# REDWOOD COUNTY ZONING ORDINANCE SECTION 22 RULES AND DEFINITIONS

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#### SECTION 22 RULES AND DEFINITIONS

#### SUBDIVISION 1. RULES

For the purposes of this Ordinance, certain terms or words used herein shall be interpreted as follows:

- 1. The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.
- 2. The word "shall" is mandatory, and not discretionary, the word "may" is permissive.
- 3. Words used in the present tense shall include the future; and words used in the singular shall include the plural and the plural the singular.
- 4. The word "used for" shall include the phrases "arranged for", "designed for", "intended for" "maintained for" and "occupied for".
- 5. All stated and measured distances shall be taken to the nearest integral foot. If a fraction is one-half (1/2) foot or less, the integral foot next below shall be taken.

### **SUBDIVISION 2. DEFINITIONS**

- 1. <u>Abut.</u> To border upon a parcel of land, to share all or part of a common property line with another parcel.
- 2. <u>Accessory Use or Structure.</u> A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
- 3. <u>Adult Book and/or Video Store.</u> Any establishment whose primary business activity is providing for the sale or rental of sexually explicit material including but not limited to; videos, books, sexual aids, and/or magazines.
- 4. <u>Agriculture.</u> The cultivation of the soil and activities incident thereto; the growing of soil crops in the customary manner on open tracts of land or other growing methods; the raising of livestock or poultry; farming.
- 5. <u>Agricultural Building or Structure.</u> Any buildings or structures existing or erected on agricultural land, as zoned, designed, constructed, and used principally for agricultural purposes, with the exception of dwelling units.
- 6. Ancillary Facilities/Structures. Accessory structures or facilities.

- 7. <u>Antenna.</u> That portion of any equipment used to radiate or receive telecommunication frequency energy for transmitting or receiving telecommunication waves. Antennas may consist of metal, carbon fibre, or other electronically conductive rods or elements. It includes, but is not limited to personal wireless service, radio and television broadcasting, transmitting and receiving and short wave radio equipment.
- 8. <u>Antenna Support Structure.</u> Any building or structure other than a tower which can be used for location of telecommunication facilities.
- 9. ANSI. American National Standards Institute.
- 10. <u>Applicant.</u> Any person that applies for a Land Use permit through the Redwood County Environmental Office.
- 11. <u>Application.</u> The process by which the owner of a plot of land within the county submits a request to develop, construct, build, modify, or erect a structure upon such land. Application includes a properly filed application, on a form provided to the applicant by the Redwood County Environmental Office, all written documentation and any verbal statements and representations made by an applicant to the county concerning such a request.
- 12. <u>Automobile or Motor Vehicle Service Station.</u> A building designed primarily for the supplying of motor fuel, lubrication and maintenance to motor vehicles or any portion thereof.
- 13. <u>AWEA.</u> American Wind Energy Association.
- 14. <u>Basement.</u> Any area of a structure, including crawl spaces, having its floor or base subgrade (below ground level) on all four sides, regardless of the depth of excavation below ground level.
- 15. <u>Bluffline.</u> A line along the top of a slope connecting the points at which the slope becomes less than thirteen percent (13%). This term applies to those slopes within the "S" SCENIC RIVER DISTRICT which are beyond the setback provision from the normal high water mark.
- 16. <u>Board of Adjustment.</u> A quasi-judicial body, created by this Ordinance, whose responsibility it is to hear appeals from decisions of the Zoning Administrator and to consider requests for variances permissible under the terms of this Ordinance.
- 17. <u>Boarding House.</u> (Bed and Breakfast) A lodging establishment having the option to serve food.

