

## SECTION 5 – DEFINITIONS AND RULES OF LANGUAGE CONSTRUCTION

### SUBDIVISION 5.01 RULES OF LANGUAGE CONSTRUCTION

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this ordinance its most reasonable application. Words used in the present tense shall include the future; words in the singular shall include the plural; and the words “shall” and “must” are mandatory and not discretionary. Unless otherwise specified, all distances shall be measured horizontally and in feet.

### SUBDIVISION 5.02 DEFINITIONS

**Accessory Structure:** A structure which is customarily incidental and subordinate to, the principal use of a property, and which is located on the same lot as the principal structure. An attached garage is not an Accessory Structure.

*Ordinance 2016-03; May 24, 2016*

**Accessory Use:** A use that is ancillary to the principal use of a property.

*Ordinance 2016-03; May 24, 2016*

**Adult Establishment:**

- (a) any business that devotes a substantial or significant portion of its inventory, stock in trade, or publicly-displayed merchandise, or devotes a substantial or significant portion of its floor area (not including storerooms, stock areas, bathrooms, basements, or any portion of the business not open to the public) to, or derives a substantial or significant portion of its gross revenues from items, merchandise, devices or other materials distinguished or characterized by an emphasis on material depicting, exposing, simulating, describing, or relating to Specified Sexual Activities or Specified Anatomical Areas; or
- (b) any business that engages in any Adult Use as defined in section 1.5.1 Subdivision 2 of Ordinance 09-03: An Ordinance providing for the regulation of Adult Establishments in the Town of Becker.

*Ordinance 09-03; December 22, 2009*

**Adult Family Day Care Facility:** A residential facility licensed pursuant to Chapter 245A of Minnesota Statutes providing day care less than twenty-four hours per day for functionally impaired adults, who are 55 years of age or older whose services are directed at maintaining or improving the self-care capabilities of their participants.

**Agriculture:** The use of land for the growing and/or production of field crops, livestock, and livestock products for the production of income including but not limited to the following:

- A. Field crops, including: barley, soybeans, corn, hay, oats, potatoes, rye, sorghum and sunflowers, and similar commodities.
- B. Livestock as defined in this Ordinance.
- C. Livestock products, including: milk, butter, cheese, eggs, meat, fur, and honey.
- D. Tree farms, sod farms, and orchards.

**Agricultural Building:** A structure used for agriculture purposes as defined in the Minnesota State Building Code.

**Aircraft:** Any machine for flying as defined by the Federal Aviation Administration.

**Aircraft Landing Strip, Private:** A small landing field having only one runway solely meant for the use of the property owner on which it is located.

**Aircraft Landing Strip, Public:** A small landing field having only one runway used by the general public.

**Alley:** A public or private roadway which affords only a secondary means of access to abutting property.

**Animal Unit:** Means a unit of measure to compare differences in the size of domestic farm animals as follows:

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Animal Unit Calculation Table			
1. Animal Type	2. Number of Animals	3. MN Animal Unit Factor	4. Number of Animal Units
<b>A. Dairy Cattle</b>			
1. Mature cow over 1,000 pounds		1.4	
2. Mature cow under 1,000 pounds		1.0	
3. Heifer		0.7	
4. Calf		0.2	
<b>B. Beef Cattle</b>			
1. Slaughter steer or stock cow		1.0	
2. Feeder cattle or heifer		0.7	
3. Cow and calf pair		1.2	
4. Calf		0.2	
<b>C. Swine</b>			
1. Over 300 pounds		0.4	
2. Between 55 and 300 pounds		0.3	
3. Under 55 pounds		0.05	

<b>D. Horse</b>			
1. Full size standard horse		1.0	
2. Miniature horse (350 pounds or less)		0.33	
<b>E. Sheep and lambs</b>			
		0.1	
<b>F. Chickens</b>			
1. Laying hen or broiler (liquid manure system)		0.033	
2. Chicken over 5 pounds (dry manure system)		0.005	
3. Chicken under 5 pounds (dry manure system)		0.003	
<b>G. Turkeys</b>			
1. Over 5 pounds		0.018	
2. Under 5 pounds		0.005	
<b>H. Ducks</b>			
		0.01	
<b>I. Animal not listed in item A to H</b>		Average weight of the animal in pounds divided by 1,000 pounds	
<b>Total Number of Animal Units (Add up all the numbers in column 4)</b>			Animal Units =

*Ordinance 2017-02; May 23, 2017*

**Apartment Building:** Any building or portion thereof which is designed, built, used or intended for use, for three or more apartments.

