

SECTION 2.2: DEFINITIONS

- (X) **Accessory On-Farm Enterprise (AOFE):** an activity that is accessory to an agricultural farm and comprises one or both of the following:
- a. The storage, preparation, processing and sale of agricultural products, provided that more than 50 percent of the total annual sales are from agricultural products that are principally produced on the farm at which the business is located.
 - b. Agritourism that features agricultural practices or agricultural products, or both. Such events may include tours of the farm, farm stays, tastings and meals featuring agricultural products, and classes or exhibits in the preparation, processing, or harvesting of agricultural products. “Farm stay” means a paid, overnight guest accommodation on a farm for the purpose of participating in educational, recreational, or social activities on the farm that feature agricultural practices or agricultural products, or both. A farm stay includes the option for guests to participate in such activities.
- (X) **Accessory structure** means a structure that is physically detached from, secondary and incidental to, and commonly associated with a primary structure on the same site.
- (X) **Accessory use** means a use customarily incidental to, related and clearly subordinate to a primary use on the same parcel, which does not alter the primary use nor serve property other than the parcel where the primary use is located.
- (X) **Agent** means a person authorized in writing by the property owner to represent and act for a property owner in contact with town or county employees, committees, commissions, and the council, regarding matters regulated by this title.
- (X) **Agricultural accessory structure** means a structure for sheltering or confining animals, or agricultural equipment, hay, feed, etc. Examples of these structures include barns, noncommercial greenhouses, coops, corrals, and pens. Does not include pasture fencing.
- (X) **Agricultural land:** contiguous acres used during the preceding year for agricultural purposes.
- (X) **Agricultural purposes:** the raising, cultivation, drying, or storage of agricultural products for sale, or the storage of machinery or equipment used in support of agricultural production by the same farm entity.
- (X) **Agricultural products:** as defined in Minnesota Statute 273.13, Subdivision 23 or subsequent legislation, includes the production for sale of:
- a. livestock, dairy animals, dairy products, poultry and poultry products, fur-bearing animals, horticultural and nursery stock, fruit of all kinds, vegetables, forage, grains, bees, and apiary products by the owner;
 - b. aquacultural products for sale and consumption, as defined under Minnesota Statutes Chapter 17 §17.47, if the aquaculture occurs on land zoned for agricultural use;
 - c. the commercial boarding of horses, which may include related horse training and riding instruction, if the boarding is done on property that is also used for raising pasture to graze horses or raising or cultivating other agricultural products as defined in clause (1);
 - d. property which is owned and operated by nonprofit organizations used for equestrian activities, excluding racing;
 - e. game birds and waterfowl bred and raised (i) on a game farm licensed under Minnesota Statutes Chapter 97A §97A.105, provided that the annual licensing report to the Department of Natural Resources, which must be submitted annually by March 30 to the assessor, indicates that at least 500 birds were raised or used for breeding stock on the property during the preceding year and that the owner provides a copy of the owner's most recent schedule F; or (ii) for use on a shooting preserve licensed under Minnesota Statutes Chapter 97A §97A.115;
 - f. insects primarily bred to be used as food for animals;