- 18. <u>Buildable Area.</u> The space remaining on a lot for building purposes after the setback and open space requirements have been met.
- 19. <u>Building.</u> Any structure for the shelter, support or enclosure of persons, animals, chattel or property of any kind.
- 20. <u>Building Height.</u> The vertical distance from the average of the highest and lowest point of that portion of the lot covered by the building to the highest point of the roof, to the deck line of mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs.
- 21. <u>Building Setback Line.</u> A line within a lot or other parcel of land parallel to a public road, street or highway right-of-way line defining that distance between the building and property line which buildings or structures may not be placed.
- 22. <u>Business Waste.</u> Waste, other than normal municipal solid waste, generated from business activities and daily operations.
- 23. <u>Campground.</u> An area accessible by vehicle containing campsite or camping spaces for tent and trailer camping.
- 24. <u>Cemetery.</u> Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes and including, but not limited to, columbariums, mausoleums and chapels when operated in conjunction with and within the boundaries of such cemetery.
- 25. <u>Certificate of Insurance.</u> Statement provided to the Redwood County Environmental Office, which validates that the owner of a proposed project does have insurance for the project.
- 26. <u>Clear-cutting.</u> The removal of an entire stand of vegetation.
- 27. <u>Church.</u> 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.
- 28. <u>Co-locate.</u> Locating more than one antenna on a telecommunications tower.
- 29. <u>Commercial Outdoor Recreation Area.</u> Any area used for an outdoor event, in which there is a fee for entry and/or parking, and is open to the public and/or private groups.
- 30. <u>Communication Cells/Search Radius.</u> The service area of a telecommunication tower used to determine the number of possible sites for the placement of a proposed tower or the co-location of a proposed user.

- 31. Communication Lines. Power lines used in the communication process.
- 32. <u>Communication Tower-Free Standing.</u> A ground mounted tower consisting of a pole, spire, structure, or combination thereof constructed without guyed wires and anchors.
- 33. <u>Communications Tower-Guyed.</u> A tower that is supported in whole or part by wires and ground anchors.
- 34. <u>Communications Tower-Monopole.</u> A ground mounted tower consisting of a single pole constructed without guyed wires and anchors.
- 35. <u>Convalescent or Nursing Home.</u> A building or facility for the care of the aged, infirm, or a place of rest for those suffering bodily disorders. The State Board of Health as provided for in Minnesota Statues shall license facilities.
- 36. <u>Convenience Store.</u> A retail sales establishment that in addition to other retail sales and rentals, may sell gasoline at pumps, car washes and take-out foods, but not including automotive service stations.
- 37. <u>County.</u> Redwood County, Minnesota.
- 38. <u>County Board.</u> Includes the County Commissioners, the Board of County Commissioners or any other words meaning the Redwood County Board of Commissioners.
- 39. <u>County Ditch.</u> An open channel that conveys water, established, constructed, maintained, and overseen by the County Drainage Authority.
- 40. <u>County Tile.</u> A sub-surface pipe that conveys water, established, constructed, maintained, and overseen by the County Drainage Authority.
- 41. <u>Decommissioning Plan</u>. A plan that specifies how, when, and why a structure such as a wind tower or telecommunications tower will be demolished and the site reclaimed.
- 42. <u>Department of Natural Resources Protected Waters</u>. Waters within Redwood County that have been identified as protected waters on the official protected waters map in the Redwood County Environmental Office.
- 43. <u>Depth of Lot.</u> The mean horizontal distance between the mean front street line and the mean rear lot line.

