

## **Chapter 6**

# **PERFORMANCES STANDARDS**

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### **1. Intent**

The guiding of urban development so as to bring about a compatible relationship of uses depends upon certain standards being maintained. Permitted uses, uses by conditional permit, and accessory uses in the various districts shall conform to the following standards.

### **2. Standards**

#### **A. Noise**

Any use established shall be so operated that no noise resulting from said use is perceptible and excessive to the normal senses beyond the boundaries of the lot line of the site on which such use is located. Noise levels shall be regulated by the standards of the Minnesota Pollution Control Agency. If the City determines excessive noise is emanating from a site, the City may require a noise study and require cooperation by the property owner including full payment of the noise study. This standard shall not apply to incidental traffic, parking, loading, construction, or maintenance operations. (Rev. 11-18-2010; Ord. 658)

#### **B. Smoke and Particulate Matter**

Any use established, enlarged, or remodeled after the effective date of this ordinance shall be so operated as to control the emission of smoke or particular matter to the degree that it is not detrimental to the normal senses or shall endanger the health, safety, comfort, or general welfare of the public.

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### **C. Toxic or Noxious Matter**

Any use established shall be so operated as not to discharge across the boundaries of the lot or through percolation into the subsoil beyond the boundaries of the lot wherein such use is located toxic, or noxious matter in such concentrations as to be detectable or to endanger the public health, safety, comfort, or welfare, or cause injury or damage to property or business.

### **D. Odors**

Any use established, enlarged, or remodeled shall be so operated as to prevent the emission of odorous matter in such quantities as to be readily detectable by normal senses at any point beyond the lot line of the site on which such use is located.

### **E. Glare or Heat**

Any use requiring an operation producing an intense heat or light transmission shall be performed with the necessary shielding to prevent such heat or light from being perceptible and excessive to the normal senses beyond the lot line of the site on which the use is located.

### **F. Refuse and Other Waste Material**

It shall be prohibited to allow the piling, storing, keeping, or accumulation of garbage, trash, ashes, old machinery, wrecked or unlicensed vehicles, other discarded or uncared for building materials, and/or other property and debris. Waste material shall not be washed into the public storm sewer system nor any toxic or noxious matter into the sanitary sewer system. Should the waste be of a solid form rather than fluid, the storage area shall be so located and fenced as to be removed from public view and be disposed of according to State regulations. (Refer to applicable sewer ordinances.)

### **G. Height Limitations**

The requirements and regulations specified heretofore in this ordinance shall be subject to the following:

1. Height limitations as set forth elsewhere in this ordinance shall be increased to 60 feet when applied to the following:
  - \* Light Poles (not including Flag Poles) (Rev. 11-18-2010; Ord. 658)
  - \* Signs
  - \* Silos
  - \* Smoke Stacks
  - \* Water Towers
  - \* Windmills
  - \* Flagpoles Located in a Business or Industrial District (Rev. 11-22-11; Ord. 675)

Heights in excess of those allowed under this section shall be permitted only by a Conditional Use Permit granted by the Planning Commission.

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### **H. Building Relocation**

It shall be the stated policy of the City of Princeton to maintain a harmonious and high standard of residential, commercial, and industrial development, and to protect residential, commercial and industrial areas from deleterious effects through ensuring that both new and relocated dwellings and commercial and industrial properties from other areas, both within the City of Princeton and from outside, shall meet specified requirements. Such relocations of dwellings and commercial and industrial properties as stated above must conform to all regulations of the Building Code and may only be permitted in the zoning district where all necessary specifications as to lot sizes, setbacks, type of use, height regulations, and all other conditions as laid down in this ordinance are met. In addition, such relocations must be approved by the Zoning Administrator and Building Inspector prior to being moved.

### **I. Fences** (Rev. 9-25-14; Ord. 711)

#### **1. Permit required.**

No person, firm or corporation, except on a farm and related to farming, shall construct or cause to be constructed or erected within the City of Princeton any fence without first making an application for and securing an administrative fence permit. A fence more than six (6) feet in height shall require a building permit.

#### **2. General Standards.**

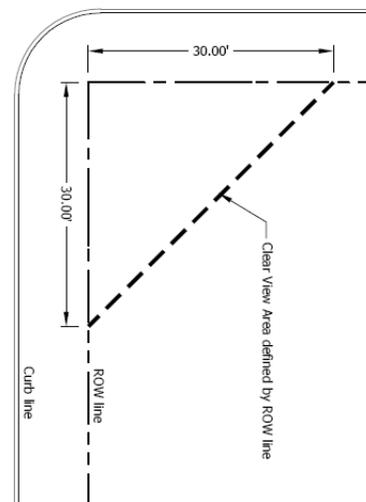
- a. A current Certificate of Survey by a registered land surveyor may be required by the Zoning Administrator or Building Inspector to establish the property lines.
- b. Fences may be constructed within public and private drainage and utility easements provided that removal or replacement of the fence, or a portion thereof, shall be at the property owner's expense if access is required.
- c. No fence shall obstruct the flow of water nor divert water onto a neighboring property.
- d. Tennis courts shall be enclosed with fencing. Chain link fences used for the enclosure of tennis courts or other such recreational purposes shall not exceed ten (10) feet in height and shall be located in the rear yard in Residential Districts.

#### **3. Construction and Maintenance.**

- a. Every fence shall be constructed in a substantial, workmanlike manner and of substantial material reasonably suited for the purpose for which the fence is proposed to be used.
- b. All fences shall be constructed of either stone, brick, finished wood, durable vinyl or other durable plastic materials, ornamental non-corrosive aluminum or iron, or chain link.
- c. Fences shall be constructed so that their more attractive side faces

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- neighboring property.
- d. Every fence shall be maintained in a condition of reasonable repair; if allowed to become and remain in a condition of disrepair or danger, or constitute a nuisance, public or private, the Zoning Administrator shall commence proper proceedings for the abatement thereof.
  - e. Link fences, wherever permitted, shall be constructed in such a manner that no barbed ends shall be at the top.
  - f. Barbed wire fences and electric fences shall only be permitted on farms. Barb wire fences shall also be permitted for demonstrated security purposes in commercial and industrial districts.
  - g. Fences that exist as an enclosure and restrict access shall provide a gate that affords reasonable and convenient access for public safety.
  - h. No physical damage of any kind shall result to abutting property.
4. Locations:
- a. Fences may be located on a property line adjoining another property, if:
    - (1) The property owner has a current Certificate of Survey; or
    - (2) The property identification irons have been located; or
    - (3) The neighboring property owner agrees in writing.
  - b. If the conditions of subsection 4a. cannot be met, then a fence shall be located a minimum of two (2) feet off the reasonably-identified property line.
  - c. No fence shall be located on public right-of-way.
5. Residential District Fences.
- a. No fence shall be erected or maintained more than six (6) feet in height in any Residential District.
  - b. No fence shall be erected in any required front yard and side yard adjacent to a street to a height in excess of three and one-half feet (3 1/2).
  - c. No fence shall be higher than three (3) feet above grade on any corner lot within the triangular area formed by the intersecting street right-of-way lines and a straight line joining the two (2) street lines at points which are twenty (20) feet distant from the point of intersection. See graphic.



