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CITY OF WATERTOWN, WISCONSIN

CHAPTER 550: ZONING ORDINANCE

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ARTICLE I: INTRODUCTION

Section 550.01.01: Title

(1) This Chapter shall be known, cited, and referred to as the City of Watertown Zoning Ordinance, except whereas referred to herein, where it shall be known as "this Chapter" or "this Ordinance."

Section 550.01.02: Authority

This Chapter is enacted pursuant to the authority granted to the City of Watertown under Wisconsin Statutes, including §§ 62.23(7), 62.231, and 87.30, as applicable. Statutory references provided elsewhere in this Chapter are intended to assist the reader and do not limit the City's authority under applicable law.

Section 550.01.03: Purpose and Intent

This Chapter is adopted for the purpose of protecting the health, safety, and general welfare of the public. It is designed to implement the City of Watertown Comprehensive Plan, which is best done through zoning approaches, as enabled by Wisconsin Statutes. It is also the intent of this Chapter to:

(1) Promote activity, safety, and economic viability;

(2) Promote the appropriate density and intensity of development;

(3) Regulate the location, construction, reconstruction, alteration, and use of buildings, structures, and land;

(4) Facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public facilities;

(5) Encourage a mix of land uses, at densities that support multi-modal transportation;

(6) Provide for safe and efficient circulation of all modes of transportation, including transit, pedestrian, and bicycle traffic;

(7) Control and lessen congestion in the streets;

(8) Be adaptable to new types, formats, and mixes of land uses to reflect changing preferences, economics, and technologies;

(9) Reduce Watertown's contribution to climate change and adapt to our changing environment;

(10) Promote the conservation of energy and utilization of renewable resources;

(11) Protect and enhance natural resources;

(12) Protect groundwater resources;

(13) Avoid undue concentration of population;

(14) Reduce inequalities of resource allocation and the externalities of the use of land;

(15) Prevent the overcrowding of land;

(16) Promote adequate light, air, privacy, and convenience of access to property;

(17) Preserve, protect, and promote property values;

(18) Promote property improvements and upkeep;

(19) Preserve burial sites as defined in Wis. Stats. §157.70(1)(b); and

(20) Secure safety from fire, panic, and other dangers.

Section 550.01.04: Separability and Non-Liability

It is hereby declared to be the intention of the City of Watertown Common Council that provisions of this Chapter are separable in accordance with the following:

(1) If any court of competent jurisdiction shall adjudge any provision of this Chapter to be invalid, such judgment shall not affect any other provisions of this Chapter not specifically included in said judgment.

(2) If any court of competent jurisdiction shall adjudge invalid the application of any portion of this Chapter to a particular property, water, building, or structure, such judgment shall not affect the application of said provision to any other property, water, building, or structure not specifically included in said judgment.

(3) If any requirement or limitation attached to an authorization given under this Chapter is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid.

(4) The City does not guarantee, warrant, or represent that only those areas designated as floodplain will be subject to periodic inundation and hereby asserts that there is no liability on the part of the City, its officers, employees, agents, or representatives for any flood damages, sanitation problems, or structural damages.

Section 550.01.05: Abrogation

It is also not intended that this Chapter abrogate, repeal, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, rules, regulations, or permits previously adopted or issued pursuant to law.

Section 550.01.06: Rules of Interpretation

(1) In their interpretation and application, the provisions of this Chapter shall be held to be the minimum requirements for the promotion of the public health, safety, and welfare and shall be liberally construed in favor of the City and shall not be construed to be a limitation or repeal of any other power now possessed by the City of Watertown.

(2) Where property is affected by the regulations imposed by any provision of this Chapter and by other governmental regulations, the regulations which are more restrictive or which impose higher standards or requirements shall prevail. Regardless of any other provision of this Chapter, no land shall be developed or used, and no structure erected or maintained, in violation of any state or federal regulations. Where there are conflicts between or among regulations within this Chapter, the regulations that are more restrictive or which impose higher standards or requirements shall prevail. In all instances where there are conflicts between the text of this Chapter and any tables or figures of this Chapter, the text shall prevail.

(3) No structure, land, water, or air shall hereafter be used and no structure or part thereof shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a building permit, except structures not requiring a building permit per the Building Code (Chapter 253 of the City of Watertown Municipal Ordinance), and without full compliance with the provisions of this Chapter and all other applicable local, county, and state regulations.

(4) Nothing herein contained shall require any changes in plans, construction, size, or designated use of any building or part thereof for which a building permit has been issued before the effective date of this Chapter, and the construction of which shall have been started within two years from the date of such permit.

(5) Except as provided in this Chapter, under provisions for nonconforming uses, nonconforming developments, substandard lots, and nonconforming structures and buildings (see Article V), no building, structure, development, or premises shall be hereinafter used or occupied, and no applicable permit granted, that does not conform to the requirements of this Chapter.

(6) In cases of mixed occupancy or mixed use, the regulations for each land use shall apply to the portion of the structure or land so occupied or so used.

(7) Except for outlots authorized by Chapter 545 Subdivisions of Land to contain permanently protected green space area, no yard or other open space area shall be considered as providing a yard or open space for a building or structure on any other lot.

Section 550.01.07: Jurisdiction

(1) This Chapter is applicable to all territory located within the corporate limits of the City of Watertown.

Section 550.01.08: Reserved

Section 550.01.09: Effective Date

(1) This Chapter shall become effective upon passage and publication according to law, following the date of repeal and recreation of the Official Zoning Ordinance and Map. All plans approved under previous zoning regulations shall be valid and may be used to obtain permits for a period of not more than two years after the effective date of this Chapter, except where subject to developer agreement provisions such as Planned Developments.

Section 550.01.10: Applicability

(1) All Sections of this Chapter are applied to all properties, all development activity, and all uses of land and property within the City of Watertown. Beyond this Chapter, these kinds of activities are subject to all City, State, and Federal requirements.

(2) The use of land is generally addressed in Articles II and III. Development activities including redevelopment, and structure and site renovations are regulated throughout the ordinance rather than in any one section or article.

(3) Where questions of applicability arise, the interpretation of applicability falls under the duties of the Zoning Administrator or Building Inspector.

Sections 550.01.11 to 550.01.20: Reserved

Section 550.01.21: Word Usage

The interpretation of this Chapter shall abide by the provisions and rules of this Section, except where the context clearly requires otherwise, or where the result would clearly be inconsistent with the apparent intent of this Chapter.

(1) Words used or defined in one tense or form shall include other tenses and derivative forms.

(2) Words in the singular number shall include the plural number, and words in the plural number shall include the single number.

(3) The masculine gender shall include the feminine, and vice versa.

(4) The words “shall,” “must,” and “will” are mandatory.

(5) The words “may,” “can,” and “might” are permissive.

(6) The word "person" includes individuals, firms, corporations, partnerships, associations, trusts, and any other legal entity.

(7) The word "City" shall mean the City of Watertown, Wisconsin.

(8) The word "county" shall mean the Counties of Dodge and Jefferson, Wisconsin.

(9) The word "state" shall mean the State of Wisconsin.

(10) The words "Plan Commission" shall mean the City of Watertown Plan Commission.

(11) The word "Council", "City Council", and "Common Council" shall refer to the City of Watertown Common Council.

(12) The words "Board" or "Board of Appeals" shall refer to the City of Watertown Zoning Board of Appeals.

(13) The words "Title", "Code", "Ordinance" or "Chapter" refer to the City of Watertown Zoning Ordinance (Chapter 550), unless an alternative numeric reference is provided.

(14) If there is any ambiguity between the text of this Chapter and any illustration or figure, the text shall control.

Section 550.01.22: Abbreviations

(1) The following abbreviations in this Chapter are intended to have the following meanings:

Abbreviation	Meaning
ft	Foot
NA	Not applicable
sq. ft.	Square feet
Wis. Stats.	Wisconsin Statutes

Sections 550.01.23 to 550.01.99: Reserved

ARTICLE II: ESTABLISHMENT OF ZONING DISTRICTS

Section 550.02.01: Purpose

(1) The area located within the jurisdiction of this Chapter is hereby divided into zoning districts of such number as is necessary to achieve compatibility of land uses within each district, to implement the City of Watertown Comprehensive Plan, and to achieve the other purposes of this Chapter.

Section 550.02.02: Standard Zoning Districts

(1) For the purpose of this Chapter, all areas within the jurisdiction of this Chapter are hereby divided into the following standard zoning districts.

Figure 550.02.02a: Standard Zoning Districts

Residential Zoning Districts	
SF-1	Single Family Residential – 1
SF-2	Single Family Residential – 2
SF-3	Single Family Residential – 3
MR-1	Mixed Residential – 1
MR-2	Mixed Residential – 2
MR-3	Mixed Residential – 3
CC	Cottage Court
MH-1	Mobile Home
Nonresidential Zoning Districts	
Mixed-Use	
INST	Institutional
NMU	Neighborhood Mixed-Use
CMU	Corridor Mixed-Use
DMU	Downtown and Riverfront Mixed-Use
DRR	Downtown and Riverfront Residential
Industrial	
LI	Light Industrial
HI	Heavy Industrial
Other	
PR	Parks and Recreation
IOA	Intensive Outdoor Activity
AG	Agricultural Holding
Overlay Zoning Districts	
NR	Natural Resource Protection
HP	Downtown Historic Preservation
AO	Airport
PD	Planned Development

(2) Vacation of public streets and alleys shall cause the land vacated to be automatically placed in the same district as the abutting side to which the vacated land reverts. See Wis. Stats. § 66.1003.

(3) Annexations to or consolidations with the City subsequent to the effective date of this chapter shall be placed in the AG Agricultural zoning district, unless the annexation ordinance temporarily places the land in another district. Following annexation and accompanying any application for a process included within Article X, the Plan Commission shall evaluate and recommend a permanent district classification to the Common Council, subject to procedures included within Section 550.10.30 for a Zoning Map Amendment.

Section 550.02.03: Interpretation of Zoning District Boundaries

The following rules shall be used to determine the precise location of any zoning district boundary shown on the Official Zoning Map of the City of Watertown:

(1) Zoning district boundaries shown as following or approximately following the limits of any City, village, town, or county boundary shall be construed as following such limits.

(2) Zoning district boundaries shown as following or approximately following streets or railroad lines shall be construed as following the centerline of such streets or railroad lines.

(3) Zoning district boundary lines shown as following or approximately following platted lot lines or other property lines as shown on the City or Counties of Dodge and Jefferson tax maps shall be construed as following such lines.

(4) Zoning district boundaries shown as following or approximately following the centerlines of streams, rivers, or other continuously flowing watercourses shall be construed as following the channel centerlines of such watercourses, and, in the event of a natural change in the location of such streams, rivers, or other watercourses, the zoning district boundary shall be construed as moving with the channel centerline.

(5) Zoning district boundaries shown as following or approximately following ridgelines or watershed boundaries shall be construed as following such lines.

(6) Zoning district boundaries shown as separated from, any of the features listed in paragraphs (1) through (5), above, shall be construed to be at such distances there from as are shown on the Official Zoning Map.

(7) Where any uncertainty exists as to the exact location of a zoning district boundary line, as shown on the Official Zoning Map, the location of the line shall be determined by the Zoning Administrator.

Section 550.02.04: Description and Purpose of Zoning Districts

(1) The following Sections specify the description and purpose of the standard zoning districts established by this Chapter, establish principal and accessory uses permitted by right or as conditional uses, establish bulk, density, and intensity standards, and reference other applicable regulations. The Intent statement of each zoning district is intended to convey the approximate gross densities for reference purposes, not regulatory purposes. Density on a given lot is determined through the bulk dimensional standards such as lot size, height, and setbacks. Definitions and regulations for land uses are provided in Article III. Section 550.03.05 includes a Table of Land Uses indicating which land uses are allowed in each zoning district, and whether they are permitted by right, by conditional use, as accessory uses, or as temporary uses. See Article IV for bulk dimensions regulations.

(2) The Official Zoning Map of the City of Watertown is hereby adopted and approved as part of this Chapter and shall be effective on the effective date of this Chapter. Any Official Zoning Map amendments impacting the zoning classification of any property regulated by this Chapter shall follow the procedures in Section 550.10.30.

Sections 550.02.05 to 550.02.09: Reserved

Section 550.02.10: Zoning Districts

(1) All Zoning Districts. Each individual Zoning District established by this Chapter shall be subject to the Principal Uses Permitted by Right, Principal Uses Permitted only as a Conditional Use, Accessory Land Uses Permitted by Right, Accessory Land Uses Permitted only as a Conditional Use, and Temporary Land Uses as established in Section 550.03.05 Table of Land Uses and applicable land use standards in Sections 550.03.06 through 550.03.30. Each individual Zoning District established by this Chapter shall also be subject to the Density, Intensity, and Bulk Regulations as established in 550.04.10 Table of Bulk Dimensions and any applicable standards in Article IV.

(2) **(SF-1) Single Family Residential-1 Zoning District.**

(a) Intent. This district is intended to create, preserve, and enhance areas for single family detached dwellings on moderately sized lots.

(3) **(SF-2) Single Family Residential-2 Zoning District.**

(a) Intent. This district is intended to create, preserve, and enhance areas for single family detached dwellings at generally higher densities than the SF-1 district. This district is designed for smaller lot front-loaded homes but may accommodate alley-loaded homes.

(4) **(SF-3) Single Family Residential-3 Zoning District.**

(a) Intent. This district is intended to create, preserve, and enhance areas for single family detached dwellings at generally higher densities than the SF-2 district. This district is designed for alley-loaded homes.

(5) **(MR-1) Mixed Residential-1 Zoning District.**

(a) Intent. This district is intended to create, preserve, and enhance areas for two family attached dwellings such as duplexes, twin homes, and two flats at generally higher densities than the SF-3 district.

(6) **(MR-2) Mixed Residential-2 Zoning District.**

(a) This district is intended to create, preserve, and enhance areas for multi-family uses such as duplexes, two-flat, townhomes, apartment, and multiplex dwellings at generally higher densities than the MR-1 district.

(7) **(MR-3) Mixed Residential-3 Zoning District**

(a) Intent. This district is intended to create, preserve, and enhance areas for multi-family uses in small and mid-size buildings such as townhomes, multiplexes, or apartments, at generally higher densities than the MR-2 district.

(8) **(CC) Cottage Court Zoning District**

(a) Intent. This district is intended to promote infill development and redevelopment within established neighborhoods or create new developments that are built at scale and character consistent with the surrounding development pattern. Cottage Courts are comprised of small residential buildings that may be made of detached, attached, or townhouse units. Where possible, the units should relate to a common open space. A Cottage Court may be developed on individual lots or with a common form of ownership. Cottage Court housing may allow for smaller, less expensive single-family housing and may provide additional home ownership opportunities.

(9) **(MH-1) Mobile Home Zoning District**

(a) Intent. This district is intended to provide for the development and continued use of non-permanently attached manufactured and mobile home communities. This district is designed to accommodate such housing in appropriate locations, ensure compatibility with surrounding land use, and promote stable, well-maintained residential environments.

(10) **(NMU) Neighborhood Mixed-Use Zoning District**

(a) Intent. This district is intended to provide for a variety of employment, retail, and community service opportunities in a small-scale setting while allowing some residential uses to occur at a density that can be accommodated within the bulk requirements of this zoning district.

(11) **(INST) Institutional Zoning District**

(a) Intent. This district is intended to permit both large- and small-scale institutional development compatible with both residential and nonresidential zoning districts.

(12) **(CMU) Corridor Mixed-Use Zoning District**

(a) Intent. This district is intended to permit development, generally on established commercial corridors, that is or is planned to become mixed-use in character and to establish standards that are compatible with the existing mix of land uses and redevelopment objectives. This district is intended to provide for a variety of employment, retail, and community service opportunities, while allowing some residential uses intended to occur at a density that can be accommodated within the bulk requirements of this zoning district. Uses shall be compatible not only with other uses within the district, but land uses in adjoining zoning districts as well.

(13) **(DMU) Downtown and Riverfront Mixed-Use Zoning District**

(a) Intent. This district is intended to permit downtown commercial and mixed-use development at an intensity which provides significant incentives for infill development, redevelopment, and the continued economic viability of existing development in a downtown development pattern that is compatible with traditional "Main Street" characteristics of Downtown Watertown. Residential uses are intended to occur in combination with commercial land uses at a density that can be accommodated within the bulk requirements of this zoning district.

(14) **(DRR) Downtown and Riverfront Residential Zoning District**

(a) This district is intended to encourage residential development near the downtown area that complements the scale, form, and walkable character of the surrounding urban core. The district provides opportunities for higher-intensity residential uses, such as townhomes and apartments while not requiring ground-floor commercial space. Residential development in this district should be designed to align with the district's bulk standards and complement the established architectural rhythm and streetscape character of Downtown Watertown.

(15) **(LI) Light Industrial Zoning District**

(a) Intent. This district is intended to permit both small- and mid-scale industrial at an intensity which is consistent with economic development objectives and compatible with adjacent development. The primary distinguishing feature of this district is that it is geared toward indoor industrial activities with some loading and unloading which are not typically associated with high noise, soot, odors, and other potential nuisances for adjoining properties.

(16) **(HI) Heavy Industrial Zoning District**

(a) Intent. This district is intended to provide space for higher intensity manufacturing and industrial operations which may be incompatible with residential and commercial uses because of potential

nuisance or hazard generation. The primary distinguishing feature of this district is that it is geared toward both indoor and outdoor industrial activities which may be associated with high noise, soot, odors, and other potential nuisances for adjoining properties.

(17) **(PR) Parks and Recreation Zoning District**

(a) Intent. This district is established on land owned by the City of Watertown and operated in conjunction with the activities of the City of Watertown and Parks, Recreation, and Forestry Department.

(18) **(IOA) Intensive Outdoor Activity Zoning District**

(a) Intent. This district is intended to permit large-scale outdoor storage uses and quarrying, sand and gravel extraction, and landfill uses associated with significant impacts on neighboring properties, particularly related to material usage, noise, aesthetic, visibility, and other potential nuisances for adjoining properties. This district also permits large-scale outdoor commercial entertainment uses associated with significant impacts on neighboring properties, particularly related to traffic, parking, noise, operating hours, and lighting. If sited properly, the City will consider the use of this zoning district on a case-by-case basis at the request of a property owner.

(19) **(AG) Agricultural Holding Zoning District**

(a) This district is intended to accommodate agricultural and other low-intensity land uses in areas anticipated for future urban development. The district serves as a transitional zoning designation for lands annexed into the City or otherwise planned for eventual urban development, allowing existing agricultural operations and compatible uses to continue until such time as urban development is appropriate. The district is further intended to discourage premature or fragmented development that could interfere with the orderly and efficient extension of public infrastructure and services or the implementation of the City's Comprehensive Plan.

Sections 550.02.11 to 550.02.19: Reserved

Sections 550.02.20: Overlay Zoning Districts

(1) Purpose. The purpose of this Article is to establish overlay zoning districts wherein certain additional requirements are superimposed on the underlying standard zoning districts set forth above in this Chapter. Each overlay district is intended to address a special land use circumstance beyond those addressed by the underlying zoning district. Special requirements include protections against natural hazards, protections of valued natural and cultural resources, and guidelines for unique development situations. Any nonconforming situation (lot, use, structure, and/or site) shall adhere to the provisions of Article V.

(2) How to Use the Overlay Districts Sections. A given property may lie within one or more overlay zoning district based on its geographic location. The provisions of this Article are intended to be consulted before issuance of any building permit, site plan approval, conditional use permit, zoning permit, zoning change, or land division to ensure the intended use meets all of the requirements of any applicable overlay district, in addition to the underlying standard zoning district. For each overlay district established in this Article, a definition of the resource or geographic area is provided, followed by the specific purposes of the protective regulations governing the resource or geographic location, the method of delineating the boundaries of the overlay district, and the development regulations.

(3) For the purpose of this Chapter, the following overlay zoning districts are hereby established.

(a) (NR) Natural Resource Protection Overlay Zoning District
(b) (HP) Downtown Historic Preservation Overlay Zoning District
(c) (AO) Airport Overlay Zoning District

(d) (PD) Planned Development Overlay Zoning District

(4) Map of Overlay Zoning Districts

(a) Except where otherwise indicated in this Article, the overlay zoning districts are represented on the Official Zoning Map, adopted and from time to time amended by the City of Watertown.

Section 550.02.21: Natural Resources Protection Overlay Zoning Districts

(1) 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 sub-district bearing its name. All natural resources sub-districts are mapped on the Official Zoning Map as a single Natural Resources Protection Overlay zoning district. For specific natural resource protection overlay district designation criteria, see Sections 550.02.22 through 550.02.26 of this chapter and also Chapter 532, Floodplain and Shoreland-Wetland Overlay Zoning.

(2) Natural resource protection overlay districts include:

(a) Waterway Overlay District.

(b) Woodland Overlay District.

(c) Steep Slope Overlay District.

(d) Floodplain Overlay Districts.

(e) Shoreland-Wetland Overlay District.

(3) 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.

(4) 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:

(a) First, a definition of the natural resource is provided.

(b) Second, the specific purposes of the protective regulations governing each natural resource type are provided.

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

(d) Fourth, mandatory protection requirements are identified.

(5) Detailed Site Analysis. A detailed site analysis shall be required for any proposed development or land division involving property containing natural resources protected under this Article.

(a) Purpose. The detailed site analysis required by this section is designed to provide the clear identification of permanently protected green space areas on a site that is proposed for development. The detailed survey work required to identify these areas accurately on a map is not required prior to the initiation of development concept plans for an area. A detailed site analysis shall be performed in conjunction with required land division documents or development site plans for any and all properties containing permanently protected natural resource areas.

(b) Submittal Requirements. The detailed site analysis shall be shown on a map of the subject property that depicts the location of all protected natural resource areas, as defined by the provisions of this chapter. The detailed site analysis shall identify the location and boudnaries of all protected natural resource areas, including waterways, woodlands, steep slopes, wetlands and floodplains. The analysis shall identify sufficient survey, topographic, and other supporting information to accurately establish resource boundaries and identify any proposed disturbance or mitigation areas.

Section 550.02.22: Waterways Overlay Zoning District

(1) Definition. Waterways 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:

(a) 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 as described in Section 550.02.21(5)(b).

1. Where an existing development pattern exists, the waterway setback for a proposed principal structure may be reduced to the average waterway setback of the principal structure on each adjacent lot, but the waterway setback may not be reduced to less than 30 feet from the ordinary high-water mark of any perennial stream.

(b) All areas within 50 feet of the ordinary high-water mark of an intermittent stream or open channel waterway, as shown on a detailed on-site survey prepared by the applicant as described in Section 550.02.21(5)(b).

1. Where an existing development pattern exists, the waterway setback for a proposed principal structure may be reduced to the average waterway setback of the principal structure on each adjacent lot, but the waterway setback may not be reduced to less than 30 feet from the ordinary high-water mark of an intermittent stream or open channel waterway.

(2) Purpose of waterway protection requirements. Waterways serve in the transporting of surface runoff to downstream areas. As such, waterways 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. Waterway protection requirements preserve each of these functions as well as greatly reducing the potential for soil erosion along waterways by protecting vegetative ground cover in areas which are susceptible to variable runoff flows and moderate-to-rapid water movement.

(3) Determination of waterway boundaries. General waterway boundaries are depicted on the Official Zoning Map. Upon the proposal of development activity on any property which contains a waterway depicted on the Official Zoning Map, the petitioner shall prepare a detailed site analysis as described in Section 550.02.21(5)(b). This analysis shall depict the location of all waterway areas on the subject property as related to the provisions of Subsection (1) above.

(4) Mandatory waterway protection requirements. Waterways shall remain in an undisturbed state except for the land uses permitted in Section 550.03.05 (Table of Land Uses). Vegetation clearing to maintain waterway functions is permitted with the written approval of the Public Works Director/City Engineer.

(a) Fences. Open-design fences that do not substantially obstruct the flow of water, impede drainage, or interfere with waterway maintenance may be permitted within the Waterways Overlay District, subject to approval by the Public Works Director/City Engineer.

(b) Retaining Walls. Retaining walls shall be prohibited within the Waterways Overlay District, except where determined necessary by the Public Works Director/City Engineer for erosion control, bank stabilization, drainage improvements, or public infrastructure.

Section 550.02.23: Woodlands Overlay Zoning District

(1) 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 as described in Section 550.02.21(5)(b).

(2) 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.

(3) 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 as described in Section 550.02.21(5)(b). This analysis shall depict the location of all woodland areas on the subject property as related to the provisions of Subsection (1) above.

(4) Mandatory woodland protection requirements. Woodlands shall remain in an undisturbed state except for the land uses permitted in Section 550.03.05 (Table of Land Uses) and areas subject to the following mitigation requirements:

(a) **Selective Cutting:** Land uses including any operation associated with one-time, continuing, or cumulative clearing, cutting, harvesting or other destruction of trees (including by fire) where the extend of such activity is limited to an area (or combined areas) of less than or equal to 30% of the woodlands on the property. The destruction of trees in an area more than this amount shall be considered Clear-Cutting.

(b) **Clear-Cutting:** Land uses including the one-time, continuing, or cumulative clearing, cutting, harvesting or other destruction (including by fire) of trees in an area (or combined areas) of more than 30% of the woodlands on a property. Clear-cutting is permitted only as a conditional use within the jurisdiction of this chapter. Areas which have been clear-cut as a result of intentional action following the effective date of this chapter without the granting of a conditional use permit are in violation of this chapter and the property owner shall be fined for such violation (in accordance with the provisions of X) shall be required to implement the mitigation standards required for the destruction of woodlands solely at their expense, including costs associated with site inspection to confirm the satisfaction of mitigation requirements. Areas which have been clear-cut unintentionally as a result of fire shall not subject the owner of the property to fines associated with the violation of this chapter.

Regulations:

1. Applicant shall demonstrate that clear-cutting will improve the level of environmental protection on the subject property.
2. Areas of the subject property which are clear-cut beyond the limitations established above shall be replanted per the requirements of Section 550.07.01. (Referenced section requires

the replanting of trees in other portions of the subject property, thereby freeing the currently wooded area for development while ensuring that the amount of required wooded area on the subject property remains constant.)

3. Clear-cutting shall not be permitted within a required bufferyard or within an area designated as permanently protected greenspace.

Section 550.02.24: Steep Slopes Overlay Zoning District

(1) 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 as described in Section 550.02.21(5)(b).

(2) 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 waterways, 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.

(3) 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 Section 550.02.21(5)(b). This analysis shall depict the location of all steep slope areas on the subject property as related to the provisions of Subsection (1) above.

(4) Mandatory steep slope protection requirements. Steep slopes shall remain in an undisturbed state except for the land uses permitted in Section 550.03.05 (Table of Land Uses).

Section 550.02.25: Floodplain Overlay Zoning District

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

Section 550.02.26: Shoreland-Wetland Overlay Zoning District

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

Section 550.02.27: Historic Preservation Overlay Zoning District

(1) Purpose and Intent. 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. See Chapter 325, Historic Preservation.

Section 550.02.28: Airport Overlay Zoning District

(1) Purpose and Intent. 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. See Chapter 211, Airport.

Section 550.02.29 Planned Development Overlay Zoning District

(1) Purpose. The purpose of this district is to provide for the possible relaxation of certain development standards pertaining to the base standards of any zoning district. In exchange for such flexibility, it is anticipated that development within a Planned Development District will reflect the City's planning policies as set forth in the City's Comprehensive Plan and offer one or more of the following advantages:

(a) Positively contribute to the appearance and function of land uses and site design in the area.

(b) Promote a greater level of architectural quality while ensuring compatibility with other structures in the area.

(c) Conserve and protect environmentally sensitive areas, areas of natural beauty, and natural green spaces.

