

## NOTICE OF PUBLIC HEARING

Pursuant of Section § 62.23(7) of the Wisconsin State Statutes and Section § 550-141 of the City of Watertown Municipal Code, a notice is hereby given by the Common Council of the City of Watertown, Wisconsin, that a public hearing will be held on the 3<sup>rd</sup> day of December, 2024 in the Council Chambers of the Municipal Building, 106 Jones Street, Watertown, Wisconsin at 7:00 P.M., or shortly thereafter, to consider the request of the City of Watertown to make amendments to several overlay zoning districts and to adopt the proposed Overlay Zoning Map as part of the official zoning map.

The proposed amendments and Overlay Zoning Map are on file at the City Clerk's Office for review 8:00 a.m. – 4:30 p.m., Monday through Friday.

All persons wishing to be heard are invited to be present. Written comments may be submitted to City Clerk Megan Dunneisen, 106 Jones Street, Watertown, WI 53094.

CITY OF WATERTOWN  
Brian Zirbes  
Zoning & Floodplain Administrator

BZ/nmz

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and  
November 26, 2024  
(BLOCK AD)

### **Section 550-38 Planned Development ~~Overlay~~ District**

- A. Description and purpose. This district is intended to provide more incentives for redevelopment in areas of the community which are experiencing a lack of reinvestment, or which require flexible zoning treatment because of factors specific to the site. This district is designed to forward both aesthetic and economic objectives of the City by controlling the site design and the land use, appearance, density or intensity of development within the district in a manner that is consistent with sound land use, urban design and economic revitalization principles. The application of these standards will ensure long-term progress and broad participation toward these principles. Refer to § [550-152](#) for the procedures applicable to proposal review in this ~~standard-overlay~~ zoning district.
- B. Development standards. Development standards are flexible within this ~~overlay~~ zoning district. Refer to § [550-152B](#) for the range of development standards potentially available in this ~~overlay~~ zoning district.

### **Section 550-152 Planned ~~Unit~~ Development Procedures**

- A. Purpose.
  - 1. The purpose of this section is to provide regulations that govern the procedure and requirements for the review and approval, or denial, of proposed planned ~~unit~~ developments and to provide for the possible relaxation of certain development standards pertaining to the underlying ~~standard-overlay~~ zoning district.
  - 2. Planned ~~unit~~ developments are intended to provide more incentives for infill development and redevelopment in areas of the community that are experiencing a lack of significant reinvestment. Furthermore, planned ~~unit~~ developments are designed to forward both the aesthetic and economic development objectives of the City by controlling the site design and the appearance, density or intensity of development in terms of more flexible requirements for land uses, density, intensity, bulk, landscaping and parking requirements. In exchange for such flexibility, the planned ~~unit~~ development shall provide a much higher level of site design, architectural control and other aspects of aesthetic and functional excellence than normally required for other developments.
  - 3. Planned ~~unit~~ developments have the potential to create undesirable impacts on nearby properties if allowed to develop simply under the general requirements of this chapter. In addition to such potential, planned ~~unit~~ developments also have the potential to create undesirable impacts on nearby properties which potentially cannot be determined except with a binding site plan, landscape plan and architectural plan, and on a case-by-case basis.

In order to prevent this from occurring, all planned ~~unit~~ developments are required to meet certain procedural requirements applicable only to planned ~~unit~~ developments, in addition to the general requirements of this chapter. A public hearing process is required to review a request for a planned ~~unit~~ development. ~~This process shall essentially combine the process for a Zoning Map amendment with that required for a conditional use, with several additional requirements.~~

B. Provision of flexible development standards for planned ~~unit~~ developments.

1. Permitted location. Planned ~~unit~~ developments shall be permitted with the approval of a Planned ~~Unit~~ Development Overlay Zoning District specific to the approved planned ~~unit~~ development.
2. Flexible development standards. The following exemptions to the development standards of the underlying zoning district may be provided with the approval of a planned ~~unit~~ development:
  - (a) Land use requirements. All land uses listed as "residential," "institutional" or "commercial" may be permitted within a planned ~~unit~~ development. Industrial land uses may only be allowed in Planned Developments that use an underlying zoning district which specifically list industrial uses as permitted or conditional uses.
  - (b) Density and intensity requirements. All requirements listed for residential density and nonresidential intensity may be waived within a planned ~~unit~~ development.
  - (c) Bulk requirements. All residential and nonresidential bulk requirements may be waived within a planned ~~unit~~ development.
  - (d) Landscaping requirements. All landscaping requirements may be waived within a planned ~~unit~~ development.
  - (e) Parking and loading requirements. All requirements for off-street parking, traffic circulation, and off-street loading may be waived within a planned ~~unit~~ development.
  - (f) ~~Drainageway~~Waterway Overlay District requirements. All ~~Drainageway~~Waterway Overlay District requirements may be waived within a planned unit development.
3. Requirements to depict all aspects of development. Only development which is explicitly depicted on the required site plan approved by the Common Council as part of the approved planned ~~unit~~ development shall be permitted, even if such development (including all aspects of land use, density and intensity, bulk, landscaping, and parking and loading) is otherwise listed as permitted. Requested exemptions from these standards shall be made explicit by the applicant in the application and shall be recommended by the Plan Commission and approved explicitly by the Common Council. If not so requested and approved, such exemptions shall not be permitted. ~~Flexible development standards shall be limited to density and intensity bonuses of no greater than 25% higher than otherwise permitted by the MR-10 District, unless specifically granted by the Common Council, and shall be limited to reductions in bulk, landscaping, parking and loading requirements of no greater than 25% lower than otherwise permitted for the proposed land uses, unless specifically granted by the Common Council.~~

C. Initiation of request for approval of a planned ~~unit~~ development. Proceedings for approval of a planned ~~unit~~ development shall be initiated by:

1. An application of the owner(s) of the subject property, lease holders or contract purchasers.
2. A recommendation of the Plan Commission and action by the Common Council, relative to City-owned property.