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6. Commercial and Industrial District Fences.
  - a. Fences in all Commercial and Industrial Districts shall not exceed eight (8) feet in height.
  - b. Boundary line fences abutting residential districts shall conform to those conditions applying to the residential district.
  - c. Fences on which barbed wire may be placed and are erected primarily to secure a particular given area may have arms not to exceed thirty-six (36) inches in length located a minimum of seven feet (7') and a maximum of eight feet (8') above the ground surface.
  - d. Fences erected within the required front yard or side yard adjacent to a street shall not be over eight (8) feet in height and shall be at least seventy-five (75) percent open for the passage of air and light and provide for traffic visibility.

### **J. Home Occupations** (Rev. 11-18-2010; Ord. 658 & Rev. 04-28-2016; Ord. 733)

A home occupation is that accessory use of a dwelling that shall constitute either entirely or partly the livelihood of a person living in the dwelling. All permitted home occupations require an approved conditional use permit.

#### 1. Permitted Home Occupations

The following are permitted home occupations with an approved conditional use permit:

- \* Childcare.
- \* Dressmaking, sewing, and tailoring.
- \* Home micro brewing, cooking and preserving.
- \* Home crafts such as model making, rug weaving, lapidary work, and woodworking.
- \* Laundry-related services.
- \* Telephone answering and clerical work.
- \* Tutoring, limited to four students at a time.
- \* Other approved occupancy.

The following conditions must be met to meet the conditional use permit requirements:

- a. The home occupation does not change the outside appearance of the dwelling and is not visible from the street.
- b. The home occupation does not generate traffic, deliveries, parking, or sewerage and/or water use in excess of what is normal in the residential

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neighborhood.

- c. The home occupation does not create a hazard to person or property or generate hazardous waste.
- d. The home occupation does not create any detriments to the residential character of the neighborhood due to the emission of noise, smoke, dust, gas, heat, glare, vibration, electrical interference, or any other nuisance resulting from it.
- e. The home occupation does not result in the outside storage or display of anything except a nameplate no larger than two square feet in area which may only be attached to the wall of the dwelling.
- f. The home occupation does not utilize more than 25% of the total floor area of the dwelling. If an accessory building is used for such home occupation, it shall not exceed 625 square feet in total floor area.
- g. The home occupation is conducted by no more than two persons, one of whom shall reside within the dwelling.

### **K. Kennels** (Rev. 02-11-16; Ord. 729)

A Kennel is any property, except veterinary clinics and doggie daycares, where more than three dogs or three cats over the age of eight months are owned, boarded, bred, trained, or offered for sale. All kennels in approved zoning districts require an interim use permit.

The following conditions, as well as any other conditions found necessary by the Planning Commission must be met to receive and remain in compliance with an interim use permit:

- a. Animals are allowed outside only under direct supervision.
- b. A maximum number of animals allowed at the facility will be established by the Planning Commission at the time of interim use permit issuance.
- c. Noise shall be mitigated so as to not create a public nuisance for adjoining properties.
- d. Indoor and outdoor facilities are to be kept in a clean, dry, and sanitary condition. Waste shall be picked up immediately and disposed of in a sealed container.
- e. Adequate storage and refrigeration shall be provided to protect food supplies against contamination and deterioration.

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- f. Indoor facilities shall be adequately ventilated and have ample light and heat.
- g. Adequate screening shall be provided, as determined by the Planning Commission.
- h. Hours of operation shall be reviewed and approved by the Planning Commission.

### **L. Land Reclamation**

Under this ordinance, reclamation is the reclaiming of land by depositing of material so as to elevate the grade. Land reclamation shall be permitted only by conditional use permit in all districts unless there is an approved building permit or part of a subdivision plat grading plan. Any lot or parcel upon which 400 cubic yards or more of fill or excavation is to be deposited shall be land reclamation. The permit shall include as a condition thereof a finished grade plan which will not adversely affect the adjacent land, and as a condition thereof, shall regulate the type of fill permitted, control of vehicular ingress and egress, and for control of material dispersed from wind or hauling of material to or from the site.

### **M. Landscaping** (Rev. 11-18-2010; Ord. 658)

#### 1. Purpose and Objectives.

The preservation of existing trees and vegetation as well as the planting of new trees and vegetation can significantly add to the quality of the physical environment of the community. This section provides for the health, safety and welfare of the residents of the City and is intended to:

- a. Promote the reestablishment of vegetation in urban areas for aesthetic, health and urban wildlife reasons;
- b. Establish and enhance a pleasant visual character which recognizes aesthetics and safety issues;
- c. Promote compatibility between land uses by reducing the visual, noise and lighting impacts of specific development on users of the site and abutting uses;
- d. Unify development, and enhance and define public and private spaces;
- e. Promote the retention and use of existing vegetation;
- f. Aid in energy conservation by providing shade from the sun and shelter from the wind;