(d) Preserve the cultural and historic character and significance of existing structures or areas.

(e) Provide substantial buffers and transitions between different land uses and densities.

(f) Provide safe transportation options for all modes and improve pedestrian and bicycle circulation.

(g) Reduce conflict with or cause overload on facilities such as schools, highways, police, fire, or utility services.

(h) Insure proper maintenance and preservation of any common areas for recreation and esthetic enhancement.

(2) Intent. Planned developments are intended to encourage, promote, and provide improved environmental design by allowing for greater freedom, imagination, and flexibility in the development of land, while ensuring substantial compliance with the basic intent of this Chapter and the City of Watertown Comprehensive Plan. To this end, planned developments allow diversification and variation in the relationship of uses, structures, open spaces, and heights of structures in developments conceived and implemented as comprehensive and cohesive unified projects. The Planned Development District shall allow development to be designed, reviewed, approved, constructed, and managed as approved by the Common Council rather than required by the underlying zoning district.

(a) The City may permit flexibility in the types of uses, area and yard requirements, off-street parking, and/or other regulations set forth in this Chapter by use of exceptions/base standard modifications subject to the demonstration of their appropriateness for the area under consideration.

(b) It is not intended that the City will automatically grant exceptions/base standard modifications in a Planned Development District, and it is expected the City will grant only such exceptions when they are consistent and comparable with benefits to the community that result from the Planned Development.

(c) The City may require, as conditions of approval, any reasonable stipulation, limitation, or design factor which will promote suitable development in the Planned Development District.

(d) The City may permit flexibility in the types of uses, area and yard requirements, off-street parking, and/or other regulations set forth in this Chapter by use of exceptions/base standard

modifications subject to the demonstration of their appropriateness for the area under consideration.

(3) Applicability. Areas that may be deemed appropriate for a Planned Development include, but are not limited to:

(a) Transitional areas that involve locations with a mix of different land uses where new development is proposed in an area of preexisting uses and buildings.

(b) Infill areas located in a developed area that involve parcels that may have been bypassed during the normal course of urbanization or that have been cleared.

(c) Redevelopment areas where first or subsequent uses and/or structures are to be replaced by new uses and/or structures.

(d) Special areas that include locations that are considered community gateways or entryway corridors and those areas identified as special planning areas in the City's Comprehensive Plan

(e) Development areas where base zoning standards may not be appropriate and/or needed, and where the developer and community will benefit from a greater level of flexibility in land use and bulk controls.

(4) Planned 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 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 developments are required to meet certain procedural requirements applicable only to planned developments, in addition to the general requirements of this chapter. A public hearing process is required to review a request for a planned development.

(5) Provision of flexible development standards for planned developments.

(a) Permitted location. Planned Developments shall be permitted with the approval of Planned Development zoning map amendment, specific to the approved Planned Development, within all zoning districts.

(b) Flexible development standards. The following exemptions to the development standards of the underlying zoning district may be provided with the approval of a planned development:

1. Land use requirements. All land uses listed in Article III Land Uses may be permitted within a Planned Development except that 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.

2. Density, intensity, and bulk requirements. All requirements listed in Article IV Bulk Regulations may be waived within a planned development.

3. Landscaping requirements. All requirements listed in Article VIII Landscaping Requirements may be waived within a planned development.

4. Performance standards. All requirements listed in Article VI Performance Standards may be waived within a Planned Development.

5. Exterior building design standards. All requirements listed in Article VII Exterior Building Design Standards may be waived within a Planned Development.

6. Parking and loading requirements. All requirements for off-street parking, traffic circulation, and off-street loading may be waived within a planned development.

7. Signage requirements. All requirements listed in Article IX Signs may be waived within a Planned Development.

8. Waterway Overlay District requirements. All Waterway Overlay District requirements listed in Article II may be waived within a planned development.

(6) 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 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.

(7) Existing Planned Developments. The following applies to any Planned Development, or portion thereof, that was adopted prior to the effective date of this Chapter.

(a) Any existing Planned Development which has received both General Development Plan approval and Precise Implementation Plan approval, shall hereby reference the following most equivalent base zoning district, as determined by the Zoning Administrator:

Figure 550.02.29a Zoning District Translation Table

Pre-2027 Zoning Districts	Most Equivalent Base Zoning District
SR-4 Single Family Residential	SF-1, SF-2, SF-3
TR-6 Two-Family Residential	MR-1
MR-8 Multi-Family Residential	MR-2
MR-10 Multi-Family Residential	MR-3
NO Neighborhood Office	NMU
NB Neighborhood Business	NMU
PO Planned Office and Institutional	INST
PB Planned Business	CMU
GB General Business	CMU
CB Central Business	DMU, DRR
PI Planned Industrial	LI
GI General Industrial	LI
HI Heavy Industrial	HI
RH Rural Holding	AG
A-1 Agricultural	AG

(8) Procedures. Procedures governing Planned Development zoning are set forth in Section 550.10.45.

Sections 550.02.30 to 550.02.99: Reserved

ARTICLE III: LAND USE REGULATIONS

Section 550.03.01: Purpose

The purpose of this Article is to indicate which land uses may locate in each zoning district and under what requirements; and which land uses may not locate therein. Certain land uses may locate in a given district as a matter of right upon compliance with special regulations for such land use. A further distinction is made for land uses which may locate in a given district only upon obtaining a conditional use or temporary use permit.

Section 550.03.02: Regulation of Allowable Land Uses

The allowable land uses for each zoning district are established in Article II of this Chapter and in Section 550.03.05. Detailed descriptions and regulations for uses are found in Sections 550.03.06 through 550.03.30. No land use is permitted or permissible on a property unless it can be located on it or implemented in full compliance with all of the applicable standards and regulations of this Chapter or unless an appropriate variance has been granted pursuant to Section 550.10.51. For land uses not specifically listed, the Zoning Administrator shall make an interpretation to identify a comparable use or determine if an amendment to this Chapter is necessary.

(1) Principal Land Uses Permitted by Right. Principal land uses listed as permitted by right (designated by the letter "P" in Section 550.03.05) are permitted per the general land use requirements of this Article; per the density, intensity, and bulk regulations of the specific zoning district in which they are located; per any additional requirements imposed by applicable overlay districts; per all other applicable requirements of this Chapter; and per any and all other applicable village, county, state, and federal regulations.

(2) Principal Land Uses Permitted as Conditional Uses. Principal land uses allowed only with a conditional use permit (designated by the letter "C" in Section 550.03.05) may be permitted subject to all the requirements applicable to uses permitted by right as listed in Subsection (1), above, plus any additional requirements applicable to that particular land use imposed as part of the conditional use permit process established in Section 550.10.32. Except for uses approved under a general development plan and specific implementation plan in a planned development (see Section 550.10.45), all uses requiring a conditional use permit shall comply with the procedural requirements of Section 550.10.32.

(3) Accessory Land Uses. Accessory land uses are allowed subject to all the requirements and exceptions applicable to principal land uses permitted by right as listed in Subsection (1), above. Accessory land uses allowed only with a conditional use permit are subject to all the requirements and exceptions applicable to principal land uses requiring a conditional use permit as listed in Subsection (2), above. Accessory land uses shall also comply with the following listed regulations.

   (a) No accessory structure or use shall be constructed on any lot prior to the establishment of an allowable principal use or structure, unless otherwise stated in this Chapter.

(4) Temporary Land Uses. Temporary land uses permitted by right (designated by the letter "P" in the Table of Land Uses in Section 550.03.05) are permitted on a temporary basis subject to permitting requirements of Section 550.10.30 of this Chapter. Temporary land uses permitted only with a conditional use permit (designated by the letter "C" in the Table of Land Uses) may be permitted subject to temporary use and conditional use permitting requirements of Sections 550.10.32.

Section 550.03.03: Regulations Applicable to All Land Uses

All uses of land initiated within the jurisdiction of this Chapter on, or following, the effective date of this Chapter shall comply with all of the provisions of this Chapter.

(1) All land use and development of land shall comply with the regulations and requirements of the following Articles, as applicable. Such regulations directly relate to the protection of the health, safety, and general welfare of the residents of the City of Watertown.

(a) Overlay Zoning District Requirements in Article II.

(b) Land Use Regulations and Requirements in Article III.

(c) Density, Intensity, and Bulk Regulations and Requirements in Article IV.

(d) Performance Standards in Article V.

(e) Exterior Building Design Standards in Article VI.

(f) Landscape and Bufferyard Regulations in Article VII.

(g) Signage Regulations in Article VIII.

(h) Any other applicable requirements in the City of Watertown Municipal Code.

(2) Number of Principal Buildings per Lot.

(a) Multiple principal buildings shall be permitted on the same lot within the following zoning districts if all land use (Article III) and bulk dimensional (Article IV) requirements are met:

1. Mixed Residential – 1 (MR-1)
2. Mixed Residential – 2 (MR-2)
3. Mixed Residential – 3 (MR-3)
4. Neighborhood Mixed Use – 1 (NMU)
5. Light Industrial (LI)
6. Heavy Industrial (HI)

(b) In all other zoning districts, a maximum of one principal building shall be permitted on any one lot, with the exception of the following:

1. Group Developments
2. Planned Developments
3. Mobile Home Parks
4. Temporary Buildings

(3) Residential Uses in a Building. Unless a legal dwelling unit is established within a structure in compliance with the Building Code (Chapter 253), no building shall contain a residential land use.

(4) Number of Land Uses per Building. Any number of land uses that are permitted by right can be combined within a building or on a given lot, per the limitations of those individual uses. Any number of land uses that require a conditional use permit can be combined within a building or on a given lot, per the limitations of those individual uses and with each approved through the conditional use process (Section 550.10.32).

(5) Accessory Structures. Accessory structures may be allowed where they comply with the following conditions and requirements:

(a) Separation from Principal Structures. Detached accessory buildings shall be separated as regulated by the Uniform Dwelling Code. The "separation" distance between a dwelling unit and accessory structure is determined by measuring the perpendicular distance from wall to wall of the structures. Minor attachments such as handrails, latticework, trellises, or pergolas may be

located in the required separation area and do not render the structures attached for setback purposes. All accessory buildings and structures on a lot are subject to the maximum impervious surface ratio requirements for each zoning district (Article IV).

(b) Accessory Structures without Principal Structure.

1. No accessory structure shall be erected or constructed prior to the erection or construction of the principal structure or the establishment of a principal land use.

2. When an accessory structure becomes the only structure on a lot as the result of demolition of the principal building, the accessory structure shall be demolished within 18 months of the demolition of the principal building. The Zoning Administrator shall have the ability to extend this period by an additional 18 months if the property owner has a concept plan, as approved by the Zoning Administrator, to build a new principal building or otherwise redevelop the site in a manner that uses the accessory structure.

   a. All driveways, paved areas, and below grade improvements on the lot shall also be removed. All public utilities shall be abandoned at their connection with the main unless written exception is obtained from the Public Works Director/City Engineer.

(6) Group Development Requirements. A Group Development may include any of the land uses in this Chapter that is permitted by right or by conditional use permit in the subject zoning district. All uses and development of land within a Group Development shall comply with all requirements of Section 550.06.02.

(7) Planned Development Requirements. All land uses and development of land within a planned development shall comply with all requirements of Section 550.02.29 and 550.10.45.

(8) Nonconforming Uses, Lots, Structures, and Site Requirements.

(a) Land uses not in conformance with the requirements of the applicable zoning district shall be subject to the special limitations and exceptions as established in Article V.

(b) Land uses located on substandard lots or on nonconforming lots, nonconforming sites, or in nonconforming structures shall comply with all the regulations and requirements of Article V.

(9) Site Plan Review Required. All development involving physical modifications to a site including but not limited to new developments, building additions, alterations, or removal, and additions to paving, are subject to site plan review and approval in accordance with Section 550.10.43 of this Chapter, except for single family and two-family dwelling units in any zoning district.

(10) Procedural Regulations and Requirements. All land use and development of land shall comply with all requirements of Article X, pertaining to the procedures necessary to secure review and approval of land use and development. Such regulations and restrictions address both procedural and technical requirements.

(11) Demolition of a Principal Structure. Where a principal structure has been removed, all driveways, paved areas, and below grade improvements on the lot shall be removed. All public utilities shall be abandoned at their connection with the main unless written exception is obtained from the Public Works Director/City Engineer. All demolition activities shall be in accordance with the City of Watertown Municipal Code and all State and Federal regulations. Asbestos abatement and removal of any other hazardous materials, when required, must be documented before any demolition activity takes place. Applicant shall provide building inspector proof of liability insurance. Proof of proper abandonment of all utilities and proof of notification of police and public works as required. Applicant shall notify diggers hotline (dial 811) prior to commencing any scraping, excavating, or boring.

Section 550.03.04: Detailed Land Use Descriptions and Regulations

The land use categories employed by this Chapter are defined in Sections 550.03.06 through 550.03.30. Land use categories which are not listed in this Chapter are not necessarily excluded from locating within any given zoning district. Section 550.10.50 empowers the Zoning Administrator to make interpretations on matters regarding specific land use proposals which are not addressed by this Chapter.

Section 550.03.05: Table of Land Uses

The Table of Land Uses establishes the permitted land uses within each of the City of Watertown's Zoning Districts as established in Article II.

Land Uses Permitted: Refer to the detailed definitions and requirements listed for each land use on the following pages. P: By Right C: By Conditional Use Permit P/C: Refer to requirements for that land use to determine if a Conditional Use Permit is required	SF-1 *Single Family Residential -1*	SF-2 *Single Family Residential -2*	SF-3 *Single Family Residential-3*	MR-1 *Mixed Residential-1*	MR-2 *Mixed Residential-2*	MR-3 *Mixed Residential-3*	CC *Cottage Court*	MH-1 *Mobile Home Residential-1*	DMU *Downtown & Riverfront Mixed Use*	DRR *Downtown & Riverfront Residential*	CMU *Corridor Mixed Use*	NMU *Neighborhood Mixed Use*	INST *Institutional*	LI *Light Industrial*	HI *Heavy Industrial*	AG *Agricultural Holding*	PR *Parks and Recreation*	IOA *Intensive Outdoor Activity*
Residential Land Uses (Section 550.03.06)																		
Apartments/Multiplexes 12 units or less					P	P				P			P					
Apartment/Multiplexes (no unit maximum)						P				P			P					
Boarding House Living Arrangement					C	C			C	C	C	C	C					
Mobile Home						P												
Mobile Home Park						P												
Single Family Dwelling Unit (1 unit)	P	P	P	P	P	P	P					P				P		
Townhouse 12 units or less					P	P	P			P		P	P					
Townhouse (no unit maximum)						P				P			P					
Twin House/ Duplex/ Two-Flat (two units)				P	P	P	P					P						
Mixed-Use Land Uses (Section 550.03.08)																		
Live/Work Unit					P	P			P	P	P	P	P					
Mixed Use Building									P	P	P	P	P					
Commercial Land Uses (Section 550.03.10)																		
Adult-Oriented Entertainment																		C
Artisan Production Shop									P	P	P	P	P					

Land Uses Permitted: Refer to the detailed definitions and requirements listed for each land use on the following pages. P: By Right C: By Conditional Use Permit P/C: Refer to requirements for that land use to determine if a Conditional Use Permit is required	SF-1 *Single Family Residential -1*	SF-2 *Single Family Residential -2*	SF-3 *Single Family Residential-3*	MR-1 *Mixed Residential-1*	MR-2 *Mixed Residential-2*	MR-3 *Mixed Residential-3*	CC *Cottage Court*	MH-1 *Mobile Home Residential-1*	DMU *Downtown & Riverfront Mixed Use*	DRR *Downtown & Riverfront Residential*	CMU *Corridor Mixed Use*	NMU *Neighborhood Mixed Use*	INST *Institutional*	LI *Light Industrial*	HI *Heavy Industrial*	AG *Agricultural Holding*	PR *Parks and Recreation*	IOA *Intensive Outdoor Activity*
Bed and Breakfast	C	C	C	C	C	C					P	P	P			P		
Campground																P	P	P
Commercial Animal Boarding											P			P	P	P		
Commercial Animal Daycare											P			P	P	P		
Commercial Indoor Lodging									P	P	P	P	P					
Commercial Kitchen									P	P	P	P	P	P	P			
Convenient Cash Business									P		P							
Drive-Through & In-Vehicle Sales or Service											P							
Golf Course											P					P	P	
Group Daycare Center (9+ children)									P	P	P	P	P	P				
Indoor Commercial Entertainment									P	P	P	P	P	P				P
Indoor Maintenance Service									P	P	P	P	P	P	P			P
Indoor Sales or Services									P	P	P	P	P	P	P			P
Indoor Shooting Range														P	P			P
Intensive Outdoor Activity															C			C
Office									P	P	P	P	P	P	P			P
Outdoor Commercial Entertainment									P	P	P	P	P	P	P	P		P
Outdoor Maintenance Service															P	P		P
Outdoor Sales and Display									P	P	P	P	P	P	P			P
Personal or Professional Service									P	P	P	P	P	P	P			P

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Vehicle and Boat Sales											P			P	P			P
Vehicle Service and Repair											P			P	P			P
Water Related Recreation									P	P	P							P
Institutional Land Uses (Section 550.03.12)																		
Active Outdoor Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Community Living Arrangement 1-8	P	P	P	P	P	P	P	P	P	P		P	P			P		
Community Living Arrangement 9-15	C	C	C	P	P	P	P	P	C	P	P	P	P					
Community Living Arrangement 16+				C	C	C				C	C	C	C					
Small Scale Public Services and Utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Indoor Institutional									P	P	P	P	P	P			P	
Institutional Residential									C				P					
Large Scale Public Services and Utilities													C	P	P			P
Outdoor Open Space Institutional	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Passive Outdoor Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Industrial Land Uses (Section 550.03.14)																		
Data Center															C			C
Heavy Industrial															P			P
Indoor Food Production and Processing														P	P			P

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Light Industrial														P	P			P
Production Greenhouse														P	P			P
Storage Land Uses (Section 550.03.16)																		
Indoor Storage and Wholesaling														P	P			P
Outdoor Storage and Wholesaling														P	P			P
Personal Storage Facility														P	P			P
Transportation Land Uses (Section 550.03.18)																		
Airport														P	P			P
Distribution Center														P	P			P
Freight Terminal															P			P
Heliport													P	P	P			P
Off-Site Parking Lot					P	P			P	P	P	P	P	P	P		P	P
Off-Site Structured Parking					P	P			P	P	P	P	P	P	P			P
Transit Center									P	P	P	P	P	P	P			P
Telecommunications Land Uses (Section 550.03.20)																		
Communication Tower	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Extraction and Disposal Land Uses (Section 550.03.22)																		
Composting														P	P	P		P
Extraction																		P
Indoor Recycling Facility														P	P			P
Salvage or Junkyard																		P

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Sand and Mineral Processing															P			P
Waste Disposal/Landfill																		P
Energy Production Land Uses (Section 550.03.24)																		
Large Solar Energy System															P	P		P
Large Wind Energy System															P	P		P
Agricultural Land Uses (Section 550.03.12)																		
Agricultural Services																C		
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Cultivation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Husbandry																P		
On-Site Agricultural Retail																P		
Accessory Land Uses (Section 550.03.28)																		
Accessory Dwelling Unit	P	P	P	P	P	P	P					P				P		
Communication Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Company Cafeteria									P	P	P	P	P	P	P			P
Detached Residential Accessory Building	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electric Vehicle Charging	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Farm Residence																P		
Home Occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Incidental Indoor Sales									P	P	P	P	P	P	P			

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Incidental Light Industrial									P	P	P	P	P	P	P	P		P
Incidental Outdoor Commercial Entertainment									P	P	P	P		P	P			P
Incidental Outdoor Display and Sales									P	P	P	P	P	P	P			
Incidental Outdoor Storage											P			P	P	P		P
In-Family Suite	P	P	P	P	P	P	P	P	P	P	P	P	P			P		
In-Home Daycare (Less than 13)	P	P	P	P	P	P	P	P	P	P	P	P	P			P		
Migrant Employee Housing															P	P		
Non-residential Accessory Structure									P	P	P	P	P	P	P	P	P	P
On-Site Parking Lot	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
On-Site Structured Parking					P	P			P	P	P	P	P	P	P			P
Other Minor Accessory Structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Personal Antenna and Towers	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Accessory Beekeeping	P	P	P	P	P	P	P	P				P	P	P	P	P	P	P
Residential Chickens	P	P	P	P	P	P		P				P	P			P		
Residential Kennel	P	P	P	P				P								P		
Residential Stable																P		
Satellite Dish	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Short-Term Residential Rental	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Small Solar Energy System	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Small Wind Energy System	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

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Temporary Land Uses (Section 550.03.12)																		
Farmer's Market									P	P	P	P	P				P	
Garage or Estate Sale	P	P	P	P	P	P	P	P	P	P	P	P	P			P		
Temporary Farm Product Sales/Roadside Stand									P	P	P	P	P	P		P		
Temporary Moving Container (Residential)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary On-Site Construction Storage, Project Office, and Real Estate Sales Office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary Outdoor Assembly	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary Outdoor Sales									P	P	P	P	P	P	P	P		
Temporary Outdoor Storage Container (non-res.)									P	P	P	P	P	P	P	P	P	P
Temporary Refuse Container	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary Relocatable Building									P	P	P	P	P	P	P	P	P	P
Temporary Shelter Structure																		
Temporary Vehicle Sales	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Section 550.03.06: Residential Land Uses

(1) **Apartment/Multiplex**: This dwelling unit type consists of a single structure with three or more individual attached dwelling units.

Regulations:

(a) In the case where any dwelling unit is under separate ownership, evidence that covenants specifying respective obligations with regard to any common structures, such as the shared wall, roof, and other inseparable improvements, is required. When attached dwelling units are created, matters of mutual concern to the adjacent property owners, due to construction, catastrophe, use, and maintenance, shall be dealt with by private covenants and deed restrictions and the approving authorities shall not be held responsible for the same.

(b) See Section 550.07.20 for multi-family design standards.

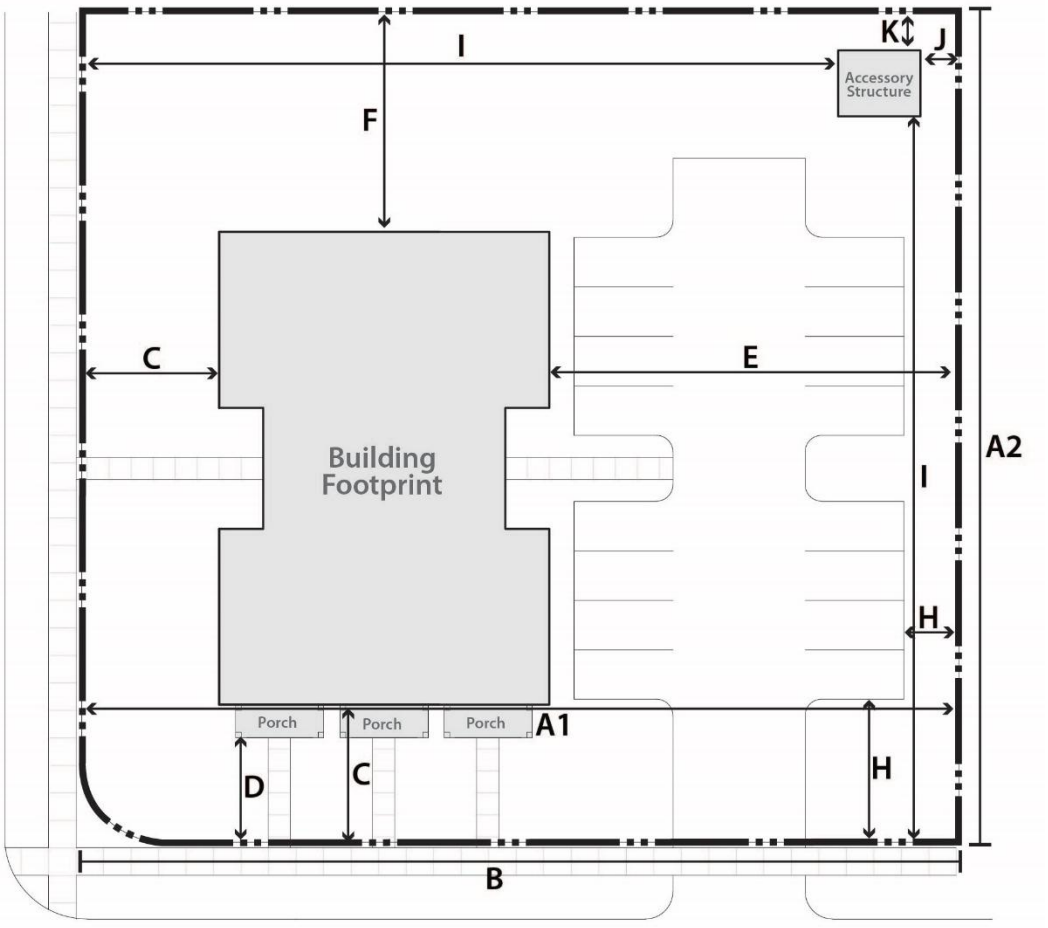
(c) All development shall comply with the requirements of the Municipal Code.

(d) Minimum and maximum required parking: See Section 550.06.06.

(e) The following figure is intended to provide a graphic depiction of the setback and dimensional requirements for Apartment/Multiplex land uses. Specific requirements can be found in Sections 550.04.11 to 550.04.14 under the density, intensity, and bulk requirements for each residential zoning district.

Figure 550.03.06a: Apartment/Multiplex

Key to Figure	
A	Minimum Lot Area (A1 x A2)
A1	Minimum Lot Width (at front setback line)
B	Minimum Lot Frontage at Right-of-Way
C	Minimum Front Street and Street Side Corner Setback (lot line to principal building or attached garage)
D	Minimum Porch Setback from Front Property Line
E	Minimum Side Yard Setback – Interior
F	Minimum Rear Yard and Attached Deck Setback (lot line to principal building or attached garage)
G	Minimum Front-Loaded Garage Setback (garage door to front plane of the principal structure)
H	Minimum Pavement Setback (lot line to pavement excluding driveway entrance)
I	Minimum Accessory Building Front Yard or Street Side Corner Setback
J	Minimum Accessory Building Side Yard Setback - Interior
K	Minimum Accessory Rear Yard Setback



(2) **Boarding House Living Arrangement:** A residential land use where occupancy of a dwelling unit is shared by six or more unrelated individuals. Boarding House Living Arrangements area social configuration of occupants and must accompany one or more of the other Residential Land Use (Section 550.03.06) physical configurations.

(a) Facility shall be surrounded by a Class C bufferyard along all property borders abutting residentially zoned property.

(b) Minimum and maximum required parking: See Section 550.06.06.

(3) **Duplex/Twin House**: This dwelling unit type consists of two separate Single Family Dwelling Units, each having a private individual exterior entrance or private interior entrance from a shared foyer, and no shared internal access other than entry foyers and halls. Duplexes and Twin Houses are attached side-by-side units, each with a ground floor and roof. Two dwelling units in a Duplex are located on one lot, while two dwelling units in a Twin House are located on separate lots (also known as a zero-lot line duplex).

Regulations:

(a) In the case where any dwelling unit is under separate ownership, recorded deed restrictions or covenants specifying respective obligations with regard to any common structures, such as the shared wall, roof, and other inseparable improvements, is required. When attached dwelling units are created, matters of mutual concern to the adjacent property owners, due to construction, catastrophe, use, and maintenance, shall be dealt with by private covenants and deed restrictions and the approving authorities shall not be held responsible for the same.

(b) Duplex/Twin House Lots are subject to a perpetual easement along and 6 feet on either side of the existing water and sewer laterals for the purpose of maintaining, improving and repairing the same.