~~D.—Application requirements. All applications for proposed planned unit developments, regardless of the party of their initiation per Subsection C above, shall be approved as complete by the Zoning Administrator a minimum of two weeks prior to the initiation of this procedure. The Zoning Administrator shall forward copies of said complete application to the office of the City Clerk. Said application shall apply to each of the process steps in Subsections E through H below.~~

~~[Amended 7-5-2022 by Ord. No. 22-63]~~

E.D. ~~PUD~~ Process Step 1: Preapplication conference.

1. The applicant shall contact the Zoning Administrator to ~~schedule a place an informal discussion regarding the potential PD application and to obtain informal feedback regarding the application and the PD process. item for the PUD on the Plan Commission agenda.~~

~~2.—No details beyond the name of the applicant and the identification of the discussion item as a PUD are required to be given in the agenda.~~

3.2. ~~At the Plan Commission meeting, the applicant shall engage in an informal discussion with the Plan Commission regarding the potential PUD.~~ Appropriate topics for discussion may include the location of the ~~PUD~~, general project themes and images, the general mix of dwelling unit types and/or land uses being considered, approximate residential densities and nonresidential intensities, the general treatment of natural features, the general relationship to nearby properties and public streets, and relationship to the Comprehensive Plan. ~~The discussion should also include a review of the justification for use of the PD overlay and whether alternative options such as rezoning to a standard zoning district or amending the proposed development plans are advised.~~

4.3. Points of discussion and conclusions reached in this stage of the process shall in no way be binding upon the applicant or the City but should be considered as the informal nonbinding basis for proceeding to the next step.

F.E. ~~PUD~~ Process Step 2: ~~Optional~~ ~~C~~ concept plan.

1. ~~Optional review may be pursued at the request of the applicant or the Zoning Administrator.~~

The applicant shall provide the Zoning Administrator with a draft ~~PUD~~ concept plan submittal packet for a determination of completeness prior to placing the proposed ~~PUD~~ on the Plan Commission agenda for concept plan review. This submittal packet shall contain all of the following items, prior to its acceptance by the Zoning Administrator and placement of the item on a Plan Commission agenda for concept plan review:

(a) A location map of the subject property and its vicinity at 11 inches by 17 inches, ~~as depicted on a copy of the City of Watertown Land Use Plan Map.~~

(b) A general written description of the proposed ~~PUD~~, including:

1. General project themes and images;
2. The general mix of dwelling unit types and/or land uses;

3. Approximate residential densities and nonresidential intensities as described by dwelling units per acre, floor area ratio and impervious surface area ratio;
4. The general treatment of natural features;
5. The general relationship to nearby properties and public streets;
6. The general relationship of the project to the Comprehensive Plan; and
7. An initial draft list of zoning standards which will not be met by the proposed PUD and the location(s) in which they apply and a complete list of zoning standards which will be more than met by the proposed PUD and the location(s) in which they apply shall be identified. ~~Essentially, the~~ purpose of this listing shall be to provide the Plan Commission with information necessary to determine the relative merits of the project in regard to private benefit versus public benefit and in regard to the mitigation of potential adverse impacts created by design flexibility.

~~(c) A written description of potentially requested exemptions from the requirements of the underlying zoning district, in the following order:~~

- ~~1.—Land use exemptions.~~
- ~~2.—Density and intensity exemptions.~~
- ~~3.—Bulk exemptions.~~
- ~~4.—Landscaping exceptions.~~
- ~~5.—Parking and loading requirements exceptions.~~

~~(d)(c)~~ A conceptual plan drawing (at 11 inches by 17 inches) of the general land use layout and the general location of major public streets and/or private drives. ~~The applicant may submit copies of a larger version of the "bubble plan" in addition to the 11 inches by 17 inches reduction.~~

- ~~2.—Within 10 working days of receiving the draft PUD concept plan submittal packet, the Zoning Administrator shall determine whether the submittal is complete. Once the Zoning Administrator has received a complete packet, the proposed PUD concept plan shall be placed on the Plan Commission agenda.~~
- ~~3.—At the Plan Commission meeting, the applicant shall engage in an informal discussion with the Plan Commission regarding the conceptual PUD. Appropriate topics for discussion may include the any of the information provided in the PUD concept plan submittal packet or other items as determined by the Plan Commission.~~

~~4.2.~~ Points of discussion and conclusions reached in this stage of the process shall in no way be binding upon the applicant or the City but should be considered as the informal nonbinding basis for proceeding to the next step. The preferred procedure is for one or more iterations of Plan Commission review of the concept plan to occur prior to introduction of the formal petition for rezoning which accompanies the general development plan (GDP) application.

- ~~5.—Each application for review shall be accompanied by a check payable to the City of Watertown or cash as stated in § 550-157.~~

~~[Amended by Ord. No. 08-19]~~

G.F. PUD Process Step 3: General development plan (GDP).