**Apartment:** A room or suite of rooms in an Apartment Building used or intended for use by one family.

**Application:** The documents and written material by which a property owner justifies a request for a building permit, a zoning amendment, a conditional use permit, a variance, an appeal, or other request for approval, relief or consideration, which must include all information on any application form approved by the Zoning Administrator.

**Aquaculture:** The commercial cultivation of aquatic life, such as fish, shellfish, and seaweed.

**Automobile Repair Shop:** Any building or lot or portion thereof, used or intended for use for motor vehicle repair, and minor motor vehicle related retail sales.

**Automobile Service Station:** Any building or lot, or portion thereof, used or intended for use for the retail dispensing or sale of automobile fuels, which activity may be accompanied by incidental uses such as sale of lubricants, tires, accessories, supplies, or food to be consumed off the premises.

**Automobile or Trailer Sales Lot:** A lot used for the display, sale or rental of new or used motor vehicles or trailers in operable condition and where no repair work is done.

**Automobile Wrecking, Salvage Yard:** A lot used for the dismantling or disassembling of used motor vehicles or trailers, or the storage, or sale of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

**Backyard Compost Site:** A site no greater than four cubic yards used to compost food scraps, garden wastes, weeds, lawn cuttings, leaves, and prunings from a single family or household with the intention of using compost produced on site. (MN Rules 7035.0300)

Backyard Compost Sites are permitted on any single-family residential lot within the Township; sites larger than four cubic yards are permitted based on one cubic yard allowed per one acre of property in excess of four acres.

*Ordinance 2019-03; April 23, 2019*

**Basement:** The lowest story of a building which has more than half of its height below the finished grade.

**Barber and Beauty Shops:** Any building or portion thereof in which personal services are performed which require a license from the Board of Barber and Cosmetologist Examiners (Chapter 154, Minnesota Statutes) including without limitation, barbers, cosmetologists, estheticians, and manicurists.

**Bed-and-Breakfast Establishment:** A building or portion thereof designed and used or intended for use as a residence in which one or more bedrooms are rented to transient guests on a day-to-day basis and in which meals are served to these overnight guests.

**Bio-Fuel Manufacturing:** The conversion of organic materials to combustible fuel for use in an internal combustion engine.

**Block:** An area of land within a subdivision conforming to Minn. Stat. §505.02 which is entirely bounded by any combination of the following: Streets, exterior boundary of the subdivision, rivers, lakes, railroad lines used or intended for use as a boundary.

**Boarding House:** A dwelling where meals or lodging, or both, are provided for compensation to three or more persons by prearrangement of cost and for defined periods.

**Boathouse:** An accessory structure used or intended for use solely for the storage of boats or boating equipment.

**Buffer:** The use of land, topography (differences in elevation), space, fences, or landscape plantings to screen or partially screen a tract of property from another tract of property and thus reduce undesirable influences such as sight, noise, dust and other external effects which a land use may have upon other adjacent or nearby land uses.

**Buildable Area:** Any site, lot, parcel or any portion thereof that does not contain designated flood plain, wetlands or areas in excess of twenty-five (25) percent slope.

**Building:** A structure having a roof supported by columns or walls and any structure used or intended for use as an enclosure or shelter for persons, animals or property.

**Building Height:** The vertical distance between the highest adjoining ground level at the building or ten feet above the lowest ground level 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 Material Sales and Storage:** The wholesale or retail sale and/or keeping of construction materials such as lumber, beams, trusses and metal sheeting.

**Business:** Any occupation, employment or enterprise where goods or services are offered, bought, sold, transferred, assembled, created or manufactured.

**Cemetery:** Property used for the burial of dead persons.

**City:** City of Becker.

**Clinic:** An establishment providing medical, dental or mental health treatment to its patrons as out-patients, only.

**Commercial Agriculture Use:** Any occupation, employment or enterprise where goods or services are offered, bought, sold, transferred, assembled, created or manufactured for use by an agriculture or farm-related operation.

**Commercial Seasonal Storage:** Facility used for the purposes of renting or leasing individual indoor or outdoor storage space to occupants who are to have access to such for the purposes of storing and removing personal property.

**Communication Towers, Private:** A structure containing electronic receptors or relays forming an integral component of a communications system serving the private communication needs of a single user.