(c) Each Duplex or Twin House constructed following the adoption of this ordinance must provide a separate public water lateral, sanitary sewer lateral, and electric utility service to each of the two dwelling units in the structure.

(d) See Section 550.07.10 for design standards for two family uses.

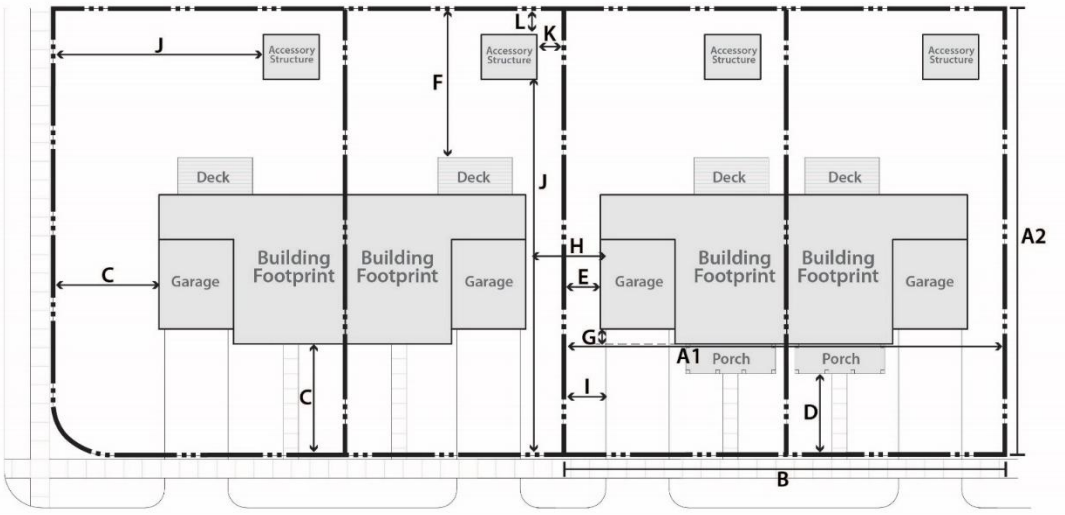
(e) Minimum and maximum required parking: See Section 550.06.06.

(f) The following figure is intended to provide a graphic depiction of the setback and dimensional requirements for Duplex or Twin Houses land uses. Specific requirements for Duplexes or Twin Houses can be found in Sections 550.04.11 to 550.04.14 under the density, intensity, and bulk requirements for each residential zoning district.

Figure 550.03.06b: Duplex/Twin Home

Key to Figure	
A	Minimum Lot Area (A1 x A2)
A1	Minimum Lot Width (at front setback line)
B	Minimum Lot Frontage at Right-of-Way
C	Minimum Front Street and Street Side Corner Setback (lot line to principal building or attached garage)
D	Minimum Porch Setback from Front Property Line
E	Minimum Side Yard Setback – Interior
F	Minimum Rear Yard Setback and Attached Deck Setback (lot line to principal building or attached garage)

G	Minimum Front-Loaded Garage Setback (garage door to front plane of the principal structure)
H	Minimum Building Separation
I	Minimum Pavement Setback (lot line to pavement excluding driveway entrance)
J	Minimum Accessory Building Front Yard or Street Side Corner Setback
K	Minimum Accessory Building Side Yard Setback – Interior
L	Minimum Accessory Building Rear Yard Setback



(4) **Manufactured home:** A one- or two-family home certified and labeled as a manufactured home under 42 USC 5401-5426 which when placed on the site is set on an enclosed foundation in accordance with §70.043(1) Wis. Stats. and subchapters III, IV, and V of chapter COMM 21, Wis. Adm. Code, or a comparable foundation as approved by the local Building Inspector, is installed according to manufacturer's instructions, is properly connected to utilities, has asphalt shingles and a gable or hip roof, has insulated glass windows, has vinyl, aluminum or other quality siding, and is a minimum of 22 feet wide.

(5) **Mobile Home**: A type of single-family dwelling unit suitable for year-round occupancy designed to be towed as a single unit or in sections, with or without a permanent foundation, with walls of rigid, un-collapsible construction, and with water supply, sewage disposal, and electrical convenience. A Mobile Home includes both a "mobile home" and a "manufactured home" as defined by Wisconsin Statutes. A Mobile Home does not include a "modular home" as defined by this Chapter. Any similar dwelling unit which has its own motor and/or remains on wheels shall be considered a recreational vehicle. A modular home is regulated as a Single-Family Dwelling Unit under Section 550.03.06(10).

Regulations:

(a) No Mobile Home may be split into two or more residences.

(b) Within 30 days of occupancy, the owner shall remove the axle and install skirting.

(c) The building design standards of Section 550.07.10 shall not apply.

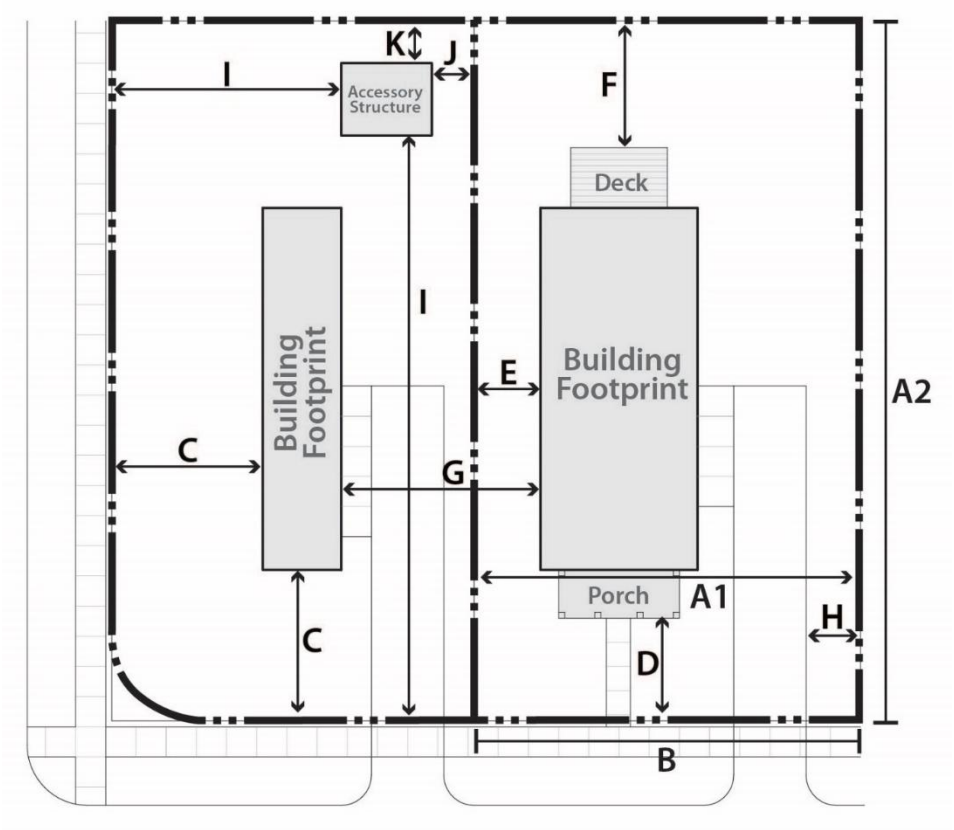
(d) Minimum and maximum required parking: See Section 550.06.06.

(e) The following figure is intended to provide a graphic depiction of the setback and dimensional requirements for Mobile Home land uses. Specific requirements for Mobile Homes can be found

in Sections 550.04.11 to 550.04.14 under the density, intensity, and bulk requirements for each residential zoning district.

Figure 550.03.06d: Mobile Home

Key to Figure	
A	Minimum Lot Area (A1 x A2)
A1	Minimum Lot Width (at front setback line)
B	Minimum Lot Frontage at Right-of-Way
C	Minimum Front Street and Street Side Corner Setback (lot line to principal building or attached garage)
D	Minimum Porch Setback from Front Property Line
E	Minimum Side Yard Setback – Interior
F	Minimum Rear Yard Setback and Attached Deck Setback (lot line to principal building or attached garage)
G	Minimum Building Separation
H	Minimum Pavement Setback (lot line to pavement excluding driveway entrance)
I	Minimum Accessory Building Front Yard or Street Side Corner Setback
J	Minimum Accessory Building Side Yard Setback – Interior
K	Minimum Accessory Building Rear Yard Setback



(2) **Modular home**: A dwelling unit meeting the Uniform Dwelling Code that is transported to the building site in sections, does not have a permanent chassis, and is permanently mounted on a permanent foundation. A modular home is regulated as a single-family dwelling unit under Section 550.03.06(10).

(6) **Mobile Home Park:** This land use is a form of residential development which is exclusively reserved for individually sold or rented air right pads containing Manufactured Homes. Each Manufactured Home must meet the requirements listed under Section 550.03.06(6), above.

Regulations:

(a) Development shall be located so as to blend with adjacent residentially zoned areas to the greatest extent possible.

(b) No access shall be permitted to local residential streets, except to the internal roadways and streets.

(c) All development shall comply with the requirements of the Municipal Code.

(7) **Cottage Court**: This land use type consists of a grouping of small residential buildings that may include Single-Family Dwelling Units, Duplex/Twin Houses, or Townhouses. Cottage Courts may include each dwelling unit on an individual lot or where all dwelling units are located on a single lot.

Regulations:

(a) Cottage Courts shall contain a common open space that is centrally located within the dwelling unit configuration. The common open space shall be accessible by each dwelling unit and a minimum of 60 percent of all dwelling units shall have the front door and front porch directly facing and accessible from the common open space. The common open space shall not be used as a stormwater management facility. See Section 550.06.41 for on-site recreation space requirements.

(b) Cottage Court accessory structure requirements:

1. Attached or detached garage doors shall not open toward public streets or the common open space.
2. All units shall have a minimum 6-foot deep porch located on the front façade of each individual dwelling unit.
3. When Cottage Courts include individual lots for each dwelling unit, all other accessory structures are prohibited on any lot that contains a dwelling unit. Any common area lots may include any other accessory structure permitted within the zoning district and does not require a principal structure to be located on said lot.
4. When Cottage Courts include a common form of ownership on a single lot, accessory structures shall meet all requirements of the zoning district.
5. A detached residential accessory building within common areas that serves and is open to all residents within the Cottage Court may exceed the size and amount maximums within 550.03.28(4), if approved by the Plan Commission during the Site Plan review process. The approval shall be based on the structure's location, setback, use, and architectural design reflecting the scale, characteristics, and context of the Cottage Court design.

(c) A Cottage Court shall meet all fire access requirements, including a minimum 20-foot-wide all-weather paved surface to access all individual dwelling units.

(d) In the case where any dwelling unit is under separate ownership, evidence that covenants specifying respective obligations with regard to any common structures, such as the shared wall, roof, and other inseparable improvements, is required. When attached dwelling units are created,

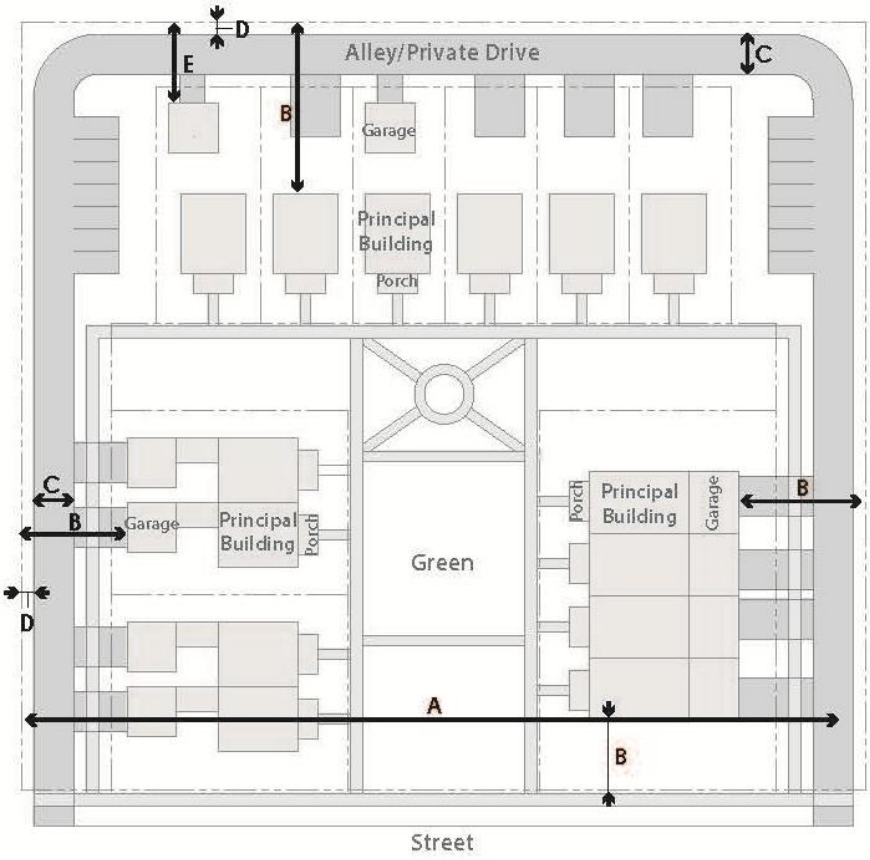
matters of mutual concern to the adjacent property owners, due to construction, catastrophe, use, and maintenance, shall be dealt with by private covenants and deed restrictions and the approving authorities shall not be held responsible for the same.

(e) Minimum and maximum required parking: See Section 550.06.06. Off-street parking stalls may be located in attached or detached garages, driveways, or in common parking areas or shared access garages.

(f) The following figure is intended to provide a graphic depiction of the setback and dimensional requirements for Cottage Court land uses. Specific requirements can be found in Sections 550.04.11 to 550.04.14 under the density, intensity, and bulk requirements for each residential zoning district.

Figure 550.03.06e: Cottage Court

Key to Figure	
A	Minimum Lot Frontage at Right-of-Way
B	Minimum Peripheral Setbacks (Front Yard, Street Side Corner, Porch, Side Yard, or Rear Yard)
C	Minimum Fire Access (all weather paved surface access)
D	Minimum Pavement Setback (lot line to pavement excluding driveway entrance)
E	Minimum Peripheral Accessory Building Setbacks (Front Yard, Street Side Corner, Side Yard, or Rear Yard)


D
E
B
Alley/Private Drive
C
Garage
Principal Building
Porch
C
B
Garage
Principal Building
Porch
Green
Porch
Principal Building
Garage
B
D
A
B
Street

(8) **Single Family Dwelling Unit**: This dwelling unit type consists of a fully detached single family residence which is located on an individual lot. Single family dwelling units are designed for one family and have no roof, wall, or floor in common with any other dwelling unit. A single-family dwelling that contains an in-family suite or accessory dwelling unit is still considered a single-family dwelling.

Regulations:

(a) The dwelling unit shall be a site-built structure built in compliance with the State of Wisconsin Uniform Dwelling Code (UDC), or may be a modular home as permitted by the UDC, or may be a manufactured home that has received a Federal Manufactured Housing Certificate label, meets all Building Code requirements for permanent foundations and footings, and the structure is permanently affixed to the permanent foundation with concrete anchors.

(b) Single-family detached dwellings shall have minimum core dimensions of 24 feet in width and 40 feet in length, exclusive of attached garages, porches, decks, and other accessory projections, except within the MH-1 District.

(c) The dwelling must be attached to a finished, permanent foundation, such as a poured concrete slab or basement meeting UDC requirements.

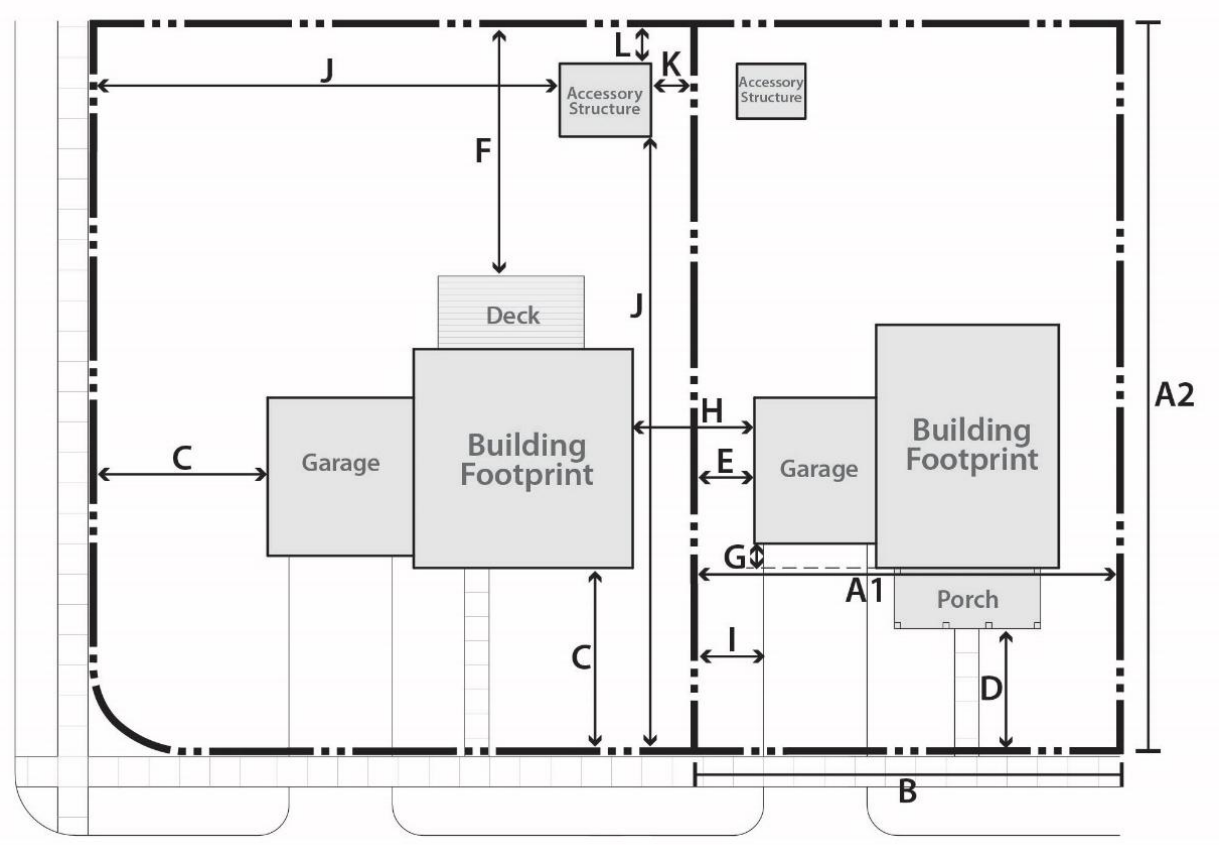
(d) See Section 550.07.10 for design standards for single family dwelling units.

(e) Minimum and maximum required parking: See Section 550.06.06.

(f) The following figure is intended to provide a graphic depiction of the setback and dimensional requirements for Single Family dwelling units. Specific requirements for Single Family dwelling units can be found in Article IV under the density, intensity, and bulk requirements for each residential zoning district.

Figure 550.03.06f: Single Family Dwelling Unit

Key to Figure	
A	Minimum Lot Area (A1 x A2)
A1	Minimum Lot Width (at front setback line)
B	Minimum Lot Frontage at Right-of-Way
C	Minimum Front Street and Street Side Corner Setback (lot line to principal building or attached garage)
D	Minimum Porch Setback from Front Property Line
E	Minimum Side Yard Setback – Interior
F	Minimum Rear Yard Setback and Attached Deck Setback (lot line to principal building or attached garage)
G	Minimum Front-Loaded Garage Setback (garage door to front plane of the principal structure)
H	Minimum Building Separation
I	Minimum Pavement Setback (lot line to pavement excluding driveway entrance)
J	Minimum Accessory Building Front Yard or Street Side Corner Setback
K	Minimum Accessory Building Side Yard Setback – Interior
L	Minimum Accessory Building Rear Yard Setback



(9) **Townhouse**: This dwelling unit type consists of attached structures, each having private, individual access. This dwelling unit type may be located on its own lot or attached on a single lot. Each dwelling unit shares at least one common wall with an adjacent dwelling unit.

Regulations:

(a) In the case where any dwelling unit is under separate ownership, recorded covenants specifying respective obligations with regard to any common structures, such as the shared wall, roof, and other inseparable improvements, are required. When attached dwelling units are created, matters of mutual concern to the adjacent property owners, due to construction, catastrophe, use, and maintenance, shall be dealt with by private covenants and deed restrictions and the approving authorities shall not be held responsible for the same.

(b) Each townhouse constructed following the adoption of this ordinance must provide a separate public water lateral, sanitary sewer lateral, and electric utility service to each of the dwelling units in the structure.

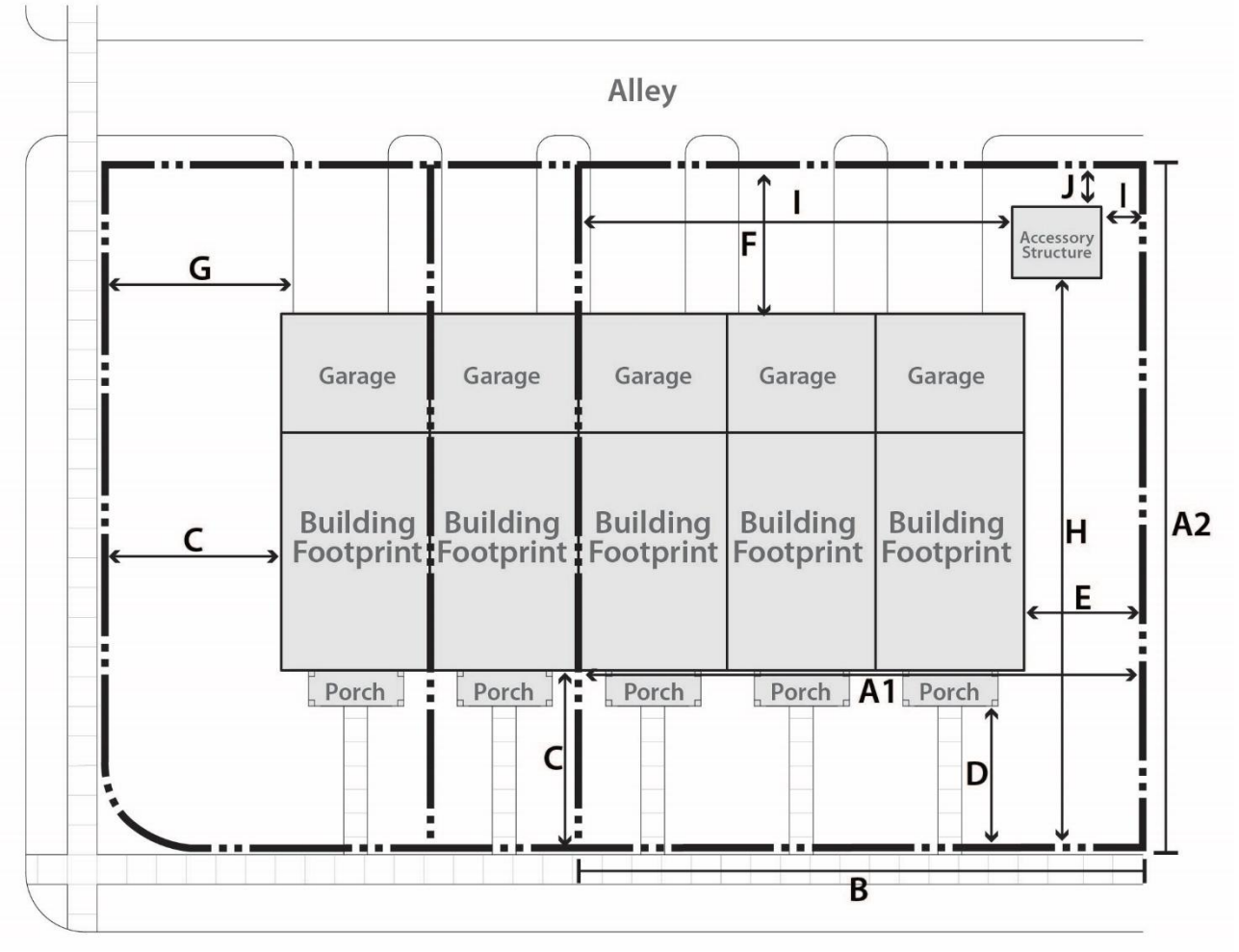
(c) See Section 550.07.20 for multi-family design standards and Section 550.06.41 for on-site recreation space requirements.

(d) Minimum and maximum required parking: See Section 550.06.06.

(e) The following figure is intended to provide a graphic depiction of the setback and dimensional requirements for Townhouse land uses. Specific requirements for Townhouses can be found in Sections 550.04.11 to 550.04.14 under the density, intensity, and bulk requirements for each residential zoning district.

Figure 550.03.06g: Townhouse

Key to Figure	
A	Minimum Lot Area (A1 x A2)
A1	Minimum Lot Width (at front setback line)
B	Minimum Lot Frontage at Right-of-Way
C	Minimum Front Street and Street Side Corner Setback (lot line to principal building or attached garage)
D	Minimum Porch Setback from Front Property Line
E	Minimum Side Yard Setback – Interior
F	Minimum Rear Yard Setback and Attached Deck Setback (lot line to principal building or attached garage)
G	Minimum Pavement Setback (lot line to pavement excluding driveway entrance)
H	Minimum Accessory Building Front Yard or Street Side Corner Setback
I	Minimum Accessory Building Side Yard Setback – Interior
J	Minimum Accessory Building Rear Yard Setback



(10) **Two-Family Dwelling**: This dwelling unit type consists of a single structure with two separate Single Family Dwelling Units, each having a private individual exterior entrance or private interior entrance from a shared foyer, and no shared internal access other than entry foyers and halls. The units are arranged either vertically (one above the other) or back-to-back, but not side-by-side. Side-by-side configurations are considered a Duplex/Twin House.

Regulations:

(a) In the case where any dwelling unit is under separate ownership, evidence that covenants specifying respective obligations with regard to any common structures, such as the shared wall, roof, and other inseparable improvements, is required. When attached dwelling units are created, matters of mutual concern to the adjacent property owners, due to construction, catastrophe, use, and maintenance, shall be dealt with by private covenants and deed restrictions and the approving authorities shall not be held responsible for the same.

(b) This dwelling unit type may not be split into more than two residences and remain a Two-Family Dwelling. A building with three or more residences is considered an Apartment/Multiplex land use.

