

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By Lilligren

Amending Title 20, Chapter 520 of the Minneapolis Code of Ordinances relating to Zoning Code: Introductory Provisions.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 520.160 of the above-entitled ordinance be amended to read as follows:

520.160. Definitions. Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. Additional definitions may be found within specific chapters of this zoning ordinance. All words and phrases not defined shall have their common meaning.

Affordable housing. Housing affordable to households whose income does not exceed fifty (50) percent of the metropolitan median household income, as determined by the U.S. Department of Housing and Urban Development. Housing must remain affordable continuously for a period of not less than fifteen (15) years to qualify as affordable housing.

Alley. A service roadway within a right-of-way providing a secondary means of motor vehicle access to abutting property and not intended for general traffic circulation.

Alternative financial establishment. A person, firm, association, corporation or partnership engaged in the business or service of check-cashing or making loans to be repaid in one (1) lump sum or in installments over a set period of time, either collateralized or not, for which there is a fee or service charge, or interest received, including but not limited to loans collateralized by personal check, payroll check, wage assignment or personal property title, or collateralized with the promise to relinquish possession of any personal property upon default. Alternative financial establishment includes but is not limited to consumer small loan lenders, currency exchanges, industrial loan and thrifts, and regulated loan companies, as defined and licensed by the Minnesota Department of Commerce. Alternative financial establishment does not include federal or state chartered banks, credit unions, or savings banks, nor does it include a person, firm, association, corporation or partnership that provides the service

of cashing checks, drafts, money orders, or travelers' checks for a fee, incidental to the person's primary business and the charge for cashing a check or draft does not exceed one dollar (\$1.00) or one (1) percent of the value of the check or draft, whichever is greater. An alternative financial establishment shall not include any use which could be defined as a pawnshop.

Ammunition. Cartridge cases, primers, bullets or propellant powder designed for use in any firearm.

Animal shelter. A facility that houses homeless, lost or abandoned animals or provides temporary boarding services for domestic animals.

Antique firearm. Any firearm (including any firearm with a matchlock, flintlock, percussion cap or similar type of ignition system) manufactured in or before 1898.

Antiques and collectibles store. An establishment where used property or cultural or collectible objects such as stamps, coins, sports memorabilia and art works are sold for collective purposes, where all or a substantial part of the value of the property is derived from its age, uniqueness or historical association.

Apiary. The assembly of one (1) or more colonies of honeybees at a single location.

Aquaculture. The cultivation, maintenance, and harvesting of aquatic species.

Aquaponics. The combination of aquaculture and hydroponics to grow food or ornamental crops and aquatic species together in a recirculating system without any discharge or exchange of water.

Arbor. A landscape structure consisting of an open frame with horizontal and/or vertical latticework often used as a support for climbing food or ornamental crops. An arbor may be freestanding or attached to another structure.

Assisted living. A facility licensed by the Minnesota Department of Health (DOH) where individualized home care aide services or home management services are provided to residents either by the management or by providers under contract with the management.

Automobile convenience facility. An establishment where the principal use is the sale of gasoline or any other automobile engine fuel (stored only in underground tanks), kerosene, motor oil, lubricants, grease or minor accessories, directly to the public on the premises. In addition, household and convenience items, food or other miscellaneous retail goods commonly associated with the same also may be sold.

Automobile repair, major. An establishment engaged in performing repairs to, and the servicing of, passenger automobiles, where gasoline or other automobile

engine fuel (store only in underground tanks), motor oil, lubricants, grease and minor accessories may be sold. Major repair may include all activities or repair or servicing of automobiles allowed in a minor automobile repair establishment, and rebuilding or reconditioning of passenger automobiles, body, frame or fender straightening, replacement or repair, painting or rust-proofing, or other similar repair or servicing of automobiles. Such work excludes commercial wrecking or dismantling, scrap/salvage yards, tire recapping and truck-tractor repair. In addition, household and convenience items, food or other miscellaneous retail goods commonly associated with the same also may be sold.

Automobile repair, minor. An establishment engaged in performing repairs to, and the servicing of, passenger automobiles, where gasoline or other automobile engine fuel (stored only in underground tanks), motor oil, lubricants, grease, and minor accessories may be sold. Minor repair may include muffler replacement, oil changing and lubrication, tire repair and replacement except tire recapping, wheel alignment, brake repair, suspension repair, engine repair and replacement, transmission repair and replacement, flushing of radiators, servicing of air conditioners, audio installation, detailing, and other activities of repair or servicing of automobiles, except rebuilding or reconditioning of passenger automobiles, body, frame or fender straightening, replacement or repair, painting or rustproofing. In addition, household and convenience items, food or other miscellaneous retail goods commonly associated with the same also may be sold.

Awning. A roof-like cover, often constructed of fabric, plastic, vinyl, metal or glass, designed and intended for protection from the elements or as a decorative embellishment, and which projects from a wall of a structure.

Bank or financial institution. A bank, trust company, bank and trust company, or savings bank organized under the laws of the State of Minnesota, or any national banking association or affiliate exercising trust powers in Minnesota. A bank or financial institution shall not include any use which could be defined as an alternative financial establishment.

Banner. A piece of fabric or similar lightweight material generally with no enclosing framework, which is designed either for decoration or to provide signage, and which may be mounted to a pole or building at one (1) or more edges.

Bay window. A projection from a building primarily constructed of windows that is one (1) or more feet above the adjacent grade.

Bed and breakfast home. An establishment in a private dwelling that provides temporary accommodations to overnight guests for compensation.

Birth center. A facility licensed by the Department of Health (DOH) for the primary purpose of performing low-risk deliveries that is not a clinic or hospital and

where births are planned to occur away from a residence. Additional services provided may include prenatal care, parenting classes and postpartum care.

Block. A tract of land bounded by streets, or by a combination of streets, railroad rights-of-way, shorelines, waterways or boundary lines of the corporate limits of the city.

Block face. The half block area of property facing a street. Corner properties shall be considered part of two (2) block faces, one (1) for each of the two intersecting streets.

Board and care home. A facility licensed by the Minnesota Department of Health (DOH) where one (1) or more persons who are not capable of self-preservation receive personal or custodial care (assistance with bathing, dressing and supervision).

Board of adjustment. The board of adjustment of the City of Minneapolis.

Building. Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind.

Building official. The individual designated by the director of the department of community planning and economic development to serve as the city's building official pursuant to Minnesota Statutes, Section 326B.133.

Bulk regulations. Standards and controls that establish the maximum size of structures and the buildable area within which structures may be located, including height, floor area ratio, gross floor area, lot coverage and yard requirements, but excluding residential density regulations.

Canopy. A structure, often constructed of fabric, plastic, vinyl, metal or glass, with supports attached to the ground, sheltering an area or forming a sheltered walk to the entrance of a building.

Canopy tree. A deciduous tree that commonly grows to a mature height of thirty-five (35) feet or greater.

Child care center. A facility, other than a family or group family day care home, in which a child care program is operated that is licensed by the Minnesota Department of Human Services (DHS), or that is excluded from licensure by Minnesota Statutes section 245A.03.

City. The City of Minneapolis.

City assessor. The City Assessor of the City of Minneapolis or his or her authorized representative.

City finance officer. The City Finance Officer of the City of Minneapolis or his or her authorized representative.

City council. The City Council of the City of Minneapolis.

City engineer. ~~The City Engineer of the City of Minneapolis or his or her authorized representative.~~ The director of the department of public works or their designee.

City planning commission. The City Planning Commission of the City of Minneapolis.

Clinic. An establishment where patients are admitted for medical or dental exams and treatment on an outpatient basis only. A use providing only counseling services shall not be considered a clinic.

Club or lodge. An establishment in which a limited group of people are organized to pursue common social or fraternal goals, interests or activities, and usually characterized by certain membership restrictions, payment of fees or dues, regular meetings and a constitution or bylaws.

Cluster development. A unified development of not less than three (3) dwelling units, either attached or detached, in which one or more principal buildings are grouped together in order to preserve common space for the benefit of the residents of the development. Cluster development allows flexibility in the location of residential structures and the size of individual lots in order to encourage a variety of housing types and the efficient use of land.

Coffee shop. An establishment engaged principally in the sale of coffee and other nonalcoholic beverages for consumption on the premises or for carryout, which may also include the sale of a limited number of food items.

Cold frame. An unheated outdoor structure built close to the ground, typically consisting of, but not limited to, a wooden or concrete frame and a top of glass or clear plastic, used for protecting seedlings and plants from cold weather.