**Communication Towers, Commercial:** A structure containing electronic receptors or relays forming an integral component of a communications system serving the public communication needs of numerous users.

**Composting:** The controlled microbial degradation of source separated compostable material to yield a humus-like product or mulch to be used as a soil amendment. (MN Rules 7035.0300)

Composting sites must conform to the definition and requirements for a Backyard Compost Site as described elsewhere in this Section. Commercial compost sites and compost sites that do not conform to the requirements for a Backyard Compost Site are not permitted within the Township.

*Ordinance 2019-03; April 23, 2019*

**Comprehensive Plan:** Planning documents prepared by the Town of Becker and adopted by the Becker Joint Planning Board pursuant to authority granted in Chapter 462 of Minnesota Statutes.

**Concrete and Asphalt Plant:** A facility used for the manufacturing of concrete or asphalt.

**Contractor's Offices, Warehouses, Yards:** A facility with accessory outdoor storage, that serves as the headquarters for contractors involved in specialized activities such as plumbing, painting, plastering, masonry, carpentry, roofing, excavating, well drilling, landscaping and the like, where office activities take place and where tools, equipment and materials used in the business are stored.

**Convenience Store:** A store selling on a retail basis food for consumption off the premises along with other items sometimes including gasoline; differentiated from a grocery store by its building size of not more than 5,000 square feet.

**County:** Sherburne County.

**County Board:** The Sherburne County Board of Commissioners.

**Diesel Repair Shop:** A structure or portion of a structure used for the repair and maintenance of diesel engines.

**Direct Use Agriculture Business:** A business specializing in sales of farm equipment, pesticides, feeds, fencing, seed or other Production Agriculture (see definition) related equipment/supply.

*Ordinance 2019-01; February 26, 2019*

**Drive Through:** A structure that by design, physical facilities, service or packaging procedures encourages or permits customers to receive services or obtain goods while remaining in their vehicles.

**Driveway:** An area improved for vehicular and pedestrian traffic connecting a lot to a public road, which is wholly located on the lot to which access is provided.

**Dwelling, Attached:** A Single Family Dwelling which may include attached garage, which is attached to one or more other dwelling units.

**Dwelling, Detached:** A Single Family Dwelling which may include attached garage, which is not connected to any other dwelling unit.

**Dwelling, Multiple-Family:** A building containing more than one dwelling unit.

**Dwelling, Second Farm Related:** A Single Family Dwelling which may include attached garage, which is located on a farmstead with an existing primary dwelling unit.

**Dwelling, Single-Family:** A single residential accommodation including kitchen facilities permanently installed, which is arranged, designed, used or intended for use, as the permanent living quarters for one family.

**Dwelling Unit:** A building or portion of a building including kitchen facilities permanently installed which are arranged, designed, used or intended for use as living quarters for one family.

**Easement:** A grant by a landowner for a specific use of land by one or more persons.

**Electric Power Manufacturing:** permanent installation of generating equipment whose primary purpose is the conversion of an energy fuel (coal, gas, diesel, biomass or other fuel, but not wind or solar) to electric energy.

*Ordinance 2016-01; January 30, 2016*

**Essential Services:** Public conduits, including their appurtenant structures, used to provide sewage removal, water supply, electric power, fuel, communications (except wireless communication towers as regulated herein) and any other public convenience or necessity.

**Extraction:** The use of land for the mining of sand, gravel, rock or other earthen deposits from the land. Extraction shall not include the removal of materials associated with the construction of a building, the removal of excess materials in accordance with approved plats, utility construction, highway construction, sod removal, and agricultural uses.

**Extraction, Major:** Major Extraction is the taking of sand, gravel, rock or other earthen deposits from the land in an amount equal to or greater than 1,000 cubic yards, to a depth of more than three feet or more over an area of more than 9,000 square feet.

Major extraction does not include

- 1) the removal of materials associated with the construction of a building or other project in which a building permit has been lawfully obtained,
- 2) the removal of excess materials in accordance with approved plats,
- 3) sod removal,

- 4) agricultural uses,
- 5) extraction or filling of less than 1,000 cubic yards, or
- 6) extraction or filling for the purpose of utility construction or public road improvements and maintenance.

