodges, dwelling units, parking areas, recreation areas, recreational equipment, camping or recreational vehicle sites, or enclosures or any part thereof kept, used, maintained or advertised

as or held out to the public to be a place where sleeping accommodations are furnished to the public, primarily to persons seeking recreation, for periods of one day or longer, and having for rent three or more cabins, rooms, campsites, or enclosures. The establishment must be primarily service oriented for transient lodging of guests. All cabins, rooms, dwelling units, camping or recreational vehicle sites, or enclosures must be included in the resort rental business. Resorts must not allow residential use of a dwelling unit or site, except dwelling uses as residences for the service provider. To qualify as a resort, a resort must be fully licensed and permitted under appropriate state regulations. The entire parcel of land must be controlled and managed by the licensee.

144. Restaurant. An establishment which serves food in or on non-disposable dishes, to be consumed primarily while seated at tables or booths within the building.
145. Retail Sales. The transfer of goods for an agreed to amount of money or other consideration directly to customers from an ordinary store or at the regular customer price and in small amounts rather than in bulk and/or wholesale.
146. Retirement Homes. Residential dwelling units occupied by retired and/or elderly individuals.
147. Rural Cluster. A method of subdivision to maintain the rural character of Chisago city by preserving agricultural land, woodlands, natural corridors and other significant natural features while allowing residential development.
146. Screening. The presence of vegetation or topography which renders a structure on any property visually inconspicuous.
147. Selective Cutting. The removal of a single scattered tree or single scattered trees where the original density and crown cover of the stand is essentially unchanged from pre-cutting conditions.
148. Setback. The minimum horizontal distance between a structure or sewage treatment system and the ordinary high water level, or between a structure or sewage treatment system and a bluff, road, highway or property line.
149. Setback, Front Yard. The minimum horizontal distance between a structure and a platted roadway or the right-of-way of a road. If there is a utility easement along the front property line of a lot, and that easement is specifically intended as a multiple use easement for utility and pedestrian trail or walkway purposes, then the front yard setback is the minimum horizontal distance between a structure and the utility easement.
150. Sewage Disposal System. Any system for the collection, treatment and dispersion of sewage including but not limited to septic tanks, soil absorption systems, and drain fields.
151. Shore Impact Zone. The land located between the ordinary high water level of public water and a line parallel to it at a setback of 50 percent of the structure setback.
152. Shoreland. Land located within the following distances from the public water:
  - a. 1,000 feet from the ordinary high water level of a lake, pond, or flowage; and

- b. 300 feet from a river or stream, or the landward extent of a flood plain designated by ordinance on such a river or stream, whichever is greater. The limits of shoreland 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 of the Minnesota Department of Natural Resources.
153. Sign. Any letter work, symbol, model, printed, projected or affixed device, poster, picture, reading matter, or other representation in the nature of an advertisement, announcement, direction or informative device including structural and compound parts that is located outdoors and is larger than 1 square foot in area.
  154. Sign Area. The area within the marginal lines or extreme outside edge of the surface that bears the advertisement, or in the case of messages, figures, or symbols attached directly to any part of a building, that area included in the smallest rectangle that can be made to circumscribe any message, figure, or symbol displayed thereon. For a sign with not more than 2 back-to-back faces, only the area of 1 side is computed in determining the sign area. Such perimeter shall not include any structural elements lying outside of such sign and not forming an integral part or border of the sign.
  155. Sign, Banner. Attention getting devices that resemble flags and are of a paper, cloth or plastic like consistency.
  156. Sign, Construction. Any sign that displays information regarding the construction or development of the site in which it is displayed.
  157. Sign, Development Identification. A sign that identifies the name of a residential, commercial or industrial development at a street entrance to the development.
  158. Sign, Directional. Signs which provide directions to businesses, churches, parks and similar facilities for the benefit of the traveling public. The sign may include the name of the facility and direction, but shall not contain advertising.
  159. Sign, Electronic. A sign or portion thereof displaying electronic images, graphics, or pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area.
  160. Sign, Flashing. An illuminated sign which has a light source not constant in intensity or color at all times while such sign is in use or a sign containing an electric reading board.
  161. Sign, Government. A sign which is erected by a governmental unit for the purpose of identification and directing or guiding traffic.
  162. Sign, Identification. A sign containing principally the name of the individual or establishment occupying the premises, and which also may include the street address, telephone number, or other information identifying the use.