Communication exchange. A building where phone calls are switched to and from major feeder lines, where internet service providers route internet traffic between their networks, or where some other form of electronic communication exchanges occur. Communication exchange shall not include a telecommunication tower, antenna or base site.

Community center. An establishment operated by a non-profit organization or government agency, which includes recreational and cultural facilities, meeting rooms, social service facilities and public health facilities, or any combination thereof, and that is not a public park.

Community correctional facility. A facility where one (1) or more persons placed by the court, court services department, parole authority, or other correctional agency having dispositional power over a person charged with or convicted of a crime or adjudicated delinquent reside on a twenty-four (24) hours per day basis, under the care and supervision of the Department of Corrections (DOC) or Hennepin County, or licensed by the Department of Corrections as a corrections facility, excluding detention facilities. The maximum capacity shall not exceed thirty-two (32) persons.

Community garden: A use in which land managed by a group of individuals is used to grow food or ornamental crops for donation or for use by those cultivating the land and their households. Community gardens may be divided into separate plots for cultivation by one (1) or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

Community residential facility. A facility where one (1) or more persons reside on a twenty-four (24) hour per day basis under the care and supervision of a program licensed by the Minnesota Department of Human Services (DHS). Community residential facilities shall not include facilities that are also eligible for licensure by the Minnesota Department of Corrections (DOC).

Community supported agriculture drop-off/pick up. Location where a farmer delivers or distributes farm shares and individuals pick up their shares at a set time weekly, biweekly or monthly.

Composting. The natural degradation of organic material, such as yard and food waste, into soil.

Concrete, asphalt and rock crushing facility. A use in which the principal activity is performed in an open area where concrete, asphalt, rock, brick, cement or other similar paving or building materials are crushed, ground, pulverized, bought, sold, exchanged, stored, mixed, packed, disassembled or handled. A concrete, asphalt and rock crushing facility does not include:

- (1) The use on a public roadway construction or repair project approved by the city engineer of equipment which directly moves along the roadway surface and grinds, or grinds, reconstitutes and resurfaces the roadway; or
- (2) The temporary on-site crushing, grinding, or pulverizing of a razed building, parking area or structural materials, which are subject to Chapter 389 of the Minneapolis Code of Ordinances.

Contractor's office. An office providing building construction or property maintenance services, and which does not involve outdoor storage of machinery or equipment. Examples include but are not limited to plumbing, electrical and cleaning contractors.

Contractor's yard. An establishment providing general contracting or building construction services, and which involves outdoor storage of machinery or equipment.

Convention center, public. A convention center operated by the City of Minneapolis.

Curb level. The level of the established curb in front of a building or structure measured at the center of such front. Where no curb elevation has been established, the city engineer shall establish such curb elevation.

Daily living skills. Personal management and social skills, including but not limited to home care maintenance, food preparation, personal care, money management, and child rearing skills, that are necessary for adequate functioning on an independent basis.

Day care.

Family day care. Day care for no more than ten (10) children at one (1) time, of which no more than six (6) are under school age, and which is licensed to operate as a family day care home.

Group family day care. Day care for no more than fourteen (14) children at one (1) time and which is licensed to operate as a group family day care home.

Day labor agency. An establishment engaged in the temporary employment of persons on a daily basis where persons wait on the premises for work assignments or transportation to work assignments.

Developmental achievement center. A facility in which a program of care, supervision, training or habilitation services that is licensed by the Minnesota Department of Human Services (DHS) is provided to functionally impaired persons for less than twenty-four (24) hours per day.

~~*Director of inspections.* The director of the City of Minneapolis Inspections Department or his or her authorized representative.~~

Dormitory. A building operated by a college or university offering an accredited course of study, which is occupied only by university or college students and support staff who receive from the dormitory lodging or meals on the premises for compensation.

Drive-through facility. A facility which accommodates automobiles and from which the occupants of the automobiles may make purchases or transact business, including the stacking spaces in which automobiles wait. Examples include but are not

limited to drive-up windows, menu boards, order boards or boxes, drive-in restaurants and drive-up banks. Drive-through facilities shall not include the direct refueling of motor vehicles or a car wash.

Driveway. The area used for vehicular access to an off-street parking area from a street or alley. Driveway shall also include the area used for vehicular access to areas of the zoning lot other than an off-street parking area.

Drug store. A convenience retail store with a pharmacy.

Dwelling. A building, or portion thereof, containing one (1) or more dwelling units, designed or used exclusively for human habitation.

Efficiency unit. A dwelling unit consisting of one (1) principal room exclusive of bathroom, kitchen, hallways and closets.

Multiple-family dwelling. A building, or portion thereof, containing three (3) or more dwelling units.

Single-family dwelling. A building containing one (1) dwelling unit only.

Two-family dwelling. A building containing two (2) dwelling units only, each of which is separated from the other by an unpierced wall extending from ground to roof for at least eighty (80) percent of the length of the structure or an unpierced ceiling and floor extending from exterior wall to exterior wall.

Dwelling unit. One (1) or more rooms, designed, occupied or intended for occupancy as a separate living quarter, with a single complete kitchen facility, sleeping area and bathroom provided within the unit for the exclusive use of a single household.

Early childhood learning center. A facility in which educational programs are provided to parents and children from ages birth to an age eligible to enter kindergarten within the next four (4) months.

Educational arts center. A facility owned and operated by a non-profit organization where lessons in the performing and visual arts are offered, including music, theater and dance.

Entertainment, general. Entertainment that does not meet one (1) or more of the definition requirements of limited entertainment.

Entertainment, limited. Entertainment limited to literary readings, story telling or live music by not more than three (3) persons, using nonamplified musical instruments, with no patron dancing.

Exhibition or temporary market. A temporary exhibition, sale, flea market, show or exposition of arts, crafts, antiques, or secondhand goods sold at tables, stalls, or booths at a fixed location.

Faculty house. A building used as a residence by staff or faculty members having a contract or agreement with a college or university to teach or conduct research on behalf of the institution.

Family. An individual or two (2) or more persons related by blood, marriage, domestic partnership as defined in Chapter 142 of the Minneapolis Code of Ordinances, or adoption, including foster children and domestic staff employed on a full-time basis, living together as a permanent household. This definition of family is established for the purpose of preserving the character of residential neighborhoods by controlling population density, noise, disturbance and traffic congestion, and shall not be applied so as to prevent the city from making reasonable accommodation where the city determines it necessary to afford handicapped persons living together in a permanent household equal access to housing pursuant to the Federal Fair Housing Amendments Act of 1988.

Farmers' market. A publicly or privately operated, open-air establishment where primarily agricultural products such as raw vegetables, fruits, syrups, herbs, flowers, plants, nuts or handcrafted items are sold. Non-agricultural products may be sold but the area dedicated to such products shall not occupy more than twenty-five (25) percent of the total sales area. Canopies may be allowed in order to provide protection from the elements for both the operators and the products.

Farmstand. A temporary structure for the display and sale of food or ornamental crops grown on-site at a community garden, market garden or urban farm.

Fence. A structure providing a barrier or screening, but not protection against the elements, erected to provide privacy or security which defines a private space and enhances the design of individual sites.

Firearm. Any device, designed to be used as a weapon, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive or other form of combustion, but excluding antique firearm, "BB" gun, scuba gun, stud or nail gun used in the construction industry, or pop gun or toy gun.

Firearms dealer. Any person engaged in the sale, lease, trade or other transfer of firearms or ammunition at wholesale or retail. Firearms dealer shall not include any person engaged only in the business of repairing firearms.

Floor area, gross (GFA). The gross floor area of a building is the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls, or from the centerline of walls separating two (2) buildings. The gross floor area of a building shall include basement floor area when one-half (½)

or more of the basement height is above natural grade for more than fifty (50) percent of the total perimeter. The gross floor area shall also include elevator shafts and stairwells to each floor, penthouses, attic space having headroom clearances that meet building code minimum ceiling heights, interior balconies and mezzanines, enclosed porches, floor area devoted to accessory uses, and floor space used for mechanical equipment, except equipment located on the roof, unless otherwise specified in this ordinance. The gross floor area of structures devoted to bulk storage of materials, including but not limited to grain elevators and petroleum storage tanks, shall be determined on the basis of height in feet, assuming one (1) floor for each fourteen (14) feet in height. In determining the gross floor area of an individual use within a multiple tenant building, the gross floor area is the sum of the gross horizontal areas measured from the interior faces of the interior walls of the space occupied by the use. Gross floor area shall not include space devoted to accessory off-street parking or loading facilities, including aisles, ramps and maneuvering space.