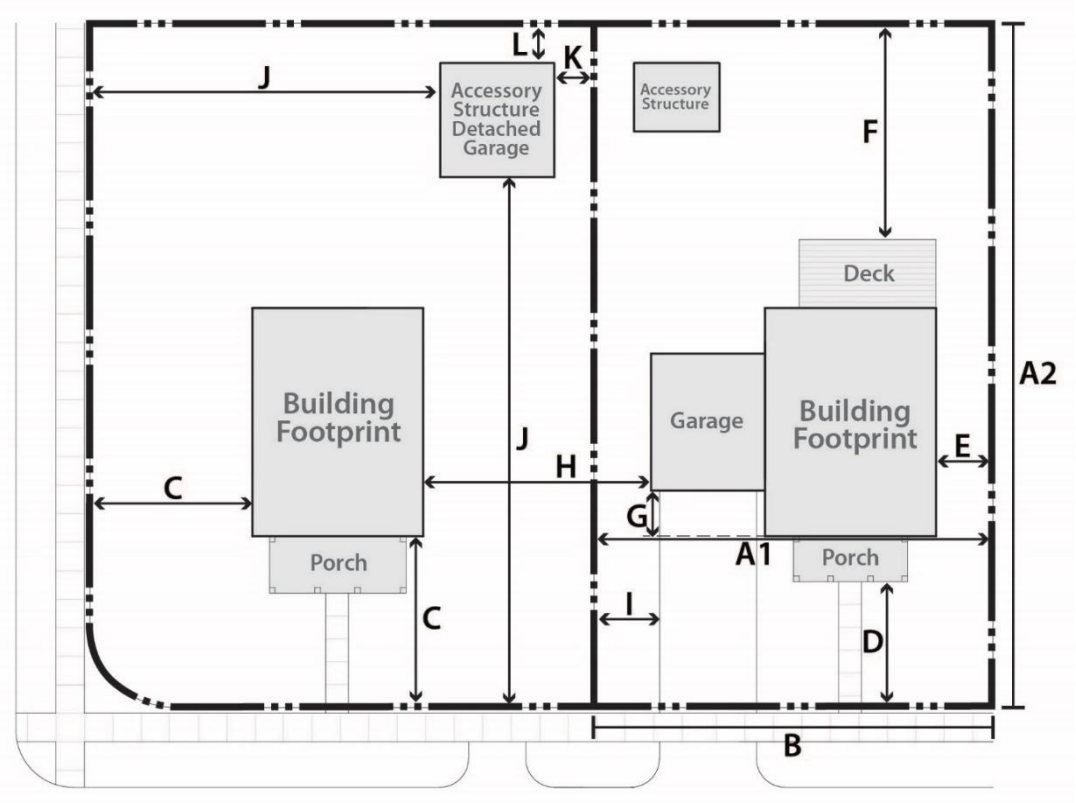
(c) See Section 550.07.10 for design standards for two family uses.

(d) Minimum and maximum required parking: See Section 550.06.06.

(e) The following figure is intended to provide a graphic depiction of the setback and dimensional requirements for Two-Family Dwelling land uses. Specific requirements for Two-Family Dwelling can be found in Sections 550.04.11 to 550.04.14 under the density, intensity, and bulk requirements for each residential zoning district.

Figure 550.03.06h: Two-Family Dwelling

Key to Figure	
A	Minimum Lot Area (A1 x A2)
A1	Minimum Lot Width (at front setback line)
B	Minimum Lot Frontage at Right-of-Way
C	Minimum Front Street and Street Side Corner Setback (lot line to principal building or attached garage)
D	Minimum Porch Setback from Front Property Line
E	Minimum Side Yard Setback – Interior
F	Minimum Rear Yard Setback and Attached Deck Setback (lot line to principal building or attached garage)
G	Minimum Front-Loaded Garage Setback (garage door to front plane of the principal structure)
H	Minimum Building Separation
I	Minimum Pavement Setback (lot line to pavement excluding driveway entrance)
J	Minimum Accessory Building Front Yard or Street Side Corner Setback
K	Minimum Accessory Building Side Yard Setback – Interior
L	Minimum Accessory Building Rear Yard Setback



Section 550.03.07: Reserved

Section 550.03.08: Mixed-Use Buildings

(1) **Live/Work Building:** A multi-unit building, typically arranged in a townhouse format, in which each dwelling unit is occupied by the business operator of a commercial use (such as a shop, office, studio, or other workspace) in the same structure. Both uses shall be occupied by the same resident/business operator. The commercial use may be connected to the residential use.

Regulations:

(a) Each unit in the live/work building shall be the primary dwelling of the occupant.

(b) The commercial use is subject to the regulations of the applicable land use category in Section 550.03.10. The commercial component of the live/work building is limited to the following land uses:

1. Office
2. Personal or Professional Service
3. Indoor Sales or Service
4. Artisan Production Shop
5. Indoor Maintenance Service (Non-residential)

(c) Employees who are not residents of the unit are permitted.

(d) Both uses are subject to the density, intensity, and bulk requirements of Article IV.

(e) Minimum and maximum required parking: See Section 550.06.06.

(f) Live/Work Buildings shall comply with the design standards for commercial and mixed-use land uses. See Section 550.07.30.

(3) **Mixed-Use Building:** A building containing a mix of principal non-residential land uses and principal residential land uses.

Regulations:

(a) Both uses are subject to the density, intensity, and bulk requirements of Article IV.

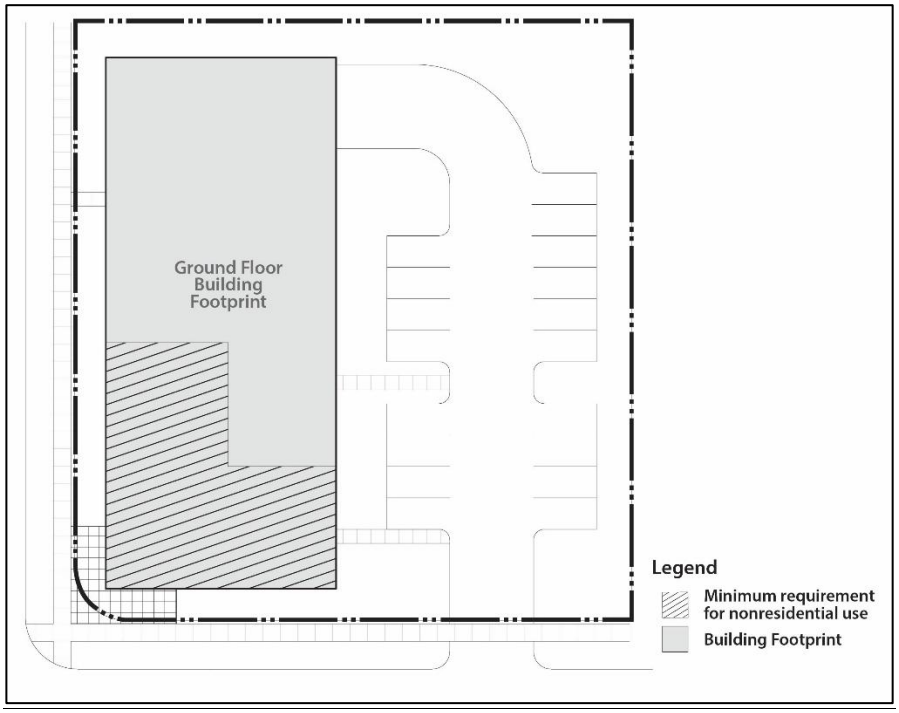
(b) Land Use Minimums.

1. In the DMU (Downtown and Riverfront Mixed-Use) District, no ground floor residential is permitted.
2. For any lot not located within the Downtown and Riverfront Mixed-Use District, the principal indoor non-residential use of any mixed-use building shall consist of a minimum of 25 percent of that principal structure's total ground level gross floor area. (See Section 550.03.10 for Commercial and Section 550.03.12 for Institutional.) The required non-residential use floor area shall be calculated based on the total ground floor area of the principal structure. If the ground floor area is 10,000 square feet or greater, the minimum requirement for non-residential use space shall be 3,000 square feet. See Figure 550.03.08a below.
    a. The lobby or entryway spaces intended for use by both residential and non-residential land uses shall count toward the minimum amount of ground floor non-residential use floor area required in the calculation above.

(c) Minimum and maximum required parking: See Section 550.06.06.

(d) Mixed-Use Buildings shall comply with the design standards for commercial and mixed-use land uses. See Section 550.07.30.

Figure 550.03.08a: Mixed-Use Building Requirements (Outside of DMU)



Section 550.03.09: Reserved

Section 550.03.10: Commercial Land Uses

(1) **Adult-Oriented Entertainment:** An adult bookstore, adult theater, adult massage parlor, adult sauna, adult entertainment center, adult cabaret, adult health or sport club, adult steam room or bathhouse facility, or any other business in which the primary business activity is characterized by emphasis on matters depicting, describing, or relating to nudity, sexual conduct, sexual excitement, or sadomasochistic abuse.

Regulations

(a) Refer to City Code Chapter 205.

(2) **Artisan Production Shop:** A building or portion thereof used by 10 or fewer artists or artisans for the creation, preparation, display and sale of unique (rather than mass-produced) individually crafted items including artwork, jewelry, custom furniture, woodwork, sculpture, glass, metal, pottery, leathercraft, hand-woven articles, and related items, as either a principal use or accessory use.

Regulations.

(a) Minimum and maximum required parking: See Section 550.06.06.

(3) **Bed and Breakfast:** Bed and Breakfasts are places of lodging that provide rooms for rent in the owner's personal residence, are occupied by the owner at the time of rental, and where the only meal served to guests is breakfast.

Regulations:

(a) Facility shall be surrounded by a Class B bufferyard walong all property borders abutting residentially zoned property.

(b) The dwelling unit in which the Bed and Breakfast takes place shall be the principal residence of the operator/owner and said operator/owner shall live on the premises when the Bed and Breakfast operation is active.

(c) The facility shall comply with the requirements of Wis. Stats. § 254.61 and Wis. Admin. Code Chap. DHS 197.

(d) Minimum and maximum required parking: See Section 550.06.06.

(4) **Campground:** Campgrounds include any facilities designed for overnight accommodation of persons in tents, travel trailers, or other mobile or portable shelters or recreational vehicles, including use of vehicles for overnight stays in parking lots and other similar locations not in campgrounds.

Regulations:

(a) Campgrounds shall be surrounded by a Class C bufferyard along all property borders abutting residentially zoned property.

(b) Shall comply with the requirements of the Health Codes of Dodge and Jefferson County and applicable state regulations.

(c) Minimum and maximum required parking: See Section 550.06.06.

(5) **Commercial Animal Boarding:** Facilities where short-term and/or long-term animal boarding is provided, including commercial kennels, commercial stables, and animal shelters. Exercise yards, fields, training areas, and trails associated with such land uses are considered accessory and do not require separate consideration.

Regulations:

(a) Outdoor animal containment areas shall be surrounded by a Class D bufferyard along all sides abutting residentially zoned property.

(b) Each animal shall be provided with an indoor containment area.

(c) All dogs must be licensed. See Chapter 228 of the Municipal Code.

(d) Minimum and maximum required parking: See Section 550.06.06.

(6) **Commercial Animal Daycare:** Facilities where short-term pet daycare is provided. Exercise yards, fields, training areas, and trails associated with such land uses are considered accessory and do not require separate consideration.

(a) Outdoor animal containment areas shall be surrounded by a Class D bufferyard along sides abutting residentially zoned property.

(b) Each animal shall be provided with an indoor containment area.

(c) All dogs must be licensed. See Chapter 228 of the Municipal Code.

(d) Minimum and maximum required parking: See Section 550.06.06.

(7) **Commercial Indoor Lodging:** Facilities where overnight housing in individual rooms or suites of rooms is provided, with each room or suite having a private bathroom. Such land uses may provide in-room or in-suite kitchens and may also provide indoor recreational facilities. Restaurant, lounge, fitness centers, and other on-site facilities available to non-lodgers are considered principal uses and therefore require review as a separate land use.

Regulations:

(a) Customer entrances shall be located 50 feet from residentially zoned property.

(b) Facility shall be surrounded by a Class C bufferyard along all property borders abutting residentially zoned property.

(c) Minimum and maximum required parking: See Section 550.06.06.

(8) **Commercial Kitchen:** A building or portion thereof used for the preparation of food that can be rented or used as a classroom by different organizations, businesses, or individuals. Products produced on site may be sold off site.

Regulations.

(a) Shall comply with the requirements of the Health Codes of Dodge and Jefferson County and applicable state regulations.

(b) Minimum and maximum required parking: See Section 550.06.06.

(9) **Convenient Cash Businesses**: Land use which provide nontraditional, short-term consumer loans in which the consumer receives cash in exchange for giving the lender a post-dated check, title to a motor vehicle, or electronic access to the consumer's bank account for the amount of the loan for a period of time before negotiating the check or for payment to the lender an agreed-upon finance fee or refinancing or consolidating such transaction. Such businesses are also known as payday loan businesses, cash advance businesses, and check-cashing businesses. Convenient cash businesses include, but are not restricted to, businesses licensed pursuant to § 138.09 or 218.05, Wis. Stats., and pawnshops.

Pawn Shop: A convenient cash business that loans money on deposit of personal property on condition of selling the same back to the depositor or loans or advances money on personal property and holds said property as collateral to be sold to the public in the event of default.

Regulations as to location. A convenient cash business or pawnshop shall be located only in compliance with the following criteria:

(a) No convenient cash business or pawnshop shall be located within 300 feet of any residentially zoned property.

(b) No convenient cash business or pawnshop shall be located within 3,500 feet of another convenient cash business or pawnshop.

(c) Standards of measurement. The distances identified in this subsection shall be measured in a straight line, without regard to intervening structures or objects, from the closest point of the structure proposed for occupancy by the convenient cash business or pawnshop to the nearest point of the parcel of property or zoning district boundary from which the proposed land use is to be separated.

(d) Hours of operation. No convenient cash business or pawnshop may be open for operation except between the following hours:

1. Monday through Friday: 8:00 a.m. to 7:00 p.m.
2. Saturday: 8:00 a.m. to 3:00 p.m.

(10) **Drive-Through and In-Vehicle Sales or Service:** Land uses where sales and/or services are conducted to persons in vehicles, or to vehicles which may or may not be occupied at the time of such activity (except vehicle repair and maintenance services). Such land uses often have traffic volumes which exhibit their highest levels concurrent with peak traffic flows on adjacent roads. Examples of such land uses include, but are not limited to, drive-in facilities, drive-through facilities, fuel stations, and car washes.

Regulations:

(a) Clearly marked pedestrian crosswalks shall be provided for each walk-in customer access to the facility.

(b) Drive-through windows shall not be located between the principal building and a public street right-of-way. For lots with more than one street frontage, the Plan Commission may approve an alternative location where the proposed design minimizes visual impacts and maintains safe pedestrian and vehicular circulation.

(c) The drive-through facility shall be designed so as to not impede or impair vehicular and pedestrian traffic movement or exacerbate the potential for pedestrian/vehicular conflicts.

(d) In no instance shall a drive-through facility be permitted to operate which endangers the public safety, even if such land use has been permitted under the provisions of this Section.

(e) The setback of the outer edge of any overhead canopy or similar structure shall be a minimum of 10 feet from all street rights-of-way lines, or the principal building setback, whichever is greater; a minimum of 20 feet from all residentially zoned property lines; and shall be a minimum of 5 feet from all other property lines. The total height of any overhead canopy or similar structure shall not exceed 20 feet as measured to the roof height.

(f) Any fuel pumps or pump islands shall be a minimum of 50 feet from any street or abutting lot line.

(g) Facility shall provide a Class C bufferyard along all property borders abutting residentially zoned property.

(h) Interior curbs shall be used to separate driving areas from exterior fixtures such as fuel pumps, vacuums, menu boards, canopy supports, and landscaped islands not part of an approved stormwater management system. Said curbs shall be 6 inches high.

(i) Stacking lanes for drive-through facilities shall provide pavement markings. Unless the Zoning Administrator determines that it is infeasible to accomplish due to site constraints, staking lanes for drive-through facilities shall not impede on-site traffic movements, parking, pedestrian crossings, or result in on-site safety conflicts.

(j) Minimum required parking: Refer to the parking requirements of the other land use activities on the site, such as, but not limited to, Indoor Sales and Service land uses for a gas station/convenience store, or Office land uses for a bank.

(11) **Golf Course**: An area of land developed and maintained for outdoor golfing, including related facilities and amenities such as clubhouses, restaurants, outdoor entertainment, swimming pools, and active or passive outdoor recreation uses.

Regulations:

(a) Facilities using outdoor golf-oriented night lighting and adjoining a residentially zoned property shall install and continually maintain a Class C bufferyard. Said bufferyard shall be located at the property line adjacent to said residentially zoned property.

(b) All structures and paved areas associated with outdoor recreational uses shall be located a minimum of 25 feet from any residentially zoned property.

(c) Indoor Commercial Entertainment may be established as an additional principal land use such but not limited to a golf course clubhouse. The Indoor Commercial Entertainment land use shall comply with all applicable regulations in Section 550.03.10(13).

(d) Minimum and maximum required parking: See Section 550.06.06.

(12) **Group Daycare Center (9+ Children):** Facilities which provide childcare services for 9 or more children. Such land uses may be operated in conjunction with another principal land use on the same

environs, such as a place of worship, school, business, or civic organization. In such instances, group daycare centers are considered a separate principal use and require review as such. See Wis. Admin. Code DCF §251.

Regulations:

(a) Facility shall be surrounded by a Class C bufferyard along all property borders abutting residentially zoned property.

(b) Minimum and maximum required parking: See Section 550.06.06.

(13) **Indoor Commercial Entertainment:** Land uses which provide restaurants, taverns, and entertainment services entirely within an enclosed building. Such activities often have the potential to be associated with nuisances related to amplified music, noise, lighting, trash, and late operating hours that extend significantly later than most other commercial land uses. Examples of such land uses include, but are not limited to, restaurants, taverns, theaters, bowling alleys, arcades, roller rinks, and pool halls.

Regulations:

(a) Shall comply with the requirements of the Health Code of Dodge and Jefferson County and applicable state regulations.

(b) All uses selling alcohol shall comply with Chapter 220 of the City of Watertown Municipal Code.

(c) Customer entrances shall be located a minimum of 50 feet from residentially zoned property.

(d) Minimum and maximum required parking: See Section 550.06.06.

(14) **Indoor Maintenance Service:** Facilities where maintenance and repair service is provided and all operations are located entirely within an enclosed building, including the repair of clocks, vacuum cleaners, and small appliances. This shall not include Vehicle Sales or Vehicle Service and Repair land uses.

Regulations:

(a) Minimum and maximum required parking: See Section 550.06.06.

(15) **Indoor Sales or Service:** The sale and/or display of merchandise or equipment or non-personal or non-professional services, entirely within an enclosed building. Examples of such uses include, but are not limited to, general merchandise stores, grocery stores, butcher, sporting goods stores, antique stores, gift shops, laundromats, bakeries, copy and printing centers, photo processing centers, and physical activity studios (yoga, dance, art, martial arts, gymnastics, music schools, etc.).

Regulations:

(a) Minimum and maximum required parking: See Section 550.06.06.

(16) **Indoor Shooting Ranges:** Land use which provides an indoor shooting range service entirely within an enclosed building. Such activities often have the potential to be associated with nuisances related to amplified noise and lighting, safety and security, and late operating hours that extend significantly later than most other commercial land uses.

Regulations.

(a) The building and method of operation shall conform to all applicable State and Federal standards for environmental protection and occupational health and safety. The applicant shall identify all such standards and demonstrate how the building and operation will comply including identification of any related state or federal reporting, inspection and permitting requirements.

(b) The design and construction of the shooting range shall completely confine all ammunition rounds within the building in a safe, controlled manner.

1. Compliance shall be demonstrated by plans, certified by an architect or engineer licensed or certified by the State of Wisconsin with demonstrated experience in indoor shooting range design.

2. Compliance with the standards and recommendations of the most current versions of the Range Design Criteria of the U.S. Department of Energy, Office of Health, Safety and Security or the National Rifle Association Range Source Book shall be prima facie evidence of satisfaction of this condition. Under no circumstance shall the applicant be relieved of the obligation to comply with any requirement otherwise imposed by state, federal or local law.

3. The plans shall specify the type and caliber of ammunition the shooting range is designed to confine. No ammunition shall be used, stored, sold, or possessed within the indoor shooting range that exceeds the certified design and construction specification for the shooting range.

(c) The applicant shall demonstrate that the operation shall not be a nuisance to neighboring property or other likely neighboring property uses including nuisances related to air quality and noise.

(d) A security plan shall be established for the building securing the building from unauthorized entrants as well as security for any firearms stored on the premises. No firearms shall be stored on the premises unless they are stored in a gun safe or other locked storage facility or container.

(e) The shooting range shall establish clear rules and procedures for the health, safety and order of the operation, its employees and patrons consistent with accepted industry practices which shall be conspicuously posted at the shooting range.

(f) On-site supervision of the range shall be provided at all times by an adult who is an experienced shooting range operator. The shooting range operator shall be responsible for taking all reasonable actions to assure the conduct of employees and patrons and the conditions of health, safety and order of the shooting range comply with all related rules and procedures.

(g) No person under the age of 18 shall be permitted within the shooting range unless accompanied by an adult at all times. This condition shall not apply to prohibit minors from participating in firearms safety classes supervised by a qualified adult instructor.

(h) Unless preempted by state or federal law, the Plan Commission may establish additional conditions or requirements including reporting or inspection requirements if it determines such conditions or requirements are reasonably necessary to protect the public health safety and welfare. Consideration shall be given to the cost and burden of such additional requirements upon the operation and upon City resources compared to the additional public benefit to be achieved, industry practices and evidence of experiences with similar operations in other communities.

(i) Minimum and maximum required parking: See Section 550.06.06.

(17) **Intensive Outdoor Activity:** Land uses located on private or public property that require intensive lighting and generate regional traffic and noise beyond property lines. Intensive outdoor activity land uses may include, but are not limited to, amusement parks, outdoor water parks, fairgrounds, private outdoor stadiums, go cart tracks, paint ball, racetracks, ski hills, outdoor shooting range, and drive-in theaters.

Regulations:

(a) No Intensive Outdoor Activity shall take place before 7:00 am or after 10:00 pm except as explicitly authorized by the conditional use process.

(b) A Class D bufferyard shall be provided along all property abutting residentially zoned property and for any facility requiring night lighting.

(c) Facilities serving a regional or community-wide function shall provide an off-street passenger loading area if the majority of the users will be children or seniors.

(d) Any activity area other than parking shall be set back a minimum of 100 feet from the property line.

(e) Minimum and maximum required parking: See Section 550.06.06. The Zoning Administrator may require a parking study to determine parking requirements.

(18) **Office:** Indoor Offices where the primary function is the handling of information or administrative services. Office uses do not typically provide services directly to customers on a walk-in basis.

Regulations:

(a) Minimum and maximum required parking: See Section 550.06.06.

(19) **Outdoor Commercial Entertainment:** Land uses which provide entertainment services partially or wholly outside of an enclosed building. Such activities often have the potential to be associated with nuisances related to noise, lighting, dust, trash, and late operating hours. Outdoor commercial entertainment land uses may include but are not limited to outdoor eating and drinking areas, sand volleyball courts, outdoor assembly areas, and outdoor swimming pools associated with another principal land use. Note that high-attendance facilities oriented to non-resident users or attendees and intensively lit tournament oriented outdoor facilities are considered intensive outdoor activity land uses (see Section 550.03.10(16)). Also see active outdoor recreation (Section 550.03.12(1)).

Regulations:

(a) Customer entrances and outdoor activity areas shall be located a minimum of 50 feet from residentially zoned property.

(b) Facility shall provide a Class C bufferyard along all borders of the outdoor activity area abutting residentially zoned property.

(c) Minimum and maximum required parking: See Section 550.06.06.

(20) **Outdoor Sales and Display:** Land uses where the sale and display of merchandise or equipment is conducted outside of an enclosed building on more than a temporary basis. Examples include, but are not limited to, outdoor garden centers, outdoor recreation equipment sales, monument sales, flea markets, and manufactured and mobile housing sales. If the permanent Outdoor Sales and Display area is less than the equivalent of 25% of the total gross square footage of the building, but no more than 1,000 sf, and is secondary to an Indoor Sales or Service use, such use shall instead be considered Incidental Outdoor Sales and Display under Section 550.03.28(12). Outdoor Sales and Display on a temporary basis shall be regulated by Temporary Outdoor Sales under Section 550.03.30(7). Also see Vehicle Sales (Section 550.03.10(24).

Regulations:

(a) The outdoor display area shall be calculated as the area which would be enclosed by an imaginary line that would completely enclose all materials displayed outdoors in the smallest possible rectangle.

(b) The facility shall be surrounded by a Class C bufferyard along all borders of the display area abutting residentially zoned property.

(c) The display of items shall not be permitted in required setback areas, landscape areas, or bufferyards, unless located in a parking lot.

(d) Inoperable vehicles or equipment, or other items typically stored in a junkyard or salvage yard as defined under Section 550.03.22(4), shall not be displayed.

(e) In no event shall the display of items reduce or inhibit the use or number of parking stalls provided on the property below the requirement established by subsection (i), below. If the number of provided parking stalls on the property is already less than the requirement, such display area shall not further reduce the number of parking stalls already present.

(f) Display areas shall be separated from any circulation area by a minimum of 10 feet. This separation shall be clearly delimited by a physical separation such as a greenway, curb, fence, or line of planters, or by a clearly marked paved area.

(g) Signs, screening, enclosures, landscaping, or materials being displayed shall not interfere in any manner with either on-site or off-site traffic visibility, including potential vehicle/vehicle and vehicle/pedestrian conflicts. Signs, screening, enclosures, landscaping, or materials being displayed shall comply with requirements related to vision triangles, crosswalks, drive aisle width, parking stall dimensions, fire lanes, bike lanes, or similar requirements related to traffic and pedestrian safety.

(h) Outdoor Sales and Display shall be permitted during the entire calendar year, however, if goods are removed from the display area all support fixtures used to display the goods shall be removed within 10 calendar days of the goods' removal.

(i) Minimum and maximum required parking: See Section 550.06.06.

(21) **Outdoor Maintenance Service:** Facilities where maintenance and repair service are provided and where all or any portion of the operation is located outside of an enclosed building. This shall not include Vehicle Sales or Vehicle Service and Repair land uses.

Regulations:

(a) All outdoor activity areas shall be completely enclosed by a minimum 6 feet high, solid fence. Such enclosure shall be located a minimum of 50 feet from any residentially zoned property and shall be screened from such property by a Class C bufferyard.

(b) Inoperable vehicles or equipment, or other items typically stored in a junkyard or salvage yard as defined under Section 550.03.22(4), shall not be displayed.

(c) Minimum and maximum required parking: See Section 550.06.06.

(22) **Personal or Professional Service:** Indoor service land uses where the primary function is the provision of services directly to an individual on a walk-in or on-appointment basis. Examples of such uses include establishments where customers make an appointment, such as professional services, insurance or financial services, realty offices, small scale by-appointment medical offices and clinics, veterinary clinics, barber shops, beauty shops, and related land uses including ancillary on site production of items used in the provision of such services, as defined by the Incidental Light Industrial accessory use (see Section 550.03.28(11)).

Regulations:

(a) Minimum and maximum required parking: See Section 550.06.06.

(23) **Vehicle and Boat Sales:** The sale and display of vehicles or boats for sale or rent outside of an enclosed building. Such land uses shall also include an ancillary repair shop associated with the vehicle display lot and sales building.

Regulations:

(a) The display of vehicles shall not be permitted in green space areas, landscaped areas, or required bufferyards.

(b) Facility shall be surrounded by a Class C bufferyard along all borders of the display area abutting residentially zoned property.

(c) Signs, screening, enclosures, landscaping, or materials being displayed shall not interfere in any manner with either on-site or off-site traffic visibility, including potential vehicle/vehicle and vehicle/pedestrian conflicts.

(d) Inoperable vehicles or equipment, or other items typically stored in a junkyard or salvage yard as defined under Section 550.03.22(4), shall not be displayed.

(e) Minimum and maximum required parking: See Section 550.06.06.

(24) **Vehicle Service and Repair:** Facilities where vehicle service or repair is provided entirely within an enclosed building.

Regulations:

(a) Facility shall be surrounded by a Class C bufferyard along all borders of the display area abutting residentially zoned property.

(b) Signs, screening, enclosures, landscaping, or materials being displayed shall not interfere in any manner with either on-site or off-site traffic visibility, including potential vehicle/vehicle and vehicle/pedestrian conflicts.

(c) Outdoor storage of unlicensed or inoperable vehicles is prohibited outside areas fully screened by a solid fence. Outdoor storage of other items typically stored or displayed in a junkyard or salvage yard shall not be permitted.