**Extraction, Minor:** Minor Extraction is the taking of sand, gravel, rock or other earthen deposits from the land

- 1) in an amount totaling less than 1,000 cubic yards, or to a depth of one foot or more, but less than three feet over an area of 9,000 square feet or more, and
- 2) extraction for the purposes of utility construction or public road improvements and maintenance.

Minor extraction does not include the removal of materials associated with 1) the construction of a building or other project in which a building permit has been lawfully obtained, 2) the removal of excess materials in accordance with approved plats, 3) sod removal, and 4) agricultural uses.

**Family:** Family is any of the following: Any number of individuals living together on the premises as a single housekeeping unit as distinguished from a group occupying a boarding or lodging house, licensed residential care facility, licensed day care facility or community based residential facility.  
*Ordinance 2016-03; May 24, 2016*

**Family Child Care Home:** A Dwelling Unit in which child care is provided to no more than twelve children (including the day care operator's children under five years of age).

**Farm:** A lot exceeding 10 acres, the principal use of which is agriculture.

**Farm Building:** Any building or structure other than a single family dwelling which is used by the operator of a farm, in the farming operation.

**Farm Equipment Sales:** Any enterprise where farm related equipment are offered, bought, sold, or transferred.

**Farm-related Business:** A business where crops and/or livestock are raised and used to create products that will be sold from the location. Direct Use Agriculture Businesses (see definition) are considered farm-related businesses as conditional uses where permitted within this ordinance.

*Ordinance 2019-01; February 26, 2019*

**Feedlot:** A lot, building or structure, or any combination thereof, used or 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 for the feeding and rearing of poultry (poultry ranges) shall be considered to be animal feedlots. Pastures shall not be considered to be animal feedlots.

**Fence:** A partition intended as a dividing marker, a barrier, or an enclosure.

**Floor Area, Ground:** The area within the exterior walls of the main building or structure excluding the garage as measured from the outside walls at the ground level.

**Game Refuge, Private:** A lot and related structures in which the principal use is for the raising, release and hunting of sporting birds by the owner and invitees not for profit.

**Glare:** A light source that is located, directed or controlled such that the light source itself is visible from a point four feet above the ground or higher at any point off the lot on which the light source is located.

**Golf Course:** A tract of land laid out for at least nine holes for playing the game of golf and improved with tees, greens, fairways, and hazards that may include a clubhouse and shelter.

**Grain Elevator:** A Storage building for grain with a compartmented interior including the device for loading grain into the building.

**Group Home:** A specialized residential facility that provides care on a 24 hour basis for a selected group and providing specialized care and a planned treatment program under the direction and control of an agency, institution or independent operator.

**Home Business:** Any occupation which is clearly incidental to the principal use of the lot as a single family dwelling unit, is conducted in a building other than the dwelling, is conducted by a resident occupant, and does not change the character of the principal use.

**Home Occupation:** Any occupation which is clearly incidental to the principal use of the home as a single family dwelling unit, is conducted within the dwelling, is conducted by a resident occupant, and does not change the character of the principal use.

**Hospital:** An establishment providing medical, dental or mental health treatment to its patrons, both as out-patients and in-patients.

**Hotel:** A building with guest rooms in which lodging is provided and offered to the public for compensation, and with convenient access to off-street parking spaces for the exclusive use of the guests or occupants.

**Housing, Child Care Center, Single Family:** A residential facility licensed pursuant to Chapter 245A of Minnesota Statutes providing day care for twelve or fewer children, 13 years of age or younger.

**Housing, Child Care Center, Multi-Family:** A residential facility licensed pursuant to Chapter 245A of Minnesota Statutes providing day care for thirteen thru sixteen children, 13 years of age or younger.

**Housing, With Services:** A residential facility providing adult housing with services licensed pursuant to Chapter 144D, and defined in Minn. Stat. 144D.01, Subd. 4 (01), serving 6 or fewer persons.

**Housing, Group Family Day Care:** A residential facility licensed pursuant to Minnesota Rules and defined in Rule 9502.0315 serving 14 or fewer children 10 years of age or younger, including children of the caregiver.

**Industrial Service or Supply:** The production, manufacturing, warehousing, storage, or transfer of goods, products, commodities, or other wholesale items.

**Interim Use:** A temporary use of a lot until a particular date, or the occurrence of a particular event, as defined by the Town Board.

**Irrigation System:** Any structure or equipment used to supply water for agriculture including, but not limited to, wells, pumps, motors, pipes, culverts, gates, dams, ditches, tanks, ponds, and reservoirs.