1. The applicant shall provide the Zoning Administrator with a ~~draft~~ GDP plan submittal packet for a determination of completeness prior to placing the proposed GDP on the Plan Commission agenda for GDP review. This submittal packet shall contain all of the following items prior to its acceptance by the Zoning Administrator and placement of the item on a Plan Commission agenda for GDP review:
  - (a) A location map of the subject property and its vicinity at 11 inches by 17 inches, ~~as depicted on a copy of the City of Watertown Land Use Plan Map.~~
  - (b) A map of the subject property, showing all lands for which the planned infill development is proposed and all other lands within 200 feet of the boundaries of the subject property; ~~together with the names and addresses of the owners of all lands on said map as the same appear on the current records of the Register of Deeds of Dodge and/or Jefferson County (as provided by the City of Watertown).~~ Said map shall clearly indicate the current zoning of the subject property and its environs, ~~and the jurisdiction(s) which maintains that control.~~ Said map and all its parts and attachments shall be submitted in a form which is clearly reproducible with a photocopier and shall be at a scale which is not less than one inch equals 800 feet. All lot dimensions of the subject property, a graphic scale, and a North arrow shall be provided.
  - (c) A general written description of proposed PUD, including:
    1. General project themes and images.
    2. The general mix of dwelling unit types and/or land uses.
    3. Approximate residential densities and nonresidential intensities as described by dwelling units per acre, floor area ratio and impervious surface area ratio.
    4. The general treatment of natural features.
    5. The general relationship to nearby properties and public streets.
    6. The general relationship of the project to the Comprehensive Plan.
    7. A statement of rationale as to why PUD zoning is proposed. This shall identify barriers that the applicant perceives in the form of requirements of standard zoning districts and opportunities for community betterment that the applicant suggests are available through the proposed PUD zoning.
    8. A complete list of zoning standards which will not be met by the proposed PUD and the location(s) in which they apply and a complete list of zoning standards which will be more than met by the proposed PUD and the location(s) in which they apply shall be identified. ~~Essentially, t~~The purpose of this listing shall be to provide the Plan Commission with information necessary to determine the relative merits of the project in regard to private benefit versus public benefit and in regard to the mitigation of potential adverse impacts created by design flexibility.
    9. A written description of potentially requested exemptions from the requirements of the underlying zoning district, in the following order:
      - a. Land use exemptions.
      - b. Density and intensity exemptions.
      - c. Bulk exemptions.

- d. Landscaping exceptions.
  - e. Parking and loading requirements exceptions.
- (d) A general development plan drawing at a minimum scale of one inch equals 100 feet (reduction of 11 inches by 17 inches) of the proposed project shall also be provided by the applicant), showing at least the following information in sufficient detail to make an evaluation against criteria for approval:
- 1. A conceptual plan drawing (at 11 inches by 17 inches) of the general land use layout and the general location of major public streets and/or private drives. ~~The applicant may submit copies of a larger version of the "bubble plan" in addition to the reduction of 11 inches by 17 inches;~~
  - 2. Location of recreational and open space areas and facilities, and specifically describing those that are to be reserved or dedicated for public acquisition and use;
  - 3. Statistical data on minimum lot sizes in the development, the approximate areas of large development lots and pads, density/intensity of various parts of the development, floor area ratio, impervious surface area ratio and landscape surface area ratio of various land uses, expected staging, and any other plans required by the Plan Commission or Common Council; and
  - 4. Notations relating the written information provided in Subsection [G\(1\)\(c\)\[1\]](#) to [\[6\]](#) above to specific areas on the GDP drawing.
- (e) A general conceptual landscaping plan for subject property, noting approximate locations of foundation, street, yard and paving, landscaping and the compliance of development with all landscaping requirements of this chapter (except as noted in the listing of exceptions), and the use of extra landscaping and bufferyards.
- (f) A general signage plan for the project, including all project identification signs and concepts for public fixtures and signs (such as streetlight fixtures and/or poles or street sign faces and/or poles) which are proposed to vary from City standards or common practices.
- (g) Written justification for the proposed planned ~~unit~~ development. ~~(The applicant is advised to use the requirements of the Zoning Map amendment procedure to develop said written justification.)~~
- (h) Written demonstration of financial capability to complete all public and private improvements associated with the proposed PUD.
2. The process and fees for review and approval of the GDP shall require a public hearing before the Plan Commission preceded by a Class II notice. The Plan Commission shall hold the formal public hearing, review the application, and make a recommendation for action on the application. The Mayor or Council representative on the Plan Commission may request an additional public hearing to be held by the Common Council. The Common Council shall take final action on consideration of the application. be identical to that for Zoning Map amendments per this chapter and (if land is to be divided) to that for preliminary and final plats of subdivision per the City Code.



3. All portions of an approved ~~PUD~~/GDP not fully developed within ~~three-five~~ years of final Common Council approval shall ~~expire~~~~lapse~~, and no additional ~~PUD~~-based development shall be permitted. ~~Prior to the end of the five-year period, the property owner may request reapproval of the GDP for up to five additional years or shall request amendment of the GDP. Reapproval or amendment requests shall obtain a recommendation from the Plan Commission and approval from the Common Council following a public hearing held before the Plan Commission. If an application for renewal or amendment is not submitted, the zoning administrator may propose rezoning to the underlying zoning district or another standard zoning district. In the case of an expired PD, the base zoning district shall remain in effect and no development under the prior PD approvals may proceed. The Common Council may extend this three-year period by up to five additional years via a majority vote following a public hearing.~~

H.G. PUD Process Step 4: Precise implementation plan (PIP).