(d) Outdoor display and sale of vehicles is permitted as part of the Vehicle Service and Repair land use, subject to the following:

1. A maximum of three vehicles may be displayed for sale outdoors at any one time and shall not require separate land use approval.

2. The maximum outdoor display area shall not exceed 15% of the gross parcel area.

(e) Minimum and maximum required parking: See Section 550.06.06.

(25) **Water-Related Recreation:** Water-related recreational facilities such as marinas, yacht clubs, bait shops, boat launching ramps, boat slips, boat storage, docking facilities, boat liveries and rentals, and boat repair and maintenance facilities, including gasoline pumps for marine use.

Regulations:

(a) Signs, screening, enclosures, landscaping, or materials being displayed shall not interfere in any manner with either on-site or off-site traffic visibility, including potential vehicle/vehicle and vehicle/pedestrian conflicts.

(b) Outdoor storage of unlicensed or inoperative vehicles or boats is prohibited. Outdoor storage of other items typically stored or displayed in a junkyard or salvage yard shall not be permitted.

(c) Minimum and maximum required parking: See Section 550.06.06.

Section 550.03.11: Reserved

Section 550.03.12: Institutional Land Uses

(1) **Active Outdoor Recreation:** Recreational land uses which involve active recreational activities. Such land uses include tennis courts, basketball courts, ball diamonds, football fields, soccer fields,

neighborhood parks, tot lots, outdoor swimming pools, swimming beach areas, fitness courses, and similar land uses.

Regulations:

(a) Each location shall have appropriate hours of use and comply with the noise provisions of Article VI Performance Standards.

(b) Facilities using recreational facility night lighting and adjoining a residentially zoned property shall install and continually maintain a Class C bufferyard. Said bufferyard shall be located at the property line adjacent to said residentially zoned property.

(c) All structures, paved areas, and active recreational improvements such as sandboxes, tot lots, tennis courts, and baseball backstops shall be located a minimum of 25 feet from any residentially zoned property.

(d) Facilities which serve a regional or community-wide function shall provide an off-street passenger loading area if the majority of the users will be children or seniors.

(e) Minimum and maximum required parking: See Section 550.06.06.

(f) An Active Outdoor Recreation Land Use that includes the following is required to obtain a Conditional Use Permit (550.10.32):

1. Any on-site exterior lighting that exceeds 10.0 foot-candles.

(2) **Community Living Arrangement (1-8 Residents):** Facilities provided for in Wis. Stats. § 62.23(7)(i), including community living arrangements for adults as defined in Wis. Stats. § 46.03(22), community living arrangements for children as defined in Wis. Stats. § 48.743(1), foster homes as defined in Wis. Stats. § 48.02(6), and adult family homes and community-based residential facilities (CBRFs) as defined in Wis. Stats. § 50.01(1g).

Community Living Arrangements do not include Boarding Houses, Group Daycare Centers, nursing homes, homeless shelters, hospitals, prisons, or jails. Community Living Arrangement facilities are regulated depending upon their capacity as provided for in Wis. Stats. § 62.23(7)(i)1.-5., provided any such regulations do not violate federal or state housing or anti-discrimination laws.

Regulations:

(a) No Community Living Arrangement shall be established within 2,500 feet of any other such facility regardless of its capacity.

(b) The total capacity of all Community Living Arrangements (of all capacities) in the City shall not exceed one percent of the City's population. The Zoning Administrator shall make this determination.

(c) Foster homes housing four or fewer children and licensed under Wis. Stats. § 48.62 shall not be subject to (a), above; and shall not be subject to, or count toward, the total arrived at in (b), above.

(d) Each facility shall have a rear and side yard which is visually screened from adjacent residential properties using a Class B bufferyard.

(e) Minimum and maximum required parking: See Section 550.06.06.

(f) Driveways shall be considered legal "stacked" parking spaces, provided that each parking space is no less than 8 feet in width and 18 feet in depth. A driveway may contain one or more legal parking spaces.

(g) Any application is required to disclose in writing the capacity of the community living arrangement proposed.

(3) **Community Living Arrangement (9-15 Residents):** See description under Subsection (2), above.

Regulations:

(a) See Regulations under Section (550.03.12(2)), above.

(4) **Community Living Arrangement (16+ Residents):** See description under Subsection (2), above.

Regulations:

(a) See Regulations under Section (550.03.12(2)), above.

(5) **Indoor Institutional:** Indoor public and not for profit recreational facilities (such as gyms, swimming pools, libraries, museums, and community centers), government facilities, schools, places of worship, homeless day shelters, hospitals and walk-in clinics, nonprofit clubs, nonprofit fraternal organizations, convention centers, private institutional businesses, jails, prisons, and similar land uses.

Regulations:

(a) An off-street passenger loading area shall be provided if the majority of the users will be children or seniors (as in the case of a school, place of worship, library, or similar land use).

(b) Minimum and maximum required parking: See Section 550.06.06.

(6) **Institutional Residential:** Residential development designed to accommodate Institutional Residential land uses, such as convents, monasteries, dormitories, fraternities, sororities, living facilities, nursing homes, hospices, convalescent homes, limited care facilities, rehabilitation centers, permanent and limited use homeless shelters (with or without meal service), and similar land uses not considered to be Community Living Arrangements under Sections 550.03.12(2-4) of this ordinance or under the provisions of Wis. Stats. § 62.23. This land use may also include Adult Daycare Centers as regulated under Wis. Stats. DCF 105.14.

Regulations:

(a) Project shall provide an off-street passenger loading area at a minimum of one location within the development.

(b) Minimum required parking: Specific parking requirements may be adjusted compared to the minimum typically required for multi-family land uses.

1. Public or private dormitory: Determined by the Plan Commission.
2. Monastery or convent: Determined by the Plan Commission
3. Assisted living facility or limited care facility: Determined by the Plan Commission
4. Nursing home or hospice: Determined by the Plan Commission.

(7) **Large Scale Public Services and Utilities:** Large scale facilities such as public works facilities and garages, wastewater treatment plants, potable water treatment plants, public or private utility substations, water towers, well houses, and similar land uses involving buildings or fenced enclosures. This does not include uses listed under Small Scale Public Services and Utilities (Section 620.03.12(9).).

Regulations:

(a) All structures and outdoor storage areas shall be located a minimum of 20 feet from any residentially zoned property.

1. The siting of any new sewage treatment facility is subject to the required separation distances per NR 110.15(3)(d), unless a waiver is obtained through the Wisconsin Department of Natural Resources.

(b) All outdoor storage areas adjoining a residentially zoned property shall install and continually maintain a Class C bufferyard. Said bufferyard shall be located at the property line adjacent to said residentially zoned property.

(c) The exterior of all buildings shall meet the requirements for exterior materials of Article VII.

(d) Minimum and maximum required parking: See Section 550.06.06.

(8) **Outdoor Open Space Institutional:** Cemeteries, privately held permanently protected green space areas, open grassed areas not associated with any particular active recreational land use, and similar land uses.

Regulations:

(a) Minimum and maximum required parking: See Section 550.06.06.

(9) **Passive Outdoor Recreation:** Recreational land uses which involve passive recreational activities, such as arboretums, natural areas, wildlife areas, hiking trails, bike trails, cross country ski trails, horse trails, picnic areas, picnic shelters, gardens, fishing areas, and similar land uses.

Regulations:

(a) Minimum and maximum required parking: See Section 550.06.06.

(10) **Small Scale Public Services and Utilities:** The erection, construction, alteration, or maintenance by public utilities or municipal or other governmental agencies and private utilities, of underground and overhead lines and pipes for gas, electric, telephone, communications, cable television, steam, public water supply, sanitary sewage collection, stormwater detention or conveyance, or other comparable utilities. Small Scale Public Services and Utilities include such above-surface facilities as poles, guy wires, fire alarm boxes, water hydrants, lift stations, utility posts, police call boxes, cabinets, vaults, and standpipes. This land use category does not include larger utility facilities included under Large Scale Public Services and Utilities (Section 550.03.12(7)), such as electric substations, wastewater treatment plants, well houses, and water towers.

Regulations:

(a) Small-Scale Public Services and Utilities are exempt from density, intensity, and bulk regulations.

(b) All structures and outdoor storage areas shall be located a minimum of 20 feet from any residentially zoned property. Does not include landscaping or storm water detention facilities.

(c) The exterior of all buildings shall meet the requirements for exterior materials of Article VII.

(d) Minimum and maximum required parking: See Section 550.06.06.

Section 550.03.13: Reserved

Section 550.03.14: Industrial Land Uses

(1) **Data Center:** A completely enclosed facility that houses technology infrastructure such as servers, storage, and networking equipment to process, manage, and store data. Supporting equipment typically includes cooling systems, power infrastructure and generation, and security systems for on-site activities. Minor data centers are defined as those with less than 20,000 gross square feet of building area, a maximum peak electrical demand of less than 5 megawatts (MW), and with no on-site electrical substations. Minor data centers are regulated as light industrial land uses.

Regulations:

(a) All activities, except loading and unloading, shall be conducted entirely within the confines of a building.

(b) Utility plans and operational capacity needs regarding water, electricity, fiber, and cooling systems shall be provided and reviewed by the Director of Public Works to determine if there is sufficient capacity.

(c) A noise, traffic, utility, or similar impact study may be required as determined by the Plan Commission.

(d) Facility shall be surrounded by a Class D bufferyard along all borders of the property abutting properties which are not zoned HI.

(e) All buildings shall be located a minimum of 250 feet from residentially zoned property.

(f) Minimum and maximum required parking: See Section 550.06.06.

(2) **Heavy Industrial:** Industrial activities that may be conducted wholly or partially outside of an enclosed building; may generate noise, odor, dust, vibration, heat, or other impacts detectable beyond the property line; or may involve materials or processes that pose significant safety hazards. Examples include, but are not limited to: agricultural product processing and by-product production; slaughterhouses; tanneries; paper, pulp, or paperboard production; chemical and fertilizer production; plastic refinement and raw plastics production; petroleum and coal product production; asphalt, concrete, or cement production; stone, clay, or glass product production; primary metal production; heavy machinery and transportation equipment manufacturing; commercial wastewater treatment facilities; railroad switching yards; recycling facilities; and large-scale alcoholic beverage production.

Regulations:

(a) Outdoor manufacturing, processing, loading, unloading, and similar industrial activities are permitted, subject to the applicable requirements of this Chapter. Outdoor storage areas shall be screened from view of adjacent properties and public rights-of-way by buildings, solid fencing, walls, landscaping, or a combination thereof. Fencing or walls used for screening shall be a minimum of 8 feet in height. Outdoor storage shall not extend above the height of the required screening unless otherwise approved by the Plan Commission. Required screening adjacent to residentially zoned property shall include a Class D bufferyard.

(b) Outdoor storage areas shall not be located within required landscaping areas, bufferyards, or permanently protected green space areas.

(c) Outdoor storage shall not reduce the number of available off-street parking spaces below the minimum required under Section 550.06.06.

(d) A taller building height of up to 130 feet may be allowed by-right, if the portion of the building exceeding the standard height maximum is setback from all property lines a minimum distance of 75% of its height and complies with all applicable airport height limitations and restrictions.

(e) Minimum and maximum required parking: See Section 550.06.06.

(3) **Indoor Food Production and Processing:** Any business whose principal activity is the growing, production, or wholesaling of products that are either grown or stored on-site or shipped to the site for indoor production purposes. This land use also includes the following activities: the seasonal display of plants and related products outdoors; the farming of aquatic plants and animals under controlled conditions utilizing recirculating (closed) system technology; and aquaponics, which is the symbiotic cultivation of plants and aquatic organisms in a recirculating system. This land use does not include Heavy Industrial uses (Section 550.03.14(1)) such as slaughterhouses or other related production uses that may have the potential to create certain nuisances which are detectable at the property line or may involve materials which pose a significant safety hazard.

Regulations:

(a) Outdoor activity regulations.

1. No outdoor activity areas shall be located in bufferyard areas. No materials shall be stacked or otherwise stored so as to be visible over bufferyard screening elements. All on-site outdoor activity, excluding Outdoor Sales and Display, areas shall be completely enclosed by any permitted combination of buildings, structures, walls, and/or fencing. Such walls and fencing shall be a minimum of 8 feet in height and shall be designed to completely screen all stored materials or products from view of all adjacent properties and rights-of-way. Said walls or fencing shall be screened from residentially zoned property by a Class D bufferyard.
2. All Outdoor Storage areas shall be located no closer to a residentially-zoned property than the required minimum setback for buildings on the subject property and shall not be permitted in any landscaping areas, bufferyard areas, or permanently protected green space areas.
3. In no event shall the storage of items reduce or inhibit the use or number of parking stalls provided on the property below the requirement established by the provisions of (e), below. If the number of provided parking stalls on the property is already less than the requirement, such storage area shall not further reduce the number of parking stalls already present.
4. Outdoor Storage and/or Outdoor Sales and Display areas shall be separated from any vehicular parking or circulation area by a minimum of 10 feet. This separation shall be clearly distinguished by a physical feature or barrier such as a greenway, curb, fence, or line of planters, or by a clearly marked paved area.
5. Outdoor storage areas equivalent to 10 percent of the gross building floor area or up to 1,000 square feet, whichever is less shall comply with the requirements of Incidental Outdoor Storage under Section 550.03.28(14). Any outdoor storage areas exceeding those metrics stated above shall comply with the requirements of Outdoor Storage and Wholesaling as a principal use under Section 550.03.16(2).
6. Outdoor display areas equivalent to 25% of the total gross square footage of the building or less shall comply with the requirements of Incidental Outdoor Sales and Display under Section 550.03.28(12). Outdoor display areas exceeding those metrics stated above shall comply with the requirements of Outdoor Sales and Display as a principal use under Section 550.03.10(19).
7. The on-site retail sale of goods shall be considered Incidental Indoor Sales subject to the provisions of Section 550.03.28(10), provided the area devoted to sales does not exceed 25 percent of the total area of the building(s) within which the operation is located. Retail areas that exceed those metrics stated above shall be considered an Indoor Sales or Service principal land use under Section 550.03.10(14).

(b) On-site processing of seafood is permitted; provided the activity is conducted entirely within an enclosed building and no odors are detectable from the property line. All farming of aquatic plants and animals shall take place entirely within an enclosed building.

1. Prior to any approvals for the operation, applicants wishing to establish indoor aquaculture operations shall prepare a report outlining the estimated average daily water usage and quantity of wastewater discharge. Such report shall be reviewed and approved by the City of Watertown Public Works Department.
2. Indoor aquaculture operations shall be connected to the municipal water and sanitary sewer system and all wastewater shall be discharged to the municipal sanitary sewer system.

(c) On-site composting shall be permitted, subject to the following regulations:

1. Compost areas shall be fully screened on all four sides by a combination of on-site buildings, solid fencing, and evergreen landscaping.
2. Composting shall comply with all county, state, and federal rules, regulations, and permitting requirements.

(d) Minimum and maximum required parking: See Section 550.06.06.

(1) **Light Industrial:** Facilities where manufacturing, assembly, processing, or similar industrial operations are conducted primarily within an enclosed building. Outdoor loading, unloading, and storage of materials, equipment, and finished products are permitted, provided that outdoor storage areas are screened from view from public streets by buildings, solid fencing, landscaping, or a combination thereof. Such land uses are not associated with nuisances such as odor, noise, heat, vibration, or radiation that are detectable at the property line and do not pose a significant safety hazard, such as danger of explosion. Examples include, but are not limited to: contractor shops; manufacturing or assembly of clothing, furniture, cabinetry, electronic components, food or related products; motorized equipment assembly; production of plastic products and components from materials refined or produced off-site; and mass-produced arts and crafts. Indoor sales may be conducted as an accessory use, provided that the requirements of Section 550.03.28(9) are met.

Regulations:

(a) All manufacturing, assembly, processing, and similar industrial activities shall be conducted within an enclosed building, except for loading, unloading, and outdoor storage. Outdoor storage areas shall be screened from view from public streets by a building, solid fence, landscaping that provides an opaque screen, or a combination thereof. Required screening shall be continuously maintained.

(b) Outdoor storage areas shall be located a minimum of 100 feet from residentially zoned property and shall comply with applicable bufferyard requirements.

(c) Outdoor storage shall not reduce the number of available off-street parking spaces below the minimum required under Section 550.06.06.

(d) A building height of up to 130 feet may be permitted by right, provided that any portion of the building exceeding the standard maximum height is set back from all property lines a minimum distance equal to 75% of its height and complies with all applicable airport height limitations and restrictions.

(e) Minimum and maximum required parking: See Section 550.06.06.

(4) **Production Greenhouse:** Any business in which the principal activity is the growing and wholesaling of plants or plant byproducts such as flowers, shrubbery, trees, and horticultural and floricultural products (not including fruits and vegetables) that are grown or stored within an enclosed building or structure constructed chiefly of glass or glasslike material, cloth, or other permanent material. Such uses also often involve the seasonal display of plants and related products outdoors.

Regulations:

(a) In no event shall the display of items reduce or inhibit the use or number of parking stalls provided on the property below the requirement established by the provisions of (f), below. If the number of provided parking stalls on the property is already less than the requirement, such display area shall not further reduce the number of parking stalls already present.

(b) Outdoor display areas equivalent to 25% of the total gross square footage of the building, up to a maximum area of 1,000 square feet, or less shall comply with the requirements of Incidental Outdoor Sales and Display under Section 550.03.28(12). Outdoor display greater than the

equivalent to 25% of the total gross square footage of the building shall comply with the requirements of Outdoor Sales and Display as a principal use under Section 550.03.10(19).

(c) Outdoor Storage and/or Outdoor Sales and Display areas shall be separated from any vehicular parking or circulation area by a minimum of 10 feet. This separation shall be clearly distinguished by a physical feature or barrier such as a greenway, curb, fence, or line of planters, or by a clearly marked paved area.

(d) Signs, screening, enclosures, landscaping, or materials being displayed shall not interfere in any manner with either on-site or off-site traffic visibility, including potential traffic/traffic and traffic/pedestrian conflicts.

(e) The facility shall be surrounded by a Class C bufferyard along all borders of Outdoor Sales and Display areas abutting residentially zoned property.

(f) Minimum and maximum required parking: See Section 550.06.06.

Section 550.03.15: Reserved

Section 550.03.16: Storage Land Uses

(1) **Indoor Storage and Wholesaling:** Land uses primarily oriented to the receiving, holding, and shipping of packaged materials for a single business or a single group of businesses. With the exception of loading and parking facilities, such land uses are contained entirely within an enclosed building. Examples of this land use include conventional warehouse facilities, long-term indoor storage facilities, and joint warehouse and storage facilities. Distribution centers are regulated per Section 550.03.18. Retail associated with this use shall be considered accessory uses per Section 550.03.28(10).

Regulations:

(a) All new construction of any indoor storage and wholesaling land use shall meet the requirements of Industrial Land Use Design Standards (see Section 550.07.40).

(b) A taller building height of up to 130 feet may be allowed by-right, if the portion of the building exceeding the standard height maximum is setback from all property lines a minimum distance of 75% of its height. Building height shall comply with limitations of the Airport Overlay Zoning District.

(c) Minimum and maximum required parking: See Section 550.06.06.

(2) **Outdoor Storage and Wholesaling:** Land uses primarily oriented to the receiving, holding, and shipping of packaged materials for a single business or a single group of businesses. Such a land use, in which any activity beyond loading and parking is located outdoors, is considered an Outdoor Storage and Wholesaling land use. Examples of this land use include, but are not limited to, storage yards, equipment yards, lumber yards, and coal yards.

Regulations:

(a) All outdoor storage areas shall be completely enclosed by any permitted combination of buildings, structures, walls, and solid fencing. Such walls and fencing shall be a minimum of 8 feet in height and shall be designed to completely screen all stored materials from view. Said walls or fencing shall be screened from residentially zoned property by a Class D bufferyard.

(b) Outdoor storage areas are not considered a principal land use when such use occupies less than 10% of the gross building square footage or up to a maximum of 1,000 square feet. In such cases, the land use shall be regulated as Incidental Outdoor Storage under Section 550.03.28(14).

(c) The storage of items shall not be permitted in landscaping areas, bufferyard areas, or green space areas.

(d) In no event shall the storage of items reduce or inhibit the use or number of parking stalls provided on the property below the requirement established by the provisions of Subsection (h). If the number of provided parking stalls on the property is already less than the requirement, such storage area shall not further reduce the number of parking stalls already present.

(e) Materials being stored shall not interfere in any manner with either on-site or off-site traffic visibility, including potential vehicle/vehicle and vehicle/pedestrian conflicts.

(f) Inoperable vehicles or equipment, or other items typically stored in a junkyard or salvage yard, shall not be stored under the provisions of this land use.

(g) All new construction of any outdoor storage and wholesaling land use shall meet the requirements of Industrial Land Use Design Standards (see Section 550.07.40).

(h) Minimum and maximum required parking: See Section 550.06.06.

(3) **Personal Storage Facility:** Also known as "mini-warehouses," these land uses are oriented to the indoor storage of items entirely within partitioned buildings having an individual access to each partitioned storage area.

Regulations:

(a) Facility shall be surrounded by a Class D bufferyard along all property borders abutting residentially zoned property.

(b) All storage shall take place entirely within an enclosed building.

(c) All new construction of any personal storage facility land use shall meet the requirements of Industrial Land Use Design Standards (see Section 550.07.40).

(d) Minimum and maximum required parking: See Section 550.06.06.

Section 550.03.17: Reserved

Section 550.03.18: Transportation Land Uses

(1) **Airport:** Transportation facilities providing takeoff, landing, servicing, storage, and other services to any type of air transportation. Takeoffs and landings of any type of air vehicle (including ultralight aircraft, hang gliders, parasails, and related equipment) within the jurisdiction of this Chapter shall occur only in conjunction with an approved Airport.

Regulations:

(a) The Airport shall be located at least 200 feet from any residentially used or zoned property, measured in a straight line from the closest point of the takeoff and landing area to the property line of the closest residentially used or zoned property. The application shall include an area map showing the distance between the proposed takeoff and landing area and the nearest residential property.

(b) The Airport shall be constructed, operated, and maintained in accordance with the rules and regulations of the Federal Aviation Administration (FAA) and State.

(c) All new construction of any airport land use shall meet the requirements of Industrial Land Use Design Standards (see Section 550.07.40).

(d) Minimum required parking: Minimum and maximum required parking: See Section 550.06.06.

(2) **Distribution Center:** Facilities oriented to the short-term indoor storage and possible repackaging and reshipment of materials involving the activities and products of a single user. Retail outlets associated with this use shall be considered accessory uses per Section 550.03.28(10).

Regulations:

(a) Facility shall be surrounded by a Class D bufferyard along all property borders abutting residentially zoned property.

(b) All buildings, structures, outdoor storage areas, and any other activity areas shall be located a minimum of 100 feet from all lot lines abutting residentially zoned property.

(c) In no instance shall activity areas be located within landscaping areas, bufferyard areas, or green space areas.

(d) All new construction of any distribution center land use shall meet the requirements of Industrial Land Use Design Standards (see Section 550.07.40).

(e) Minimum and maximum required parking: See Section 550.06.06.

(3) **Freight Terminal:** Land and buildings representing either end of one or more truck carrier line(s) which may have some or all of the following facilities: yards, docks, management offices, storage sheds, buildings and/or outdoor storage areas, freight stations, and truck maintenance and repair facilities, principally serving several or many businesses requiring trans-shipment.

Regulations:

(a) Facility shall be surrounded by a Class D bufferyard along all property borders abutting residentially zoned property.

(b) All buildings, structures, outdoor storage areas, and any other activity areas shall be located a minimum of 100 feet from all lot lines abutting residentially zoned property.

(c) In no instance shall activity areas be located within landscaping areas, bufferyard areas, or green space areas.

(d) All new construction of any freight terminal land use shall meet the requirements of Industrial Land Use Design Standards (see Section 550.07.40).

(e) Minimum and maximum required parking: See Section 550.06.06.

(4) **Heliport:** An area designed to be used for the landing or takeoff of helicopters including operations facilities, such as maintenance, loading and unloading, storage, fueling, or terminal facilities.

Regulations:

(a) The Heliport shall be located at least 200 feet from any residentially used or zoned property, measured in a straight line from the closest point of the takeoff and landing area to the property line of the closest residentially used or zoned property. The application shall include an area map showing the distance between the proposed takeoff and landing area and the nearest residential property.

(b) The Heliport shall be constructed, operated, and maintained in accordance with the rules and regulations of the Federal Aviation Administration (FAA) and State.

(c) Minimum and maximum required parking: See Section 550.06.06.

(5) **Off-Site Parking Lot:** Off-Site Parking Lots include any areas used for the temporary surface parking of vehicles which are fully registered, licensed, and operable and which serve a principal land use located on a separate lot. See Section 550.06.06 for additional parking regulations.

Regulations:

(a) Access and vehicular circulation shall be designed so as to discourage cut-through traffic.

(b) Parking lots shall comply with the landscaping requirements of Article VIII.

(c) Building height requirements in the DMU and DRR require more than one story. A parking lot is exempt from any minimum height requirements for development.

(6) **Off-Site Structured Parking:** Commonly referred to as a parking ramp or parking garage, Off-Site Structured Parking is a type of parking structure for the temporary parking of vehicles which are fully registered, licensed, and operable. Off-Site Structured Parking is a stand-alone, multi-level parking area in which one or more levels are supported above the lowest level. A parking structure may also include underground parking spaces. Parking structures that are incorporated into the same building as a separate principal land use shall be regulated as On-Site Structured Parking under Section 550.03.28(20) See Section 550.06.06 for additional parking regulations.

Regulations:

(a) Parking structures may contain other commercial uses on the ground floor level. Such uses shall be limited to those permitted by right or by conditional use permit in the applicable zoning district.

(b) Parking structures must meet all applicable bulk requirements.

(c) Clearly-marked pedestrian connections between the parking structure and adjacent uses shall be required.

(d) Screening or other improvements that shield parked vehicles from view at each level of the parking structure shall be required.

(e) Parking structures shall comply with the landscaping requirements of Article VIII.

(f) Exterior elevations shall be designed to minimize the use of blank concrete façades and shall have an architectural treatment that is compatible with the surrounding architectural context. Materials shall minimize glare in compliance with Section 550.06.34. Exterior elevations are encouraged to be designed to replicate the regular window pattern and other architectural elements of adjacent buildings. See Article VII.

(7) **Transit Center:** A building, structure, and/or area designed and used for the purpose of loading, unloading, or transferring passengers or accommodating the movement of passengers from one mode of transportation to another. Examples include, but are not limited to, bus stations, train stations, and park and ride stations.

Regulations:

(a) Facility shall be surrounded by a Class D along all property borders abutting residentially zoned property.

(b) All new construction of any transit center land use shall meet the requirements of Industrial Land Use Design Standards (see Section 550.07.40).

(c) Minimum and maximum required parking: See Section 550.06.06.

Section 550.03.19: Reserved

Section 550.03.20: Telecommunication Land Uses

(1) **Communication Tower:** Any structure that is designed and constructed for the purpose of supporting one or more antennas for communication purposes such as cellular telephones or similar, including self-supporting lattice towers, guyed towers, or monopole towers. For satellite dishes and

antennas accessory to a principal use, see Section 550.03.28(21) and 550.03.28(25). Height shall be measured from finished grade to the highest point on the tower or other structure, including the base pad. This definition includes the mobile service support structure, supports, and equipment buildings.

Regulations:

(a) Applicability. This land use shall not be regulated or permitted as Small-Scale Public Services and Utilities, or Large-Scale Public Services and Utilities. This Section shall apply to the following:

1. New towers. All new towers in the City of Watertown shall be subject to these regulations.
2. Preexisting towers. Preexisting towers shall not be required to meet the requirements of this Section, other than the requirements of Subsection (b) of this Section.
3. Towers shall be considered principal uses. A different use on the same lot shall not preclude the installation of a tower on such lot.
4. See Section 550.03.28(3) for Communication Antennas, an accessory land use typically associated with Communication Towers.