163. Sign, Illuminated. Any sign which is lighted by an artificial light source, either directed upon it or illuminated from an interior source.
164. Sign, Motion. A sign that has revolving parts or signs which produce moving effects through the use of illumination.
165. Signs, Off Premise. Any sign that advertises anything other than the business located on the same lot.
166. Sign, On Premise. Any sign that advertises anything other than the business, product, etc. located on the same site as the sign is located.
167. Sign, Pedestal. A ground sign usually erected on one (1) central shaft or post, which is solidly affixed to the ground.
168. Sign, Permanent. Any sign other than a temporary sign.
169. Sign, Portable. A sign so designed as to be movable from 1 location to another that is not permanently attached to the ground, sales display device, or structure.
170. Sign, Political Campaign. Signs or posters announcing the candidate(s) seeking political office and/or political issues, and data pertinent thereto.
171. Sign, Public. Signs of a public, non-commercial nature to include safety signs, danger signs, trespassing signs, traffic signs, signs indicating scenic or historical points of interest, memorial plaques, and the like, and when said signs are erected by or on order of a public officer or employee in the performance of official duty.
172. Sign, Real Estate. A sign offering property (land and/or buildings) for sale, lease or rent.
173. Sign, Temporary. Any sign which is erected or displayed for a specified period of time.
174. Sign, Roof. A sign erected upon or above a roof or parapet of a structure.
175. Slope, Steep. The degree of deviation of a surface from the horizontal, expressed in percent, lands having an angle of ascent or descent of 12% or more over a horizontal distance of 50 feet or more, that are not bluffs.
176. Stable. A building for the shelter and feeding of domestic animals, particularly for horses.
177. Street. A public right-of-way which affords a primary means of access to abutting property.
178. Street, Collector. A street which serves or is designed to serve as a trafficway for a neighborhood or a feeder to a major road.

179. Street, Intermediate or Minor Arterial. A street which serves or is designed to serve heavy flows of traffic and which is used primarily as a route for traffic between communities and/or other heavy traffic generating areas.
180. Street, Local. A Street intended to serve primarily as an access to abutting properties.
181. Street Pavement. The wearing or exposed surface of the roadway used by vehicular traffic.
182. Street Width. The width of the right-of-way measured at right angles to the centerline of the street.
183. Story. That portion of a building included beneath the upper surface of a floor and upper surface of floor next above, except that the topmost story shall be that portion of a building, included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement or cellar, or unused underfloor space is more than six (6) feet above grade as defined herein for more than fifty (50) percent of the total perimeter or is more than twelve (12) feet above grade as defined herein at any point, such basement, cellar, or unused underfloor space shall be considered as a story.
184. Structure. Any building or appurtenance that is manufactured, constructed or erected that is normally attached to or positioned on land, including ~~attached~~ decks, except aerial or underground utility lines, such as a sewer, electric, telephone, telegraph, or gas lines, including towers, poles, and other supporting facilities. The building or appurtenance can include portable or temporary structures.
185. Structural Alteration. Any change, other than incidental repairs, which would affect the supporting members of a building, such as bearing walls, columns, beams, girders or foundations.
186. Subdivision. The separation of one or more portions of a lot from another portion of that lot by deed, metes and bounds description, devise, intestacy, lease, map, plat or other document, whether recorded or unrecorded, which vests or otherwise contracts for the conveyance of title, or any interest therein, of any such portion or portions to a person, persons or an entity other than the owner of record; provided that the term subdivision shall not be construed to apply to a mortgage against a parcel complying with the minimum dimensional requirements herein: scenic easements; easements for the installation, construction and maintenance of public utilities; and easements of road access.
187. Substandard Structure. Any structure established before the effective date of this ordinance, which is permitted within a particular zoning district but does not meet the structure setbacks or other dimensional standards of this ordinance.
188. Substandard Use. Any use existing prior to the date of this ordinance which is permitted within the applicable zoning district but does not meet the minimum lot area, frontage, setbacks, water frontage length, or other dimensional standards of this ordinance.