- 44. <u>Dwelling.</u> Two or more rooms within a structure which are arranged, designed or used as living quarters for one (1) family only. Individual bathrooms and complete kitchen facilities, permanently installed shall be included for each dwelling. A mobile home with the above accommodations located in areas approved for mobile homes shall be considered a dwelling unit. A house trailer, camper trailer, camper bus or tents are not considered dwelling units.
  - A. <u>Dwelling, farm</u>. A dwelling located on a farm, which the residents of said dwelling either owns, operates or is employed thereon.
  - B. <u>Dwelling, multiple</u>. A residence designed for/or occupied by more than one family.
  - C. <u>Dwelling, non-farm</u>. A dwelling located on a parcel of land contiguous to or surrounded by farmland which is under separate ownership and which the resident of said dwelling neither operates nor is employed thereon.
  - D. <u>Dwelling, Single Family</u>. A free standing (detached) residence designed for/or occupied by one (1) family only.
- 45. <u>Eating Establishment.</u> Any place selling prepared foods for dine-in or take-out.
- 46. <u>Engineer.</u> An engineer licensed by the state of Minnesota.
- 47. <u>EPA.</u> Environmental Protection Agency.
- 48. <u>Equal Degree of Encroachment.</u> A method of determining the location of the floodway boundaries so that floodplain lands on both sides of a stream are capable of conveying a proportionate share of flood flows.
- 49. <u>Essential Services.</u> Any surface, overhead or underground electric, gas transportation, hydro-carbon, steam, water, or refuse transmission, distribution or collection system operated by any utility company or governmental agency.
  - A. <u>Minor Essential Service Facilities</u>. Any essential service line or structure located within any county easement of county right-of-way and providing single service distribution lines, i.e., single service electrical distribution lines (less than thirty-five (35) KV), other single service distribution lines (telephone and gas), shall not require a Conditional Use Permit, however, such service facilities shall not be governed by the procedures described herein.

- B. <u>Major Essential Service Facilities</u>. Any essential service line or structure providing transmission services, i.e., utility service such as high voltage (greater than thirty-five (35 KV) electrical power or bulk gas or fuel being transferred from station to station and not intended for end route consumption shall require a Conditional Use Permit as regulated in Section 25 of this Ordinance in addition to being governed by the procedures described herein.
- 50. <u>Essential Service Line.</u> Any primary or subsidiary conductor designed or utilized for the provision of maintenance of essential services, including any pole, wire, drain, main, sewer, pipe, conduit, cable, fire hydrant, fire alarm box, police call box, right-of-way, but not including any structure.
- 51. <u>Essential Service Structure.</u> Any pertinent structure required to be on line to accommodate the proper provision or maintenance of essential services including any electrical substation, water tower, sewage lift station, or other similar facility.
- 52. <u>Existing Towers.</u> Any towers built prior to the adoption of the Redwood County Telecommunications Tower Ordinance.
- 53. <u>FAA.</u> Federal Aviation Commission.
- 54. <u>Family.</u> Any number of individuals related by blood, marriage, adoption or foster care, or not more than five (5) persons not so related, maintaining a common household and using common cooking and kitchen facilities; as distinguished from a group occupying a boarding house, lodging house, hotel or motel.
- 55. <u>FCC.</u> Federal Communications Commission.
- 56. Feedlot. Lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising or holding of animals in 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. For the purposes of this Ordinance, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered to be animal feedlots. Pastures shall not be considered animal feedlots under these rules. Other definitions relating to feedlots as regulated in Section 17 of this Ordinance are found in Minnesota Pollution Control Agency's Rules for the Control of Pollution from Animal Feedlots. These rules are adopted by reference in this Ordinance.
- 57. <u>Feedlot Structures.</u> Any structures, buildings, or the like used to confine or shelter animals.