(b) Compliance with Federal Regulations. Towers shall be erected and installed in accordance with the state electrical code adopted by reference in §101-31 et seq., National Electrical Code, Federal Communications Commission, Federal Aviation Administration, and the instructions of the manufacturer. In cases of conflict, the stricter requirements shall govern.

(c) Through both the site plan review process (Section 550.10.43) and the conditional use process (Section 550.10.32), the plan commission shall be responsible and have authority to hear, review, and act upon all proposed communication towers. Submittal and review procedure requirements and other requirements specific to Communication Towers must be consistent with Wis. Stats. § 66.0404.

(d) Permit Required. A permit is required for all new Communication Towers or modifications to existing Communication Towers. The permit application shall contain all of the following information:

1. The name and business address of, and the contact individual for, the applicant.
2. The location of the proposed or affected support structure.
3. The location of the proposed mobile service facility.
4. If the application is to substantially modify an existing support structure, a construction plan which describes the proposed modifications to the support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment associated with the proposed modifications.
5. If the application is to construct a new mobile service support structure, a construction plan which describes the proposed mobile service support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure.
6. If an application is to construct a new mobile service support structure, an explanation as to why the applicant chose the proposed location and why the applicant did not choose collocation, including a sworn statement from an individual who has responsibility over the placement of the mobile service support structure attesting that collocation within the applicant's search ring would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider.

a. The application must also include a visual analysis, which may include an annotated photo montage, field mockup, or other technique prepared by or on behalf of the applicant which identifies the potential visual impacts, location, configuration, and the design capacity of the proposed facility to the satisfaction of the Plan Commission. Consideration shall be given to views from public areas as well as from private residences. The analysis shall assess the impacts of the proposed facility and other existing telecommunication facilities in the area, and shall identify and include all feasible mitigation measures consistent with the technological requirements of the proposed personal wireless services. All costs for the visual analysis, and applicable administrative costs, shall be borne by the applicant.

(e) All service carriers and providers that offer or provide any telecommunications services for a fee directly to the public, either within the City or outside the corporate limits from telecommunications facilities within the City, and all communication tower owners, shall register and provide to the City, pursuant to this ordinance, on forms to be provided by the Building Inspector and shall provide with each conditional use application the following information below. It shall be unlawful for any personal wireless services carrier or provider who offers or provides services within the City, or any communication tower owner who owns or operates telecommunications facilities within the City, to fail to register and provide the information required within thirty (30) days of such a request by the City.

1. The identity and legal status of the registrant, including any affiliates.
2. The name, address and telephone number of the officer, agent or employee responsible for the accuracy of the registration statement.
3. A narrative and map description of registrant's existing telecommunications facilities within the City, adjacent cities, villages and townships.
4. Such other information as the Building Inspector may reasonably require.

(f) Placement Requirements.

1. Towers and guyed wires shall be set back from any property line a minimum distance equal to 100% of the height of the communication tower. Tower height may be limited by the Airport Overlay Zoning District.
   a. If an applicant provides an engineering certification showing that a proposed communication tower is designed to collapse within a smaller area than the setback area, the setback requirement is reduced in accordance with the findings of the engineering certification, unless the City provides the applicant with substantial evidence that the engineering certification is flawed.
2. The placement of towers on the roof of existing buildings must maintain a setback from residential zones or properties the same as the building setback required for new buildings.
3. No communication tower shall be installed closer than one-quarter mile from another communication tower, measured from the base of the tower to the base of the proposed tower, unless it is a tower situated on a multi-tower zoning lot, or credible evidence to a reasonable degree of certainty acceptable to the Plan Commission is submitted showing a clear need for said new tower and the infeasibility of co-locating it on an existing site. For the purposes of this requirement, exempt telecommunications facilities unavailable for co-location shall not be included in the one-quarter mile computation.

(g) Structural Requirements. Every telecommunication facility shall be designed and constructed so as to comply with the requirements of Wis. Admin. Code Chap. COMM 62.35 to 62.41, amended from time to time. If, upon inspection, the Building Inspector concludes that a tower fails to comply with such codes, in effect at the time of construction, and constitutes a danger to

persons or property, then upon notice being provided to the owner of the tower, the owner shall have 30 days or such time as determined by the Building Inspector to bring such tower into compliance with said codes. Failure to bring such tower into compliance within said 30 days or such time as determined by the Building Inspector shall constitute grounds for the removal of the tower or antenna at owner's expense.

(h) Basic Tower and Building Design. All new communication towers, except exempt facilities as defined in subsection (i) below, shall be designed to blend into the surrounding environment to the greatest extent feasible. To this end all the following measures shall be implemented.

1. Communication towers shall be constructed out of metal or other nonflammable material, unless specifically permitted by the City to be otherwise.
2. Telecommunication support facilities see (i) Equipment Buildings below.
3. The City shall have the authority to require reasonable special design (materials, architectural features and color) of the communication tower where findings of particular sensitivity are made (e.g. proximity to historic or aesthetically significant structures, views and/or community features).
4. Communication towers shall insure that sufficient anti-climbing measures have been incorporated into the facility, as needed, to reduce potential for trespass and injury.
5. Accessory communication antenna shall be designed to blend with its supporting structure. The color selected shall be one that in the opinion of the Plan Commission will minimize the visibility of the antennas to the greatest extent feasible.
6. All new communication towers shall be structurally and electrically designed to accommodate at least three (3) separate antenna arrays, unless credible evidence is presented that said construction is economically and technologically unfeasible or the Plan Commission determines that for reasons of aesthetics or to comply with the standards above, a communication tower of such height to accommodate three antenna arrays is unwarranted. Multi-user communication towers shall be designed to allow for future rearrangement of antennas and to accept antennas mounted at varying heights. Parking areas, access roads, and utility easements shall be shared by site users, at fair market rates as determined by customary industry standards, when in the determination of the Plan Commission this will minimize overall visual impact to the community.

(i) Equipment buildings. Equipment buildings, including cabinets, used in connection with commercial communication antennas will be subject to the following conditions:

1. Any location and impact of the equipment buildings shall be made as minimal as possible so as not to prevent the principal use of the property.
2. Exterior storage of ground-mounted equipment or materials shall not be permitted.
3. Equipment buildings or structures may be mounted on the roof of a building provided that such building or structure is placed as unobtrusively as possible (e.g. integrated into the roof design) and/or is screened from view from adjacent roads and properties.
4. Any ground-mounted equipment building used for accessory equipment must either be screened from view from all adjacent residential and commercial uses and potentially incompatible municipal uses with a Class C bufferyard, or the equipment building must be constructed with similar materials, style, roof pitch, etc., to complement the architectural character of the surrounding neighborhood.
5. All ground-mounted equipment buildings shall at a minimum meet the required setbacks of a principal structure for the underlying zoning district and shall meet all applicable building code requirements.

(j) Height Requirements.

1. Tower height shall be restricted to 200 feet. Zoning District height restrictions shall not apply to commercial communication towers.

(k) Collocation. A proposed tower shall be structurally and electrically designed to accommodate the applicant's antenna and comparable antennas for two additional users. Towers shall be designed to allow for future rearrangement of antennas and to accept antennas mounted at varying heights.

(l) Advertising. No form of advertising or identification, or sign is allowed on the tower other than the customary manufacturer identification plate.

(m) Lighting. Towers shall not be artificially illuminated unless required by the FAA or any other applicable authority.

(n) Fencing. A tower shall be enclosed by solid fencing not less than 6 feet in height or a Class C bufferyard and secured so that it is not accessible by the general public. Fence design, materials and colors shall reflect the character of the surrounding area.

(o) Color. The wireless communication tower and antennae shall be of a neutral color such as light gray or sky blue except as dictated by the Federal Aviation Administration (FAA) and be designed to minimize visibility and to blend into the surrounding environment. Towers with antennas shall be designed to withstand applicable wind load requirements as prescribed in the Uniform Building Code. Towers and/or antenna systems shall be constructed of, or treated with, corrosive resistant material. A regular maintenance schedule shall be followed.

(p) Abandonment.

1. The applicant shall provide a written agreement stating that if the tower or transmitters are unused for a period exceeding 365 days, the applicant shall remove the tower or transmitters upon request from the City.
2. Within 30 days of the date on which the tower use ceases, the permit holder shall provide the commission written notice of the cessation of use.
3. If unused facilities are not removed, the City may remove the items at the expense of the owner of the property upon which the tower was placed.

(q) Applications and Fees.

1. All co-location applications must be processed within the timeframes set forth by the Federal Communications Commission. Any application for the co-location of small wireless facilities must be processed by the City within 60 days of receiving a completed application and any other co-location facility application must be processed within 90 days of receiving a completed application.
2. All fees associated with small wireless facilities must be a reasonable approximation of the objectively reasonable cost associated with maintaining infrastructure or processing an application in accordance with the maximum values set forth by the Federal Communications Commission.

Section 550.03.21: Reserved

Section 550.03.22: Extraction and Disposal Land Uses

(1) **Composting Facility:** Land uses devoted to the collection, storage, processing, and/or disposal of vegetation or food waste.

Regulations:

(a) Composting facilities shall comply with all county, state, and federal regulations.

(b) Facility shall provide a Class D bufferyard along all borders of the property occupied by non-agricultural land uses.

(c) All buildings, structures, outdoor storage, and any other activity areas shall be located a minimum of 100 feet from all lot lines.

(d) Operations shall not involve the on-site holding, storage, or disposal of hazardous wastes as defined by State Statutes in any manner.

(e) Minimum and maximum required parking: See Section 550.06.06.

(2) **Extraction:** Land uses involving the removal of soil, clay, sand, gravel, rock, minerals, peat, or other material in excess of that required for approved on-site development or agricultural activities.

Regulations:

(a) The facility shall comply with all county, state, and federal regulations and provide copies of all approved county, state, and federal permits.

(b) The facility shall provide a Class D bufferyard along all borders of the property.

(c) All buildings, structures, outdoor storage, and any other activity areas shall be located a minimum of 300 feet from all lot lines.

(d) Required site plans shall include detailed site restoration plans in accordance with Wis. Stats. Ch. 295, which shall include at minimum, detailed grading and re-vegetation plans, and a detailed written statement indicating the timetable for such restoration after cessation of the use. All site restoration plans must be submitted to Dodge or Jefferson County.

(e) A surety bond, in an amount equivalent to 125% of the costs determined to be associated with said restoration (as determined by a third-party selected by the City), shall be filed with the City by the Petitioner (subject to approval by the Zoning Administrator), and shall be held by the City for the purpose of ensuring that the site is restored to its proposed condition. This amount shall be recalculated and a new bond shall be required biannually.

(f) Minimum and maximum required parking: See Section 550.06.06.

(3) **Indoor Recycling Facility:** Land uses providing indoor materials recycling services including materials unloading, materials storage, materials sorting, and materials shipping. This land use does not involve any outdoor activities.

(a) Indoor Recycling facilities shall comply with all county, state, and federal regulations.

(b) Facility shall be surrounded by a Class D bufferyard along all borders of the property.

(c) Operations shall not involve the on-site holding, storage, or disposal of hazardous materials as defined by State Statutes in any manner.

(d) Minimum and maximum required parking: See Section 550.06.06.

(4) **Salvage or Junkyard:** Lands or structures used for a salvaging operation including but not limited to: the above-ground, outdoor storage and/or sale of waste paper, rags, scrap metal, and any other discarded materials intended for sale or recycling; and/or the collection, dismantlement, storage, or salvage of unlicensed and/or inoperable vehicles intended for scraping or recycling. Recycling facilities involving on-site outdoor storage of salvage materials are included in this land use. This shall not include Vehicle Service and Repair.

Regulations:

(a) Facility shall provide a Class D bufferyard along all borders of the property. A minimum 8-foot fence is required.

(b) All buildings, structures, outdoor storage areas, and any other activity areas shall be located a minimum of 100 feet from all lot lines.

(c) In no instance shall activity areas be located within a landscaping or bufferyard areas.

(d) Shall not involve the storage, handling, or collection of hazardous materials as defined by State Statutes.

(e) Minimum and maximum required parking: See Section 550.06.06.

(f) Facility shall secure a salvage dealer license as required by the State of Wisconsin.

(5) **Sand and Mineral Processing:** Land or structure used for processing sand or minerals, extracted on-site or transported to the site, that removes the desired product from the mineral or enhances the characteristics of the sand or mineral.

Regulations:

(a) Facility shall provide a Class D bufferyard along all borders of the property.

(b) All buildings, structures, outdoor storage, and any other activity areas shall be located a minimum of 100 feet from all roads and lot lines.

(c) In no instance shall activity areas be located within a bufferyard area.

(d) Shall not involve the storage, handling, or collection of hazardous materials as defined by State Statutes.

(e) Required site plans shall include detailed site restoration plans, which shall include at minimum, detailed grading and re-vegetation plans, and a detailed written statement indicating the timetable for such restoration after cessation of the use. All site restoration plans must be submitted to Dodge or Jefferson County.

(f) A surety bond, in an amount equivalent to 125% of the costs determined to be associated with said restoration (as determined by a third-party selected by the City), shall be filed with the City by the Petitioner (subject to approval by the Zoning Administrator), and shall be held by the City for the purpose of ensuring that the site is restored to its proposed condition. This amount shall be recalculated and a new bond shall be required biannually.

(g) The facility shall comply with all county, state, and federal regulations and be able to provide copies of all approved county, state, and federal permits.

(h) Minimum and maximum required parking: See Section 550.06.06.

(6) **Waste Disposal/Landfill:** Waste disposal facilities are any facilities and/or areas used for the disposal of solid wastes including those defined by Wis. Stats. § 289.01(33), but not including Indoor Recycling or Composting operations.

Regulations:

(a) Waste Disposal/Landfill facilities shall comply with all county, state, and federal regulations.

(b) Facility shall be surrounded by a Class D bufferyard along all borders of the property.

(c) All buildings, structures, outdoor storage, and any other activity areas shall be located a minimum of 300 feet from all lot lines.

(d) Operations shall not involve the on-site holding, storage, or disposal of hazardous materials as defined by State Statutes in any manner.

(e) Required site plans shall include detailed site restoration plans, which shall include at minimum, detailed grading and re-vegetation plans, and a detailed written statement indicating the timetable for such restoration after cessation of the use.

(f) A surety bond, in an amount equivalent to 125% of the costs determined to be associated with said restoration (as determined by a third party selected by the City), shall be filed with the City by the Petitioner (subject to approval by the City Zoning Administrator), and shall be held by the City for the purpose of ensuring that the site is restored to its proposed condition. This amount shall be recalculated and a new bond shall be required biannually. The requirement for said surety is waived for waste disposal facilities owned by public agencies.

(g) Minimum and maximum required parking: See Section 550.06.06.

Section 550.03.23: Reserved

Section 550.03.24: Energy Production Land Uses and Structures

(1) **Large Solar Energy System:** Equipment and associated facilities that directly convert and then transfer or store solar energy into usable forms of thermal or electrical energy. Large Solar Energy Systems are the only principal land use permitted on a property and are designed primarily to generate energy for commercial sale off-site. See Section 550.03.28(27) for Small Solar Energy Systems.

(a) Rooftop, ground-mounted, and building-mounted large solar energy systems may exceed the maximum height limit of the primary structure by up to 10 feet, but in cases where a rooftop or building-mounted system exceeds the maximum height limit, the panel must be set back from the edge of the roof a minimum distance equal to or greater than the height of the panel.

(b) Large solar system structures shall be finished in a rust-resistant, non-obtrusive finish, and color that is non-reflective.

(c) All electrical connections shall be located underground or within a building.

(d) No large solar energy system shall be lighted unless required by the Federal Aviation Administration.

(e) Clearing of natural vegetation for the purposes of installing a large solar energy system shall be limited to that which is necessary for the construction, operation and maintenance of the large solar energy system and as otherwise prescribed by applicable laws, regulations, and ordinances.

1. A Landscaping Plan per Section 550.08.20 is required for the entire property. Native plantings and pollinators are encouraged to co-exist with Large Solar Energy Systems.

(f) All access doors or access ways and electrical equipment shall be lockable.

(g) A large solar energy system shall require a building permit before installation. Building permit applications shall include the following information in addition to that required by the Building Code:

1. A site plan drawn to scale showing the location of the proposed large solar energy system and per the requirements of Section 550.10.43.

2. Elevations of the site drawn to scale showing the height, design, and configuration of the large solar energy system and the heights of all existing structures, buildings and electrical lines in relation to property lines and their distance from the small solar energy system.

3. A standard foundation design along with specifications for the soil conditions at the site.

4. Specific information on the type, size, rated power output, performance, and safety characteristics of the system, including the name and address of the manufacturer, model, and serial number.

5. A description of emergency and normal shutdown procedures.
6. A line drawing of the electrical components of the system in sufficient detail to establish that the installation conforms to all applicable electrical codes and this Subsection.
7. Evidence that the provider of electrical service to the property has been notified of the intent to install an interconnected electricity generator, except in cases where the system will not be connected to the electricity grid.
8. Evidence of compliance with Federal Aviation Administration requirements.
9. A decommissioning plan shall be required to ensure that facilities are properly removed after their useful life. Decommissioning of solar panels must occur in the event they are not in use for 12 consecutive months. The plan shall include provisions for removal of all structures and foundations, restoration of soil and vegetation and a plan ensuring financial resources will be available to fully decommission the site. The Zoning Administrator may require the posting of a bond, letter of credit or the establishment of an escrow account to ensure proper decommissioning.

(h) The requirements of Wisconsin Statutes, including but not limited to Wis. Stats. §§ 66.0401 and 66.0403, shall apply to all solar energy systems and in the evaluation of such requests. Solar energy systems are a conditional use.

1. No restriction shall be placed, either directly or in effect, on the installation or use of a solar energy system, unless the restriction satisfies one of the following conditions:
   a. Serves to preserve or protect the public health or safety.
   b. Does not significantly increase the cost of the system or significantly decrease its efficiency.
   c. Allows for an alternative system of comparable cost and efficiency.

(2) **Large Wind Energy System:** Equipment and associated facilities that convert and then store or transfer energy from the wind into usable forms of energy. Large Wind Energy Systems have a total installed nameplate capacity of more than 300 kW or consist of individual wind turbines that have an installed nameplate capacity of more than 100 kW each.

(a) This Section provides the standards and procedures for issuance of conditional use permits for wind energy systems, as defined in Wis. Stats. § 66.0403(1)(m). The purpose of this Section is to ensure any proposed wind energy system complies with applicable provisions of Wis. Admin. Code PSC 128, as amended, and this Section.

(b) Wind energy systems are a conditional use in every district that they are permitted. The City will apply Wis. Stats. § 66.0401 and Wis. Admin. Code PSC Chapter 128, as amended, in the evaluation of such requests.

1. No restriction shall be placed, either directly or in effect, on the installation or use of a wind energy system, unless the restriction satisfies one of the following conditions:
   a. Serves to preserve or protect the public health or safety.
   b. Does not significantly increase the cost of the system or significantly decrease its efficiency.
   c. Allows for an alternative system of comparable cost and efficiency.

Section 550.03.25: Reserved

Section 550.03.26: Agricultural Land Uses

(1) **Agricultural Service:** Operations pertaining to the sale, handling, transport, packaging, storage, or disposal of agricultural equipment, products, by-products, or materials primarily used or produced by agricultural operations. Examples of such land uses include, but not limited to, agricultural implement sales, storage, or repair operations; feed and seed stores; agricultural chemical dealers and/or storage facilities; animal feed storage facilities; commercial dairies; food processing facilities; canning and other packaging facilities; and agricultural waste disposal facilities (except commercial Composting uses, see Section 550.03.22(1)).

Regulations:

(a) New Agricultural Service uses shall not be located in an existing or platted residential subdivision.

(b) All buildings, structures, outdoor storage areas, and outdoor animal containments (pastures, pens and similar areas) shall be located a minimum of 100 feet from all lot lines.

(c) Once discontinued for a period of 365 days, Agricultural Service uses shall not be re-established except by the granting of a conditional use permit, and shall only be permitted in the Agricultural Zoning District.

(d) Minimum required parking: Minimum and maximum required parking: See Section 550.06.06.

(2) **Community or Market Garden:** Community or Market Garden areas for cultivation and related activities divided into one or more plots to be cultivated by more than one operator or member. These areas may be on public or private lands where on-site sales of crops are permitted.

Regulations:

(a) Community and Market Gardens are permitted on lots of one acre in size or less. They are permitted to occur on lots with residential dwelling units as a standalone principal use or in combination with a residential dwelling unit principal land use as long as a Home Occupation permit is issued under Section 550.03.28(9)(q) and (r).

1. All activity and garden areas, signs, and structures shall be located a minimum of 10 feet from the lot line.

(b) A site plan shall be submitted to the Zoning Administrator, for approval. Said site plan shall list the property owner, established sponsoring organization and garden manager, and demonstrate consideration for and indicate locations of structures, materials storage, equipment storage, access for deliveries and pickups, water availability, park shelter, and availability of public parking.

(c) Accessory Buildings.

1. The following structures are permitted in Community and Market Gardens: tool sheds, shade pavilions, restroom facilities with composting toilets, and planting preparation houses, benches, bike racks, raised/accessible planting beds, compost bins, picnic tables, seasonal farm stands, fences, garden art, rain barrel systems, and children's play areas.

2. A combined total of 1,200 square feet of gross floor area of tool sheds, shade pavilions, restroom facilities, and planting preparation houses are permitted on the property by right so long as all structures meet minimum setback requirements in Article IV.

(d) Signs shall comply with the regulations of Article IX.

(e) Fences shall comply with the regulations in Section 550.06.40.

(f) Seasonal farm stands shall be removed from the premises or stored inside a building on the premises during that time of the year when the garden is not open for public use.

(g) Minimum and maximum required parking: See Section 550.06.06.

(3) **Cultivation:** Operations primarily oriented to the on-site, outdoor raising of plants for commercial purposes. Cultivation includes the raising of trees as a crop to be replaced with more trees after harvesting, such as in nursery or Christmas tree operations. The raising of plants for consumption by farm animals is considered Cultivation if said plants are consumed by animals which are located off-site.

Regulations:

(a) Cultivation is not permitted on buildable lots that have permanently constructed infrastructure such as water, sewer, stormwater, roads, or sidewalks.

(b) Except in the Agricultural District, cultivation uses, once discontinued for a period of 12 months, shall not be reestablished except with the granting of a conditional use permit.

(c) Minimum and maximum required parking: See Section 550.06.06.

(4) **Husbandry:** All operations primarily oriented to the on-site raising or use of animals at an intensity of less than one animal unit per acre. This includes horses, cattle, sheep, goats, llamas (and related species), deer, antelope, swine, foul (including chickens, turkeys, ducks, geese, peacocks, guinea hens, game birds), aquatic species (including fish, shellfish, crustaceans, echinoderms, plants, and algae), and any animals typically hunted or trapped. Apiaries are also considered Husbandry land uses. This excludes animals typically kept as pets and commonly available at commercial pet stores (e.g., domestic dogs and cats, fish, small rodents, reptiles, amphibians, tropical/exotic birds), in addition to Accessory Beekeeping and Accessory Residential Chicken land uses (see Section 550.03.28(21) and Section 550.03.28(22).).

Regulations:

(a) Any building housing animals shall be located a minimum of 300 feet from any residentially zoned property, and 100 feet from all other lot lines.

(b) All outdoor animal containments (pastures, pens, and similar areas) shall be located a minimum of 100 feet from any residentially zoned property.

(c) Except in the Agricultural District, husbandry uses, once discontinued for a period of 12 months, shall not be reestablished.

(d) Minimum and maximum required parking: See Section 550.06.06.

(5) **Intensive Agriculture:** All operations primarily oriented to the on-site raising or use of animals at an intensity equal to or exceeding one animal unit per acre or agricultural activities requiring structures, equipment or infrastructure specific to one operation rather than to farming in general. Examples of such land uses include feed lots, hog farms, poultry operations, aquaculture, and other operations meeting this criterion.

Regulations:

(a) Intensive agriculture is prohibited.

(6) **On-Site Agricultural Retail:** The sale of agricultural products grown exclusively on the site, not including those uses as defined under Community or Market Garden (Section 550.03.26(2)). The sale of products grown or otherwise produced off-site shall not be permitted within On-Site Agricultural Retail operations and shall be regulated as a distinct land use. Packaging and equipment used to store, display, package, or carry products for the convenience of the operation or its customers (such as egg cartons, baskets, containers, and bags) shall be produced off-site.

Regulations:

(a) No structure or group of structures shall exceed 500 square feet in floor area.

(b) No structure shall exceed 12 feet in height.

(c) Signage shall be limited to one on-site sign which shall not exceed 30 square feet in area.

(d) Such land use shall be served by no more than one driveway. Said driveway shall require a valid driveway permit.

(e) The sale of products which are grown or otherwise produced on nonadjacent property under the same ownership, or on property under different ownership, shall be prohibited.

(f) Said structure and fencing shall be located a minimum of 300 feet from any residentially zoned property.

(g) On-Site Agricultural Retail uses, once discontinued for a period of 365 days, shall not be re-established except with the granting of a conditional use permit, and shall only be permitted in the Agricultural Zoning District.

(h) Minimum and maximum required parking: See Section 550.06.06.

Section 550.03.27: Reserved

Section 550.03.28: Accessory Land Uses and Structures

(1) **Accessory Dwelling Unit (ADU):** An Accessory Dwelling Unit (ADU) is a secondary, independent dwelling unit that provides complete living facilities, including provisions for living, sleeping, cooking, and sanitation. An ADU may be 1) located within or attached to a principal single-family dwelling, or 2) located within a detached accessory building on the same lot as a single-family dwelling. ADUs do not include In-Family Suites (Section 550.03.28(14)).

Regulations:

(a) The following standards apply to all ADUs unless otherwise stated:

1. No more than one ADU may be located on a lot.
2. The number of occupants of the ADU shall not exceed one-family and no more than two bedrooms.
3. Either the principal unit or the accessory unit shall be owner-occupied.
4. An ADU shall not be subdivided or conveyed as a separately saleable parcel.
5. An ADU shall not exceed 1,000 gross square feet in floor area and shall not exceed the floor area of the principal dwelling unit.
6. All ADU entrances located within a rear, side, or street-side yard shall be connected to a street frontage by a paved walkway or driveway.
7. Minimum required off-street parking: None (Section 550.06.06).
8. A separate address identifier may be required.
9. Separate utility meters are required when separate utility services are provided. Each separate service shall connect to the applicable utility main at the curb and shall not branch from or otherwise share a service lateral located on the property.
10. A Zoning Permit is required pursuant to Section 550.10.41 prior to the establishment of any ADU.

11. ADUs are exempt from any applicable fees in-lieu of parkland dedication and park improvement fees.

(b) The following additional standards apply to an attached ADU, located within or attached to the principal dwelling:

12. The appearance or character of the principal building must not be significantly altered so that its appearance is no longer that of a single-family dwelling.

13. Additional entrances shall not be added to the front elevation of an existing building but may be added to side, rear, or street side elevations.

(c) The following additional standards apply to a detached ADU, located within a detached accessory building on the same lot as a single-family dwelling:

1. Detached ADUs shall comply with the accessory structure setback requirements, and all other applicable regulations of the underlying zoning district for accessory structures (Article IV), except that the maximum height of a detached building containing an ADU, including one built above a garage or similar space, shall be twenty-four (24) feet, and in no case may be taller than the principal building height.

2. The detached accessory building shall be architecturally and aesthetically compatible with the principal dwelling. Compatibility shall include, but not be limited to, similar exterior materials, roof forms, and design elements. Roof top decks are prohibited.

