

**ORDINANCE # 285, 2<sup>nd</sup> Series**

**AN ORDINANCE AMENDING SECTION 11.02, 11.21, SUBDIVISION 2, AND 11.75,  
SUBDIVISION 5.B. OF CHAPTER 11 LAND USE REGULATIONS (ZONING) OF THE  
CITY OF BECKER CODE**

**IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF BECKER  
MINNESOTA:**

**Chapter 11, Land Use Regulation (Zoning), Section 11.02, is hereby amended to read as follows:**

**79. "Private Street / Road" - A street serving as vehicular access to two (2) or more parcels of land which is not dedicated to the public but is owned by one or more private parties. Private Streets are prohibited within the City of Becker city limits except zoning districts Industrial 1, Industrial 2, and Industrial 3. Primary access to Industrial 1, Industrial 2, and Industrial 3 zoning districts must be off a publicly dedicated road. Private roads must allow access to emergency response vehicles. Private road designs must be reviewed and approved by City staff and the City Engineer prior to installation to ensure that they are designed / installed to accommodate emergency service vehicles and other traffic flows. Other regulations in City code prohibiting private streets in developments still apply, except as allowed in this definition.**

**80. "Sanitary Landfills" - Method of waste disposal involving the dumping and daily covering of waste material all in compliance with State of Minnesota regulations.**

**81. "Setback" - The minimum horizontal distance between a building and the street or lot line or the ordinary high water mark of a public water.**

**82. "Single Family Attached Housing" -One-family dwellings attached to other such units by common walls side by side.**

**83. "Single Family Cluster Housing" - One-family detached dwellings on lots of less area than ten thousand (10,000) square feet.**

**84. "Single Family Detached Housing" - A building designed for one family and not connected to other such units.**

**85. "Site Area Per Dwelling Unit" - The site area per dwelling unit is the minimum land area required by this Chapter to be provided for each dwelling unit in a building.**

**86. "Solar Energy Farm" – A solar array composed of multiple solar panels on multiple mounting systems (poles or racks), using an alternating current (AC or DC) rated capacity greater than 100 kilowatts (AC or DC). Solar energy farms are only**

permitted within the AG (Agriculture) zoning district under an approved Interim Use Permit. Solar Energy Farms are prohibited in all other zoning districts. *Source: Ordinance 267, 2<sup>nd</sup> Series, Effective: 12/27/2022.*

- 87. "Solar Energy System"** – A solar panel or array mounted on a building, pole, or rack using an alternating current (AC or DC) rated capacity less than 100 kilowatts AC which is secondary to the principal use of the panel on which it is located, and which is directly connected to or designed to serve the energy needs of the primary use. *Source: Ordinance 267, 2<sup>nd</sup> Series, Effective: 12/27/2022.*
- 88. "Special Event"** – A gathering of any number of individuals for the purpose of celebrating, honoring, discussing, selling, fundraising, educating, encouraging, observing, or influencing human endeavors. *Source: Ordinance 270, 2<sup>nd</sup> Series, Effective: 05/08/2023.*
- 89. "Stand-Roadside"** - A structure for the display and sale of products with no space for customers within the structure itself.
- 90. "Story"** - That portion of a building included between the surface of any floor and the surface of the floor next above; or if there is no floor above, the space between the floor and the ceiling next above. A basement may be counted as a story (see Basement) but a cellar shall not be counted as a story.
- 91. "Street"** - A public way for vehicular traffic whether designated as street, highway, thoroughfare, parkway, throughway, road, arterial, lane, place or however other designed. The width of a street is measured between right-of-way lines.
- 92. "Street Line"** - The line coinciding with the lot and the street right-way-line.
- 93. "Structure"** - Anything constructed or erected, the use of which requires location on the ground or attachment to something having a location on the ground. This includes a fixed or movable building which can be used for residential, business, commercial, agricultural, or office purposes, either temporarily or permanently. *Source: Ordinance 200, 2nd Series, Effective Date: March 12, 2018*
- 94. "Structure-Alterations"** - Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.
- 95. "Use"** - The purpose for which land or premises or a building thereof is designed, arranged, or intended, or for which it is or may be occupied or maintained.
- 96. "Use-Principal"** - The predominate purpose or activity for which a lot, structure or building thereon is designed, used or intended for use, or for which it is occupied or maintained. *Source: Ordinance 200, 2nd Series, Effective Date: March 12, 2018*
- 97. "Use-Accessory"** - A subordinate use which is clearly and customarily incidental to the

principal use of a building or premises and which is located on the same lot as the principal building or use.

**98. "Variance"** - The waiving of specific literal provisions of this Chapter in instances where their strict enforcement would cause practical difficulties. Practical Difficulties are described as follows:

- a. The property owner proposes to use the property in a reasonable manner not permitted by an official control;
- b. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
- c. The variance, if granted, will not alter the essential character of the locality

*Source: Ordinance 156 2<sup>nd</sup> Series, Effective Date: November 7, 2011*

**99. "Veterinary Clinic"** - A commercial activity catering to the medical needs of animal and having no outside runs.

**100. "Yard"** - Any space in the same lot with a building open and unobstructed from the ground to the sky.

**101. "Yard-Front"** - A yard extending across the front of the lot between the inner side yardlines and lying between the front street line of the lot and nearest line of the building.

**102. "Yard-Rear"** - An open space unoccupied on the same lot with a building between the building and the side line of the lot, and extension from the front lot line to the rear of the backyard.

**Chapter 11, Land Use Regulation (Zoning), Section 11.21, Subd. 2. is hereby amended to read as follows:**

**Subd. 2. Private Roadways.** Private roadways are prohibited inside city limits, except in those zoning districts listed in the private street / road definition in section 11.02.

**Chapter 11, Land Use Regulation (Zoning), Section 11.75, Subd. 5.B. is hereby amended to read as follows:**

**B.** Private roadways are prohibited within city limits, except in those zoning districts listed in the private street / road definition in section 11.02.

Tracy Bertram \_\_\_\_\_

Rick Hendrickson \_\_\_\_\_

Robin Dingmann \_\_\_\_\_

Mike Doering \_\_\_\_\_

Becky Olmscheid \_\_\_\_\_

Adopted this 7<sup>th</sup> day of May 2024.

---

Tracy Bertram, Mayor

Attest:

---

Shannon Mortenson, City Clerk

DRAFT