- g. trees, grown for sale as a crop, including short rotation woody crops, and not sold for timber, lumber, wood, or wood products; and
 - h. maple syrup taken from trees grown by a person licensed by the Minnesota Department of Agriculture under Minnesota Statutes Chapter 28A as a food processor.
- (8) **Agritourism:** Any activity carried out on a farm or ranch (ancillary to the primary farm or ranch use) that allows organizations or members of the general public, for recreational, entertainment, charitable, or educational purposes, to view, enjoy, or participate in rural activities, including, but not limited to: agriculture; horticulture; viticulture; winemaking; ranching; and historical, cultural, farm stay, gleaning, harvest-your-own, or natural activities and attractions. An activity is an agritourism activity whether or not the participant pays to participate in the activity.
- (X) **Change of use** means the replacement of an existing use on a lot or parcel, or any portion thereof, by a new use, or a change in the nature of an existing use; but does not include a change of ownership, tenancy, or management associated with a use for which the previous nature of the use will remain substantially unchanged.
- (X) **Construction** relates to any activity that directly alters the environment, including land preparation or facilities fabrication, excluding surveying or mapping.
- (X) **Convenience store** means a retail store of three thousand five hundred square feet or less in gross floor area, which carries a range of merchandise oriented to convenience and/or travelers' shopping needs.
- (X) **Development** means any construction activity or alteration of the landscape, its terrain contour or vegetation, the erection or alteration of structures, including any construction, or alteration of an existing structure or land use, or establishment of a land use, after the effective date of this ordinance or amendment to thereof.
- (X) **Disabled** means any person who has a physical or mental impairment that substantially limits one or more major life activities; anyone who is regarded as having such an impairment or anyone who has a record of such impairment. People who are currently using illegal substances are not covered under the Fair Housing Act, unless they have a separate disability.
- (X) **“Expansion” “enlargement” or “intensification”** means any increase in a dimensional size, area, volume, or height, any increase in the area of use, any placement of a structure or part thereof where none existed before, any addition of a site feature such as a deck, patio, fence, driveway, parking area, or swimming pool, any improvement that would allow the land to be more intensely developed, any move of operations to a new location on the property, or any increase in intensity of use based on a review of the original nature, function or purpose of the existing use, the hours of operation, traffic, parking, noise, exterior storage, signs, exterior lighting, types of operations, types of goods or services offered, odors, area of operation, number of employees, and other factors deemed relevant to Pope County.
- (X) **Habitable space** means space within a dwelling unit for living, sleeping, eating, or cooking.
- (X) **Kennel, animal boarding** means a commercial facility for the grooming, keeping, boarding or maintaining of five or more dogs (four months of age or older), or five or more cats except for dogs or cats for sale in pet shops, or patients in animal hospitals.
- (X) **Land use permit** means authority granted by Pope County to use a specified site for a particular purpose.

- (X) **Manufacturing/processing—heavy** means a facility accommodating manufacturing processes that involve and/or produce basic metals, building materials, chemicals, fabricated metals, paper products, machinery, textiles, and/or transportation equipment, where the intensity and/or scale of operations may cause significant impacts on surrounding land uses or the community. Examples of heavy manufacturing uses include the following:
- a. **Chemical product manufacturing** means an establishment that produces or uses basic chemicals, and other establishments creating products predominantly by chemical processes. Examples of these products include: basic chemicals, including acids, alkalis, salts, and organic chemicals; chemical products to be used in further manufacture, including synthetic fibers, plastic materials, dry colors, and pigments; and finished chemical products to be used for ultimate consumption, including drugs/pharmaceuticals, cosmetics, and soaps; or to be used as materials or supplies in other industries including paints, fertilizers, and explosives. Also includes sales and transportation establishments handling the chemicals described above, except as part of retail trade.
 - b. **Concrete, gypsum, and plaster product manufacturing** means an establishment that produces bulk concrete, concrete building block, brick, and/or other types of precast and prefabricated concrete products. Also includes ready-mix concrete batch plants, lime manufacturing, and the manufacture of gypsum products, including plasterboard. A retail ready-mix concrete operation as an incidental use in conjunction with a building materials outlet is defined under building and landscape materials sales.
 - c. **Glass product manufacturing** means an establishment that manufactures glass and/or glass products by melting silica sand or cullet, including the production of flat glass and other glass products that are pressed, blown, or shaped from glass produced in the same establishment. Artisan and craftsman type operations of a larger scale than home occupations are instead included under (manufacturing—light—handcraft industries and small-scale manufacturing).
 - d. **Paving and roofing materials manufacturing** means the manufacture of various common paving and petroleum-based roofing materials, including bulk asphalt, paving blocks made of asphalt, creosote wood, and various compositions of asphalt and tar. Does not include the manufacture of wood roofing materials (shingles, shakes, etc.) (lumber and wood product manufacturing).
 - e. **Petroleum refining and related industries** mean industrial plants for purifying petroleum, and the compounding of lubricating oils and greases from purchased materials. Also includes oil or gas processing facilities, liquefied natural gas (LNG) facilities, the manufacture of petroleum coke and fuel briquettes, tank farms, and terminal facilities for pipelines. Does not include petroleum pipeline surge tanks and pump stations (public utility facilities), or petroleum product distributors (petroleum product storage and distribution).
 - f. **Plastics, other synthetics, and rubber product manufacturing** means the manufacture of rubber products including: tires, rubber footwear, mechanical rubber goods, heels and soles, flooring, and other rubber products from natural, synthetic, or reclaimed rubber. Also includes establishments engaged primarily in manufacturing tires; products from recycled or reclaimed plastics or styrofoam; molding primary plastics for other manufacturers, manufacturing miscellaneous finished plastics products, fiberglass manufacturing, and fiberglass application services. Does not include establishments engaged primarily in recapping and retreading automobile tires (vehicle services—major repair/body work).
 - g. **Primary metal industries** mean an establishment engaged in: the smelting and refining of ferrous and nonferrous metals from ore, pig, or scrap; the rolling, drawing, and alloying of metals; the manufacture of castings, forgings, stampings, extrusions, and other basic metal products; and the manufacturing of nails, spikes, and insulated wire and cable. Also includes merchant blast furnaces and by-product or beehive coke ovens.