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- prospective of the site from the neighboring property and property line elevation.
- f) Planting and construction schedule for completion of landscaping and screening plans. The final landscaping and screening plan must be approved by the Planning Commission at the time of site plan review.
- c. Copies: as required (seven (7) 2' x 3' and fifteen (15) 11" x 17" of site plan.
3. Landscaping requirements specific to Single-Family Detached Dwellings; Two-Family Dwellings; Twinhomes; and Townhomes:
- a. Lots must maintain sod in the City's right-of-way and along the 5-foot perimeter of the property, except in areas where the required driveway access is located. An exception to this restriction would be landscape materials (2 to 3 feet in width) adjacent to a residential driveway.
  - b. Number of trees. The minimum number of major or over-story trees on any given site shall be as indicated below with a minimum percentage of landscape area for non-residential use districts. These are the minimum substantial plantings, in addition to other under-story trees, shrubs, flowers, and ground cover, deemed appropriate for a complete quality landscape treatment of the site.
  - c. Each lot shall contain trees totaling at least 8 inches in diameter at installation with a minimum of 2 trees located in the front yard. The Zoning Administrator may authorize the placement of some of the required trees within the side or rear yard if, due to the shape of the lot, there are unique circumstances.
4. Landscape requirements specific to Business Districts:
- a. B-1 Central Business District:
    - 1) No specific Area requirement.
  - b. B-2 Neighborhood Commercial District business:
    - 1) At least thirty percent (30%) of the land area shall be sodded and landscaped with approved ground cover, shrubbery and trees.
    - 2) At least eight percent (8%) of the internal parking area shall be landscaped. This area is counted as part of the overall required "landscape area."

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- c. B-3 General Business District:
    - 1) At least twenty five percent (25%) of the land area shall be sodded and landscaped with approved ground cover, shrubbery and trees.
    - 2) At least three percent (3%) of the internal parking area shall be landscaped. This area is counted as part of the overall required "landscape area."
  - d. MOR Medical Office Residential and HC-1, Health Care District:
    - 1) At least twenty five percent (25%) of the land area shall be sodded and landscaped with approved ground cover, shrubbery and trees.
    - 2) At least three percent (3%) of the internal parking area shall be landscaped. This area is counted as part of the overall required "landscape area."
5. Landscape requirements specific to Industrial Districts:
- a. MN-1 Industrial District:
    - 1) At least fifteen percent (15%) of the land area shall be sodded and landscaped with approved ground cover, shrubbery and trees.
    - 2) At least three percent (3%) of the internal parking area shall be landscaped. This area is counted as part of the overall required "landscape area."
  - b. MN-2 Industrial District:
    - 1) At least fifteen percent (15%) of the land area shall be sodded and landscaped with approved ground cover, shrubbery and trees.
    - 2) At least three percent (3%) of the internal parking area shall be landscaped. This area is counted as part of the overall required "landscape area."
6. Landscape requirements specific to Multiple Family Dwelling, Condominiums, and Other Uses in Residential Districts not aforementioned (including, but not limited to: churches, schools, public buildings, nursing homes, commercial licensed daycare facility, recreation (facilities)):
- a. At least fifty percent (50%) of the land area shall be sodded and landscaped with approved ground cover, shrubbery and trees.

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- b. At least eight percent (8%) of the internal parking area shall be landscaped. This area is counted as part of the overall required “landscaped area.”
7. Landscaping shall provide for an appropriate mix of plantings around a minimum of fifty (50) percent of the exterior footprint of all buildings, except for buildings in the Industrial Districts, which shall provide for an appropriate mix of plantings along the front building wall elevation. Landscaping shall improve the appearance of the structure and break up large unadorned building elevations.
8. Minimum size of plantings:
  - a. Over story deciduous - 2 1/2 inch caliper.
  - b. Coniferous - 6 feet in height.
  - c. Shrubs - 24-inch pot.
  - d. Ornamental trees - 2 inch caliper.

In the event a site plan layout does not have adequate open space to accommodate plant quantities as per ordinance, such quantities per species can be combined into less quantities per species, provided total required height or caliper is maintained. Trees shall be of varying species and shall be in accordance with the minimum size of plantings.

9. Species:
  - a. All trees and plantings used in site developments shall be indigenous to the appropriate hardiness zone and physical characteristics of the site.
  - b. All deciduous trees proposed to satisfy the minimum requirements of this policy shall be long-lived hardwood species.
  - c. The complement of trees fulfilling the requirements of this section shall be not less than 25% deciduous and not less than 25% coniferous. Single-family residential development is exempt from this requirement.
  - e. Species of trees and plantings selected for any site shall follow the City’s list of prohibited and acceptable trees and plantings available at City Hall.
10. Method of installation:

All deciduous and coniferous trees shall be ball and burlap and staked and guyed per National Nurseryman's Standards. All shrubs shall be potted.
11. Sodding and ground cover:

All open areas of any site not occupied by buildings, parking, or storage, shall be sodded or seeded over four (4) inches of topsoil. Exceptions are as follows:

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- a. Seeding over four (4) inches of topsoil of future expansion areas (areas to be built upon within eighteen (18) months as shown on approved plans.
  - b. Undisturbed areas containing existing natural vegetation which can be maintained free of foreign and noxious materials.
  - c. Areas designated as open space for future expansion area properly planted and maintained with grass.
12. Slopes and berms:
- a. Final slope grade steeper than the ratio of 3:1 will not be permitted without special approval of treatment, such as terracing or retaining walls.
  - b. Berming used to provide required screening of parking lots and other open areas shall not have a slope to exceed 3:1.
13. Use of Landscaping for Screening:
- Where natural materials, such as trees or hedges are approved in lieu of required screening by means of walls or fences, density and species of planting shall be such to achieve ninety (90%) percent opaqueness year round.
14. Maintenance Policy:
- All new plants shall be guaranteed for 12 months from the time planting has been completed. All plants and sodding shall be alive, of good quality, and disease-free at the end of the warranty period or be replaced. Any replacements shall be warranted for 12 months from the time of planting. It is the responsibility of the property owner to ensure that the landscaping is maintained in an attractive condition at all times. The owner shall replace any damaged or dead trees, shrubs, ground covers, and sodding.
15. Erosion Control:
- All open disturbed areas of any site shall be seeded as an erosion control measure.
16. Clear Cutting:
- No clear cutting of woodland areas shall be permitted. Shade trees of six (6) inches or more in caliper shall be saved unless it can be demonstrated that there is no other way to develop the site.
17. Landscaping may be permitted in utility and drainage easements or road right-of-way with the approval of the Zoning Administrator.

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18. No plantings that may interfere with traffic visibility shall be permitted within the intersection sight distance triangle.

### N. Lot Provisions (Lot of record)

A lot or parcel of land for which a plat of record has been recorded with the County Recorder upon or prior to the effective date of this ordinance shall be deemed a buildable lot provided it has frontage on a public right-of-way and meets all setbacks. All subdivision applications submitted for approval to the City shall, in all respects, fully comply with the City of Princeton's Subdivision Ordinance, found under separate cover.