Floor area ratio. The floor area ratio of the building or buildings on any zoning lot is the gross floor area of the building or buildings on that zoning lot divided by the area of such zoning lot.

Fraternity or sorority. A building which is occupied only by a group of university or college students and support staff who are associated together in a fraternity or sorority, which is officially recognized by a college or university offering an accredited course of study, and who receive from the fraternity or sorority lodging or meals on the premises for compensation.

Frontage. All the property abutting one (1) side of a street between the two (2) nearest intersecting streets measured along the line of the street, or if dead ended, then all of the property abutting on one (1) side between an intersecting street and the dead end of the street. In addition, frontage shall include all property abutting a limited access roadway right-of-way.

Primary frontage. For the purposes of applying the on-premise sign regulations, the frontage toward which the use faces or is oriented. Only one (1) such primary frontage shall be allowed on a zoning lot.

Secondary frontage. For the purposes of applying the on-premise sign regulations, a frontage that is not the primary frontage.

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 and that may include a clubhouse, shelter or other appurtenant structures. Practice driving ranges may also be located on the golf course. Miniature golf courses shall not be included in this definition.

Grade. The lowest point of elevation of the surface of the ground, paving or sidewalk within the area between the 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.

Grade, natural. The grade of a site before it is modified by moving earth, adding or removing fill, or installing a berm, retaining wall or other earthwork feature. Natural grade is determined by reference to a survey, or other information as determined by the zoning administrator.

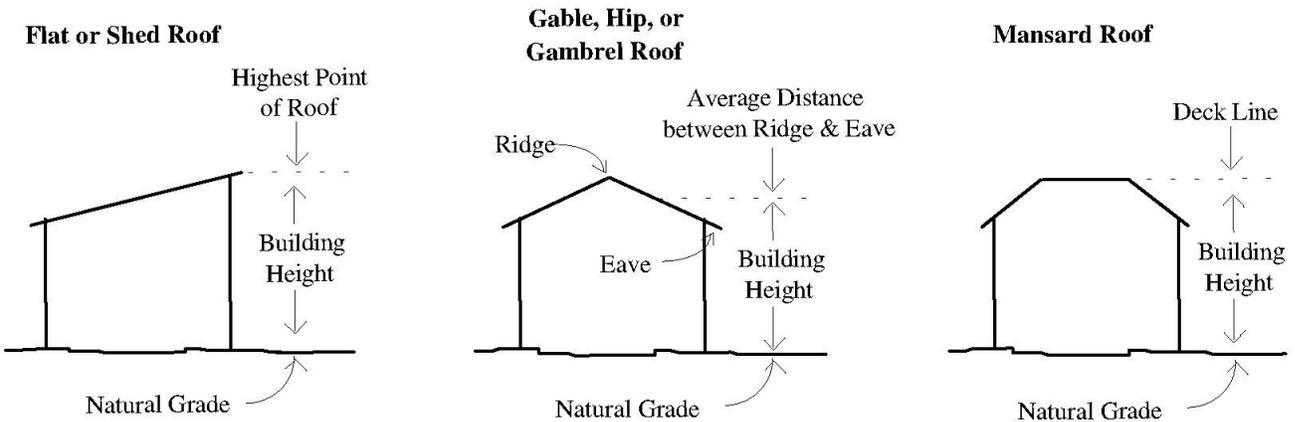
Greenhouse. A structure that is constructed primarily of glass, glass-like or translucent material which is devoted to the protection or cultivation of food or ornamental crops.

Greenhouse, lawn and garden supply store. An establishment where products related to the planting, maintaining, or harvesting of trees, shrubs, plants, grasses or sod, fertilizers, soils, chemicals or other goods and related products are sold in small quantity to the public.

Greenhouse, wholesale. An establishment where products related to the planting, maintaining, or harvesting of trees, shrubs, plants, grasses or sod, fertilizers, soils, chemicals or other goods and related products are sold primarily to greenhouse, lawn and garden supply stores, landscape contractors or other retail outlets.

Habitable. Suitable for a person to live in. References to habitable spaces, areas, and portions of dwellings shall include kitchens, hallways, bathrooms, closets, and unfinished areas easily converted to livable spaces, such as attics and basements, but does not include an attached accessory use designed or intended to be used for the parking of vehicles. References to habitable buildings shall include all habitable spaces and all attached structures to the habitable space including an attached accessory use designed or intended to be used for the parking of vehicles.

Height, structure or building. The vertical distance from the natural grade measured either at the curb level or at a point ten (10) feet away from the front center of the structure or building, whichever is closer, to the top of the highest point of the structure including parapets, or to the top of the highest point of the roof on a flat or shed roof, the deck line on a mansard roof, or the average distance between the eave edge and the ridge level for gable, hip and gambrel roofs. Dormers exceeding fifty (50) percent of the building width below a gable, hip and gambrel roof shall be included in the measured vertical distance. Except in the SH Shoreland Overlay District, roof-top mechanical equipment and enclosures less than fourteen (14) feet tall on a flat roof shall not be included in the height provided the equipment and enclosures are set back from the exterior walls one (1) foot for every one (1) foot they extend above the roof surface.



Height, structure or building

Home occupation. An occupation or profession carried on by a member of the household residing on the premises, conducted as a customary, incidental and accessory use of a dwelling. Also referred to as live-work.

Hoop house. A temporary or permanent structure typically made of, but not limited to, piping or other material covered with translucent material for the purposes of growing food or ornamental crops. A hoop house is considered more temporary than a greenhouse.

Hospital. An establishment where patients are admitted for medical, surgical, or psychiatric treatment for outpatient and/or inpatient, overnight accommodation.

Hospitality residence. A facility owned and operated by a non-profit organization that provides temporary housing to families of children being treated for life-threatening illnesses.

Hotel. An establishment containing rooming units providing temporary lodging accommodations to the general public, with rooms having access to the outside through an interior hallway connected to the main lobby of the building, and which may provide additional services such as restaurants, meeting rooms, entertainment, and recreational facilities. A hotel shall not include any use which could be defined as a motel.

Hours open to the public. The time during which a use is open to or does receive clients, customers, members or guests.

Hydroponics. The growing of food or ornamental crops, in a water and fertilizer solution containing the necessary nutrients for plant growth.

Impervious surface. Any material which significantly reduces or prevents natural absorption of stormwater into the soil and cause water to run off the surface in greater quantities and at an increased rate of flow. Impervious surfaces include, but are not

limited to, buildings or other structures with roofs, sidewalks, and all stone, brick, concrete or asphalt surfaces.

Indoor recreation area. An establishment providing indoor recreation facilities such as bowling, pool/billiards, table tennis and video and arcade games.

Inebriate housing. A facility that provides housing twenty-four (24) hours per day to persons who are chemically dependent and considered to be handicapped persons under the Federal Fair Housing Amendments Act of 1988. It does not include any facility licensed by the Minnesota Department of Human Services (DHS), Minnesota Department of Corrections (DOC), or any other county, state, or federal community correctional facility.

Intermodal containerized freight facility. A facility that serves as a transfer point for containerized freight between rail and truck transportation modes. The principal activity is the transfer of freight containers or truck semitrailers between rail cars and trucks.

Laboratory, medical or dental. An establishment primarily engaged in providing professional analytic or diagnostic services to the medical profession, or to the patient, on direction of a physician; or an establishment primarily engaged in making dentures, artificial teeth, and orthodontic appliances to order for the dental profession.

Library, public. A library operated by Hennepin County.

Licensing official. The individual designated by the director of the department of community planning and economic development to serve as the city's licensing official or their authorized representative.

Limited access roadway. Those roadways and roadway segments, including entrance and exit ramps and approaches, that are designated to prohibit nonmotorized traffic, and include I-35W, I-94, I-394 and highway 62.

Limousine service. An establishment owning, leasing or operating by contract limousines and providing some or all of the following services such as dispatching, advertising, maintenance, insurance, record keeping, driver assignments and other related services.

Loading space. An off-street space or berth used for the temporary parking of a vehicle while loading or unloading cargo, products or materials from such vehicle.