- h. **Pulp and pulp product manufacturing** means an establishment that manufactures pulp, paper, or paperboard. Includes pulp, paper, and paperboard mills. Does not include establishments primarily engaged in converting paper or paperboard without manufacturing the paper or paperboard, including envelope manufacturing, converted paper products, paper coating and glazing, paper bags, assembly of paperboard boxes, wallpaper (manufacturing—light—paper product manufacturing).
- i. **Textile and leather product manufacturing** means an establishment that converts basic fibers (natural or synthetic) into a product, including yarn or fabric, that can be further manufactured into usable items (manufacturing—light—clothing and fabric product manufacturing), and industries that transform hides into leather by tanning or curing. Includes:
- i. Coating, waterproofing, or otherwise treating fabric
 - ii. Dressed and dyed furs
 - iii. Dyeing and finishing fiber, yarn, fabric, and knit apparel
 - iv. Leather-tanned, curried, and finished
 - v. Manufacture of knit apparel and other finished products from yarn
 - vi. Manufacture of felt goods, lace goods, nonwoven fabrics and miscellaneous textiles
 - vii. Manufacturing of woven fabric, carpets, and rugs from yarn
 - viii. Preparation of fiber and subsequent manufacturing of yarn, threads, braids, twine cordage
 - ix. Scouring and combing plants
 - x. Upholstery manufacturing
 - xi. Yarn and thread mills
- (X) **Manufacturing/processing—intensive** means a facility accommodating manufacturing processes that involve and/or produce building materials, fabricated metal products, machinery, and/or transportation equipment, where the intensity and/or scale of operations is greater than those classified under **manufacturing—light**, but where impacts on surrounding land uses or the community can typically be mitigated to acceptable levels. Examples of intensive manufacturing uses include the following:
- a. **Lumber and wood product manufacturing** means manufacturing, processing, and sales involving the milling of forest products to produce rough and finished lumber and other wood materials for use in other manufacturing, craft, or construction processes. Includes the following processes and products:
- i. Containers, pallets and skids
 - ii. Manufactured and modular homes
 - iii. Matches (wood)
 - iv. Milling operations
 - v. Trusses and structural beams
 - vi. Turning and shaping of wood products
 - vii. Wholesaling of basic wood products
 - viii. Wood product assembly
- Does not include craft-type shops (handcraft industries and small-scale manufacturing); other wood and cabinet shops (furniture and fixture manufacturing, cabinet shops); or the entirely indoor retail sale of building materials, construction tools and equipment (building and landscape materials sales).
- b. **Machinery manufacturing** means an establishment that makes or processes raw materials into finished machines or parts for machines. Does not include the manufacture of electronics, equipment, or appliances (electronics, equipment, and appliance manufacturing).