(2) **Communication Antenna:** Devices used for the transmission or reception of electromagnetic waves, attached to a Communication Tower, building, or alternative tower structures, including associated equipment buildings/cabinets.

Regulations:

(a) Applicability.

1. A different use on the same lot shall not preclude the installation of an antenna or tower on such lot.

2. This land use category includes the placement of new antennas and equipment buildings used in conjunction with an existing tower.

3. Allowed as a permitted use in all zoning districts if the communication antenna meets all requirements in subsection (b) below.

(b) General Requirements.

1. Compliance with Federal Regulations. Towers shall be erected and installed in accordance with the state electrical code adopted by reference in §10-31 et seq., National Electrical Safety Code, Federal Communications Commission, Federal Aviation Administration, and the instructions of the manufacturer. In cases of conflict, the stricter requirements shall govern.

2. Co-Location of Communication Antennas on Communication Tower and Commercial Building: Antennas may be placed on commercial communication towers, and commercial, institutional, and industrial buildings.

a. Unless applicant is submitting an application to locate or co-locate upon an existing tower or structure, an analysis shall be prepared by or on behalf of the applicant; subject to the approval of the Plan Commission, which identifies all reasonable, technically feasible alternative locations and/or facilities which would be useable for the proposed personal wireless services. The intention of the alternatives analysis is to present alternative strategies which would minimize the number, size and adverse environmental

impacts, including aesthetics, of facilities necessary to provide the needed services to the City and surrounding rural and urban areas. The analysis shall address the potential for co-location at an existing or a new site and the potential to locate facilities as close as possible to the intended service area. It shall also explain the rationale for selection of the proposed site in view of the relative merits of any of the feasible alternatives. Approval of the project is subject to the Plan Commission making a finding that the proposed site results in fewer or less severe environmental impacts, including aesthetics, than any feasible alternative site. The City may require independent verification by a qualified engineer of this analysis at the applicant's expense. Facilities which are not proposed to be co-located with another telecommunication facility shall provide a written explanation why the subject facility is not a candidate for co-location.

3. Height Requirements. Antenna height shall be restricted to 200 feet above grade when located on a commercial communication tower. Antenna height shall be restricted to 20 feet above the height of the commercial building roof or alternative tower structure when located on such structure. District height restrictions shall not apply to antennas.
4. Alternative Structures. Antennas may be placed on alternative tower structures such as clock towers, bell steeples, light poles, water towers, or similar structures.
5. Advertising. No form of advertising or identification, sign or mural is allowed on the antenna other than the customary manufacturer identification plate.
6. Structural and electrical plans showing how the proposed tower will accommodate the co-location of the applicant's antenna and comparable antennas of additional users; and, the plans and specifications whereby the proposed tower is designed to allow for future rearrangement of antennas to accommodate additional users and the mounting of additional antennas at varying heights.
7. Stealthing requirements.
    a. Antennas and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
    b. A wall-mounted antenna shall be as flush to the wall as technically possible and shall not project above the wall on which it is mounted unless it must for technical reasons. The antenna and cables on roofs shall not be visible from an adjacent public right-of-way.

(c) Equipment buildings: Equipment buildings, including cabinets, used in connection with commercial communication antennas will be subject to the following conditions:

1. Any location and impact of the equipment buildings shall be made as minimal as possible so as not to prevent the principal use of the property.
2. Exterior storage of ground-mounted equipment or materials shall not be permitted.
3. Equipment buildings or structures may be mounted on the roof of a building provided that such building or structure is placed as unobtrusively as possible (e.g. integrated into the roof design) and surrounded by a Class C bufferyard.
4. Any ground-mounted equipment building used for accessory equipment must either be screened from view from all abutting residential uses and potentially incompatible municipal uses with a Class C bufferyard, or the equipment building must be constructed with similar materials, style, roof pitch, etc., to complement the architectural character of the surrounding neighborhood.

5. All ground-mounted equipment buildings shall at a minimum meet the required setbacks of a principal structure for the underlying zoning district, and shall be located in the side or rear yards.

(d) Exemption: If an applicant provides an engineering certification showing that a proposed communication tower is designed to collapse within a smaller area than the setback area, the setback requirement is reduced in accordance with the findings of the engineering certification, unless the City provides the applicant with substantial evidence that the engineering certification is flawed.

(e) Abandonment.

1. The applicant shall provide a written agreement stating that if the antenna or transmitters are unused for a period exceeding 365 days, the applicant shall remove the antenna or transmitters upon request from the City.
2. Within 30 days of the date on which the antenna use ceases, the permit holder shall provide the commission written notice of the cessation of use.
3. If unused facilities are not removed, the City may remove the items at the expense of the owner of the property upon which the tower was placed.

(f) Exempt Facilities.

1. Publicly owned and operated facilities required in the public interest to provide for and maintain a radio frequency telecommunication system, including digital, analog, wireless or electromagnetic waves, for police, fire and other municipal services.

(g) Applications and Fees.

1. All co-location applications must be processed within the timeframes set forth by the Federal Communications Commission. Any application for the co-location of small wireless facilities must be processed by the City within 60 days of receiving a completed application and any other co-location facility application must be processed within 90 days of receiving a completed application.
2. All fees associated with small wireless facilities must be a reasonable approximation of the objectively reasonable cost associated with maintaining infrastructure or processing an application in accordance with the maximum values set forth by the Federal Communications Commission.

(3) **Company Cafeteria:** A food service operation which provides food only to company employees and their guests.

Regulations:

(a) Company Cafeterias shall meet state food service requirements.

(b) Company Cafeterias shall be located on the same property as a principal land use engaged in an operation other than food service.

(4) **Detached Residential Accessory Building:** Detached buildings accessory to a residential use including but not limited to buildings used to shelter parked passenger vehicles (including garages and carports), sheds and similar structures used to store residential maintenance equipment on the subject property, workshops, kennels, greenhouses, boathouses, and pool houses, per the Building Code. Such structures shall comply with the definition for Accessory Structure, Detached in Section 550.11.01. See Section 550.03.28(1) for the requirements associated with an Accessory Dwelling Unit land use.

Regulations:

(a) Size. A combined total of 1,000 square feet of building footprint area for all detached accessory buildings on the property is permitted by right. For lots larger than one acre, the maximum

permitted combined total of the building footprint area of all detached accessory buildings on the property shall be increased by one square foot for every 100 square feet of lot area over one acre. In no instance shall the detached accessory building area exceed the ground floor area of the principal building used for residence. Attached garages shall not count toward this total.

(b) Amount. A maximum total of three detached accessory buildings are permitted on a single lot and the combined total of all detached accessory buildings on the lot shall not exceed the maximum size requirements in (a) above.

(c) Height. See Sections 550.04.11 to 550.04.14 for detached accessory building maximum building heights.

(d) Location. Detached accessory buildings are permitted in the rear and side yard only, in compliance with minimum setback requirements for accessory structures in Section 550.04.11-550.04.14. Such buildings are prohibited in the street side yard on corner lots.

(5) **Electric Vehicle Charging:** Includes all indoor and outdoor charging facilities for electric and hybrid electric vehicles. This land use is typically accessory to on-site parking, off-site parking, driveways, or indoor parking facilities.

Regulations:

(a) Equipment. Vehicle charging equipment must be designed and located so as to not impede pedestrian, bicycle, or wheelchair movement or create safety hazards.

(b) Posted information. Information must be posted identifying voltage and amperage levels and any type of use, fees, or safety information related to the electric vehicle charging station.

(c) Maintenance. Electric vehicle charging stations must be maintained in all respects, including functioning of the equipment. A phone number or other current contact information must be provided on the equipment for reporting when it is not functioning, or other problems are encountered.

(d) Electric Vehicle Charging in all residential zoning districts (see Article II) shall not be operated as a commercial venture and is limited to use only by residents and guests of residents. On any lot zoned SF-1, SF-2,SF-3, or MR-1, Electric Vehicle Charging shall only occur indoors.

(e) Parking requirements for Electric Vehicle Charging can be found in Section 550.06.06(6).

(6) **Farm Residence:** A Farm Residence is a single family detached dwelling unit located on the same property as any of the principal agricultural land uses listed in Section 550.03.26.

(7) **Minor Accessory Structures:** Minor accessory structures are those features that are generally less than 16 feet in height and less than 120 sf in area and which, in the determination of the Zoning Administrator, are similar in size, character, and function to those listed. Obstructions are those features that are integral to or otherwise permanently attached to the principal structure. Other integral or attached features, which in the opinion of the Zoning Administrator are not similar to those listed in this table, shall comply with the principal building setbacks. See Section 550.11.23 for definitions of awning, balcony, canopy, deck, patio, porch, and recreational equipment.

Regulations:

(a) No items listed below shall be located within the vision triangle or any established easements on the property.

Minor Accessory Structures Permitted in Required Yard Setbacks

Minor Accessory Structures and Obstructions	Front	Side	Rear	Limitations
Structure Types				
Arbor/Trellis	√			Not more than 15 feet in height covering less than 10% of required setback.
Arbor/Trellis		√	√	Not more than 15 feet in height covering less than 50% of required setback.
Awning/Canopy	√	√	√	Within the DMU and DRR zoning district, awnings and canopies may extend from the attached façade into the right-of-way up to 5 feet and shall be a minimum of 8 feet above grade with a Zoning Permit. Also, see Article IV for maximum encroachment standards.
Basketball Hoop	√	√	√	Not more than 15 feet in height. Concrete must be 5 feet from property lines and out of all easements.
Balcony	√	√	√	See Article IV for maximum encroachment standards.
Bay Window/Balcony	√	√	√	See Article IV for maximum encroachment standards.
Birdbath, Birdhouse, or Birdfeeder	√	√	√	
Chimney	√	√	√	See Article IV for maximum encroachment standards.
Clothesline			√	Not more than 7 feet in height.
Decorative Pond		√	√	
Deck		√	√	Must comply with all principal structure setbacks.
Donation Bin	√	√	√	Donation collection bins shall be permitted only as an accessory to an established nonresidential principal use. Bins may be located in front of the principal structure, but shall not be located within the required front yard setback. Bins shall be maintained in a neat and orderly condition with no materials stored outside the bin.
Eaves and Gutter	√	√	√	See Article IV for maximum encroachment standards.
Egress Window	√	√	√	See Article IV for maximum encroachment standards.
Fire Escape	√	√	√	See Article IV for maximum encroachment standards.
Flagpole	√	√	√	Not more than 20 feet in height. Must be a minimum of 5 feet from the property line.
Fountain	√	√	√	Not more than 5 feet in height, no closer than 3 feet to any property line and no more than 20 square feet, which includes the water feature and supporting structure.
Garden, Residential Composting, Raised Garden Bed, Landscape Area, Rain Garden, or Bioswale			√	See landscaping requirements in Section 550.08.30 and bioswale/raingarden requirements in Section 550.08.50.
Natural Landscaped Native Plant Pollinator Habitat Areas	√	√	√	See Section 10.03 "Weeds and Grass"
Gazebo/Picnic Shelters/Pergola		√	√	Not more than 15 feet in height and no larger than 120 square feet.
Greenhouse		√	√	Must comply with all accessory setbacks.
Little Food Pantry	√			Not more than 5 feet in height, no larger than 4 square feet.
Little Library	√			Not more than 5 feet in height, no larger than 4 square feet.
Mechanical Equipment		√	√	
Outdoor Kitchen			√	Must comply with all accessory setbacks.
Patio		√	√	Not more than 1 foot above established grade. Must comply with all pavement setbacks.
Paved Play Court (basketball, tennis, pickle ball, etc.)			√	Must comply with all accessory structure setbacks.
Picnic Table/Bench	√	√	√	

Minor Accessory Structures Permitted in Required Yard Setbacks

Minor Accessory Structures and Obstructions	Front	Side	Rear	Limitations
Porch	√	√	√	See Article IV for maximum encroachment standards.
Recreational Paved Path/Boardwalk/Platform	√	√	√	Minimum pavement setbacks apply.
Refuse Enclosure		√	√	All dumpsters shall be screened on four sides with a solid fence, wall, or gate 6 feet in height.
Seasonal Decorations	√	√	√	Not displayed longer than 90 days.
Statue/Art Objects	√	√	√	Not more than 5 feet in height with a footprint no larger than 20 square feet.
Stoop/Landing	√	√	√	Must comply with all accessory structure setbacks.
Swimming Pools			√	See Section 550.06.42 for requirements.
Swing Set/Play Equipment		√	√	Not more than 16 feet in height and covering no more than 200 square feet.
Treehouse			√	No more than 20 feet in height.
Walkways/Steps	√	√	√	Not more than 1 foot above grade.

(8) **Home Occupation:** Economic activities performed within a principal or accessory residential dwelling unit that do not significantly alter the residential character of the dwelling unit, dwelling structure, or the parcel and are secondary and incidental. Examples include personal and professional services, handicrafts, and retail conducted online. Home Occupations are intended to provide a means to accommodate a small home-based family or professional business without the necessity of a rezoning from a residential to a business district. Home Occupations are those that include on-site customers or non-resident employees and are limited to low intensity businesses and businesses with limited overlap of customer visits.

Regulations:

(a) The Home Occupation shall be conducted only within the enclosed area of the dwelling unit or the enclosed area of a residential accessory building or garage.

(b) The Home Occupation shall be conducted by a resident who uses the location of the Home Occupation as their principal residence.

(c) No more than two clients shall be seen at any given time.

(d) No Home Occupations shall have a non-resident employee or clients between the hours of 7:00 p.m. and 8:00 a.m.

(e) There shall be no exterior evidence of the Home Occupation and no exterior alterations which change the character of the structure as a residential dwelling unit. For Home Occupation Sign requirements see Figure 550.09.11(3).

(f) No structural alterations or construction involving features not customarily found in dwellings are allowed.

(g) No storage or display of materials, goods, supplies, or equipment related to the operation of the Home Occupation shall be visible outside any structure located on the premises.

(h) There shall be no adverse impact to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, vibration, electrical interference, traffic congestion, or other nuisances resulting from the Home Occupation.

(i) The Home Occupation shall not involve the use of commercial vehicles for more than occasional delivery of materials to or from the premises.

(j) No vehicle larger than a 3/4-ton capacity truck or van that is used in conjunction with a home occupation shall be parked on the premises.

(k) No mechanical equipment or machinery shall be used other than is usually, customary, and incidental to the residence for domestic or hobby purposes.

(l) The percentage of the gross finished floor area that may be devoted to the Home Occupation(s) shall not exceed 25 percent of the principal structure or 600 square feet, whichever is less.

(m) Home Occupations shall be carried out only by members of the immediate family residing on the premises and one non-resident employee.

(n) The following activities shall not be permitted as home occupations:

1. Any repair of motorized vehicles, other than those titled to that site, including the painting or repair of automobiles, trucks, trailers, boats, motorbikes, motorcycles, snowblowers, or lawn equipment.
2. Commercial animal boarding (Section 550.03.10(5)).
3. Commercial animal daycare (Section 550.03.10(6)).
4. Indoor commercial entertainment.
5. Funeral chapels or homes, crematoria, mausoleums.
6. Medical or dental clinics, provided that nothing in this chapter shall prohibit the performance of house calls or emergency medical services in a residential dwellings.
7. Any facility where products are manufactured, produced or assembled when the home occupation operator is not in the retail sale for such products.
8. Indoor shooting range/ sale of firearms or ammunition
9. Industrial land uses
10. Contractor businesses, including general construction, landscaping, and all other building trades, if the conduct of such business includes any of the following:
    a. Delivery of business goods or materials, other than office supplies, to the premises;
    b. On-premises assembly and/or storage of goods and materials utilized in the operation of such business; or
    c. Use of the premises as a rendezvous point, meeting area, or vehicle parking area for off-premises employees.

(o) Items shall not be sold or offered for sale on the premises. This provision shall not apply to online sales.

(p) Minimum required parking: One space is required if there is a non-resident employee. Employee parking in the driveway is permitted.

(q) Special Permit Provisions.

1. Approvals/permits required by other regulatory bodies such as the Health, Police, or Fire Departments must be submitted prior to the issuance of the Home Occupation permit.
2. A permit for a Home Occupation is issued to an individual person. It is not transferable to any other resident, address, or other occupation. Upon termination of the permit holder's residency, the Home Occupation permit shall be null and void.

3. A permit for a Home Occupation shall be revocable by the Zoning Administrator, due to failure of the owner/operator to observe all requirements of the permit and/or Zoning Ordinance.

(9) **Incidental Indoor Sales:** Retail sales activity conducted exclusively indoors which is incidental to a principal land use such as Indoor Storage and Wholesaling on the same site.

Regulations:

(a) The total area devoted to sales activity shall not exceed 25 percent of the total area of the buildings on the property.

(b) Minimum required parking: See Section 550.06.06.

(10) **Incidental Light Industrial:** Light industrial activities conducted exclusively indoors which is incidental to a principal land use, such as Indoor Sales or Service, on the same site.

Regulations:

(a) The total area devoted to light industrial activity shall not exceed 50 percent of the total area of the buildings on the property.

(b) Minimum required parking: See Section 550.06.06.

(11) **Incidental Outdoor Commercial Entertainment:** Land uses which provide outdoor commercial entertainment which is incidental to a principal land use on the same site.

Regulations:

(a) The total area devoted to outdoor commercial entertainment activity shall not exceed 25% of the total area of the buildings on the property.

(b) Customer entrances and activity areas shall be located a minimum of 50 feet from residentially zoned property.

(c) Facility shall provide a Class C bufferyard along all borders of the outdoor activity area abutting residentially zoned property.

(d) Minimum and maximum required parking: See Section 550.06.06.

(12) **Incidental Outdoor Sales and Display:** The sale and display of merchandise or equipment outside of an enclosed building and is incidental to a principal commercial or industrial land use.

Regulations:

(a) Incidental Outdoor Sales and Display land uses shall comply with all regulations of Section 550.03.10(19).

(b) The display area shall not be greater than the equivalent to 25% of the gross floor area of the building. Display area in excess of equivalent to 25% of the gross floor area of the building shall be considered Outdoor Sales and Display as a principal use under Section 550.03.10(19).

(c) The outdoor display areas shall be surrounded by a Class C bufferyard along all borders of the display area abutting residentially zoned property.

(d) The display of items shall not be permitted in required setback areas, landscape areas, or Class C bufferyards, unless located in a parking lot.

(e) Inoperable vehicles or equipment, or other items typically stored in a junkyard or salvage yard as defined under Section 550.03.22(4), shall not be displayed.

(f) In no event shall the display of items reduce or inhibit the use or number of parking stalls provided on the property below the requirement established by subsection (i), below. If the

number of provided parking stalls on the property is already less than the requirement, such display area shall not further reduce the number of parking stalls already present.

(g) Display areas shall be separated from any circulation area by a minimum of 10 feet. This separation shall be clearly delimited by a physical separation such as a greenway, curb, fence, or line of planters, or by a clearly marked paved area.

(h) Signs, screening, enclosures, landscaping, or materials being displayed shall not interfere in any manner with either on-site or off-site traffic visibility, including potential vehicle/vehicle and vehicle/pedestrian conflicts. Signs, screening, enclosures, landscaping, or materials being displayed shall comply with requirements related to vision triangles, crosswalks, drive aisle width, parking stall dimensions, fire lanes, bike lanes, or similar requirements related to traffic and pedestrian safety.

(i) Incidental Outdoor Sales and Display shall be permitted during the entire calendar year, however, if goods are removed from the display area all support fixtures used to display the goods shall be removed within 10 calendar days of the goods' removal.

(13) **Incidental Outdoor Storage:** Outdoor storage which is incidental to a principal land use, such as Indoor Sales or Service, on the same site.

Regulations:

(a) All open storage areas and open containers shall be fully screened from view by a wall and a solid gate made of wood or similar material. The exterior of the wall must match the materials and color of the principal structure and shall be a minimum of 8 feet in height.

(b) The storage area shall not exceed 10 percent of the gross building floor area or up to 1,000 square feet, whichever is less. Storage area in excess of 10 percent of the gross building floor area or 1,000 square feet shall be regulated as Outdoor Storage and Wholesaling under Section 550.03.16(2).

(14) **In-Family Suite:** An area within a dwelling unit that may contain separate kitchen, dining, bathroom, laundry, living, and sleeping areas, including exterior porches, patios, and decks. In addition to the required internal physical connection, separate outdoor access or separate access to the garage may be provided. However, external entries serving as the primary or only access to the In-Family Suite are prohibited. In-family suites shall not be regulated as Accessory Dwelling Units (Section 550.03.28(1)).

Regulations:

(a) In-Family Suites may not be occupied by a non-family member.

(b) The maximum floor area cannot exceed 20% of the existing dwelling unit's finished habitable area.

(c) In-Family Suites shall be considered and regulated as part of a single-family dwelling unit.

(d) The principal dwelling unit and the In-Family Suite shall together appear as a single-family dwelling.

(e) A separate walled garage area or driveway is not permitted.

(f) A separate address for the In-Family Suite is not permitted.

(g) A separate utility connection or meters are not permitted.

(h) A physical all-weather connection between the main living area and the In-Family Suite must be present. This required connection may not occur through an attic, basement, garage, porch, or other non-living area. A door may be used to separate the In-Family Suite from the principal dwelling, but may not be locking, except that a locking door may be used for the bedroom and bathroom doors of the In-Family Suite.

(i) When an application is submitted for a building permit to accommodate what is explicitly listed as, or could possibly serve as, an In-Family Suite, the building plan shall be marked as "not a separate dwelling unit or apartment," and a signed letter from the applicant stating agreement with this condition shall be filed.

(15) **In-Home Daycare:** Occupied residences in which a licensed person or persons provide childcare for 4 to 12 children. The care of less than four children is not subject to the regulations of this Chapter. Wis. Stats. § 66.1017(1)(a).

(16) **Migrant Employee Housing:** Migrant Employee Housing includes any facility subject to the regulation of Wis. Stats. § 103.90(3)(a).

Regulations:

(a) Migrant Employee Housing shall be surrounded by a Class C bufferyard along all property lines adjacent to all properties in residential or mixed-use zoning districts.

(b) Migrant Employee Housing shall be an accessory use to an active principal land use and under the same ownership.

(17) **Non-residential Accessory Structure:** Structures primarily used to shelter business vehicles or to store maintenance equipment for the subject property.

Regulations:

(a) The combined floor area of all structures shall not exceed the floor area of the principal building on the parcel.

(b) All non-residential accessory structures must meet the design requirements of the principal land use on the site. See Article VII.

(18) **On-Site Parking Lot:** On-Site Parking Lots are any areas located on the same site as the principal land use which are used for the temporary surface parking of vehicles which are fully registered, licensed, and operable. See Section 550.06.06 for additional parking regulations.

Regulations:

(a) Access and vehicular circulation shall be designed to prevent cut-through traffic.

(b) This land use is exempt from minimum height requirements in the DMU and DRR zoning district.

(19) **On-Site Structured Parking:** Structured parking which is accessory to a principal land use such as Apartments, Office, Mixed-Use Buildings, and other permitted land uses in the zoning district, and which is incorporated into the same building as the principal land use. Stand-alone structured parking that is not integrated with another land use shall be regulated as Off-Site Structured Parking, a principal use under Section 550.03.18(6). See Section 550.06.06 for additional parking regulations.

Regulations:

(a) On-Site Structured Parking shall be fully enclosed on all sides within the structure. Vehicle parking is permitted within the ground floor of the structure as long as the non-residential land use requirements for ground floors of Mixed Use Buildings are met (see Section 550.03.08). In no case shall parking be allowed on the ground floor facing Main Street. No parking structure may take access from Main Street.

(20) **Personal Antenna and Towers:** Devices used for the transmission or reception of electromagnetic waves, external to or attached to the exterior of any building. This definition includes the structure, supports, and equipment buildings. This land use applies to antenna and towers for personal use. Examples include amateur radio antenna and personal television antenna.

Regulations:

(a) In the SF-1, SF-2, SF-3, and MR-1 districts, there may only be one roof-mounted antenna and one tower per lot. In all other districts there may be one antenna for each dwelling unit or business and one tower per lot.

(b) In all districts, freestanding towers with antennas may not be located in a front yard or street side yard or closer to the right-of-way than the closest edge of the principal building, whichever is less.

(c) The minimum required setback for freestanding towers with antennas shall be equal to the combined height of the tower and antenna.

(d) Towers are restricted to 50 feet and roof-mounted antennas are restricted to 30 feet above the highest peak of the roof.

(e) Guy wires shall not be anchored within a provided front yard or provided street side yard or closer to the right-of-way than the closest edge of the principal building, whichever is less. It shall be installed in such a manner as to protect the public safety and to minimize the visual impact on surrounding properties and from public streets.

(f) The attachment to an antenna or tower of any flag, decorative or commercial sign, streamers, pennants, ribbons, spinners or waving, fluttering or revolving devices is prohibited.

(21) **Accessory Beekeeping:** The assembly of one or more colonies of honeybees on a single residential lot.

Regulations

(a) No bees shall be intentionally kept and maintained other than honeybees.

(b) No more than four hives may be kept on a single parcel and no hive shall exceed 20 cubic feet in volume.

(c) Hives are not allowed on residential lots containing two (2) or more dwelling units unless units owning honeybees have a fully fenced, private backyard.

(d) No hive shall be located closer than five feet from any property line bordering a property in different ownership or occupied by a different person.

(e) No hive shall be located closer than 10 feet from a public right-of-way or 25 feet from a principal building on an abutting property of different ownership or occupied by a different person.

(f) A constant supply of water shall be provided for all hives on the property.

(g) A flyway barrier at least 6 feet in height shall shield any part of a property line with a property in different ownership or occupied by a different person that is within 25 feet of a hive. The flyway barrier must effectively direct bees to fly up and over the barrier when flying in the direction of the barrier. The flyway barrier shall consist of a wall, fence, dense vegetation, or combination thereof and shall be a minimum of 10 feet in width. The barrier shall further comply with any applicable fence regulations contained in this Chapter.

(h) If honeybees are to be kept on a lot by a person other than the lot owner (i.e. a tenant), the lot owner must give consent in writing to the keeping of honeybees on the lot as part of the application set forth below.

(i) All properties keeping bees are responsible for compliance with any reporting requirements to the Department of Agriculture, Trade, and Consumer Protection.

(22) **Residential Chickens:** The keeping of chickens including accommodating and raising chickens, defined as female domestic fowl of the subspecies Gallus gallus domesticus, in covered enclosures (coops) and fenced enclosures (runs).

Regulations.

(a) Chickens shall be permitted on lots where the principal structure is a detached single-family residence. If the residence is not owner-occupied, the tenant shall supply the owner's written consent to the keeping of chickens on the property to the City.
   1. Chickens shall be permitted on lots where the principal structure is an owner-occupied two-family duplex.
   2. Chickens shall not be permitted on a lot where the duplex is not owner-occupied, triplexes or any other higher-density residential dwelling units.

(b) A maximum of six chickens may be kept per residential lot.

(c) Keeping roosters is prohibited.

(d) The sale of chickens, chicken meat, eggs or other chicken by-products is prohibited.

(e) Chickens coop and run required.
   1. Chickens shall be provided with a chicken coop (i.e., a covered roosting area) and an adjacent chickens run (i.e., enclosed area in which chickens are allowed to roam).
   2. Chickens shall be kept in the coop or chicken run at all times unless the yard is fully fenced.
   3. The coop shall be located in the rear yard and shall comply with accessory structure setbacks.
   4. The coop shall not exceed 32 square feet in area nor 10 feet in height.
   5. The chicken run shall be located adjacent to the coop and shall comply with accessory structure setbacks.
   6. The chicken run shall not exceed 64 square feet in area and the fence surrounding it shall be between 48 and 96 inches in height.
   7. Chickens shall not be permitted in any other structure on the lot, including garages, basements and attics unless the property owner demonstrates that the alternative location is temporary due to inclement weather or other reason.