### O. Mining

The extraction and incidental processing of sand, gravel, or other material from the land in the amount of 1,000 cubic yards or more and removal thereof from the site shall be mining. In all districts the conduct of mining shall be permitted only upon issuance of a conditional use permit. Such permit shall include, as a condition thereof, the route of trucks moving to and from the site and a plan for a finished grade which will not adversely affect the surrounding land or the development of the site on which the mining is being conducted. Subdivision plats are exempt from the above permit if they provide a landscaping plan showing fill and excavating.

### P. Off-Street Loading and Unloading

On the same premises with every building, structure, or part thereof, involving the receipt and distribution of vehicles, materials, merchandise, supplies, or equipment there shall be provided and maintained on the lot, in addition to off-Street parking requirements as specified in this ordinance, adequate space for maneuvering, standing, loading, and unloading in order to avoid undue interference with public use of dedicated right-of-way. Such space shall be provided as follows:

1. All spaces shall be laid out in dimensions of at least 10 feet by 50 feet, or 500 square feet in area, with a clearance of at least 14 feet in height. Loading dock approaches shall be provided with a pavement having a permanent, durable, and dustless surface. All spaces shall be provided in at least the following ratio.

Gross Floor Area (in square feet)	Loading and Unloading Space Required in Terms of Square Feet of Gross Floor Area
0 - 3,000	None
3,000 - 20,000	One space
20,001 - 100,000	One space plus one space for each

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	20,000 square feet in excess of 20,001 square feet.
100,001 and over	Five spaces

2. No off-street loading space shall be located in any yard adjoining any residential use.
3. No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten (10) feet of width of the roadway for the free movement of vehicle traffic, and no person shall stop stand or park a vehicle within an alley in such a position as to block the driveway entrance to abutting property, except to unload commercial products, and then only for a period of up to 20 minutes.
4. Parking of commercial vehicles is permitted in duly designated and sign-posted loading zones, and in alleys, for a period of up to twenty minutes, provided that such alley parking does not prevent the flow of traffic therein, except when impossible to do so, all of which shall be for the purpose of access to abutting or adjacent property for loading or unloading.
5. The Council may by resolution establish loading or truck zones. Such zones shall be marked by appropriate signs.
6. During loading zone hours, as posted, no person shall stop, stand, or park any vehicle in a loading zone except to receive or discharge passengers or freight and then only for a period no longer than is necessary for the purpose. No person shall occupy a loading zone with a vehicle other than a truck for more than five (5) minutes during such hours.

### Q. Off-Street Parking (Revised 02-22-07, Ord. 597)

#### Q.1 Space Layout, Standards, Construction, and Maintenance

Off-street parking lots shall be laid out, constructed, and maintained in accordance with the following standards and regulations:

1. No building permit shall be granted for the construction of any parking lot until the parking lot plan is in conformance with all provisions of the Zoning Ordinance as determined by the Zoning Administrator.
2. Plans for the layout of an off-street parking lot shall be in accord with the following minimum requirements. Each space shall be a minimum of one hundred-eighty (180) square feet in area with a minimum width of nine (9) feet and minimum depth of 18 feet, with adequate maneuvering as determined by the Zoning Administrator and/or Building Inspector.

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3. All spaces shall be provided adequate access by means of maneuvering lanes. Backing directly onto a street shall be prohibited.
4. Adequate ingress and egress to the parking lot by means of clearly limited and defined drives shall be provided for all vehicles. Ingress and egress to a parking lot on commercially or industrially zoned land shall not be across land in a residentially zoned district.
5. The entire parking area, including parking spaces and maneuvering lanes, required under this section shall be provided with a durable, dustless surface in accordance with specifications approved by the City Engineer. The parking area shall be hard-surfaced within one year of the date the permit is issued, except for automobile and recreational sales areas, which follow the requirements specified in Chapter V (Rev. 02-28-13; Ord. 696).
6. Off-street parking lots shall be drained so as to dispose of all surface water accumulated in the parking area in such a way as to preclude drainage of water onto adjacent property or towards buildings.
7. The owner of any parking or loading area shall maintain the area in good condition without holes and free of all dust, trash, and other debris.
8. Shared access points and common parking areas may be approved by the Planning commission during the site plan review process.

### **Parking Lot Dimensions For Full Sized Cars**

<b>Angle (in degrees)</b>	<b>Stall Width</b>	<b>Stall Length</b>	<b>Aisle</b>	<b>Width utilization and double loading single aisle</b>
45	12.0'	18.0'	13.5'*	49.0'
60	10.0	18.0'	18.5'*	55.0'
75	9.0'	19.0'	23.0'*	60.0'
90	9.0'**	18.0'**	26.0'	62.0'
Parallel	23.0'	8.5'	22.0'	38.0'

\* One Way Aisles Only.

\*\* Denotes Minimum Required

### **Q.2 Design Standards**

1. In all residential districts, required parking spaces shall be located on the same premises as the use they serve. In other districts, they shall be located on the premises or within 100 feet distance.

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2. Parking areas for one or two family dwellings shall be in the garage, in the rear yards, or on the driveway leading to the garage only.
3. Parking areas shall be used for automobile parking only, with no sales, repair work, dismantling, or servicing of any kind permitted.
4. All uses, excluding one and two family residences, where parking or access facilities are located within 20 feet of a one or two family property line shall be required to effectively screen their parking facility from the residential use. Screening may include a sight obscuring fence at least 5 feet in height or plantings of sufficient type, density, and height so as to provide year-round screening. Before a building permit shall be issued, the building official shall approve the screening proposal.
5. Off-street parking areas shall be improved with a durable surface and afford adequate drainage.
6. All sources of parking area lighting shall be fixed, directed and designed so as to not create a nuisance to any abutting residential properties.
7. Bicycle Parking. The total parking requirement is one space for each 50 off-street parking spaces required. The bicycle parking spaces shall be equipped with bicycle racks.
8. All parking facilities designed for a capacity of five (5) or more parking stalls shall have a setback from all adjoining property lines of three (3) feet.
9. When sufficient off-street parking cannot be provided on the same lot or a lot contiguous to the principal use because of unique circumstances, and arrangements can be made to provide off-street parking on a noncontiguous lot, such parking arrangements shall be considered by the Planning Commission on a case-by-case basis. The Planning Commission may grant permission to provide parking on a noncontiguous lot provided traffic or land use problems are not created, and a long-term agreement can be negotiated so the required off-street parking is maintained as long as the principal use exists.
10. The Planning Commission may allow sharing of required off-street parking by two separate uses provided the normal peak parking times of the two uses do not coincide. Only the off-street parking spaces not normally used by the off-peak use shall be counted as off-street parking for the peak use. Each use shall have the total required off-street parking available during their respective periods of peak parking use. A long-term agreement shall be negotiated whereby both uses are bound to the establishment and maintenance of the shared off-street parking.
11. If it can be demonstrated by the property owner through market studies or other means that the required off-street parking is excessive and lesser requirement justifiable, the Planning Commission may reduce the number of required

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spaces by passage of a resolution approved by a majority of the members of the Planning Commission.