**Joint Planning Board:** The representative body established as part of an annexation agreement.

**Joint Planning Area:** The area encompassing Becker Township in its entirety in which planning, zoning, and subdivision activities are governed by the Becker Joint Planning Board.

**Kennel, Commercial:** Any commercial operation that boards dogs and/or cats.

**Kenel, Private:** Any lot where four or more dogs over six months of age are owned or kept for private enjoyment.

**Land Spreading:** The application of processed human, or animal waste to agriculturally used land.

**Lean-to:** An extension of an enclosed building, sheltered by a roof that has rafters leaning against the building's wall or as an extension of the building's rafters, supported only by posts, columns, or end walls and open along the outside or longest edge. For the purposes of this ordinance, the lean-to may be as large as fifty (50) percent of the square footage of the building to which it is attached, and the square footage under the lean-to will not be counted toward the maximum accessory structure square footage allowed on the property. Lean-to square footage will count toward the maximum allowable impervious surface on a property.

**Living Quarters:** The seasonal temporary use of designated rooms within a principal dwelling unit by employees of the owner of the dwelling unit.

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

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

**Lot:** A parcel of land separated from other parcels by legal description.

**Lot Area:** The contiguous horizontal plane of a lot, bounded by the lot lines.

**Lot, Corner:** A lot bounded by the intersecting boundaries of two (2) or more streets.

**Lot Coverage:** That portion of a lot covered with structures and hard surfaces such as parking, loading, and storage.

**Lot Depth:** The average horizontal distance between the front lot line and the rear lot line.

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

**Lot Line:** A line bounding the horizontal plane of a lot.

**Lot Line, Front:** The line connecting the side lot lines of a lot measured along the boundary of the right-of-way designated by the Town Board to serve the lot.

**Lot Line, Rear:** The lot line that is opposite the front lot line.

**Lot Line, Side:** Any lot line that is not a front lot line or a rear lot line.

**Lot, Through:** An interior lot having frontage on two (2) streets.

**Lot Width:** The horizontal distance between the side lot lines measured parallel to the front lot line at the front building setback.

**Lots of Record:** A Lot of Record is a parcel of land separated from other parcels by legal description and which satisfied the physical standards for width, depth, density, area, right of way frontage and sewage treatment requirements established by law on the date the lot was recorded with the Sherburne County Recorder, after approval by the then appropriate governmental authority as a division or a subdivision. A lot of record which no longer meets the requirements described in the preceding provision hereof, is subject to the non-conforming use provisions of this Ordinance.

**Manufactured (Mobile) Home:** A Dwelling Unit bearing the seal of the State Building Inspector classifying it as a manufactured or mobile home.

A structure, transportable in one or more sections, which in the traveling mode, is 8 feet or more in width or 40 or more feet 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 plumbing, heating, air conditioning and electrical systems contained therein. The term includes any structure that meets all the requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under State law.

**Manufactured (Mobile) Home Park:** A lot used or intended for use as the location or accommodation for two or more manufactured homes.

**Motel:** A series of sleeping or living units, for the lodging of transient guests, offered to the public for compensation, and with convenient access to off-street parking spaces for the exclusive use of the guests or occupants.

**Manufacturing:** The mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials, such as lubricating oils, plastics, resins, or liquors.

**Medical and/or Dental Office:** An establishment providing medical, dental or mental health treatment to its patrons as out-patients, only

**Milling:** The mechanical grinding of wheat or other grains to produce flour.

**Motor Vehicle Track:** A racetrack and accessory structures used for motor vehicle races.

**Non-Conforming Use or Structure:** Any lot, building or structure, or the use thereof, which satisfied all legal requirements of this Ordinance (and amendments thereto) prior to the effective date thereof, and which does not satisfy the legal requirements of this Ordinance after its effective date.

**Nursery, Retail:** Land or greenhouses used to raise flowers, shrubs, and plants for sale.

**Nursing Home:** An establishment which provides full-time convalescent or chronic care for three or more individuals who are not related by blood or marriage to the operator and who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

**Occasional Special Event:** Events for business purposes conditionally permitted on properties in the Agriculture or General Rural zoning districts, limited to sixteen (16) occurrences per year in the Agriculture district and eight (8) occurrences per year and two (2) per month in the General Rural district. A weekend-long event up to three (3) consecutive days is considered one (1) occurrence.