1. After the effective date of the rezoning to ~~PUD~~/GDP, the applicant may file an application for a proposed precise implementation plan (PIP) with the Plan Commission. ~~Alternatively, a combination GDP and PIP application may be submitted if authorized by the Zoning Administrator and if all information required for both the GDP and PIP submittal is also included. In the case of a combination GDP/PIP, a public hearing is required in accordance with GDP procedures. Any PIP~~ This submittal packet shall contain all of the following items, prior to its acceptance by the Zoning Administrator and placement of the item on a Plan Commission agenda for ~~PUD~~ review:
  - (a) A location map of the subject property and its vicinity at 11 inches by 17 inches, ~~as depicted on a copy of the City of Watertown Land Use Plan Map.~~
  - (b) A map of the subject property, showing all lands for which the planned infill development is proposed and all other lands within 200 feet of the boundaries of the subject property; ~~together with the names and addresses of the owners of all lands on said map as the same appear on the current records of the Register of Deeds of Dodge and/or Jefferson County (as provided by the City of Watertown).~~ Said map shall clearly indicate the current zoning of the subject property and its environs ~~and the jurisdiction(s) which maintains that control.~~ Said map and all its parts and attachments shall be submitted in a form which is clearly reproducible with a photocopier and shall be at a scale not less than one inch equals 800 feet. All lot dimensions of the subject property, a graphic scale, and a North arrow shall be provided.
  - (c) A general written description of the proposed PIP, including:
    1. Specific project themes and images.
    2. The specific mix of dwelling unit types and/or land uses.
    3. Specific residential densities and nonresidential intensities as described by dwelling units per acre, floor area ratio and impervious surface area ratio.
    4. The specific treatment of natural features.
    5. The specific relationship to nearby properties and public streets.



- ~~6.—A statement of rationale as to why PUD zoning is proposed. This shall identify barriers that the applicant perceives in the form of requirements of standard zoning districts and opportunities for community betterment the applicant suggests are available through the proposed PUD zoning.~~
- ~~7. A complete list of zoning standards which will not be met by the proposed PIP and the location(s) in which they apply and a complete list of zoning standards which will be more than met by the proposed PIP and the location(s) in which they apply shall be identified. The purpose of this listing shall be to provide the Plan Commission with information necessary to determine the relative merits of the project in regard to private benefit versus public benefit and in regard to the mitigation of potential adverse impacts created by design flexibility.~~
- (d) A precise implementation plan drawing at a minimum scale of one inch equals 100 feet (reduction of 11 inches by 17 inches) of the proposed project shall also be provided by the applicant, showing at least the following information in sufficient detail to make an evaluation against criteria for approval:
1. A PIP site plan conforming to any and all the requirements of the site plan review and approval procedures. If the proposed planned ~~unit~~ development is a cluster development or a group development, a proposed preliminary plat or conceptual plat shall be provided in addition to the required site plan;
  2. Location of recreational and open space areas and facilities and specifically describing those that are to be reserved or dedicated for public acquisition and use;
  3. Statistical data on minimum lot sizes in the development, the precise areas of all development lots and pads, density/intensity of various parts of the development, floor area ratio, impervious surface area ratio and landscape surface area ratio of various land uses, expected staging, and any other plans required by the Plan Commission or Common Council; and
  4. Notations relating the written information provided in Subsection [G\(1\)\(c\)\[1\]](#) to [\[6\]](#) above to specific areas on the GDP drawing.
- (e) A landscaping plan for the subject property, specifying the location, species and installed size of all trees and shrubs. This plan shall also include a chart, which provides a cumulative total for each species, type and required location (foundation, yard, street, paved area or bufferyard) of all trees and shrubs.
- (f) A series of building elevations for the entire exterior of all buildings in the planned ~~unit~~ development, including detailed notes as to the materials and colors proposed.
- (g) A general signage plan for the project, including all project identification signs, concepts for public fixtures and signs (such as streetlight fixtures and/or poles or street sign faces and/or poles), and group development signage themes which are proposed to vary from City standards or common practices.
- (h) A general outline of the intended organizational structure for a property owners' association, if any; deed restrictions and provisions for private provision of common services, if any.

- (i) A written description which demonstrates the full consistency of the proposed PIP with the approved GDP.
  - (j) Any and all variations between the requirements of the applicable ~~PUD~~/GDP zoning district and the proposed PIP development.
2. The applicant shall submit proof of financial capability pertaining to construction, ~~and~~ maintenance, and operation of all public and private improvements associated with the proposed PUD.
3. The area included in a precise implementation plan may be only a portion of the area included in a previously approved general implementation plan.
4. The precise implementation plan (PIP) submission may include site plan and design information, allowing the Plan Commission to combine design review and review of the PIP. Design review may, at the choice of the applicant, be deferred until a later time when specific site and building developments will be brought forth.
5. The Plan Commission or Common Council may specify other plans, documents or schedules that must be submitted prior to consideration or approval of the PIP, as such may be relevant to review.
6. The process and fees for review and approval of a PIP shall be identical to that for GDP approvals per this chapter.
- ~~7.—The process and fees for review and approval of the PUD shall be identical to that for Zoning Map amendments per this chapter and (if land is to be divided) to that for preliminary and final plats of subdivision per the City Code.~~
- ~~8.7.~~ \_\_\_\_\_ All portions of an approved PUD/PIP not fully developed within ~~three-five~~ years of final Common Council approval shall ~~expire~~lapse, and no additional PUD-based development shall be permitted. The Common Council may extend this ~~three-year~~ period ~~by~~ up to five additional years via a majority vote following a public hearing. The applicant may also request reapproval or amendment of a previously approved PIP before the applicable five-year period lapses. In the case of an expired PIP, procedures shall be identical to that for GDP expirations per this Chapter.
- ~~9.—Approved PUDs which have not been initiated within the time limits established by Subsection H(7) above shall revert to the preexisting zoning designation.~~