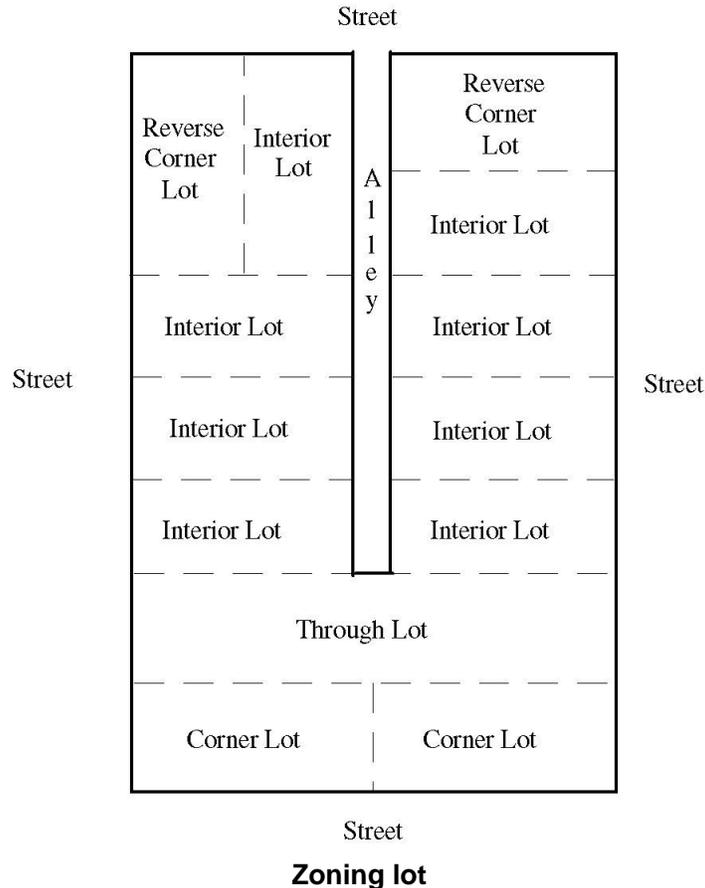
Lot. A designated parcel, tract or area of land established by plat, subdivision or as otherwise permitted by law.

Corner lot. A lot with frontage on two (2) or more streets at their intersection or on two parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees.

Reverse corner lot. A corner lot that includes more than one (1) lot line adjacent to streets of which one (1) lot line is substantially a continuation of the front lot line of the adjacent property to the rear.

Through lot. A lot that fronts upon two (2) generally parallel streets or that fronts upon two (2) streets that do not intersect at the boundaries of the lot.

Zoning lot. A single, buildable parcel of land under common ownership or control, occupied by one (1) or more principal buildings or uses, accessory buildings or uses, and all yards and open spaces, as required by the zoning ordinance. A zoning lot may consist of more than one (1) platted lot, but shall not be separated by a public street.



Lot area. The area bounded by the front, side and rear lot lines, but not including any area occupied by the waters of a duly recorded lake, river, street or alley right-of-way.

Lot coverage. The area covered by principal and accessory structures. Lot coverage shall not include awnings, canopies, balconies, eaves, and signs that meet the standards for permitted obstructions in required yards.

Lot depth. The average distance between the front lot line and the rear lot line of a lot.

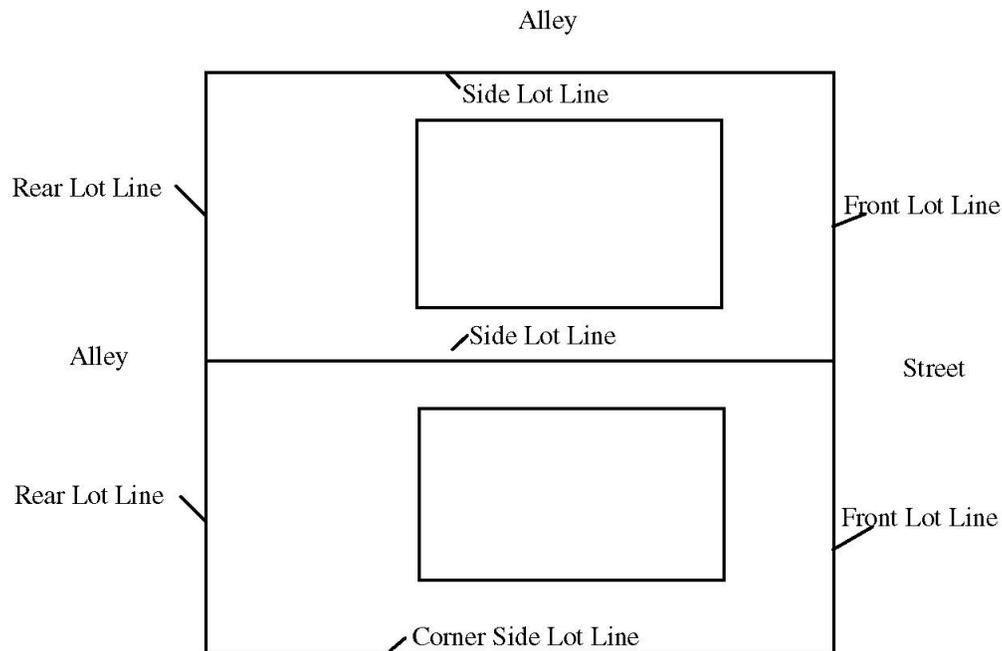
Lot line. A line of record bounding a lot that divides one (1) lot from another lot or from a public or private street or alley or any other public space.

Corner side lot line. A side lot line which adjoins a public street.

Front lot line. A boundary of a lot which is along an existing or dedicated public street, but not an alley. On a corner lot, the front lot line shall be the lot line that is in line with the predominant platting orientation of the block.

Rear lot line. The lot line opposite and most distant from the front lot line. In the case of triangular or otherwise irregularly shaped lots, a line ten (10) feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.

Side lot line. Any boundary of a lot which is not a front lot line or a rear lot line.



Street
Side lot line

Lot of record. A parcel of land of which the plat, deed, or similar instrument has been duly recorded in the Office of the Hennepin County Recorder or Registrar of Titles.

Lot width. The distance between the side lot lines of a lot measured along a straight line parallel to the front lot line immediately in back of the required front yard. Where no front yard is required, lot width is the distance between the side lot lines of a lot measured along the front lot line.

Luminance. The physical measure of brightness or light emanating from an object with respect to its size. The unit of measurement for luminance is nits, which is the total amount of light emitted from a sign divided by the surface area of the sign (candela per square meter).

Manufactured home park. A development of two (2) or more manufactured homes as defined in Minnesota Statutes Chapter 327.

Market garden. An establishment where food or ornamental crops are grown on the ground, on a rooftop or inside a building, to be sold or donated.

Marquee. A permanent, roof-like structure projecting over an entryway, parallel to the ground, generally designed and constructed to provide protection from the elements.

Mayor. The Mayor of the City of Minneapolis.

Medical helistop. An identifiable landing area for discharging and picking up passengers and goods, by helicopter or similar vertical lift aircraft, located on the property of a hospital. No refueling or servicing of aircraft, or permanent facilities, including terminals, hangars, warehousing or storage, are permitted.

Mini-market. A type of farmers market, limited to five (5) or fewer market vendors, whose primary purpose is to improve access to locally grown agricultural products.

Mission. A facility that provides services such as a food shelf, free meals or snack, or day shelter. Ancillary services such as counseling, vocational training or free clothing may also be provided. Treatment for chemical dependency and overnight shelter are prohibited.

Motel. An establishment containing rooming units designed primarily for providing sleeping accommodations for transient lodgers, with rooms having a separate entrance providing direct access to the outside, and providing automobile parking located adjacent to or near sleeping rooms.

Motor freight terminal. A building or area in which freight is assembled or stored for routing in intrastate or interstate shipment, and which is not a package delivery service.

Motorized scooter. Any two (2) wheeled device that is powered by an electric motor or an internal combustion engine that has handlebars, wheels up to ten (10) inches in diameter and is designed to be stood or sat upon by the operator. This definition excludes motorcycles and segways.

Mural. A work of graphic art painted on a building wall, which contains no commercial advertising or logos, and which does not serve to advertise or promote any business, product, activity, service, interest or entertainment.

Neighborhood electric vehicle. A four-wheeled, battery powered electric motor vehicle that, for the purposes of this zoning ordinance, includes both neighborhood electric vehicles and medium speed electric vehicles as defined in Minnesota Statutes Section 169.011.

Nightclub. A use engaged in the sale of alcoholic beverages for consumption on the premises, including taverns, bars, cocktail lounges and similar uses, or a use other than a sit down restaurant which provides general entertainment.