12. Required off-street parking shall be provided in such a manner that vehicles do not encroach on a public right-of-way.

### Q.3 Number of Minimum Parking Spaces Per Unit of Measure

Reference herein to “employee (s) on the largest shift” means the maximum number of employees employed at the facility regardless of the time period during which this occurs and regardless of whether any such person is a full-time employee. The largest shift may be a particular day of the week or a lunch or dinner period in the case of a restaurant.

The term “capacity,” as used herein, means the maximum number of persons which may be accommodated by the use as determined by its design or by building or fire code regulations, whichever is greater.

Any use not specifically mentioned below shall meet the requirements for uses most clearly related as determined by the Zoning Administrator.

Handicapped parking – All parking lots must meet minimum handicapped space parking requirements as per state codes.

#### 1. Residential

Boarding house & Bed and Breakfast	Two plus one for each room.
Group Day Care, Nursery School	Five parking spaces plus one for each five program participants based on facility’s licensed capacity.
Group Home, State Licensed Residential Facility	Two parking spaces for each five beds offered for residence purposes.
Multi-family	Two for each dwelling unit, one for efficiency unit.
Residential, single-family and townhouse, two-family, Manufactured/Mobile	Two for each dwelling unit.
Senior Citizen / Elderly Housing	One parking space per dwelling unit.

#### 2. Institutional

Chemical dependent and similar group homes	One for each three residents plus one for facility and each staff member.
Community Centers	Parking shall be based on the uses within the

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	building.
Hospitals	One for each three hospital beds and one for each employee on the maximum shift.
Institutional group homes	One for each four group home residents allowed by this ordinance.
Libraries, Museums, Art Gallery	One for each 350 square feet of floor area in the principal structure.
Nursing home or boarding care home	One for each five beds and one for each employee on the largest shift.
Playground and Play Fields	Two parking spaces per acre for playground and 40 parking spaces for each play field. When a public recreation site has more than one use designation, the required parking spaces must be determined for each separately. The sum of those use requirements shall be the total number of spaces required.
Post Offices, Parcel Delivery Services	Ten parking spaces plus one parking space for each 500 square feet of floor area devoted to office, processing, or service plus one space for each vehicle customarily kept on the premises.
Private clubs or lodge halls	One for each three persons allowed within the maximum occupancy load as established by local, county, or state fire, building, or health codes.
Religious Institutions	One parking space for each three seats based on the design capacity of the main assembly hall. Up to 50 percent of the required parking can be provided through a nonexclusive written agreement with the owner of another property located within 200 feet of an entrance to the religious institution which authorizes parking during times of worship or events conducted at the religious facility at times other than usual business hours on property which is an off-street parking lot which meets the design requirements of this ordinance and satisfies the parking requirements for the use of the other property during ordinary business hours during the usual work week.
School-Elementary & Junior High	At least two parking spaces for each Classroom.
School-High School through College	One space per teacher and staff member on the largest shift, plus one space per five students

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### 3. Business and Commercial

Banks	One for each 250 square feet of useable floor area and one for each employee.
Beauty and Barber Shops	Two spaces per operator, plus one space per employee on the largest shift.
Bowling Alley	Five parking spaces for each alley. Other uses which are commonly associated with bowling alleys, such as restaurants and game room space, will require additional parking and loading space, the number of which shall be determined by the parking requirements for those other uses specified in this section.
Business/Trade /Schools	One parking space per student calculated by reference to the design of the school structure plus one space for each classroom.
Clubs and Lodges	One parking space for each three seats calculated by reference to the design of the meeting hall plus one parking space for every 50 square feet of customer space in the dining area and bar areas.
Convenience store, grocery store, or any other use	requires additional parking determined by the parking requirements for those other uses specified in this section.
Convention/Exhibition Hall	One parking space for each three seats calculated by reference to the design of the meeting hall.
Fast Food Establishments	<ol style="list-style-type: none"> <li>a. With seating- One space per three patron seats, plus one space per employee on the largest shift.</li> <li>b. Without seating. One space per 200 square feet of gross floor area, plus one space per employee on the largest shift.</li> </ol>
Food Service/Bakeries	One parking space for each 25 square feet of customer floor area.
Funeral Home	One parking space for each five seats plus one parking space for each 250 square feet of floor area not used for seating, if fixed seats are not provided, the requirements shall be one space for every 35 square feet of seating area.
Furniture and Home Furnishing Stores	One space per 500 square feet of customer sales, plus one space for every 1,000 square feet of storage area.
Golf Courses	At least four parking spaces for each golf hole plus one space for each 200 square feet

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	of locker rooms and clubrooms. If the clubhouse contains dining or bar facilities, the parking requirements shall be the same as for a restaurant.
Golf or Archery Driving Range	One parking space for each target or driving tee.
Laundromats and coin operated cleaners	One for each four machines.
Hotel/Motel	1.5 spaces for each dwelling unit, guestroom, or hotel room. Any other use, such as restaurant and conference space, requires additional parking and loading spaces determined by the parking requirements for those other uses specified in this section.
Miniature Golf	1.5 parking spaces per golf hole.
Motor vehicle sales and service establishments	One for each 200 square feet of usable floor area of sales room and two for each service stall and one for each employee.
Oil Change Station	One parking space per employee working on largest shift, plus one additional parking space for each service stall.
Medical and Dental Offices and Clinics	One parking for each 200 square feet of useable floor area but not less than five spaces.
Motor Vehicle Service Station	One parking space per employee working on the largest shift plus three additional parking spaces for each service stall.
Offices	One parking space for every 250 square feet of useable floor area.
Open Sales or Rental Lots	One parking space for each 2,500 square feet of land which is to be used for sales and display area.
Restaurants	One space per four patron seats or one space per 100 square feet of gross floor area, whichever is greater, plus one space per employee on the largest shift.
Retail stores except as otherwise specified herein	One for each 250 square feet of useable-floor area and one for each employee.
Skating Rink, Ice or Roller	One space per 300 sq. ft. of gross floor area.
Sports/Health Clubs, Swimming Pool	One parking space for every 200 square feet of non-court area plus two parking spaces per tennis or racquet ball court and one parking space for each 50 square feet of deck area for a swimming pool.
Taverns, Dance Halls, Night Clubs, and Lounges	One space per 50 square feet of gross floor area.
Theaters, Auditoriums, Assembly	One for each four seats plus one for each