#### **Section 550-39 Natural resource protection overlay zoning**

- ~~A.—This chapter employs overlay zoning districts to identify and regulate areas in which natural resource protection requirements apply. Each type of natural resource regulated by this chapter is represented by an overlay zoning district bearing its name.~~
- ~~B.—Natural resource protection overlay districts include:~~
  - ~~1.—(1) Floodplain Overlay Districts.~~
  - ~~2.—(2) Shoreland-Wetland Overlay District.~~
  - ~~3.—(3) Drainageway Overlay District.~~
  - ~~4.—(4) Woodland Overlay District.~~
  - ~~5.—(5) Steep Slope Overlay District.~~

~~C.—For specific natural resource protection overlay district regulations, see Article IX.~~

### **Section 550-39 Purpose and Mapping of Natural Resource Protection Overlays**

~~A. This section introduces overlay zoning districts which regulate areas in which natural resource protection requirements apply. Each type of natural resource regulated by this chapter is represented by an overlay zoning district bearing its name. Natural resource protection overlay districts include:~~

- ~~1. Floodplain Overlay Districts.~~
- ~~2. Shoreland-Wetland Overlay District.~~
- ~~3. ~~Drainageway~~Waterway Overlay District.~~
- ~~4. Woodland Overlay District.~~
- ~~5. Steep Slope Overlay District.~~

~~B. Natural resource protection overlay zoning districts established by this chapter are shown on the Official Zoning Map of the City of Watertown which, together with all the explanatory material thereon, is hereby made part of this chapter. For specific natural resource protection overlay district designation criteria, see ~~Article IX~~Sections 550—41 through 550-43.5 of this chapter and also Chapter 532, Floodplain and Shoreland-Wetland Zoning.~~

~~C. Purpose. The purpose of this article is to set forth the requirements for the mandatory protection of natural resources and permanently protected green space areas within the jurisdiction of this chapter (see § 500-9). The provisions of this article interact closely with the provisions of § 550-58 (Natural resource disruption and required mitigation standards), § 550-73 (Required natural resources site evaluation), and §§ 550-74 and 550-75 which provide residential and nonresidential development standards. Section 550-76 provides a complete overview of the interrelationship between the above-listed sections. Appendix B provides a table of permitted land uses in permanently protected green space areas.<sup>[1]</sup> In part, the provisions of this article are designed to ensure the implementation of the City of Watertown Comprehensive Plan and §§ 62.231 and 87.30, Wis. Stats.~~

~~[1] Editor's Note: Appendix B is **attached to this chapter**.~~

~~D. How to use this article. This article contains the standards that govern the protection, disturbance and mitigation of disruption of all natural resources and other permanently protected green space areas. The provisions of this article are intended to supplement those of the City of Watertown, Dodge and/or Jefferson County, the State of Wisconsin, and the Federal Government of the United States that pertain to natural resource protection. Prior to using the provisions of this article to determine the permitted disruption of such areas, the requirements provided below should be reviewed. This article recognizes the important and diverse benefits that natural resource features provide in terms of protecting the health, safety and general welfare of the community. Each of the following sections is oriented to each natural resource type and is designed to accomplish several objectives:~~

- ~~1. First, a definition of the natural resource is provided.~~
- ~~2. Second, the specific purposes of the protective regulations governing each natural resource type are provided.~~

3. Third, the required method of identifying and determining the boundaries of the natural resource area is given.

4. Fourth, mandatory protection requirements are identified.

Note: protection requirements for specific land uses and natural resource types designed to minimize disruption of natural resource functions are presented in § 550-58.

E. A. Where an apparent discrepancy exists between the location of the outermost boundary of the flood-fringe district or the floodplain district shown on the Official Zoning Map and actual field conditions, the location shall be initially determined by the Zoning Administrator using the criteria described in Subsections **B-F** and **G-G** below. Where the Zoning Administrator finds that there is a significant difference between the map and the actual field conditions, the map shall be amended using the procedures established in § **550-141**. Disputes between the Zoning Administrator and the applicant over the location of the district boundary line shall be settled using the procedures outlined in § **550-156H**.

D-F. B. Where flood profiles exist, the location of the district boundary line shall be determined by the Zoning Administrator using both the scale appearing on the map and the elevations shown on the water surface profile of the regional flood. Where a discrepancy exists between the map and actual field conditions, the regional flood elevations shall govern. A map amendment is required where there is a significant discrepancy between the map and actual field conditions. The Zoning Administrator shall have the authority to grant or deny a land use permit on the basis of a district boundary derived from the elevations shown on the water surface profile of the regional flood, whether or not a map amendment is required. The Zoning Administrator shall be responsible for initiating any map amendments required under this section within a reasonable period of time.