- 58. <u>Flood.</u> A temporary increase in the flow or stage of a stream or in the stage of a lake that results in the inundation of normally dry areas.
- 59. <u>Flood Control/Watershed Structure.</u> Structures used to control the water levels on lakes, rivers, streams, and other wetlands.
- 60. <u>Flood Frequency.</u> The average frequency, statistically determined, for which it is expected that a specific flood stage or discharge may be equaled or exceeded.
- 61. <u>Floodfringe.</u> That portion of the floodplain outside of the floodway. Floodfringe is synonymous with the term "floodway fringe" used in the flood insurance study of Redwood County.
- 62. <u>Floodplain.</u> The areas adjoining a watercourse which have been or hereafter may be covered by the regional flood.
- 63. <u>Floodproofing.</u> The combination of structural provisions, changes, or adjustments to properties and structures subject to flooding, primarily from the reduction or elimination of flood damages. For the purposes of this Ordinance the classification of buildings and structures (FP-1 through FP-4) shall be as defined in Section 210.1 of the 1972 Edition of "Floodproofing Regulations" as developed by the Office of the Chief of Engineers, U.S. Army, Washington, D.C. A copy of Floodproofing Regulations, as amended herein, is hereby incorporated by reference and declared to be a part of this Ordinance.
- 64. <u>Floodway.</u> The channel of the watercourse and those portions of the adjoining floodplain which are reasonably required to carry and discharge the regional flood.
- 65. Gross Floor Area. The sum of the gross horizontal areas of the several floors of a building measured from the exterior faces of exterior walls, or from the center line of party walls separating two buildings; the term does not include basements used for storage purposes or enclosed spaces used for off-street parking.
- 66. <u>Hazardous Materials.</u> Any materials that are considered hazardous due to their composition.
- 67. <u>Home Occupation.</u> An accessory use of the premises for gainful employment involving the manufacture, provision, or sale of goods and /or services.
- 68. <u>Hotel or Motel.</u> A facility offering lodging accommodations to the general public.
- 69. <u>Incinerator, Municipal Solid Waste (MSW).</u> A site for the disposal of solid waste materials through burning.

- 70. <u>Individual Sewage Treatment System (ISTS).</u> A sewage treatment system, or part there of, serving a dwelling, or other establishment, or a group there of, and using sewage tanks or advanced treatment followed by soil treatment and disposal. Individual sewage treatment systems include holding tanks and privies.
- 71. <u>Industrial Waste.</u> Waste, other than normal municipal solid waste, generated from industrial activities and daily operations.
- 72. <u>Interconnection Point.</u> The common junction at which two or more power lines come together.
- 73. <u>Intra-project.</u> Projects within the same geographic area.
- 74. <u>Judicial Ditch.</u> A drainage system established by a District Court, which may be encompassed in one or more counties.
- 75. <u>Judicial Tile.</u> A subsurface pipe system established by a District Court, which may be encompassed in one or more counties.
- 76. <u>Junk Yard or Salvage Yard.</u> An area where used, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, including, but not limited to scrap iron, and other materials. Storage of materials in conjunction with construction or manufacturing process shall not be included. Such use shall not include garbage.
- 77. <u>Kennel, Commercial or Private.</u> A place where three (3) or more of any single type of domestic animals, over four (4) months of age, are boarded, bred or offered for sale.
- 78. Kilowatts. 1000 watts.
- 79. <u>Landfill, Demolition Waste.</u> A site for disposal of demolition waste building materials, packaging, and rubble resulting from construction, remodeling, repair and demolition.
- 80. <u>Landfill, Municipal Solid Waste (MSW).</u> A site for the disposal of solid waste materials.
- 81. <u>Lot.</u> A parcel of land occupied or to be occupied by a principal structure or group of structures and accessory structures together with such yards, open spaces, lot width and lot area as are required by this Ordinance, and having the required frontage upon the street, either shown and identified by lot number on a plat of record or considered as a unit of property and described by metes and bounds.

- A. <u>Lot, corner.</u> A lot located at the intersection of two streets, having two adjacent sides abutting streets; the interior angle of the intersection does not exceed one hundred thirty-five (135) degrees.
- 82. <u>Lot Area</u>. The area of a lot on a horizontal plane bounded by the lot lines.
  - A. <u>Lot area, buildable</u>. That portion of the lot remaining after the deletion of floodplains, road right-of-way, wetlands and slopes of twelve (12) percent or greater.
- 83. <u>Lot Frontage.</u> That potion of the lot boundary having the least width abutting on the street right-of-way.
- 84. <u>Lot lines.</u> The lines bounding a lot as defined in this Ordinance.
- 85. <u>Lot of Record.</u> Any lot which has been recorded in the office of the County Recorder prior to the adoption of this Ordinance.
- 86. Megawatts. 1000 Kilowatts.
- 87. <u>Minor Streets.</u> A street whose primary purpose is to provide access to abutting properties.
- 88. MnDOT. Minnesota Department of Transportation.
- 89. MPCA. Minnesota Pollution Control Agency.
- 90. Mobile, Manufactured or Modular Home. A single family dwelling designed to be moved by being built on a frame or chassis and further specifically designed and constructed so that the wheels are, or may be attached for transportation on public streets, or highways, and designed without the need for permanent foundation arriving at the site complete and ready for residential occupancy except for minor and incidental unpacking and assembly operations; location on wheels, jacks, blocks or other foundations, excluding basement or cellar, connection to the utilities and the like.
- 91. <u>Motor Vehicle Sales.</u> The sale or trade of new or used motor vehicles, whether cars, trucks, buses, campers, motorcycles, lawnmowers, or other motorized vehicles, including the display of new or used vehicles, or the possession of new or used vehicles for sale or trade.