*Ordinance 2018-01; December 14, 2018*

**Open Space Use:** A use which preserves the unimproved natural character of land, air and water and in which accommodations for human habitation or domestic animals are substantially prohibited.

**Open Space Recreation Use:** An open space use based on outdoor activities and including such improvements as hiking and riding trails, primitive camp sites, way-side rest and observation areas and other non-competitive recreation.

**Outlot:** A lot delineated on a plat as an outlot as approved by the Becker Town Board.

**Outside Storage:** The maintaining, outside of an authorized building or structure, of any personal property, whether usable or unusable, including recreational vehicles, or unlicensed or inoperable motor vehicles.

**Owner:** The term Owner in this Section includes the owner of the land, the owner of the extraction operations business, the applicant, and any third party operator contracting with or providing services to the land owner or the extraction operations business.

**Pawnbroker:** A person who lends money secured by pledged goods left in the possession of the person, and as otherwise described in Minn. Stat. § 325J.01.

**Personal Service Business:** An establishment primarily engaged in providing services involving the care of a person or his or her personal goods or apparel. These services include, but are not limited to, health clubs, laundry services, shoe repair, and funeral services.

**Personal Storage Structure:** An accessory structure used for non-commercial use that in some cases may be conditionally permitted as the only structure on a parcel. *Ordinance 2016-03; May 24, 2016*

**Planned Unit Development (Highway):** A type of development, or redevelopment to allow, or preserve appropriate land uses adjacent to major county, state, and federal highway intersections in order to help meet the goals and objectives of the Comprehensive Plan of the Town of Becker, Sherburne County Transportation Plan, and related Ordinances. These developments may be accomplished by incorporating a mixture of dimensional regulations, and or uses as regulated by a Conditional Use Permit.

**Pole Building:** A post frame construction building made of wooden or metal parts, with metal panels covering three or more sides, and without a full foundation.

**Portable Temporary Storage Unit:** A transportable unit designed and used primarily for temporary storage of building materials, household goods, and other such materials. Such unit shall not be considered an accessory structure as provided in the Becker Joint Planning Board Code of Ordinances. *Ordinance 2011-01; January 25, 2011*

**Power Generation Plants:** A facility used or intended for the conversion of any fuel into electricity or any other generated power, including extracting fuel from natural deposits for the purpose of converting it into power.

**Principal Use:** The predominate purpose or activity for which a lot, structure or building thereon is designed, used or intended for use, or for which it is occupied or maintained.

**Production Agriculture:** The cycle of purchase/ breeding of qualifying animals through final packaging of such into finished product, or the preparation of soils for planting crops through the stage when the crop is sellable or packaged into finished products. Agriculture Production results in a product that can be sold at retail and does not include processing agricultural products at off-site facilities or raising animals/crops for personal use.

*Ordinance 2019-01; February 26, 2019*

**Railroad Yards, Terminals:** An open area or building designed for the storage and repair of trains.

**Recreation, Commercial:** A privately owned business or lot offering recreational uses, services, or equipment for a fee.

**Recreational Activities:** Sports and leisure-time activities, of a formal or informal nature, often performed with others.

**Recreational and Non-Commercial Uses:** Recreational facilities, services, equipment or uses which may include water bodies and accessory buildings maintained for active or passive recreation including, without limitation, parks, playgrounds, golf courses, hunting preserves, equestrian facilities, nature trails, bridle paths, ski trails, picnic grounds, wildlife and nature areas.

**Recycling Facility:** A facility in which recyclables, such as newspapers, magazines, books, and other paper products; glass; metal; and other products, are recycled, reprocessed, and treated to return such products to a condition in which they may again be used in new products.

**Refineries:** Facilities used for purifying a crude substance, such as petroleum or sugar.

**Religious Institutions:** A building or use of land in which persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to promote religious worship.

**Restaurant:** An establishment where food is prepared and made available to the general public for consumption on or off the premises.

**Retail Sales:** Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

**Satellite Antenna:** A device for the reception of signals from communication satellites.

**Schools, Public and Private:** Nursery, elementary, secondary and college institutions.

**Seasonal Storage:** The business of using agricultural buildings for the storage of personal property authorized by conditional use permit.

**Setback:** The minimum horizontal distance between a building, structure, improvement, or similar constructive facility, and a lot line boundary, road, natural feature, or similar landmark, measured in feet.