E-G. Where flood profiles do not exist, the location of the district boundary line shall be determined by the Zoning Administrator using the scale appearing on the map, visual on-site inspection and any available information provided by the Department of Natural Resources. Where there is a significant difference between the map and actual field conditions, the map shall be amended. Where a map amendment has been approved by both the Common Council and the Department of Natural Resources, the Zoning Administrator shall have the authority to grant or deny a land use permit.

#### **Section 550-40 Floodway, Flood-Fringe, and Floodplain Overlay Districts**

See Chapter 532, Floodplain and Shoreland-Wetland Overlay Zoning.

#### **Section 550-41 Shoreland-Wetland Overlay District**

See Chapter 532, Floodplain and Shoreland-Wetland Overlay Zoning.

#### **Section 550-423 ~~Drainage~~wayWaterways Overlay District**

- A. Definition. **DrainagewayWaterways** are **navigable or** non-navigable, aboveground watercourses, detention basins and/or their environs which are identified by the presence of one or more of the following:
1. All areas within 75 feet of the ordinary high-water mark of a "perennial stream," as shown on a detailed on-site survey prepared by the applicant [see § **550-145C(8)**].
    - (a) Where an existing development pattern exists, the **drainagewaywaterway setback** for a proposed principal structure may be reduced to the average **drainagewaywaterway setback** of the principal structure on each adjacent lot, but the **drainagewaywaterway setback** may not be reduced to less than 35 feet from the ordinary high-water mark of any "perennial stream."  
[Added 10-17-2017 by Ord. No. 17-24]
  2. All areas within 50 feet of the ordinary high-water mark of an "intermittent stream" or "open channel **drainagewaywaterway**," as shown on a detailed on-site survey prepared by the applicant [see § **550-145C(8)**].
    - (a) Where an existing development pattern exists, the **drainagewaywaterway setback** for a proposed principal structure may be reduced to the average **drainagewaywaterway setback** of the principal structure on each adjacent lot, but the **drainagewaywaterway setback** may not be reduced to less than 35 feet from the ordinary high-water mark of an "intermittent stream" or "open channel **drainagewaywaterway**."  
[Added 10-17-2017 by Ord. No. 17-24]
- B. Purpose of **drainagewaywaterway** protection requirements. **DrainagewayWaterways** serve in the transporting of surface runoff to downstream areas. As such, **drainagewaywaterways** serve to carry surface waters, supplement floodplain, wetland and lakeshore water storage functions in heavy storm or melt events, filter waterborne pollutants and sediments, promote infiltration and groundwater recharging, and provide a unique habitat at the land/water margin. **DrainagewayWaterway** protection requirements preserve each of these functions as well as greatly reducing the potential for soil erosion along **drainagewaywaterways** by protecting vegetative ground cover in areas which are susceptible to variable runoff flows and moderate-to-rapid water movement.
- C. Determination of **drainagewaywaterway** boundaries. General **drainagewaywaterway** boundaries are depicted on the Official Zoning Map. Upon the proposal of development activity on any property which contains a **drainagewaywaterway** depicted on the Official Zoning Map, the petitioner shall prepare a detailed site analysis per the requirements of § **550-145C(8)**. This analysis shall depict the location of all **drainagewaywaterway** areas on the subject property as related to the provisions of Subsection **A** above.
- D. Mandatory **drainagewaywaterway** protection requirements. **DrainagewayWaterways** shall remain in an undisturbed state except for the land uses permitted in Appendix B per the requirements in § **550-58**. Vegetation clearing to maintain **drainagewaywaterway** functions is permitted with the written approval of the Public Works Director/City Engineer. All areas designated as **drainagewaywaterways** shall be located within a public easement or dedication for maintenance purposes to preserve proper drainage flow.

### **Section 550-43 Woodland Overlay District**

- A. Definition. Woodlands are areas of trees whose combined canopies cover a minimum of 80% of an area of one acre or more, as shown on a detailed on-site survey prepared by the applicant [see § **550-145C(8)**].
- B. Purpose of woodland protection requirements. Woodlands provide a wide variety of environmental functions. These include atmospheric benefits such as removing airborne pollutants, carbon dioxide uptake, oxygen production, and evapotranspiration returns. Water quality benefits include substantial nutrient uptake rates (particularly for nitrogen and phosphorus) and surface runoff reduction in terms of both volumes and velocities. Woodlands provide unique wildlife habitats and food sources. Woodlands are excellent soil stabilizers, greatly reducing runoff-related soil erosion. Woodlands also serve to reduce wind velocities which further reduces soil erosion. Finally, under proper management techniques, woodlands serve as regenerative fuel sources.
- C. Determination of woodland boundaries. General woodland boundaries are depicted on the Official Zoning Map. Upon the proposal of development activity on any property which contains a woodland depicted on the Official Zoning Map, the petitioner shall prepare a detailed site analysis per the requirements § **550-145C(8)**. This analysis shall depict the location of all woodland areas on the subject property as related to the provisions of Subsection **A** above.
- D. Mandatory woodland protection requirements. Woodlands shall remain in an undisturbed state except for the land uses permitted in Appendix B per the requirements of § **550-58** and areas subject to the following mitigation requirements:
  - 1. Selective cutting operations are permitted by right in all woodland areas (per the requirements of § **550-50F**).
  - 2.** Clear-cutting is permitted as a conditional use in all woodland areas (per the requirements of § **550-50G**).