Nonconforming lot, legal. A lot of record, lawfully existing on the effective date of this ordinance or amendment thereto that does not comply with one (1) or more of the lot area or lot width regulations applicable in the district in which it is located.

Nonconforming structure, legal. A structure or portion thereof, lawfully existing on the effective date of this ordinance or amendment thereto that does not comply with one (1) or more of the bulk regulations applicable in the zoning district in which it is located.

Nonconforming use, legal. A use of land or structures, lawfully existing on the effective date of this ordinance or amendment thereto that currently is not allowed, or that does not comply with one (1) or more of the regulations applicable in the zoning district in which it is located.

Nursing home. A facility for aged, chronically ill, or incurable persons licensed by the Minnesota Department of Health providing nursing care and related medical services.

Outdoor recreation area. An establishment providing outdoor recreation facilities such as a golf driving range, skating rink, miniature golf course or other nonmotorized amusement. An outdoor recreation area shall not include an outdoor theater.

Outdoor sales and display. The outdoor placement or presentation of goods, materials or merchandise for sale on the premises.

Outdoor storage. The outdoor placement or depositing of goods, materials, equipment, stock or supplies.

Overlay district. A zoning district that encompasses one (1) or more primary zoning districts or portions thereof and that imposes additional requirements, or relaxes one (1) or more standards required by the primary zoning district.

Overnight shelter. An accessory use to a religious institution place of assembly providing temporary housing for a period of time not to exceed twenty-four (24) hours to persons without permanent housing. In addition, an overnight shelter may be a principal use in the DS Downtown Shelter Overlay District, subject to the provisions of the district.

Package delivery service. A use which transports individual packages for expedited delivery in single rear axle straight trucks or smaller vehicles, where no single item weighs over one hundred fifty (150) pounds.

Park, neighborhood. A public park less than six (6) acres, designed to serve a single neighborhood.

Park, public. A park operated by the City of Minneapolis, including all park buildings.

Parking aisle. The clear area for either one or two way traffic movement and maneuvering between rows of parking spaces.

Parking facility. An area, either a parking lot or garage, that provides short-term or long-term off-street parking for motor vehicles. Parking facility includes designated locations for vehicles engaged in loading or unloading of passengers or goods. Parking facility does not include commercial or industrial yard areas for storage, handling, processing, pickup or delivery of goods, materials or equipment, such as building materials sales yards, scrap/salvage yards, metal milling facilities, contractor yards and other similar uses. A parking facility may be a principal or an accessory use.

Parking garage. A structure or any portion thereof designed for the parking of one (1) or more motor vehicles, not including display or storage of motor vehicles for sale.

Parking lot. A ground level, open area used for the short-term or long-term parking of motor vehicles. A parking lot includes the top level of a parking garage when one-half (½) or more of the top level is within four (4) feet above or below the adjacent sidewalk grade.

Parking space. A space of definite length and width designed for parking of motor vehicles within a parking area that is directly accessible to a parking aisle or driveway. Said space shall be exclusive of such drives, aisles or entrances giving access thereto, and curbing.

Pawnshop. An establishment where money is loaned on security of personal property pledged as collateral for the loan and where such pledged items may be sold to the general public.

Performing, visual or martial arts school. A facility providing lessons for artistic activities including, but not limited to dance, music, painting, karate, and yoga. A performing, visual or martial arts school shall not include shower facilities.

Pergola. A building-like structure with columns supporting an elevated trellis over which vines or plants may grow.

Phased development. Two (2) or more development projects undertaken or to be undertaken by the same developer or proposer that the city determines will have effects on the same geographic area and that are or will be undertaken over a limited period of time.

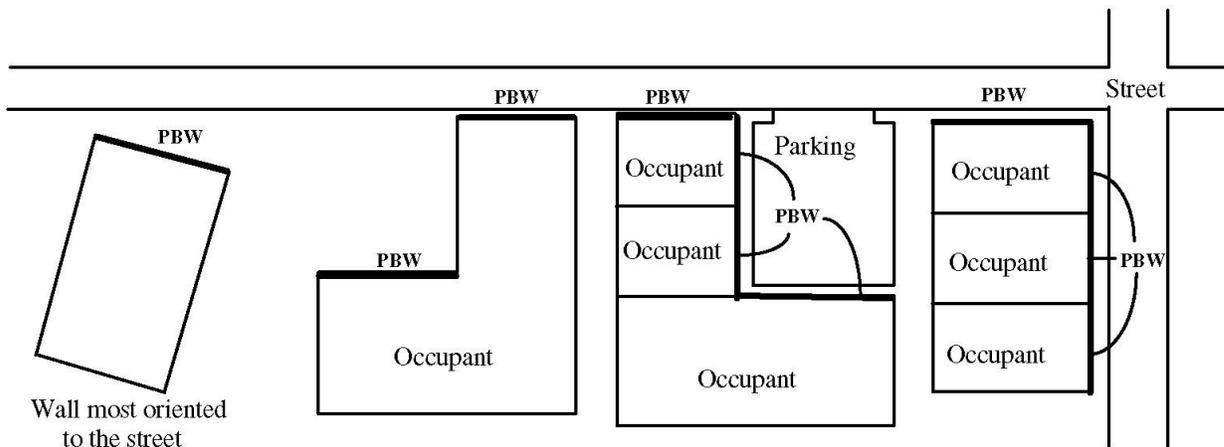
Place of assembly, religious institution. A church, synagogue, temple, mosque or other facility that is used for prayer by persons of similar beliefs, or a special purpose building that is architecturally designed or particularly adapted for the primary use of conducting on a regular basis religious services and associated accessory uses by a religious congregation.

Planned unit development. A large-scale integrated development, often including two (2) or more uses, planned and developed under unified ownership or control.

Planning director. ~~The Director of the Minneapolis City Planning Department or his or her authorized representative~~ The director of the department of community planning and economic development or their designee.

Preschool. A facility in which educational programs are provided for children from ages twenty-four (24) months to an age eligible to enter kindergarten within the next four (4) months.

Primary building wall. For the purpose of applying on-premise sign regulations, a primary building wall is an exterior building wall that faces a street or an exterior building wall that faces an accessory parking area and contains a public entrance. When the exterior building walls are not parallel to a street, they shall be assigned to the street frontage to which they are most oriented.



PBW = Primary Building Wall

Principal entrance. A door, other than a vehicle access door, that is designed as a principal means of access by the customers, occupants, employees or guests of the building. A building may have more than one (1) principal entrance.

Produce and craft market. A recurring event, held outdoors or in another defined place, on designated days and times, where market vendors consisting of agricultural producers, home processors, food market manufacturers, food market distributors and craft producers that manufactures or crafts non-food goods by the force of their own labor, are organized for the purpose of selling their products directly to the public. A minimum of thirty (30) percent of market vendors in produce and craft markets shall be food market vendors (agricultural producers, food market manufacturers, food market distributors, or home processors).

Production or processing. The assembly, disassembly, fabrication, manufacture, cleaning, servicing, packaging, sorting or other handling of goods or materials, either as an intermediate input for further production or processing, or for final sale, use or consumption.

Railroad right-of-way. A strip of land with tracks and auxiliary facilities for track operation such as signals or crossing arms, but not including freight depots or stations, loading platforms, train sheds, warehouses, car or locomotive shops or car yards.

Reception or meeting hall: Also known as a banquet hall or a rental hall. A building, facility, room, or portion thereof, which is rented, leased or otherwise made available to any person or group for a private event or function, that is not open to the general public, whether or not a fee is charged.

Recycling facility. A use performed in an enclosed building where scrap or salvage materials are shredded, milled, crushed, ground, bought, sold, exchanged,

stored, baled, packed, disassembled or handled, including but not limited to scrap iron and other metals, paper, rags, rubber tires, bottles, plastics and aluminum cans. A recycling facility shall not include automobile wrecking or dismantling.

Regulatory services director. The director of the department of regulatory services or their designee.

Research, development and testing laboratory. An establishment in which facilities for scientific research, investigation, testing or experimentation are located, but not facilities for the manufacture of products, except as incidental to the main purpose of the laboratory.

Residential hospice. A facility that provides twenty-four (24) hour per day residential and support services in a home-like setting for hospice patients as an integral part of the continuum of home care provided by a hospice licensed by the Minnesota Department of Health.

Restaurant, delicatessen. An establishment which sells ready-to-eat foods, in bulk or individual servings, primarily for consumption off the premises, and is not a fast food restaurant.