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Hall, Meeting Hall	employee on the largest shift.
Veterinary Office	Three spaces per doctor, plus one space per employee on the largest shift.

### 4. Industrial

Industrial Uses, General	except as specifically designated below – one space per employee on the largest shift, plus one space per company vehicle regularly stored on premises.
Industrial or manufacturing establishments	Five plus one for each employee on the largest working shift, but not less than one per 1,000 square feet.
Wholesale and warehouse establishments	Five plus one for each employee on the largest working shift, but not less than one per 2,000 square feet.
Adult Entertainment Center	One space per employee on the largest shift, plus one space per 150 square feet of gross floor area.

### R. Sidewalks

Sidewalk maintenance, replacement, and/or snow and ice removal shall be the responsibility of the adjacent property owner.

### S. Swimming Pools

General Provisions. Private swimming pools are regulated by this section and are defined as follows: Any enclosure, designed, or intended or used for the containment of water, whether constructed below ground level or above ground level, having a surface area exceeding 100 square feet and a depth exceeding 18 inches which is designed, intended, or used for swimming, wading, or other recreational use by the owner or tenant of the property upon which the pool is constructed, or by their family or invited guests without payment of a fee.

1. Building Permit Required. No swimming pool shall be constructed or established, and no such pool construction shall be commenced in the City of Princeton without first obtaining a building permit from the Building Official as required by the State Building Code.
2. Application for Building Permit. The application for the permit shall include, without limitation, the following information:
  - a. Complete plans and specifications for the construction of the pool and accessory features;

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- b. A site plan showing size and location of the proposed pool and surrounding features (ex: patio, deck, landscaping), setback to property lines, location of all structures on the lot, including the house, garage, fences, trees, overhead or underground wiring, utility easements, and other significant improvements or natural features.
  - c. The proposed location pool equipment, including pumps, filters, electrical power source (if applicable), flushing and drainage outlets, and other operational features;
  - d. Location and specifications of protective fencing.
3. Location Requirements. Private swimming pools shall be constructed so as to avoid hazard or damage to the occupants of the subject property or the occupants of adjacent property and shall meet the following minimum requirements.
- a. Utility Lines. No pool shall be located beneath any overhead utility line or over any underground utility line of any type.
  - b. Easements. No pool shall be located within any public or private utility easement, ingress, or egress easement, drainage way, marsh, or other location in which it will represent a threat to the natural environment.
  - c. Setbacks. Swimming pools are shall meet accessory structure setback regulations.
  - d. Electrical. All electrical installations shall comply with current building, electrical, and other applicable state and local codes.
3. Walls and/or Fence Required.
- a. A structure or safety fence at least four (4) feet in height, but not greater than eight (8) feet in height, shall enclose the pool to inhibit children from gaining uncontrolled access.
    - 1) As an alternative to a safety fence, an automatic pool cover may be utilized if it meets the standards of F1346-91 (reapproved 1996) of the American Society of Testing and Materials (ASTM), as such standards may be modified, superseded or replaced by ASTM.
    - 2) For above-ground pools, the pool wall may count as the safeguard if it meets the height requirements as stated above, and a removable ladder is installed and removed when not in use.
  - b. All openings or points of entry into the pool area shall be equipped with gates or doors. All access gates or doors shall contain self-closing and self-latching hardware in accordance with the Building Code placed at a

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sufficient height so as to be inaccessible to small children. All gates and doors shall be latched when the pool is not in use. Spacing between the bottom of the access gate and the ground shall not exceed three (3) inches.

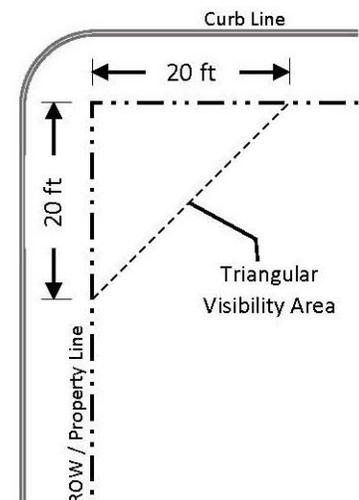
- c. If a property has a fence in the backyard that meets the height requirements as stated above, then an additional fence shall not be required around the pool. Such fences shall be required to have a self-latching mechanism on the interior side of the fence.

### 5. Miscellaneous Requirements.

- a. Nuisance. The conduct of persons and the operation of pools shall be the responsibility of the owner and the tenant thereof and such conduct of persons and operation of the pool shall be done in such a manner so as to avoid any nuisance or breach of the peace, and it shall be unlawful to allow loud noises to go beyond the boundaries of the property upon which the pool is located to adjacent property.
- b. Drainage. All back flushing water or pool drainage water shall be directed onto the property of the owner, or onto approved drainage ways. Drainage onto public streets or other public drainage ways shall require permission from the Public Works Department.
- c. Lighting. Any outdoor lighting of the pool shall not be permitted to spill or shine upon adjacent properties.
- d. Filling. The filling of pools from fire hydrants or other public facilities is prohibited without prior approval of the Public Utilities Commission.
- e. Ladder. Removable ladders shall be removed from the pool when not in use to prevent uncontrolled access.

### T. **Traffic Visibility**

No fence, wall, hedge, screen, sign, structure, vegetation, planting, or other obstruction shall be higher than three (3) feet above grade on any corner lot within the triangular area formed by the intersecting street right-of-way lines and a straight line joining the two (2) street lines at points which are thirty (30) feet distance from the point of intersection, measured along or within twenty (20) feet distant from the point of intersection. See graphic.