- 92. <u>Municipal Solid Waste (MSW).</u> Solid waste that is garbage, refuse and other discarded solid materials. Animal waste used as fertilizer, solid waste materials resulting from industrial, commercial and agricultural operations are not included. Solid waste does not include earthen fill, boulders, rock and other materials normally handled in construction operations, solids or dissolved materials in domestic sewage or other significant pollutants in water resources, such as salt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows, or other common water pollutants.
- 93. Nacelle. The enclosed portion of the wind tower generator.
- 94. <u>Non-Farm Dwellings.</u> A residence, located outside of city limits, that is not related to an agricultural operation.
- 95. <u>Non-reflective.</u> Materials used to reduce reflection of light and any glare cause by artificial or natural lighting.
- 96. Normal High Water Mark. A mark delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape. Normal high water mark is commonly the point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial.
- 97. Obstruction. Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel refuse, fill, structure, matter in, along, across, or projecting into any channel, water course, or regulatory floodplain which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water.
- 98. <u>Open Space.</u> That area of real property upon which no building is or may be erected, whose primary use is as a park and/or recreational area.
- 99. <u>Open Space Recreational Use.</u> A recreation use particularly oriented to and utilizing the outdoor character of an area; campgrounds, waysides, parks, and recreational areas.
- 100. Outdoor Event. Any event sponsored by a group, corporation, or individual, taking place outdoors, and shall include events maintaining enclosed buildings, tents, or structures for the purpose of the event, which is free and open to the public and/or private groups.
- 101. <u>Planning Commission.</u> The duly appointed Planning and Zoning Advisory Commission of the County Board.
- 102. <u>Powerlines.</u> Lines used to transport electrical current.

- 103. <u>Reach.</u> A hydraulic engineering term 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 (2) consecutive bridge crossings would most typically constitute a reach.
- 104. Recycling Facility. A facility where recyclable materials are collected, stored, flattened, crushed, or bundled prior to sale and shipment to others who will use those materials.
- 105. Registered Land Survey. A survey map, certified by a registered land surveyor, designed to simplify a complicated metes and bounds description, designating the same into a tract or tracts of a Registered Land Survey Number (See Minnesota Statutes 508.47).
- 106. 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 one hundred (100) year recurrence interval. Regional flood is synonymous with the term "base flood" used in the Flood Insurance Study.
- 107. Regulatory Flood Protection Level. Point not less than one (1) foot above the water surface profile associated with the regional flood plus any increase in flood heights contributable to encroachment on the floodplain. It is the elevation to which uses regulated by this Ordinance are required to be elevated or floodproofed.
- 108. <u>Residence.</u> A residential building or portion thereof intended for the occupancy by a single family but not including hotels, motels, boarding or rooming houses or tourist homes.
- 109. <u>Rotors.</u> The rotating appendages of a wind generator that are turned by the wind to supply energy for the generator.
- 110. <u>Rotor Diameter.</u> The measurement across the length of the area of the imaginary circle made from the rotors. The measurement cuts a circle in half.
- 111. <u>Riding Academy or Stable.</u> Any facility whose primarily use is for the boarding, training, breeding and/or riding of equine animals.
- 112. Road. A public right-of-way affording primary access by pedestrians and vehicles to abutting properties weather designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, land, place, or however, otherwise designated.
- 113. Selective-cutting. The removal of certain trees.