Restaurant, fast food. An establishment whose design or principal method of operation includes five (5) or more of the following characteristics. In addition, any restaurant with a drive-through facility shall be considered a fast food restaurant.

- (1) A permanent menu board is provided from which to select and order food.
- (2) Customers pay for food before consuming it.
- (3) A self-service condiment bar is provided.
- (4) Trash receptacles are provided for self-service bussing.
- (5) Furnishing plan indicates hard finished stationary seating arrangement.
- (6) Most main course food items are substantially prepared or cooked on premises and packaged in individual, nonreusable containers.

Restaurant, sit down. An establishment engaged in the preparation and retail sale of food and beverages, which is characterized by table service to customers and that is not a delicatessen restaurant, fast food restaurant or nightclub.

Roof, flat. A roof slope with a two (2) foot rise over a twelve (12) foot run or less.

Rooming unit. One (1) or more rooms, designed, occupied or intended for occupancy as a separate living quarter that is not a dwelling unit.

School, K—12. A use which meets state requirements for elementary or secondary education.

School, vocational or business. A use which meets state requirements for a vocational or business school.

Scrap/salvage yard, metal milling facility. A use where scrap or salvage materials are shredded, milled, crushed, ground, bought, sold, exchanged, stored, baled, packed, disassembled or handled, including but not limited to scrap iron and other metals, paper, rags, rubber tires, bottles, plastics and aluminum cans. A scrap/salvage yard, metal milling facility may include automobile wrecking or dismantling.

Secondhand goods store. An establishment other than an antiques and collectibles store, used bookstore, clothing consignment store or pawnshop, which engages in the sale of used clothing, furniture, household appliances or other household items.

Service area canopy. A roof-like structure attached to or detached from the principal building that provides overhead protection to exterior customer service areas.

Service bay. An enclosed area designed and used for the service of not more than one (1) motor vehicle at a time.

Sexually oriented use. A use which is defined in Chapter 549, Downtown Districts.

Shopping center. A unified development of two (2) or more ground floor commercial uses, excluding offices, operated under common ownership or management, which may be connected by a common wall or may be freestanding, and which may include common parking and signage. A shopping center shall not include:

- (1) A storefront building or group of storefront buildings where each use includes a separate principal customer entrance facing the street.
- (2) A commercial or mixed use building with a separate principal customer entrance for each ground floor use with street frontage with any on-site parking facilities located at the interior or rear of the site.

Sign. A structure, fixture, placard, announcement, declaration, image, device, demonstration, logo or insignia used for direction, information, identification, attraction, or to advertise or promote any business, product, activity, service, interest or entertainment.

Animated sign. A sign with a progression of frames which give the illusion of motion, moving objects, moving patterns or bands of lights and shapes; or that gives the visual impression of movement.

Auxiliary sign. A sign that has a purpose secondary to the use of the lot on which it is located, such as "telephone," "drive-through," "cash machine," "air," "entrance," "exit," parking restrictions, security warnings or similar directives.

Awning sign. A sign printed on or in some fashion attached directly to an awning.

Back-to-back sign. A sign structure with two (2) sign faces oriented in opposite directions and spread not more than two (2) feet apart.

Balloon sign. A sign consisting of a bag or similar device made of lightweight material supported by helium, hot, or pressurized air, which is greater than eighteen (18) inches in diameter.

Building sign. A sign attached to a building, including but not limited to an awning, canopy, or marquee, wall, projecting or window sign.

Canopy sign. A sign printed on or in some fashion attached directly to a canopy.

Changeable copy sign, dynamic. A sign or portion thereof with letters or numbers only that can be electronically changed or rearranged without altering the face or the surface of the sign.

Changeable copy sign, manual. A sign or portion thereof with letters or numbers only that can be manually changed or rearranged without altering the face or the surface of the sign.

Dynamic sign. A sign, or any element of a sign, which provides the ability to change text or images, or exhibits changing effects in order to provide intermittent illumination or the illusion of such illumination, or any series of imagery or display which may appear to move or change, including changes produced by any electronic method. A dynamic sign is not a changeable copy sign, dynamic.

Flashing off-premise sign. A sign which exhibits changing light or color effect by any means, so as to provide intermittent illumination or the illusion of intermittent flashing light by any means. Also, any mode of lighting which resembles zooming, twinkling or sparkling.

Freestanding sign. A sign which has supporting framework that is placed on, or anchored in, the ground and which is independent of any building or other structure.

Identification sign. 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.

Illuminated sign. A sign lighted by or exposed to artificial lighting either on or in the sign or directed toward the sign.

Interior sign. A sign which is located within the interior of any building, or within an enclosed courtyard, that is not visible from the property line or public right-of-way.

Marquee sign. A building sign painted on or attached to a marquee.

Monument sign. A freestanding sign with its sign face mounted on the ground, on a solid base at least as wide as the sign, or on one (1) or more poles or beams with not more than one (1) foot of open area between the sign face and the ground or base.

Off-premise advertising sign or billboard. A sign which directs attention to a business, establishment, product, service, interest, activity or entertainment not exclusively related to the premises where such sign is located.

On-premise sign. A sign which directs attention to or promotes a business, establishment or activity conducted, or a product, service, interest or entertainment sold or offered, on the premises where such sign is located.

Pole sign. A freestanding sign which has its supportive structure anchored in the ground or on a solid base not at least as wide as the sign, or which has a sign face elevated above the ground or base by one (1) or more poles or beams and with an open area between the sign face and the ground or base of more than one (1) foot.

Political sign. A sign posted by a person or group promoting or commenting on a political issue, opinion or candidate for political office.

Portable sign. A sign which is designed or intended to be moveable, including by trailer or on its own wheels, even though the wheels of such sign may be removed.

Project information sign. A sign erected on the premises on which construction is taking place, identifying the project, the architects, engineers, landscape architects, contractors or similar artisans, or the owners, financial supporters, sponsors or similar individuals having a role or interest in the project.

Projecting sign. A sign which projects from a wall of a building in such manner that the sign face is perpendicular to the wall, or a sign which is suspended from a soffit or other permanent roof overhang.

Real estate sign. A sign which advertises the sale, rental or lease of the property on which the sign is located.

Roof sign. A sign which is mounted on the roof of a building or which projects above the top of the wall of a building with a gambrel, gable or hip roof.

Service area canopy sign. A sign which is part of, or attached to, a service area canopy.

Snipe sign. A sign of any material, including but not limited to paper, cardboard, wood or metal, attached to any object and having no application to the premises where located.

Specific product or brand name sign. A sign which mentions a specific product or brand name sold or offered on the premises.

Stringer sign. A sign that is made of commercial or decorative pennants, flags or streamers which are attached to a string, rope or cable.

Temporary sign. A sign which is intended to be displayed for a limited time period only.

Time and temperature sign. A sign which displays current time and temperature only.

Wall sign. A sign attached parallel to, or painted on, a wall, which is supported by such wall, and which displays only one (1) sign surface, or a sign attached parallel to, or within forty-five (45) degrees of parallel, or painted on, the surface of the lower slope of a mansard roof.

Window sign. A sign that is placed inside a window or upon the surface of a window and is visible or is intended to be viewed from the exterior of the window.

Sign face. The surface of the sign upon, against or through which the message or the sign is exhibited.

Sign structure. A structure including the supports, uprights, bracing and framework which supports or is capable of supporting a sign.

Single or two-family dwelling existing on the effective date of this ordinance. Single or two-family dwellings existing on November 20, 1999 and buildings originally designed as single or two-family dwellings existing on November 20, 1999, which may

be used for either single or two-family dwelling purposes, provided all other requirements of this zoning ordinance are met.

Sports and health facility, major. A facility, for profit or nonprofit, where members or nonmembers pay a fee to use equipment or space for the purpose of physical exercise. A major sports and health facility may include all activities conducted in a minor sports and health facility, and swimming, court games, jogging, and which includes locker rooms. A major sports and health facility may include as an accessory use personal services to patrons, including but not limited to therapeutic massage, tanning, saunas and whirlpools.

Sports and health facility, minor. A facility, for profit or nonprofit, where members or nonmembers pay a fee to use equipment or space for the purpose of physical exercise. A minor sports and health facility may include aerobics, weight training, muscular exercise programs, yoga, pilates or other similar activities. A minor sports and health facility shall not include shower facilities.