- c. **Metal products fabrication, machine and welding shops** mean an establishment engaged in the production and/or assembly of metal parts, including the production of metal cabinets and enclosures, cans and shipping containers, doors and gates, duct work, forgings and stampings, hardware and tools, plumbing fixtures and products, tanks, towers, and similar products. Examples of these uses include:
- i. Blacksmith and welding shops
 - ii. Plating, stripping, and coating shops
 - iii. Sheet metal shops
 - iv. Machine shops and boiler shops
- d. **Motor vehicles and transportation equipment** means manufacturers of equipment for transporting passengers and cargo by land, air and water, including motor vehicles, aircraft, spacecraft, ships, boats, railroad and other vehicles such as motorcycles, bicycles and snowmobiles. Includes manufacture of motor vehicle parts and accessories; trailers and campers for attachment to other vehicles; self-contained motor homes; and van conversions. Does not include mobile home and modular home assembly (listed under lumber and wood products).
- e. **Stone and cut stone product manufacturing** means an establishment that cuts, shapes, and/or finishes marble, granite, slate, and/or other stone for construction and miscellaneous uses. Does not include establishments engaged primarily in buying or selling partly finished monuments and tombstones (handcraft industries, small-scale manufacturing).
- f. **Structural clay and pottery product manufacturing** means an establishment that produces brick and structural clay products, including pipe, china plumbing fixtures, vitreous china articles, and/or fine earthenware and porcelain products. Does not include artist/craftsman uses.
- (X) **Manufacturing/processing—light** means a facility accommodating manufacturing processes involving and/or producing: apparel; food and beverage products; electronic, optical, and instrumentation products; ice; jewelry; and musical instruments. Light manufacturing also includes other establishments engaged in the assembly, fabrication, and conversion of already processed raw materials into products, where the operational characteristics of the manufacturing processes and the materials used are unlikely to cause significant impacts on surrounding land uses or the community. Examples of light manufacturing uses include the following:
- a. **Clothing and fabric product manufacturing** means an establishment that assembles clothing, draperies, and/or other products by cutting and sewing purchased textile fabrics, and related materials including leather, rubberized fabrics, plastics and furs. Does not include custom tailors and dressmakers not operating as a factory and not located on the site of a clothing store (see personal services). See also, manufacturing—heavy—textile and leather product manufacturing.
 - b. **Electronics, equipment, and appliance manufacturing** means an establishment that manufactures equipment, apparatus, and/or supplies for the generation, storage, transmission, transformation and use of electrical energy, including:
 - i. Appliances including stoves/ovens, refrigerators, freezers, laundry equipment, fans, vacuum cleaners, sewing machines
 - ii. Aviation instruments
 - iii. Computers, computer components, peripherals
 - iv. Electrical transmission and distribution equipment
 - v. Electronic components and accessories, semiconductors, integrated circuits, related devices
 - vi. Electrical welding apparatus
 - vii. Lighting and wiring equipment such as lamps and fixtures, wiring devices, vehicle lighting
 - viii. Industrial controls
 - ix. Instruments for measurement, testing, analysis and control, associated sensors and accessories

- x. Miscellaneous electrical machinery, equipment and supplies such as batteries, X-ray apparatus and tubes, electromedical and electrotherapeutic apparatus, electrical equipment for internal combustion engines
- xi. Motors and generators
- xii. Optical instruments and lenses
- xiii. Photographic equipment and supplies
- xiv. Radio and television receiving equipment
- xv. Surgical, medical and dental instruments, equipment, and supplies
- xvi. Storage media, blank and pre-recorded, including magnetic, magneto-optical, and optical products such as compact disks (CDs), computer diskettes and hard drives, digital versatile disks (DVDs), magnetic tape products, phonograph records, etc.
- xvii. Surveying and drafting instruments
- xviii. Telephone and telegraph apparatus
- xix. Transformers, switch gear and switchboards
- xx. Watches and clocks

Does not include testing laboratories (soils, materials testing, etc.), or research and development facilities separate from manufacturing.

- c. **Food and beverage product manufacturing** means manufacturing establishments producing or processing foods and beverages for human consumption, and certain related products. Examples of these uses include:
 - i. Bottling plants
 - ii. Breweries
 - iii. Candy, sugar and confectionery products manufacturing
 - iv. Catering services separate from stores or restaurants
 - v. Coffee roasting
 - vi. Dairy products manufacturing
 - vii. Fats and oil product manufacturing
 - viii. Fruit and vegetable canning, preserving, related processing
 - ix. Grain mill products and by-products
 - x. Meat, poultry, and seafood canning, curing, by-product processing
 - xi. Soft drink production
 - xii. Miscellaneous food item preparation from raw products

Does not include: bakeries, which are separately defined; or beer brewing as part of a brew pub, bar or restaurant.