- 114. Setback. A required distance.
- 115. <u>Shopping Center or Stripmall.</u> Any group of four (4) or more retail/service businesses with a single architectural plan.
- 116. <u>Sign.</u> The use of any words, numerals, pictures, figures, devises, or trademarks by which anything is made known such as are used to show an individual, firm, profession or business, and are visible to the general public.
  - A. <u>Advertising (off-premise sign).</u> A billboard, poster, panel, painted bulletin Board, or other communicative device which is used to advertise products, goods, or services which are not exclusively related to the premises on which the sign is located.
  - B. <u>Business Sign.</u> Any sign which identifies a business or group of businesses, either retail or wholesale, or any sign which identifies a profession or is used as the identification or promotion of any principal commodity or service, including entertainment, offered or sold upon the premises where sign is located.
  - C. <u>Construction Sign.</u> A sign placed at a construction site identifying the project or the name of the architect, engineer, contractor, financier or other involved parties.
  - D. <u>Directional Sign.</u> Sign erected on public or private property which bears the address and name of a business, institution, church, or other use or activity plus directional arrows or information on location.
  - E. <u>Directory Sign.</u> A wall sign which identifies the business, owner, manager, or resident occupant and sets forth the occupation or other address information but contains no advertising.
  - F. <u>Free Standing Sign.</u> Any stationary or portable, self supported sign not affixed to any other structure.
  - G. Government Sign. A sign which is erected by a governmental unit.
  - H. <u>Illuminated Sign.</u> Any sign, which is lighted by artificial light source either, directed upon it or illuminated from an interior source.
  - I. <u>Institutional Sign.</u> A sign or bulletin board which identifies a name or other characteristics of a public or private institution on the site where the sign is located.

- J. <u>Integral Sign.</u> A sign carrying the name of a building, its date of erection, monumental citations, commemorative tablets and the like carved into stone, concrete or similar material made of bronze, aluminum or other permanent type of construction and made an integral part of the structure.
- K. <u>Nameplate Sign.</u> 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.
- L. <u>Real Estate Sign.</u> A business sign placed upon a property advertising that particular property for sale, or for rent or lease.
- 117. <u>Sign Area.</u> The entire area within a single, continuous perimeter enclosing the extreme limits of actual sign surface. It does not include any structural elements outside the limits of such sign and not forming an integral part of the display. Only one side of double face sign structure shall be used in computing the total surface area.
- 118. <u>Structure.</u> Anything constructed or erected on the ground or attached to the ground or on-site utilities, including, but not limited to, buildings, factories, sheds, detached garages, cabins, manufactured homes, travel trailers/vehicles not meeting the exemption criteria specified in Section 5, Subdivision 9, Paragraph 3 and other similar items.
- 119. <u>Structural Alterations.</u> Any change in the supporting members of a building, such as bearing walls, columns, beams or girders.
- 120. <u>Surveyed.</u> A comprehensive determination of the boundaries, areas, and/or elevations of a tract of real property, including permanent structures.
- 121. <u>Telecommunications Facilities.</u> Any cable, wires, wave guides, antennas, and any other equipment or facilities associated with the transmission or reception of communications which a person seeks to locate or has installed upon or near a tower or antenna support structure. However, the term telecommunications facilities shall not include any satellite earth station two meters in diameter or less (i.e. satellite dishes).
- 122. <u>Telecommunications Notification.</u> A written notification to all telecommunication companies within a specified radius from a known proposed project.
- 123. <u>Tower.</u> Any ground or roof mounted pole, spire, self-supporting lattice, guyed or monopole structure, or combination thereof, including support lines, cables, wires, braces, and masts, intended primarily for the purpose of mounting an antenna, meteorological device, or similar apparatus above grade.