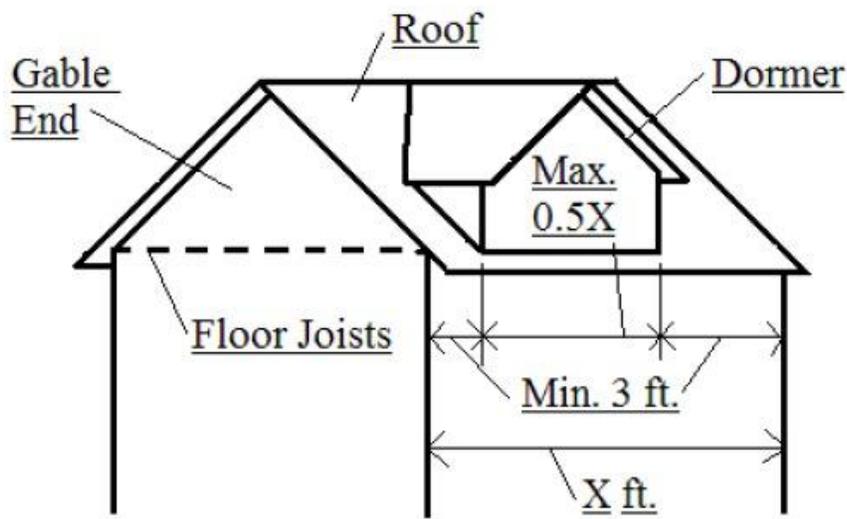
Storefront building. A mixed use or multiple story building, which may share a common wall with one (1) or more buildings, all of which front within five (5) feet of a front lot line or public sidewalk, and where each ground floor use includes a separate principal customer entrance facing the street.

Story. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, or fourteen (14) feet, whichever is less, 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. Where a portion of a building included between the upper surface of any floor and the upper surface of the floor next above exceeds fourteen (14) feet in height, each fourteen (14) feet or fraction thereof is considered a story except that the first story may be up to twenty (20) feet in height for all buildings other than single and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units. If the finished floor surface directly above a basement, cellar or unused under floor space is more than six (6) feet above grade, for more than fifty (50) percent of the total perimeter, or is more than twelve (12) feet above grade at any point, such basement, cellar or unused under floor space shall be considered a story.

Story, half. A story that meets the following criteria:

- (1) The half story will be located on a principal residential structure with a maximum district or use height of two and one-half (2.5) stories. A partial story located in any other district or on any other use shall be considered a full story.
- (2) Gross floor area of the half story will be located under a gable or hip roof and all of the roof rafters shall abut the floor joists, except at gable ends or where dormers are allowed.

- (3) Dormers on the half story will meet the following standards.
- The total width of all dormers on any façade will not exceed fifty (50) percent of the width of the wall of the floor below the half story roof.
 - Dormers will be located no closer than three (3) feet from any end-of-house corner of the floor below and any gable end wall.
 - Dormers will not extend beyond the wall below and will not interrupt the eave edge of the hip or gable roof.



Story, half

Street. A right-of-way which affords a primary means of motor vehicle access to abutting property.

Structure. Anything constructed or erected with a more or less fixed location on the ground or in or over a body of water. A structure shall include, but not be limited to, buildings, fences, walls, signs, canopies, decks, patios, antennae, piers, docks and any objects or things permanently attached to the structure.

Accessory structure. A structure detached from a principal structure, incidental and subordinate to the principal structure or use, including but not limited to garages, sheds, above-ground swimming pools, and fences.

Principal residential structure. Any structure containing a principal residential use.

Supportive housing. A facility that provides housing for twenty-four (24) hours per day and requires participation by residents in programs or services designed to assist residents with improving daily living skills, securing employment or obtaining permanent housing. It does not include:

- (1) Senior housing with services designed specifically to serve the needs associated with the aging of the residents.
- (2) Inebriate housing.
- (3) Any facility licensed by the Minnesota Department of Human Services (DHS), Department of Health (DOH) or Minnesota Department of Corrections (DOC).
- (4) Any other county, state or federal community correctional facility.
- (5) Fraternities, sororities or other student housing.
- (6) Any facility owned, leased or operated by the Minneapolis Public Housing Authority (MPHA).
- (7) The use of one (1) dwelling unit on one (1) zoning lot which meets the occupancy requirements of the zoning district in which it is located.

Taxicab service. An establishment which provides taxicab facilities and services such as radio dispatching, color rights, advertising, telephone listings, maintenance, insurance and driver assignments.

Towing service. An establishment engaged in the towing or storage of damaged or impounded vehicles. Such use shall not include the wrecking or dismantling of vehicles.

Top plate. The part of a stud wall directly below and abutting the roof rafters.

Trellis. A framework over which vines and plants may grow that is not a pergola. A freestanding trellis or a trellis attached to and supported by a building extending out from the building more than five (5) feet shall be considered a fence.

Urban farm. An establishment where food or ornamental crops are grown or processed to be sold or donated that includes, but is not limited to, outdoor growing operations, indoor growing operations, vertical farms, aquaponics, aquaculture, hydroponics and rooftop farms.

Use. The purpose or activity for which the land or buildings thereon are designed, arranged, intended, occupied or maintained.

Accessory use. A use of land or of a building or portion thereof incidental and subordinate to a principal use.

Conditional use. A use which, because of its unique characteristics, cannot be properly classified as a permitted use in a district but which may be allowed in such zoning district upon demonstrating that such use will comply with all of the conditions and standards of this zoning ordinance.

Permitted use. A use which may be established in a particular district or districts.

Principal use. The main use of land or buildings as distinguished from subordinate or accessory uses. A principal use may be either permitted or conditional.

Variance. Departure from the literal requirements of this zoning ordinance where practical difficulties exist because of special conditions or circumstances unique to a site.

Vehicle. A vehicle shall include the following:

Commercial vehicle. A motor vehicle designed and registered as a truck and licensed under the motor carrier laws of the State of Minnesota for the transportation or property but not persons, or a motor vehicle designed primarily for the movement of property or special purpose equipment, or a motor vehicle that is designed to carry ten (10) or more persons or any number of persons for a fee. Commercial vehicle includes vehicles commonly called trucks, delivery vans, buses, taxicabs, limousines, and other similar vehicles.

Inoperable vehicle. A vehicle that is abandoned or lacking vital component parts essential to its mechanical functioning, including but not limited to the engine, drive train, and wheels; or a vehicle that is so mechanically defective as to be unsafe for operation; or a vehicle that does not display a current license plate, current license tab, or current registration.

Motor vehicle. A vehicle that has its own motive power and that is used for the transportation of people or goods on streets. Motor vehicle includes passenger automobiles, trucks and commercial vehicles, and recreational vehicles with motive power.

Passenger automobile. A motor vehicle designed to carry less than ten (10) persons, including the driver. Passenger automobile includes vehicles commonly called cars, minivans, passenger vans, sport utilities, motorcycles and pickups, and that is not a commercial vehicle.

Recreational vehicle. A vehicle with or without motive power, which is designed for sport or recreational use or which is designed for human occupancy on an intermittent basis. Recreational vehicles include, but are not limited to, snowmobiles, boats, trailers, motor homes, campers, all terrain vehicles and similar items for personal recreation.

Vintage passenger automobile. A passenger automobile eligible for pioneer, classic, or street rod license plates, or that has a collector license plate, as defined by the State of Minnesota Department of Public Safety.

Video store. An establishment where movies are offered for rent to the general public for off-premises use. A video store may also offer accessory products or services, such as rental of video equipment.

Wholesale establishment. A business establishment engaged primarily in selling to retailers for resale.

Yard. An open space on the same zoning lot with a use, building or structure which is unoccupied and unobstructed from its lowest surface level to the sky, except as otherwise provided by this zoning ordinance. A yard extends along a lot line and to a depth or width specified in the yard requirements for the zoning district in which such zoning lot is located.

Corner side yard. A yard located immediately adjacent to and extending along the corner side lot line between the front yard and the rear lot line.