### **Section 550-43.1 Steep Slope Overlay District**

- A. Definition. Steep slopes are areas which contain a gradient of 12% or greater (equivalent to a ten-foot elevation change in a distance of 83 feet or less), as shown on a detailed on-site survey prepared by the applicant [see § **550-145C(8)**].
- B. Purpose of steep slope protection requirements. Steep slopes are particularly susceptible to damage resulting from site disruption, primarily related to soil erosion. Such damage is likely to spread to areas which were not originally disturbed. Such erosion reduces the productivity of the soil, results in exacerbated erosion downhill, and results in increased sedimentation in **drainagewaywaterways**, wetlands, streams, ponds and lakes. Beyond adversely affecting the environmental functions of these resources areas, such sedimentation also increases flood hazards by reducing the floodwater storage capacity of hydrological system components, thus elevating the flood level of the drainage system in affected areas. Beyond these threats to the public safety, disruption of steep slopes also increases the likelihood of slippage and slumping,



unstable soil movements which may threaten adjacent properties, buildings and public facilities such as roads and utilities.

- C. Determination of steep slope boundaries. General steep slope boundaries are depicted on the Official Zoning Map. Upon the proposal of development activity on any property which contains a steep slope depicted on the Official Zoning Map, the petitioner shall prepare a detailed site analysis per the requirements of § 550-145C(8). This analysis shall depict the location of all steep slope areas on the subject property as related to the provisions of Subsection A above.
- D. Mandatory steep slope protection requirements. Steep slopes shall remain in an undisturbed state except for the land uses permitted in Appendix B<sup>[1]</sup> per the requirements of § 550-58.

[1]Editor's Note: Appendix B is *attached to this chapter*.

### **Section 550-43.2 Downtown Historic Preservation Overlay Zoning District**

This district is intended to implement the urban design recommendations of the Comprehensive Plan by preserving and enhancing the historical quality of the downtown and by attaining a consistent visually pleasing image for the downtown area. As emphasized by said plan, this district is designed to forward both aesthetic and economic objectives of the City by controlling the site design and appearance of development within the district in a manner that is consistent with sound land use, urban design and economic revitalization principles. The application of these standards will ensure long-term progress and broad participation toward these principles. Refer to § 550-149 for the procedures applicable to proposal review in this overlay district.

### **Section 550-43.3 Community Entry Corridor Design Overlay Zoning District**

This district is intended to implement the urban design recommendations of the Comprehensive Plan by preserving and enhancing the historical quality of the STH 19 corridor west ~~and east~~ of the downtown, ~~CTH E corridor southeast of the downtown,~~ STH 26 south of the downtown and the STH 26/16 corridor north ~~of the downtown and east of the downtown and~~ by enhancing the economic redevelopment potential of the STH 26 corridor north and south of the downtown. As emphasized by the plan, this district is designed to forward both aesthetic and historic preservation objectives of the City by controlling the site design and appearance of development within the district in a manner that is consistent with sound land use, urban design and economic revitalization principles. The application of these standards will ensure long-term progress and broad participation toward these principles. Refer to § 550-150 for the procedures applicable to proposal review in this overlay district.

### **Section 550-150 Community Entry Corridor Overlay Zoning District**

The following requirements shall be effective upon the date of adoption ~~of detailed neighborhood plans and upon the~~ date of depicting these overlay zoning districts on the Official Zoning Map. Any new development, other than single-family ~~and two-family~~ residential, ~~in this overlay zoning district shall be regulated as a conditional use, subject to the site design requirements of Article VI.~~

- A. Requirement of compatibility. Proposed site design and construction within this district, including new structures and building additions, shall be reviewed per § 550-145, Site plan



review and approval procedures, by the Plan Commission. The building setback, height, mass, roof form, exterior materials, exterior surface appurtenances, exterior colors, landscaping and lighting shall be compatible with the following general design theme, as determined by the Plan Commission.

- B. Design standards for multi-family residential development. The general design theme for multi-family residential development within the Community Entry Corridor Overlay Zoning District shall be designed to accommodate typical impacts of transportation and nearby nonresidential development, particularly through the use of building orientation, door and window location and design, and on-site landscaping and related buffering structures or berms. Above and beyond such concerns, particular attention shall be devoted to ensuring that selected multi-family residential design components complement nearby residential styles with high-quality building materials, in an attractive manner as becoming an entry corridor, and as determined by the Plan Commission. Where a detailed neighborhood plan has been adopted, it should be used to provide additional guidance in the design review process.
- C. Design standards for nonresidential development. The general design theme for nonresidential development within the Community Entry Corridor Overlay Zoning District shall be characterized by high-quality building materials, architectural design, site design and on-site landscaping. Prominent urban design elements and architectural details, which are decorative and functional, shall be considered as a required component of each site within the district. Above and beyond such concerns, particular attention shall be devoted to ensuring that selected nonresidential design components complement nearby nonresidential styles and reflect positively on the character of the community, as becoming an entry corridor, and as determined by the Plan Commission. Where a detailed neighborhood plan has been adopted, it should be used to provide additional guidance in the design review process.
  - 1. Building exterior materials shall be of high quality on all sides of the structure, including glass, brick, decorative concrete block or stucco, Decorative architectural metal with concealed fasteners may be approved with special permission from the city.
  - 2. Building exterior design shall be unified in design and materials throughout the structure and shall be complementary to other structures in the vicinity. However, the development shall employ varying building setbacks, height, roof, treatments, door and window openings, and other structural and decorative elements to reduce the apparent size and scale of the structure. A minimum of 20% of the combined facades of the structure shall employ actual facade protrusions or recesses. A minimum of 20% of the combined linear roof eave or parapet lines of the structure shall employ differences in height of eight feet or more. Roofs with particular slopes may be required by the City to complement existing buildings or otherwise establish a particular aesthetic objective.
  - 3. Mechanical equipment, refuse containers and any permitted outdoor storage shall be fully concealed from on-site and off-site ground-level views with materials identical to those used on the building exterior.