- 124. <u>Township Hall.</u> A building owned and located within a township, used for township business.
- 125. <u>Transformers.</u> An apparatus used to convert electrical energy.
- 126. <u>Turbines.</u> A device used to convert moving forces into energy.
- 127. <u>"U-Pick".</u> A business where the customer is responsible for picking or harvesting the product from the agricultural fields.
- 128. <u>Use.</u> The purpose for which land or premises or a building thereon is designated, arranged or intended, or for which it is or may be occupied or maintained.
  - A. <u>Accessory Use</u>. A use clearly incidental or subordinate to the principal use of a lot or a building located on the same lot as the principal use.
  - B. <u>Conditional Use</u>. A land use or development as is defined by this Ordinance that would not be appropriate generally but may be allowed with appropriate restrictions as provided by official controls upon the finding that: (1) certain conditions as detailed in this Ordinance exist, and (2) use or development conform to the Comprehensive Plan of the County and (3) is compatible with the existing neighborhood.
  - C. <u>Conditional Use Permit</u>. A permit issued by the County Board in accordance with procedures specified in this Ordinance which would enable the Board to assign dimensions to a proposed use or conditions surrounding it.
  - D. <u>Non-Conforming Use</u>. A use lawfully in existence on the effective date of this Ordinance and not conforming to the regulations for the district in which it is situated.
  - E. <u>Permitted Use</u>. A public or private use which of itself conforms to the purposes, objectives, requirements, regulations and performance standards of a particular district.
  - F. <u>Principal Use or Structure</u>. All uses or structures that are not accessory uses or structures.
- 129. <u>Unobtrusive.</u> Not distracting to the human eye.
- 130. <u>Variance.</u> The waiving by the Board of Adjustment of a specific permitted development standard required in an official control including this Ordinance to allow but only as applied to a particular property for the purpose of alleviating a hardship, practical difficulty or unique circumstance. Variances shall be limited to height, bulk, density, and yard requirements.

- 131. Watt. A unit of electrical activity or power.
- 132. <u>Wetland.</u> An area of predominately hydric soils that supports a prevalence of water loving plants, ex. cattails, sedges, willows, etc.
- 133. <u>Width of Lot.</u> The mean horizontal distance between the side lot lines of a lot, measured within the lot boundaries.
- 134. <u>Wildlife Ponds.</u> A wetland that serves the purpose of supporting and/or enhancing wildlife.
- 135. <u>Wildlife.</u> Wild, undomesticated animals living in their natural habitat.
- 136. <u>Windbreak or Living Snow Fence.</u> A growth of planted trees or shrubs serving to break the force of wind.
- 137. <u>Wind Easements.</u> Documents claiming the legal authority to the wind rights of a given parcel of land.
- 138. <u>Wind Energy/Wind Power Facilities.</u> Towers constructed to generate energy from wind sources.
- 139. <u>Yard.</u> The space in the same lot with a structure, open and unobstructed from the ground to the sky.
  - A. <u>Front Yard.</u> The area extending across the front of the lot between the side yard lines and lying between the center line of the road or highway and the nearest line of the structure.
  - B. Rear Yard. The space unoccupied except for accessory structures on the same lot with a structure between the rear lines of the structure and the rear line of the lot, for the full width of the lot.
  - C. <u>Side Yard</u>. An open unoccupied space on a lot between the main structure and the side line of the lot, for the full length of the structure.
- 140. <u>Zoning Administrator</u>. The duly appointed person charged with the enforcement of this Ordinance.
- 141. <u>Zoning District</u>. The section of the County for which the regulations governing the height, area, use of buildings and premises are the same as delineated by this Ordinance.

## SUBDIVISION 3. EFFECTIVE DATE

A.	This Ordinance is deemed effective 15 days after adoption and upon
	publication thereof

B.	Adopted	this 23 <sup>rd</sup>	day of	Septen	nber '	2003

Brian Kletscher Chairperson, Redwood County Board of Commissioners Matthew L. Hylen Redwood County Coordinator