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### **U. Utility Easement**

Where public utility easements are required and/or dedicated, the minimum width of said easement shall be no less than 10 feet on each side of a property line, or no less than 20 feet total unless approved by the Planning Commission. No permanent structure or accessory building shall be allowed within said easement. (Fences and shrubs can be placed in utility easements with the understanding they will be removed at the owners expense if access is required.)

### **V. Water Supply, Storm and Sanitary Sewage Disposal**

The design and installation of individual sewage disposal systems and wells or central water supply systems and central sewage disposal systems shall meet or exceed the design standards of the Minnesota Department of Health and the Minnesota Pollution Control Agency. Any property proposed to be developed outside of the City sewer zones shall be required to have a sewage disposal system installed and shall contain a minimum lot size of 2.5 acres. Otherwise, hook-up into the City's sewer system is required.

1. It shall be unlawful for any individual, firm, or corporation to construct any structure which causes or permits the deposit of storm water in the sanitary sewer collection and disposal system or causes or permits the deposit of sanitary sewage in the storm water sewer collection and disposal system of the City of Princeton.
2. Requirements for Alternate Drainfield Site. On each newly created lot outside of City sewer zones there shall be an area preserved for the construction of two (2) drainfields. The area set aside for these drainfields shall be of a size and so located that drainfields can be constructed that will meet all standards of the Minnesota Department of Health and the Pollution Control Agency.
3. Installers must be MPCA certified.
4. On-site Septic Systems
  - a. Septic systems may be grandfathered in when becoming a part of the City and outside of the city sewer zone if the Minnesota Department of Health and Minnesota Pollution Control Agency standards are met. Otherwise, hook-up to the City's system is required.
  - b. Drainfield - 600 square feet minimum and two (2)-1,000 gallon tanks (recommended) or at least one (1) 1,250 gallon tank must be installed exactly as per approved design and MN Chapter 7080.
  - c. All new and replacement systems require a permit and must be installed by a licensed and MPCA certified contractor. Systems must be inspected before being covered. Any system in need of replacement and located within a City sewer zone must hook up into the City's sewer system

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### W. Adult Uses

1. Purpose: The purpose of Section 2. X. Adult Uses is to provide the opportunity for operation and establishment of adult land uses while providing controls that limit negative impacts of adult uses on residential and commercial areas.
2. General: Adult use as defined in this ordinance shall be subject to the following general provisions:
  - a. Activities classified as obscene as defined by Minnesota Statute 617.241 are not permitted and are prohibited.
  - b. Adult uses, either principal or accessory, shall be prohibited from locating in any building which is also utilized for residential purposes.
  - c. An adult use which does not qualify as an accessory use shall be classified as an adult use/principal.
  - d. Zoning Controls and District Text Application:
    - 1) So as to provide specific opportunity for adult uses to exist within the City of Princeton, an analysis of the existing city ordinance text and map has been conducted. It was determined that the MN-1 zoned districts provided the most appropriate zones to accommodate adult uses classified as principal activity. Only amendments to the MN-1 text are, therefore, proposed to accommodate adult uses/principal. Principal adult uses are permitted only in the MN-1 zoned districts.
    - 2) Table 1, as follows, provides an initial basis for determining adult principal use opportunity within the City of Princeton. The MN-1 zoned districts have been first evaluated as to area as related to the balance of the City (Table 1).

<b>TABLE 1 CITY OF PRINCETON PROPOSED ZONING DISTRICTS ALLOWING ADULT USE/PRINCIPAL</b>		
Total Developable Acres	MN-2 Zoned Acres	Percent of City
2,030	40	1.9%

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3. Adult Use/Principal
  - a. Adult use/principal activities shall be located at least seven hundred (700) radial feet, as measured in a straight line from the building upon which the adult use/principal is located to the property line, from the following:
    - 1) Residentially zoned property.
    - 2) A licensed daycare center.
    - 3) A public or private educational facility classified as an elementary, middle, junior high, or senior high school.
    - 4) A public library.
    - 5) A public park.
    - 6) A church.
    - 7) Amusement places such as, but not limited to, roller and skating rinks, dance halls, and bowling alleys.
    - 8) Liquor sales.
    - 9) Hospitals/clinics.
  - b. Adult use/principal activities shall be located at least four hundred (400) radial feet apart as measured from one another.
  - c. Adult use/principal activity is a separate use and no two adult/principal activities shall be located in the same building or upon the same property and each use shall be subject to the above.
  - d. Adult use/principal activities shall adhere to the following signing regulations:
    - 1) Sign messages shall be generic in nature and shall only identify the type of business which is being conducted.
    - 2) Sign messages shall not contain material classified as advertising.
    - 3) Sign messages shall comply with the requirements of size and number for the district in which they are located.
  - e. Adult use/principal activities shall be prohibited in establishments where liquor is served.
  - f. Adult use/principal activities shall be prohibited at any place or event where minors are permitted.

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4. Adult Use/Accessory
  - a. Adult use/accessory activities are permitted only in the B-1, B-2, or B-3 zoned districts.
  - b. Adult use/accessory activities shall comprise no more than ten percent (10%) of the floor area of the establishment in which it is located or shall comprise an area no greater than 100 sq. ft. of floor area in which it is located, whichever is smaller.
  - c. Adult use/accessory activities shall be restricted and prohibited from access to minors by the physical separation of such items from areas of general public access:
    - 1) Movie Rentals. Display area shall be restricted from general view and shall be located within a separate room, the access of which is in clear view and under the control of the persons responsible for the operation.
    - 2) Magazines. Publications classified or qualifying as adult uses shall be covered with a wrapper or other means to prevent display of any material other than the publication title.
    - 3) Other Use. Adult use/accessory activities not specifically cited shall comply with the intent of this section subject to the approval of the Planning Commission.
  - d. Adult use/accessory activities shall be prohibited from both internal and external advertising and signing of adult materials and products.
  - e. Adult use/accessory activities shall be prohibited in establishments where liquor is served.
  - f. Adult use/accessory activities shall be prohibited at any public show, movie, caravan, circus, carnival, theatrical, or other performance or exhibition presented to the general public where minors are admitted.