- d. **Handcraft industries, small-scale manufacturing** means establishments manufacturing and/or assembling small products primarily by hand, including jewelry, pottery and other ceramics, as well as small glass and metal art and craft products, and taxidermists. Also includes manufacturing establishments producing small products not classified in another major manufacturing group, including: brooms and brushes; buttons, costume novelties; jewelry; musical instruments; pens, pencils, and other office and artists' materials; sporting and athletic goods; toys; etc.
- e. **Paper product manufacturing** means an establishment that converts pre-manufactured paper or paperboard into boxes, envelopes, paper bags, wallpaper, etc., and/or that coats or glazes pre-manufactured paper. Does not include the manufacturing of pulp, paper, or paperboard (see manufacturing—heavy—pulp and pulp product manufacturing).

(X) Negative declaration means a written statement by the RGU that a proposed project does not require the preparation of an EIS.

(X) Office means this title distinguishes between the following types of offices. These do not include medical offices.

- a. **Accessory** means office facilities that are incidental and accessory to another business or sales activity that is the primary use.

- b. **Business/service** means establishments providing direct services to consumers. Examples of these uses include employment agencies, insurance agent offices, real estate offices, travel agencies, utility company offices, etc. This use does not include bank, financial services, which are separately defined.
- c. **Government** means administrative, clerical, or public contact and/or service offices of a local, state, or federal government agency or service facilities.
- d. **Professional (office)** means office-type facilities occupied by businesses that provide professional services and/or engaged in the production of intellectual property. Examples of these uses include:
 - i. Accounting, auditing and bookkeeping services
 - ii. Advertising agencies
 - iii. Attorneys
 - iv. Commercial art and design services
 - v. Construction contractors (office facilities only)
 - vi. Counseling services
 - vii. Court reporting services
 - viii. Detective agencies and similar services
 - ix. Design services including architecture, engineering, landscape architecture, urban planning
 - x. Educational, scientific and research organizations
 - xi. Financial management and investment counseling
 - xii. Literary and talent agencies
 - xiii. Management and public relations services
 - xiv. Media post-production services
 - xv. News services
 - xvi. Photographers and photography studios
 - xvii. Psychologists
 - xviii. Secretarial, stenographic, word processing, and temporary clerical employee services
 - xix. Security and commodity brokers
 - xx. Writers and artists offices
- (X) **Responsible Governmental Unit (RGU)** means the governmental unit that is responsible for preparation and review of environmental documents.
- (X) **“Replacement,” “reconstruction,” or “restoration”** means construction that exactly matches pre-existing conditions.
- (X) **Residential accessory use or structure** means any use and/or structure that is customarily a part of, and clearly incidental and secondary to a residence, and does not change the character of the residential use. This definition includes the following detached accessory structures, and other similar structures normally associated with a residential use of property. See also **agricultural accessory structure**.
 - a. Garages
 - b. Gazebos
 - c. Greenhouses (noncommercial)
 - d. Spas and hot tubs
 - e. Storage sheds
 - f. Studios
 - g. Swimming pools
 - h. Tennis and other on-site sport courts
 - i. Workshops

- (X) **Special Event:** A special event is a gathering of people, whether it be on public or private property, generally lasting from a few hours to a few days, designed to celebrate, honor, discuss, sell, teach about, encourage, observe, or influence human endeavors. Such an event may be described as a temporary use on private or public property that extends beyond the normal uses and standards allowed by this Ordinance in which impacts are anticipated on public parks, streets, rights-of-ways, surrounding neighborhoods, businesses, the community as a whole and emergency service providers such as police, fire and ambulance personnel. Special events include, but are not limited to, publicly attended auctions, concerts, expositions, vehicle shows, tournaments, music or other festivals. Special events do not include non-commercial events held on private property, such as weddings, receptions, graduation parties or social parties.
- (X) **Temporary structure** means a structure without any foundation or footings, and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.
- (X) **Vehicle services** mean the repair, servicing, alteration, restoration, towing, painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This use includes the following categories:
- a. **Major repair/body work** means these establishments include towing, collision repair, other body work, and painting services; tire recapping.
 - b. **Minor maintenance/repair** means minor facilities providing limited repair and maintenance services. Examples include: attended and self-service car washes; detailing services; muffler and radiator shops; quick-lube services; tire and battery sales and installation (not including recapping).
- (X) **Vehicle storage** means a service facility for the long-term storage of operative cars, trucks, buses, recreational vehicles, and other motor vehicles, for clients. Does not include dismantling yards.