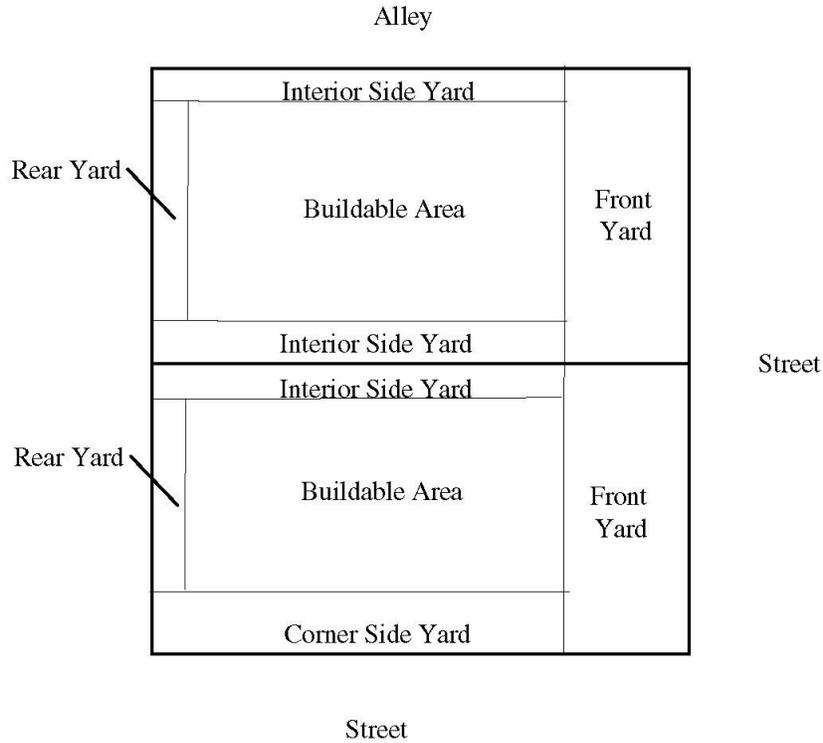
Front yard. A yard located immediately adjacent to and extending along the full length of the front lot line between the side lot lines.

Interior side yard. A yard located immediately adjacent to and extending along another zoning lot or an alley between the front yard and the rear lot line.

Rear yard. A yard located immediately adjacent to and extending along the length of the rear lot line between the side yards.

Side yard. Either a corner side yard or an interior side yard, unless otherwise specified by this zoning ordinance.

Landscaped yard. A front, side or rear yard that is required to be landscaped, as specified in this zoning ordinance.



~~Zoning administrator. The Director of the Minneapolis City Planning Department or his or her authorized representative. The individual designated by the director of the department of community planning and economic development to serve as the city's zoning administrator or their authorized representative.~~

Zoning district. An area or areas within the limits of the city within which uniform regulations and requirements govern the use, placement, spacing and size of land and structures.

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By Lilligren

Amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to Zoning Code: Administration and Enforcement.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 525.95 of the above-entitled ordinance be amended to read as follows:

525.95. ~~Director of regulatory services~~ Enforcement officials. The director of regulatory services, planning director, building official, and zoning administrator shall have the following powers and duties in connection with the administration of this zoning ordinance:

- (1) To enforce this zoning ordinance by commencement of appropriate administrative and legal remedies, including but not limited to issuance of citation or written orders, or reference to the city attorney for issuance of a formal complaint.
- (2) To take such other actions as reasonable and necessary for the enforcement of this zoning ordinance.

Section 2. That Section 525.120 of the above-entitled ordinance be amended to read as follows:

525.120. ~~Planning department~~ Department of community planning and economic development. (a) *Establishment.* The ~~city planning department~~ department of community planning and economic development is established by ~~in Chapter 13 415 of the Minneapolis City Charter~~ of this Code and shall ~~be serve~~ as the planning agency department for the city, as described in Chapter 13 of the City Charter. The ~~planning department~~ of community planning and economic development shall perform its duties and exercise its powers as provided by law in such a way as the objectives of this zoning ordinance shall be observed.

(b) *Jurisdiction and authority.* The planning director or his or her authorized representative shall have the following powers and duties in

connection with the administration of this zoning ordinance:

- (1) To review and make recommendations regarding land use applications, as authorized by this zoning ordinance.
- (2) To conduct surveys and studies for the purpose of recommending amendments to this zoning ordinance.
- (3) To make comprehensive surveys and studies of conditions and trends for the purpose of recommending a comprehensive plan and amendments thereto.
- (4) To perform the administrative review of applications for travel demand management plans, transfer of development rights, and floor area ratio premiums.
- (5) To perform such duties and functions as directed by the city council and mayor.

Section 3. That Section 525.240 of the above-entitled ordinance be amended to read as follows:

525.240. Compliance with performance standards. Whenever an application is made for issuance or change of a zoning certificate, which may include the production, processing, cleaning, servicing, testing or repair of materials, goods or products, the zoning administrator shall review the application to determine compliance with the applicable regulations of the zoning district and the applicable general performance standards of Chapter 535, Regulations of General Applicability. The zoning administrator may initiate an investigation or study to ensure compliance with the standards when it is believed that proposed processes may violate applicable general performance standards. When a determination of compliance may be reasonably made by the ~~department of inspections~~ Minneapolis health department using health department equipment and personnel, the health department may accomplish the study or investigation necessary. When unusual technical complexity or expense would be incurred in securing the sufficient information to conclude the study or investigation, the zoning administrator may require the applicant to provide the evidentiary submission at the applicant's expense, including but not limited to the following:

- (1) Plans of the existing or proposed construction and development.
- (2) Detailed descriptions of existing or proposed machinery, processes, activities and materials used and the products made.
- (3) Plans and specifications for the mechanisms and techniques used

or proposed to be used in demonstrating compliance with the applicable regulations of the zoning district and the applicable performance standards.

- (4) Measurements or estimates of the amount and rate of emission of any substance or force demonstrating compliance with the performance standards.

Section 4. That Section 525.540 of the above-entitled ordinance be amended to read as follows:

525.540. Complaints regarding violations. The ~~zoning administrator and the director of regulatory services~~ enforcement officials described in section 525.95 of this Code shall have the authority to investigate any complaint alleging a violation of the zoning ordinance or the conditions of any zoning approval and to take such action as is warranted in accordance with the procedures set forth in this chapter.

Section 5. That Section 525.550 of the above-entitled ordinance be amended to read as follows:

525.550. Procedures upon discovery of violations. (a) *Notice of violation.* The ~~zoning administrator or the director of regulatory services~~ city shall provide a written notice to the property owner or to any person responsible for such violation, identifying the property in question, indicating the nature of the violation, and ordering the action necessary to correct it, including a reasonable time period to remedy the violation. The written notice shall advise that the decision or order may be appealed to the board of adjustment in accordance with the provisions of section 525.170. Additional written notices may be provided at the discretion of the enforcement official. Where the violation involves work being done contrary to the provisions of this zoning ordinance, the ~~zoning administrator or director of regulatory services~~ city may order the work stopped. No further work shall be undertaken while a stop-work order is in effect.

(b) *Enforcement without notice.* Whenever the ~~zoning administrator or director of regulatory services~~ city finds that an emergency exists in relation to the enforcement of the provision of the zoning ordinance which requires immediate action to protect the health, safety or welfare of occupants of any structure, or the public, they may seek immediate enforcement without prior written notice, notwithstanding any other provision of this ordinance.

Section 6. That Section 525.580 of the above-entitled ordinance be amended to read as follows:

525.580. Penalties and remedies for violations. Violations of the provisions of this zoning ordinance or the conditions of any zoning approval

granted thereunder may be enforced by any one (1), all, or any combination of the following penalties and remedies:

- (a1) Violations shall be punishable as criminal offenses as stated in section 1.30 of the Minneapolis Code of Ordinances.
- (b2) Violations may be enforced as administrative offenses pursuant to chapter 2 of the Minneapolis Code of Ordinances.
- (c3) This zoning ordinance may also be enforced by injunction, abatement, mandamus, or any other appropriate remedy in any court of competent jurisdiction.
- (d4) Each day that any violation continues after notification by the ~~zoning administrator or director of regulatory services~~ city that such violation exists shall be considered a separate offense for purpose of the penalties and remedies specified in this section.

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By Lilligren

Amending Title 20, Chapter 543 of the Minneapolis Code of Ordinances relating to Zoning Code: On-Premise Signs.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 543.90 of the above-entitled ordinance be amended to read as follows:

543.90. Sign hangers to be licensed. No person shall install, reconstruct, alter, repair or remove any sign or submit a sign permit application without first having secured a sign hanger's license from the ~~director of regulatory services~~ licensing official.

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By Lilligren

Amending Title 20, Chapter 544 of the Minneapolis Code of Ordinances relating to Zoning Code: Off-Premise Advertising Signs and Billboards.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 544.100 of the above-entitled ordinance be amended to read as follows:

544.100. Billboard erectors to be licensed. No person shall install, reconstruct, alter, repair or remove any billboard or submit a sign permit application without first having secured a license from the ~~director of regulatory services~~ licensing official.