**Setback Area:** The area of a lot between any lot line and the building setback line in which buildings and structures are prohibited by this Ordinance.

**Setback Area, Front Yard:** The setback area between the building and the front lot line. **Setback Area, Rear Yard:** The setback area between the building and the rear lot line. **Setback Area, Side Yard:** The setback area between the building and the side lot line.

**Setback Area, Building:** A line within a lot which establishes the minimum distance between any lot line and the nearest permitted portion of a building or structure.

**Sewage Treatment System, On-Site Individual:** A sewage treatment system that uses a septic tank and subsurface soil treatment and disposal to serve a Dwelling Unit on the same lot pursuant to Minn. Stat. §115.55 and Minn. Rules adopted pursuant thereto.

**Sewered Areas:** An area that is serviced by a public wastewater treatment facility, or a publicly owned, operated, and supervised centralized septic systems servicing an entire development.

**Shooting Range, Trap Range, Skeet Range:** A lot and related structures used for shooting firearms at fixed or moving targets at fixed ranges.

**Shopping Center:** A group of commercial establishments planned, constructed, and managed as a total entity, with customer and employee parking provided on-site.

**Single Family Residence:** A dwelling which is a minimum of twenty four (24) feet wide and a minimum of seven hundred and twenty (720) square feet in main floor area.

**Solar Energy Systems – Accessory:** A solar panel or array mounted on a building, pole or rack that is secondary to the primary use of the parcel on which it is located and which is directly connected to or designed to serve the energy needs of the primary use.

*Ordinance 2016-01; January 30, 2016*

**Solar Farms:** A solar array composed of multiple solar panels on ground-mounted rack or poles which is the primary land use for the parcel on which it is located.

*Ordinance 2016-01; January 26, 2016*

**Stand, Roadside:** A temporary structure for the display and sale of products with no space for customers within the structure itself.

**Structure:** Anything constructed or erected on or in the ground, or attached to something on the ground, including but not limited to buildings, decks, balconies, bay windows, cantilevered upper level projections, building eaves, tool and gardening sheds. This includes a fixed or movable building which can be used for residential, business, commercial, agricultural, or office purposes, either temporarily or permanently.

*Ordinance 2011-01; January 25, 2011*

**Subdivision:** A parcel of land separated from other parcels of land by legal description in accordance with the Subdivision Regulations of the Town of Becker, or the County of Sherburne.

**Subdivision, Boundary Adjustment:** The division of one or more lots of record for the purpose of combining a portion or portions thereof with other lots of record, without creating additional lots and provided that no additional nonconforming lots shall be created, nor shall any existing nonconformity be increased nor any new nonconformity be created.

*Ordinance 2012-01; January 24, 2012*

**Subdivision, Simple Lot:** The division of a platted lot of record into two lots, each of which complies with all zoning and subdivision requirements

**Temporary Residence:** Any building, structure or other enclosure being used for human habitation which does not meet the minimum requirements of this Ordinance, or of the Minnesota State Building Code and which is approved as an Interim Use.

*Ordinance 2018-01; December 14, 2018*

**Transmodal Facility:** A facility that transfers goods and materials from one mode of transportation to another for delivery to another destination.

**Truck Terminal:** A warehouse and distribution business specializing in the shipment or storage of goods or materials.

**United States Public Land Survey:** The original survey commissioned by the U. S. Government and described in Minn. Stat § 381.12 and required by Minn. Stat § 389.04.

**Veterinary Clinic with Kennels:** A commercial activity catering to the medical needs of animals and having kennels or runs inside and/or outside the facility.

**Warehousing:** The storage of materials, goods, or equipment within an enclosed building as a principal use.

**Waste Facility:** A lot, structure, or portion of a structure used for the processing, transfer, or disposal of solid waste.

**Wetland:** Lands traditionally 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 Ordinance, wetlands must (1) have a predominance of hydric soils; (2) be inundated or saturated by surface water or groundwater 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 hydrophytic vegetation.

- “A wetland” or “the wetland” means a distinct hydrologic feature with characteristics of the preceding paragraph, surrounded by nonwetland and including all contiguous wetland types except those connected solely by riverine wetlands. “Wetland are” means a portion of “a wetland” or “the wetland”.
- Wetlands do not include public waters wetlands and public waters that are designated on the public waters inventory maps prepared under Minnesota Statutes, Section 103G.201.

**Wooded:** A lot that has tree canopy over at least 75 percent of its area.