4. Public entryways shall be prominently indicated from the building's exterior design and shall be emphasized by on-site traffic flow patterns. All sides of the building that directly face or abut a public street shall have public entrances.
5. Parking lot design shall employ interior landscaped islands with a minimum of 400 square feet at all parking islands, and in addition shall provide a minimum of one landscaped island of a minimum of 400 square feet in each parking aisle for every 20 cars in that aisle. Aisle-end islands shall count toward meeting this requirement. Landscaped medians shall be used to break large parking areas into distinct pods, with a maximum of 100 spaces in any one pod.
6. On-site landscaping shall be provided per the landscaping requirements of this chapter, except that building foundation landscaping and paved area landscaping shall be provided at 1.5 times the required landscape points for development in the zoning district.
7. The entire development shall provide for full and safe pedestrian and bicycle access within the development and shall provide appropriate connections to the existing and planned pedestrian and bicycle facilities in the community and in surrounding neighborhoods, including sidewalk connections to all building entrances from all public streets. The development shall provide secure bicycle parking and pedestrian furniture in appropriate quantities and location. A central pedestrian gathering area shall be provided.
8. The Plan Commission may waive any of the above standards by a three-fourths' vote of members in attendance, but only if supplemental design elements or improvements are incorporated into the project that compensate for the waiver of the particular standard.

#### **Section 550-43.4 Community Gateway Design Overlay Zoning District**

~~This district is intended to implement the urban design recommendations of the Comprehensive Plan by requiring that development located at and around the most important entrances to the community has a character which recognizes the City's adopted objectives of establishing an attractive and high-quality image. These important community gateways are located around the STH 26/16 interchange, the intersection of STH 16 and East Gate Drive, STH 26 near Ebenezer Road, STH 19 near Gypsy Road and CTHE/Concord Avenue near CTH D. As emphasized by the plan, this district is designed to forward both aesthetic and economic development objectives of the City by controlling the site design and appearance of development within the district in a manner that is consistent with sound land use, urban design and economic development principles. The application of these standards will ensure long-term progress and broad participation toward these principles. Refer to § 550-151 for the procedures applicable to proposal review in this overlay district.~~

#### **Section 550-151 Community Gateway Overlay Zoning District**

~~The following requirements shall be effective upon the date of adoption of detailed neighborhood plans and upon the date of depicting these overlay zoning districts on the Official Zoning Map. Any new development, other than single-family residential, in this overlay zoning~~

~~district shall be regulated as a conditional use, subject to the site design requirements of Article VI.~~

~~A. Requirement of compatibility. Proposed site design and construction within this district, including new structures and building additions, shall be reviewed per § 550-145, Site plan review and approval procedures, by the Plan Commission. The building setback, height, mass, roof form, exterior materials, exterior surface appurtenances, exterior colors, landscaping and lighting shall be compatible with the following general design theme, as determined by the Plan Commission.~~

~~B. Design standards for residential development. The general design theme for residential development within the Community Gateway Overlay Zoning District shall be designed to accommodate typical impacts of transportation and nearby nonresidential development and to assist in creating a sense of welcome to the City of Watertown, particularly through the use of building orientation, door and window location and design, and on-site landscaping and related buffering structures or berms. Above and beyond such concerns, particular attention shall be devoted to ensuring that selected residential design components complement nearby residential styles with high-quality building materials, in an attractive manner as becoming a gateway entry to the community, as determined by the Plan Commission. Where a detailed neighborhood plan has been adopted, it should be used to provide additional guidance in the design review process.~~

~~C. Design standards for nonresidential development. The general design theme for nonresidential development within the Community Gateway Overlay Zoning District shall be characterized by high-quality building materials, architectural design, site design and on-site landscaping. Prominent urban design elements and architectural details, which are decorative and functional, shall be considered as a required component of each site within the district. Above and beyond such concerns, particular attention shall be devoted to ensuring that selected nonresidential design components complement nearby nonresidential styles and reflect positively on the character of the community and assist in creating a sense of welcome to the City of Watertown, as becoming a gateway entry area to the community, and as determined by the Plan Commission. Where a detailed neighborhood plan has been adopted, it should be used to provide additional guidance in the design review process.~~

### **Section 550-43.4 Airport Overlay**

~~This district is intended to implement height limitations for preservation of the City of Watertown Municipal Airport approach zones. The application of these standards will ensure long-term viability and safety of airport operations. Refer to Chapter 211 for procedures applicable to proposal review in this overlay district.~~

### **Repeal Article IX Entirely**

**Article IX Natural Resource Protection Regulations**

550-86 Purpose

550-87 How to use this article:

550-88 Floodway, Flood-Fringe, and Floodplain Overlay Zoning District

550-89 Shoreland-Wetland Overlay Zoning District

550-90 Drainageway/Waterway Overlay Zoning District

550-91 Woodland Overlay Zoning District

550-92 Steep Slope Overlay Zoning District

Chapter 532 Floodplain and Shoreland-Wetland **Overlay** Zoning

Chapter 532 Article III **Shoreland-Wetland Overlay** Zoning District

Chapter 532 Article IV Floodplain **Overlay** Zoning District