### **X. Yards and Open Space**

1. The following guidelines shall be required when determining yards and open space for all developed areas. (See Zoning Districts for maximum allowed building coverage)
2. No yard or other open space shall be reduced in area or dimension so as to make such yard or other open space less than the minimum required by this ordinance, and if the existing yard or other open space as existing is less than the minimum required, it shall not be further reduced.

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3. No required yard or other open space allocated to a building or dwelling group shall be used to satisfy minimum lot area requirements for any other building.
4. The following shall not be considered to be encroachments of yard and setback requirements:
  - a. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, and cornices, provided they do not extend more than two and one-half feet into any required setback.
  - b. Terraces, steps, uncovered porches, stoops, or similar structures which do not extend above the height of the ground level floor of the principal building and do not extend into required yard setback a distance of five (5) feet, and yard lights in the residential districts, trees, shrubs, plants, floodlights, or other sources of light illuminating authorized illuminated signs, or light standards for illuminating parking areas, loading areas, or yard for safety and security reasons provided the direct source of light is not visible from the public right-of-way or adjacent residential zoned property.
  - c. In side or rear yards only: window or similar bays, window wells not to exceed a depth of two feet into required yard setback nor to contain an area of more than 20 square feet, fire escapes not to exceed a width of three feet, and off-street parking.
  - d. Rear yard only: decks, balconies, breezeways, detached outdoor picnic shelters, and recreational equipment, except as regulated hereinafter.

### **Y. General Development Standards Plan**

All proposed developments shall conform with the provisions of this section with respect to site plan, parking and landscaping. General Development Plan shall be reviewed and approved by the Planning Commission. The Development Plan shall include as follows:

1. Complete details of the proposed site development including, but not limited to, identification signs, location of buildings, streets, driveways, parking spaces, dimensions of the lot, lot area, and yard dimensions.
2. Complete landscaping plans reflecting all information showing planting size and type.
3. Complete plans for proposed sidewalks or walkways and access driveways to parking showing distance from street intersection and service areas.
4. Complete plans for storm water drainage systems sufficient to drain and dispose of all surface water accumulations within the area of the site.

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5. Complete plans and specifications for exterior wall finishes proposed for all principal and accessory buildings. Elevation drawings shall show proposed rooftop equipment and any proposed screening.
6. Complete plans for screening of storage areas for waste and garbage.
7. Minimum required building pad shall be at least (3) three feet above the highest known water table.
8. Lowest floor shall be (3) three feet above the highest known water table.

### **Z. Planned Unit Development**

Planned unit residential, business, and industrial projects may include any developments having one or more principal uses or structures on a single parcel of ground or contiguous parcels. The PUD shall consist of a harmonious selection of uses and grouping of buildings, parking areas, circulation, and open spaces, and shall be designed as an integrated unit. The plan will be permitted if the PUD meets the requirements of this ordinance. After the unit plan is approved, all development, construction, and use shall be in accordance with that plan unless a new planned unit project plan is submitted to and approved by the City Planning Commission as required by this ordinance. Any development contrary to the approved unit plan shall constitute a violation of this ordinance.

1. Properties adjacent to the unit plan shall not be adversely affected.
2. The average density of (dwelling) units per acre shall not be higher than permitted in the district in which the plan is located.
3. The use of the land shall not differ substantially from the uses permitted in the district in which the plan is located, except that limited business facilities intended to serve only the residents of the planned unit project and fully integrated into design of the project may be considered in residential districts, multiple-family (dwelling), business, and industrial districts.
4. Without limiting the flexibility of zoning and design standards of a planned unit development, as defined, the unit plan shall in all other respects, be consistent with the purposes and procedural requirements of the Ordinance and the subdivision ordinance. (Rev. 07-08-04, Ord. #555)
5. The unit plan shall be reviewed by the City Planning Commission to determine if the proposed project is consistent with the City Comprehensive Plan and in the best welfare of the City and recommendations will be made to the City Council for final approval.

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### **AA. Temporary Dwellings (Motorhomes, etc.)**

No temporary dwelling may be erected or occupied on any parcel of land within the City of Princeton, with the following exceptions:

1. Travel and motorhome coaches may be occupied for a period of not more than two (2) weeks in any six month period, except in designated campgrounds. (Revised 06-06-05, Ord. #573)

### **BB. Chickens** (Rev. 10-11-12, Ord. 691)

1. Purpose.

It is recognized that the ability to cultivate one's own food is a sustainable activity that can also be a rewarding past time. Therefore, it is the purpose and intent of this ordinance to permit the keeping and maintenance of chicken hens for eggs and meat sources in a clean and sanitary manner that is not a nuisance to or detrimental to the public health, safety, and welfare of the community.

2. Interim Use Permit required.

No person shall own, keep, harbor, or have custody of any live chickens without first obtaining an Interim Use Permit in writing from the City, in accordance with the provisions of Section IV.6 of the Zoning Ordinance and subject to the following conditions:

- a. The keeping of any poultry besides chickens is prohibited.
- b. Roosters are prohibited.
- c. No more than four (4) chickens shall be housed or kept on any one residential lot in any area of the city zoned R-1, R-2, or R-3.
- d. Chickens shall only be allowed on single family home lots.
- e. Outdoor slaughtering of chickens in city limits is prohibited.
- f. Chicken fighting shall not be allowed within city limits.
- g. Leg banding of all chickens is required. The bands must identify the owner's name, address, and telephone number.
- h. Chickens shall not be housed in a residential house or an attached or detached garage.
- i. A separate coop is required to house the chickens. Coops must be constructed and maintained to meet the following minimum standards:

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- 1) Located in the side or rear yard.
  - 2) Meet the accessory structure setback requirements.
  - 3) Construction shall be adequate to prevent access by rodents.
- j. A run or exercise yard is required to be provided and must be enclosed by a fence.
- k. All premises on which chickens are kept or maintained shall be kept clean from filth, garbage, and any substances which attract rodents. The coop and its surroundings must be cleaned frequently enough to control odor. Manure shall not be allowed to accumulate in a way that causes an unsanitary condition or causes odors detectible on another property.
- l. All food shall be stored in an enclosed, rodent proof container.
- m. Dead chickens shall be disposed of according to the Minnesota Board of Animal Health rules, which require chicken carcasses to be disposed of as soon as possible after death, usually within 48 to 72 hours. Legal forms of chicken carcass disposal include offsite burial, offsite incineration or rendering, or offsite composting.