189. Tree. Any woody plant that has at least one trunk with a diameter of six inches or greater measured at breast height.
190. Tower. Any pole, spire, structure, or combination thereof; including supporting lines, cables, wires, braces, and masts, intended primarily for the purpose of mounting an antenna, or to serve as an antenna.
191. Transfer Facility. A site specifically licensed by the Minnesota Pollution Control Agency under this Ordinance to collect garbage, rubbish, other mixed municipal solid waste and recyclable and transport to markets or further processing centers.
192. Transmission Services. Electric power, telephone and telegraph lines, cables and conduits that are used to transport large blocks of power, convey intelligence or transport material between two points. A distribution line, cable or conduit used to provide power, water, gas or other essential services locally to utility customers is not a transmission service.
193. Use. The purpose or activity for which the land or building thereon is designated, arranged, or intended, or for which it is occupied, utilized or maintained, and shall include the performance of such activity as defined by the performance standards of this Ordinance.
194. Usable Open Space. A required ground area or terrace area on a lot which is developed, landscaped and equipped and intended and maintained for either active or passive recreation or both, available and accessible to and useable by all persons occupying a dwelling unit or rooming unit on the lot and their guests. Such areas shall be grassed and landscaped or covered only for a recreation purpose. Roofs, driveways and parking areas shall not constitute usable open space.
195. Variance. A modification, variation, or exception from the literal requirements of this ordinance, as defined in Minnesota Statutes, chapter 394, as amended.
196. Vegetation. The sum total of plant life in some area or a plant community with distinguishable characteristics.
197. Waterbody. A body of water (lake, pond) in a depression of land or expanded part of a river, or an enclosed basin that holds water and is surrounded by land.
198. Watercourse. A channel or depression through which water flows, such as rivers, streams, or creeks, and may flow year around or intermittently.
199. Water-Oriented Accessory Structure or Facility. A small above ground building or other improvement, except stairway, fences, docks, and retaining walls which because of the relationship of its use to a surface water feature, reasonable 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.
200. Watershed. The area drained by the natural and artificial drainage system, bounded peripherally by a bridge or stretch of high land dividing drainage areas.

201. Watershed Management or Flood Control Structure. A dam, floodwall, wing dam, dike, diversion channel, or an artificially deepened or widened stream channel following the same or approximately the same course as the natural channel, or any other structure for altering or regulating the natural flow condition of a river or stream. The term "Watershed management or flood control structure" does not include pilings, retaining walls, gabion baskets, rock riprap, or other facilities intended primarily to prevent erosion and which must be authorized by period from the Commissioner of the Minnesota Department of Natural Resources.
202. Wetlands. Lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this definition, wetlands must have the following three attributes: (1) have a predominance of hydric soils; (2) are inundated or saturated by surface or ground water at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and (3) under normal circumstances support a prevalence of such vegetation. An area where water stands near, at, or above the soil surface during a significant portion of most years, saturating the soil and supporting a predominantly aquatic form of vegetation and which may have the following characteristics.
- c. Vegetation belonging to the marsh (emergent aquatic) bog, fen, sedge meadow, shrubland, southern lowland forest (lowland hardwood), and northern lowland forest (conifer swamp) communities. (These communities correspond roughly to wetland types 1, 2, 3, 4, 5, 6, 7, and 8, described by the United States Fish and Wildlife Service, Circular 39, "Wetlands of the U.S" , 1956).
  - d. Mineral soils with gray horizons or organic solids belonging to the Histosol order (peat and muck).
  - e. Soil which is water logged or covered with water at least three months of the year. Swamps, bogs, marches, potholes, wet meadows, and sloughs are wetlands, and properly may be shallow water bodies, the waters of which are stagnant or actuated by very feeble currents, and may at time be sufficiently dry to permit tillage but would require drainage to be made arable. The edge of a wetland is commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial.
203. Wildlife. All free living animals.
204. Woodland. A group of trees at least one-half acre in area and with a crown cover of 50 percent or greater.
205. Yard. An open space on the lot which is unoccupied and unobstructed from its lowest level to the sky. A yard extends along a lot line at right angles to such lot line to a depth or width specified in the yard regulations for the zoning district in which such lot is located.
206. Yard – Front. A yard extending across the front of the lot fronting on a dedicated street between the side lot lines and lying between the front line of the lot and the nearest line of the building.

207. Yard – Rear. A yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the building.
208. Yard – Side. A yard between the side line of the lot and the nearest line of the building and extending from the front line of the lot to the rear yard.
209. Zoning Administrator. A person appointed by the City Council to administer and enforce the Zoning Ordinance.
210. Zoning Map. The maps or map incorporated into this Ordinance as part thereof, and as amended, designating the zoning districts.
211. Zoning District. An area or areas within the county in which the regulations and requirements of this ordinance are applied.

(Adopted: January 2000. Amended: February 10, 2009. Amended: April, 2022.)