(f) Permit.
   1. No owner or occupant shall keep chickens without the prior issuance of a "raising of chickens" permit and a residential building permit for the chicken coop and run by the City of Watertown Building, Safety, and Zoning Department.
   2. Prior to issuance of a license by the City, the applicant shall provide the City with proof of notification to all abutting property owners of the presence of chickens.
      a. In the instance of an owner-occupied two-family duplex, the tenant must provide the City with the owner's written consent to the presence of chickens along with proof of notification to all abutting property owners.
   3. Prior to issuance of a license by the City, the applicant shall provide proof of livestock premises registration with the Wisconsin Department of Agriculture, Trade and Consumer Protection.
   4. The City may revoke the license if two or more substantiated violations of the City of Watertown Code are received by the City within a twelve-month period.

(23) **Residential Kennel:** An enclosed structure designed for the keeping of dogs that is accessory to residential use.

Regulations:

(a) Outdoor containments for animals shall comply with accessory structure setbacks and shall be screened from adjacent properties with a minimum Class B bufferyard.

(24) **Satellite Dish:** A bowl-shaped antenna with which signals are transmitted to or received from a communications satellite. This land use applies to dishes for personal use and private use.

Regulations:

(a) In all districts, satellite dishes less than 3 feet in diameter may be located anywhere on a lot, except the provided front yard or provided street side yard, or can be located on any principal or accessory building.

(b) In the SF-1, SF-2, SF-3, MR-1, MR-2, MR-3, CC, and MH-1 districts satellite dishes 3 feet in diameter and larger may only be located in rear yards or on the roof of a detached structure, so long as the height of the detached garage and the dish is equal to or less than the height of the principal building.

(c) In all other districts, satellite dishes 3 feet in diameter and larger may be erected on the roof of any principal or accessory buildings so long as the roof side does not face a street frontage, or in side or rear yards; but shall not be located in street or front yards.

(d) No advertising or graphic designs exceeding 1 square foot are permitted on satellite dishes in any zoning district.

(e) In the event that a usable signal cannot be obtained by locating a satellite dish in locations permitted by this Chapter, the Board of Zoning Appeals may grant a variance to allow the placement of a satellite dish in any location.

(25) **Short-Term Residential Rental:** Includes all lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists and transients. It does not include private boarding houses (Section 550.03.06(12)) or rooming houses not accommodating tourists or transients, or bed and breakfast establishments regulated under Wis. Admin. Code ACTP § 73.

(a) Definitions.

1. Tourist or Transient. A person who travels to a location away from his or her permanent address for a short period of time, not to exceed thirty days for vacation, pleasure, recreation, culture, business or employment.

(b) Permitted by Right: All zoning districts.

1. Land Use Requirement: Short-Term Residential Rental shall only be located as an Accessory Land Use to a Residential Land Use as defined in Section 550.03.06.

2. City License Required: Each Short-Term Residential Rental shall operate only with a license from the Wisconsin Department of Agriculture, Trade and Consumer Protection or its agent, the City of Watertown Health Department. Operating a Short-Term Residential Rental without a current version of a valid license shall be considered a violation of this Zoning Ordinance, and subject to the penalties of Section 550.10.60. The following information shall be provided, prior to the issuance of said City of Watertown Short-Term Residential Rental License:

a. Completed City of Watertown Short-Term Residential Rental Application, which includes the property owner's contact information; the designated operator's contact information; and emergency contact information;

b. Sales tax. The applicant has a Wisconsin Department of Revenue Sales Tax Number.

c. Occupancy. Occupancy is limited to the maximum occupancy provided in Wis. Adm. Code § ATCP 72.14(2)(b). In no case shall the use have more than two occupants per bedroom.

d. Insurance. The applicant has insurance against claims of personal injury and property damage for tourist rooming house or short-term property rentals.

e. The Short-Term Residential Rental shall at all times comply with the City Room Tax Ordinance (Chapter 76) and timely payments shall be made to the City whether by the lodging marketplace or the owner of the Short-Term Residential Rental.

f. Site Appearance Requirements:

i. Aside from a changing mix of guests and their vehicles, there shall be no evidence of the property being used as a Short-Term Residential Rental visible on the exterior of the subject property.

ii. No exterior signage related to the Short-Term Residential Rental is permitted, other than the property address.

iii. No outdoor storage related to the Short-Term Residential Rental land use is permitted, except for typical residential recreational equipment, seating, and outdoor cooking facilities which are permitted only within the rear yard.

iv. No recreational vehicle, camper, tent, or other temporary lodging arrangement shall be permitted to accommodate guests.

(26) **Small Solar Energy System:** Equipment and associated facilities that directly convert and then transfer or store solar energy into usable forms of thermal or electrical energy. Small Solar Energy Systems are accessory to a principal land use on a property and are designed primarily to generate energy for said principal land use.

Regulations:

(a) Except for in the Conservancy (CON) district, where they are allowed only as a conditional use, solar energy systems (rooftop, building-mounted, and freestanding) are permitted uses in all zoning districts as accessory structures. All restrictions on platted land that prevent or unduly restrict the construction and operation of solar energy systems, are void (Wis. Stats. § 236.292).

(b) Freestanding solar energy systems shall only be located within the side and rear yards.

1. They shall not be considered an impervious surface in the measurement of the maximum impervious surface ratio if the surface under the panels is pervious.

(c) Rooftop and building-mounted small solar energy systems may exceed the maximum height limit of the primary structure by up to 10 feet, but in cases where the system exceeds the maximum height limit, the panel must be setback from the edge of the roof a minimum distance equal to or greater than the height of the panel.

(d) See Sections 550.04.11 to 550.04.14 for specific bulk, density, and intensity requirements for accessory structures in each district. There are no screening or design requirements for Small Solar Energy Systems.

(e) The system shall obtain all required electrical permits.

(f) The City will apply Wis. Stats. §§ 66.0401 and 66.0403 in the evaluation of small solar energy system plans.

1. No restriction shall be placed, either directly or in effect, on the installation or use of a solar energy system, unless the restriction satisfies one of the following conditions:

a. Serves to preserve or protect the public health or safety.

b. Does not significantly increase the cost of the system or significantly decrease its efficiency.

c. Allows for an alternative renewable system of comparable cost and efficiency.

(27) **Small Wind Energy System:** A wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics which will be used primarily to reduce on-site consumption of utility power. Small wind energy systems have a total installed nameplate capacity of 300 kW or less and consist of individual wind turbines that have an installed nameplate capacity of not more than 100 kW.

(a) This Section provides the standards and procedures for issuance of conditional use permits for wind energy systems, as defined in Wis. Stats. § 66.0403(1)(m). The purpose of this Section is to ensure any proposed wind energy system complies with applicable provisions of Wis. Admin. Code Chap. PSC 128, as amended, and this Section.

(b) The system shall obtain all required electrical permits.

(c) Wind energy systems are a conditional use in every district. The City will apply Wis. Stats. § 66.0401 and Wis. Admin. Code Chap. PSC 128, as amended, in the evaluation of such requests.

1. No restriction shall be placed, either directly or in effect, on the installation or use of a wind energy system, unless the restriction satisfies one of the following conditions:

a. Serves to preserve or protect the public health or safety.

b. Does not significantly increase the cost of the system or significantly decrease its efficiency.

c. Allows for an alternative renewable system of comparable cost and efficiency.

Section 550.03.29: Reserved

Section 550.03.30: Temporary Uses

All of the following temporary uses shall comply with the standards and procedures herein including establishment of such uses in zoning districts as allowed by Section 550.03.05 (Table of Land Uses) without additional zoning permit review. Unless stated otherwise below, temporary uses are limited to 90 days per calendar year. Temporary uses may be extended in duration through the conditional use process (See Section 550.10.32).

(1) **Farmer's Market.** Farmer's Markets include the temporary or occasional outdoor retail sales of farm produce, plants and flowers, bakery goods, or crafts from vehicles or temporary stands located within a parking lot.

Regulations:

(a) Farmer's Market land uses are limited to the operating hours of 7 a.m. to 10 p.m.

(2) **Garage or Estate Sale (Auction).** Any temporary display of used household goods for sale on a property customarily used as a residence that does not exceed four days in duration and that occurs no more than four times in one calendar year. Such sales are also commonly referred to as rummage sales or yard sales.

Regulations:

(a) The person or persons conducting the Garage or Estate Sale shall reside on the lot where the sale is conducted. Permits are not required for Garage or Estate Sales.

(b) Sales shall occur only during daylight hours.

(c) Garage or Estate Sales shall not exceed 4 days in duration.

(d) Garage or Estate Sales shall not be held more than four times in any 12-month period and shall not be held more than two times in any 30-day period.

(e) Signs shall comply with the regulations of Article IX.

(3) **Temporary Farm Product Sales/Roadside Stand:** This land use includes the temporary outdoor display and sales of farm products, typically from a roadside stand.

Regulations:

(a) Display shall not obstruct pedestrian or vehicular circulation, including vehicular sight distances.

(b) Sales and display activities shall be limited to daylight hours.

(c) Minimum required parking: Two spaces per vendor.

(4) **Temporary Moving Container (Residential):** Portable storage containers designed and used primarily for the temporary storage of household goods and other such materials for use on a limited basis on residential property.

Regulations:

(a) The container shall not exceed outside dimensions of 20 feet in length, 8 feet in width, and 9 feet in height.

(b) The container shall be permitted on the property for up to 90 days associated with each change of occupancy as defined by a recorded change in property ownership or valid lease.

(c) The container cannot encroach on a public sidewalk, bike path, street, right-of-way, or neighboring property.

(d) The container must be placed on asphalt, concrete, or a similar hard-paved surface.

(5) **Temporary On-Site Construction Storage, Contractor's Project Office, and On-Site Real Estate Sales Office:** Includes any structure or outdoor storage area designed for the on-site storage of construction equipment and/or materials for an active construction project, a structure containing an on-site construction management office for an active construction project, or a building which serves as an on-site sales office for a development project.

Regulations:

(a) The land use shall be removed upon the expiration of the building permit associated with the active construction project. Projects requiring the land use to be in place beyond the expiration date of the building permit shall require a conditional use permit. Temporary Real Estate Offices shall be removed or converted to a permitted land use within 10 days of the completion of sales activity.

(b) Projects requiring the construction storage or contractor's project office structure to be in place for more than 365 days shall require a conditional use permit. Temporary On-Site Real Estate Sales Office uses that exceed 90 days per calendar year shall require a conditional use permit.

(c) The storage area shall be limited to a maximum area not exceeding 10 percent of the property's gross site area.

(6) **Temporary Outdoor Assembly:** Includes any organized outdoor assembly such as outdoor weddings, wedding receptions, or tent meetings.

Regulations:

(a) Temporary Outdoor Assembly uses that exceed 3 days per calendar year shall require a conditional use permit.

(b) Activities shall not obstruct pedestrian or vehicular circulation, including vehicular sight distances.

(c) If subject property is located adjacent to a residentially zoned property, activities shall be limited to daylight hours.

(d) A street use permit is required for all activities within a dedicated public right-of-way. The following information shall be described within the application and deemed adequate for the proposed event by the Chief of Police and City Zoning Administrator:

1. Proposed use of the street (including a detailed description of all activities such as vending, music, selling of food or alcohol beverages, location and use of tents, stages, or other equipment, and a detailed plan for clean-up after the event.)
2. Recording or sound amplification equipment.
3. Description of any public facilities or equipment to be used.
4. Adequate parking, drinking water, and toilet facilities.
5. Adequate provisions for crowd control.

(e) Signage shall comply with the requirements for temporary signs in Article IX.

(7) **Temporary Outdoor Sales:** Includes the display of any items outside the confines of a building, which is not a permitted or conditional use or a special event otherwise regulated by the Municipal Code. Examples of this land use include, but are not limited to, sidewalk sales, seasonal garden shops, tent sales, Christmas tree sales, and fireworks sales. Food or beverage trucks, carts, stands, or trailers are regulated in Chapter 480 of the City of Watertown Municipal Code.

Regulations:

(a) Temporary Outdoor Sales uses that exceed 90 days per calendar year shall require a conditional use permit.

(b) Display shall not obstruct pedestrian or vehicular circulation, including vehicular sight distances.

(c) If the subject property is located adjacent to a residential zoning district, sales and display activities shall be limited to daylight hours.

(d) The user shall provide a layout of the activities to the Zoning Administrator, for approval prior to any event or sales activity.

(e) Minimum required parking: None.

(8) **Temporary Outdoor Storage Container (Nonresidential):** Enclosed, lockable storage containers such as shipping containers, semi-trailers, storage pods, or other fully enclosed trailers for use on a limited basis on a nonresidential property. Other forms of temporary outdoor storage containers are prohibited.

Regulations:

(a) The container must be placed on asphalt, concrete, or a similar hard-paved surface.

(b) The container shall be permitted on the property for up to 30 days per calendar year. Containers in place for more than 30 days per calendar year shall be regulated as Outdoor Storage and Wholesaling under Section 550.03.16(2) or Incidental Outdoor Storage under Section 550.03.28(14).

(9) **Temporary Refuse Container:** Includes any receptacle or container used for the temporary disposal of refuse on-site usually in the form of a dumpster or other similarly large metal container associated with a construction, remodeling, moving, or other similar project on-site.

Regulations:

(a) The container shall not exceed outside dimensions of 25 feet in length, 8 feet in width, and 8 feet in height or 40 yards of capacity.

(b) The container shall be permitted on the property for up to 30 consecutive days.

(c) The container cannot encroach on a public sidewalk, bike path, street, right-of-way, or neighboring property.

(d) The container must be placed on asphalt, concrete, or a similar hard-paved surface.

(10) **Temporary Relocatable Building:** Includes any manufactured building which serves as a temporary building for less than 6 months. Examples include office, personal and professional services, indoor institutional, etc.

Regulations:

(a) Facilities serving for more than 6 months shall be considered conditional uses and are subject to the general standards and procedures presented in Section 550.10.32.

(b) The structure shall be limited to a maximum area not exceeding 20 percent of the property's gross site area.

(c) The user shall provide a layout of the activities to the Zoning Administrator, for approval prior to any activity.

(d) The structure must be placed on asphalt, concrete, or a similar hard-paved surface.

(e) Minimum required parking: None.

(11) **Temporary Shelter Structure:** These shelters are typically supported by poles, have a fabric or plastic roof and/or sides, and are commonly used for short term temporary storage of vehicles and other personal property. This does not include camping tents or permanent Residential Accessory Structures. Temporary Shelter Structures are prohibited.

(12) **Temporary Vehicle Sales:** Includes the sale of personal vehicles and equipment on trailers such as ATVs, snowmobiles, motorcycles, horse trailers, campers, etc.

Regulations:

(a) No more than one vehicle or trailer shall be for sale on any property at any given time for up to a maximum of 30 days per calendar year.

(b) Vehicles or trailers for sale must be licensed.

(c) Vehicles or trailers for sale must be owned by one of the following:

1. The property owner or lessee.
2. An employee of the property owner or lessee, only during the hours in which the employee is working.

(d) Vehicles or trailers for sale must be parked in a legal parking space or a residential driveway. Vehicles or trailers for sale shall not be parked on a lawn or other landscaped area.

Sections 550.03.31 to 550.03.99: Reserved

ARTICLE IV: BULK REGULATIONS

Section 550.04.01: Purpose

This Article regulates the location and bulk of buildings in both residential and nonresidential developments in order to protect and enhance the desired community character of the City of Watertown. The provisions of this Article are established for each Zoning District in Article II. Any nonconforming situation (lot, use, structure, and/or site) shall adhere to the provisions of Article V.

Sections 550.04.02 to 550.04.09: Reserved

Section 550.04.10: Bulk Standards

(1) All structures shall comply with the requirements listed for each zoning district in Sections 550.04.11 to 550.04.14.

(2) All lots shall conform to Chapter 545 Subdivision and Platting of the Municipal Code and the minimum requirements herein.

Sections 550.04.11 Table of Bulk Dimensions – Residential Zoning Districts

	SF-1	SF-2	SF-3	MR-1	MR-2	MR-3	CC	MH-1
	Single Family Residential	*Single Family Residential*	*Single Family Residential*	*Mixed Residential*	*Mixed Residential*	*Mixed Residential*	*Cottage Court*	*Mobile Home District*
Density and Intensity Limits								
Maximum Impervious Surface Percentage	65%	70%	80%	70%	70%	70%	65% District 90% Individual Lot	70%
Lot Requirements:								
Minimum Lot Area (1)	7,000 sq ft	5,000 sq ft	3,000 sq ft	5,000 sq ft	10,000 sq ft or 3,000 sq ft (2)	15,000 sq ft or 3,000 sq ft (2)	None	5,000 sq ft
Minimum Lot Width (at front setback line) (1)	60 ft	50 ft	30 ft	50 ft or 25 ft (1)	60 ft or 25 ft (1)	60 ft or 25 ft (1)	None	50
Minimum Lot Frontage at Right-of-Way	30 ft	30 ft	30 ft	25 ft	25 ft	25 ft	30 ft	30 ft
Principal Building Setbacks								
Minimum Front Yard and Street Side Corner Setback	25 ft	20 ft	15 ft	20 ft	20 ft	20 ft	15 ft	15 ft
Minimum Porch Setback - Font Setback (3)	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	See footnote 7
Minimum Side Yard Setback – Interior (1)	8 ft	5 ft	5 ft	0 ft or 5 ft (1)	0 ft or 8 ft (1)	0 ft or 8 ft (1)	0 or 5 ft (1)	5 ft
Minimum Rear Yard and Attached Deck Setback (2) (8)	No Alley: 20 ft, Alley: 3 ft	No Alley: 20 ft, Alley: 3 ft	No Alley: 20 ft, Alley: 3 ft	No Alley: 20 ft, Alley: 3 ft	No Alley: 20 ft, Alley: 3 ft	No Alley: 20 ft, Alley: 3 ft	No Alley: 20 ft, Alley: 3 ft	No Alley: 20 ft, Alley: 3 ft
Maximum Building Height (4)	35 ft and 2.5 stories	35 ft and 2.5 stories	35 ft and 2.5 stories	35 ft and 2.5 stories	45 ft and 3 stories	60 ft and 4 stories	35 ft and 2.5 stories	35 ft and 2.5 stories
Minimum Building Separation (on same lot)	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code
Minimum Principal Dwelling Unit Structure Area	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code
Minimum Front-Loaded Garage Setback (for attached garages)	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure	None

	SF-1	SF-2	SF-3	MR-1	MR-2	MR-3	CC	MH-1
	Single Family Residential	*Single Family Residential*	*Single Family Residential*	*Mixed Residential*	*Mixed Residential*	*Mixed Residential*	*Cottage Court*	*Mobile Home District*
Accessory Building Requirements								
Minimum Front Yard and Street Side Corner Setback	Even with or behind the principal building	Even with or behind the principal building	Even with or behind the principal building	Even with or behind the principal building	Even with or behind the principal building	Even with or behind the principal building	Even with or behind the principal building	See footnote 7
Minimum Building Separation (on same lot)	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code
Minimum Side Yard Setback	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft
Minimum Rear Yard Setback	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft
Maximum Building Height (4)	15 ft or 24 ft	15 ft or 24 ft	15 ft or 24 ft	15 ft or 24 ft	15 ft or 24 ft	15 ft or 24 ft	15 ft or 24 ft	15 ft or 24 ft
Minimum Pavement Setbacks								
Minimum Pavement Setback - Street or Right-of-Way (7)	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft
Minimum Pavement Setback - Side and Rear Yard (7) (9)	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft

1. When individual attached dwelling units are located on separate parcels, the minimum combined lot area of both parcels shall be the minimum figures stated above. When individual attached dwelling units are located on separate parcels, the minimum lot width and side setback shall be the second figure stated above.
2. Districts are designed to allow alleys in the rear of the lot. See Chapter 545 Subdivision and Platting Regulations for minimum alley dimensions.
3. Front porches may encroach to within ten (10) feet of the front lot line. The setback shall be measured to the closest point of the porch or any associated access stairs. This provision applies only to the front yard and not to the street side yard of a corner lot.
4. Accessory structures that only meet minimum accessory structure setbacks have a maximum height of 15 feet. Accessory structures that meet minimum principal structure setbacks have a maximum height of 24 feet. No accessory structure shall be taller than the principal structure on the lot. See Section 550.03.06(6)(b) for Cottage Court land uses.
5. Minimum lot frontage shall not apply to a Cottage Court that includes individual lots for each individual dwelling unit. All dwelling units within a Cottage Court shall meet all fire access requirements, including a minimum 20-foot-wide all-weather paved surface to access all individual dwelling units.
6. Along all peripheral property lines that directly abut a non-Cottage Court land use, the minimum principal building setback shall be 10 feet, and the minimum accessory structure setback shall be 5 feet.
7. A zero-foot pavement setback is only permitted for shared driveways so long as there is a recorded legal cross access easement between the two lots.
8. In the Downtown Residential Setback Adjustment Area as shown on the Official Zoning Map, the minimum rear yard setback for additions to an existing principal dwelling or attached garage shall be 15 feet, provided the addition does not exceed one story or 15 feet in height, including any basement or other foundation.
9. In the Downtown Residential Setback Adjustment Area as shown on the Official Zoning Map, the minimum driveway/pavement setback shall be zero feet.

Section 550.04.12 Table of Bulk Dimensions – Mixed Use Zoning Districts

	DMU	DRR	CMU	NMU	INST
	Downtown and Riverfront Mixed Use	*Downtown and Riverfront Residential*	*Corridor Mixed Use*	*Neighborhood Mixed Use*	*Institutional*
Density and Intensity Limits					
Maximum Impervious Surface Percentage	100%	100%	75%	75%	75%
Lot Requirements					
Minimum Lot Area (1)	None	None	7,000 sq ft	5,000 sq ft	7,000 sq ft
Minimum Lot Width (at front setback line) (1)	10 ft	10 ft	25 ft or 60 ft **(1)**	30 ft	25 ft or 60 ft **(1)**
Minimum Lot Frontage at Right-of-Way	10 ft	10 ft	30 ft	30 ft	30 ft
Principal Building Setbacks					
Minimum Front Yard and Street Side Corner Setback	Min: 0 ft Max: 10 ft	Min: 0 ft Max: 10 ft	20 ft	15 ft	20 ft
Minimum Porch Setback - Font and Setback (3)	10 ft	10 ft	10 ft	10 ft	10 ft
Minimum Side Yard Setback – Interior (1)	Min: 0 ft Max: 10 ft	Min: 0 ft Max: 10 ft	0 ft or 10 ft **(1)**	5 ft	0 ft or 8 ft **(1)**
Minimum Rear Yard and Attached Deck Setback (2)	Min: 0 ft Max: 10 ft	Min: 0 ft Max: 10 ft	20 ft	Front: 20 ft, Alley: 3 ft	Front: 20 ft, Alley: 3 ft

	DMU	DRR	CMU	NMU	INST
	Downtown and Riverfront Mixed Use	***Downtown and Riverfront Residential***	***Corridor Mixed Use***	***Neighborhood Mixed Use***	***Institutional***
Maximum Building Height (5)	Min: 20 ft and 1.5 stories Max: 60 ft and 4 stories	Min: 20 ft and 1.5 stories Max: 60 ft and 4 stories	60 ft and 4 stories	45 ft and 3 stories	60 ft and 4 stories
Minimum Building Separation (on same lot)	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code
Minimum Principal Dwelling Unit Structure Area	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code
Minimum Front-Loaded Garage Setback (for attached garages)	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure
Accessory Building Requirements					
Minimum Front Yard and Street Side Corner Setback	Even with or behind the principal building	Even with or behind the principal building	Even with or behind the principal building	Even with or behind the principal building	Even with or behind the principal building
Minimum Building Separation (on same lot)	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code
Minimum Side Yard Setback	0 ft	0 ft	3 ft	3 ft	3 ft
Minimum Rear Yard Setback	0 ft	0 ft	3 ft	3 ft	3 ft
Maximum Building Height (4)	50 ft	50 ft	50 ft	15 ft or 24 ft	50 ft

	DMU	DRR	CMU	NMU	INST
	Downtown and Riverfront Mixed Use	***Downtown and Riverfront Residential***	***Corridor Mixed Use***	***Neighborhood Mixed Use***	***Institutional***
Minimum Pavement Setbacks					
Minimum Pavement Setback - Street or Right-of-Way (all pavement) (7)	0 ft	0 ft	10 ft	10 ft	10 ft
Minimum Pavement Setback - Side and Rear yard (all pavement) (7)	0 ft	0 ft	3 ft	3 ft	3 ft

1. When individual attached dwelling units are located on separate parcels, the minimum combined lot area of both parcels shall be the minimum figures stated above. When individual attached dwelling units are located on separate parcels, the minimum lot width and side setback shall be the second figure stated above.
2. Districts are designed to allow alleys in the rear of the lot. See Chapter 545 Subdivision and Platting Regulations for minimum alley dimensions.
3. Front porches may encroach to within ten (10) feet of the front lot line. The setback shall be measured to the closest point of the porch or any associated access stairs. This provision applies only to the front yard and not to the street side yard of a corner lot.
4. Accessory structures that only meet minimum accessory structure setbacks have a maximum height of 15 feet. Accessory structures that meet minimum principal structure setbacks have a maximum height of 24 feet. No accessory structure shall be taller than the principal structure on the lot. See Section 550.03.06(6)(b) for Cottage Court land uses.
5. Minimum lot frontage shall not apply to a Cottage Courts that includes individual lots for each individual dwelling unit. All dwelling units within a Cottage Courts shall meet all fire access requirements, including a minimum 20-foot-wide all-weather paved surface to access all individual dwelling units.
6. Along all peripheral property lines that directly abut a non-Cottage Court land use, the minimum principal building setback shall be 10 feet, and the minimum accessory structure setback shall be 5 feet.
7. A zero-foot pavement setback is only permitted for shared driveways so long as there is a recorded legal cross access easement between the two lots.

Section 550.04.13 Table of Bulk Dimensions – Industrial Zoning Districts

	LI	HI
	Light Industrial	*Heavy Industrial*
Density and Intensity Limits		
Maximum Impervious Surface Percentage	75%	75%
Lot Requirements		
Minimum Lot Area	15,000 sq ft	1 acre
Minimum Lot Width (at front setback line) (1)	90 ft	100 ft
Minimum Lot Frontage at Right-of-Way	50 ft	100 ft
Principal Building Setbacks		
Minimum Front Yard and Street Side Corner Setback	25 ft	25 ft
Minimum Side Yard Setback – Interior (1)	15 ft	20 ft
Minimum Rear Yard Setback	20 ft	20 ft
Maximum Building Height	60 ft and 4 stories	60 ft and 4 stories
Minimum Building Separation (on same lot)	See Building Code	See Building Code
Minimum Front-Loaded Garage Setback (for attached garages)	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure
Accessory Building Requirements		
Minimum Front Yard and Street Side Corner Setback	Even with or behind the principal building	Even with or behind the principal building
Minimum Building Separation (on same lot)	See Building Code	See Building Code
Minimum Side Yard Setback	10 ft	10 ft
Minimum Rear Yard Setback	10 ft	10 ft
Maximum Building Height	50 ft	50 ft
Minimum Pavement Setbacks		
Minimum Pavement Setback - Street or Right-of-Way (all pavement) (7)	10 ft	10 ft
Minimum Pavement Setback - Side and Rear yard (all pavement) (7)	3 ft	3 ft

1. When individual attached dwelling units are located on separate parcels, the minimum combined lot area of both parcels shall be the minimum figures stated above. When individual attached dwelling units are located on separate parcels, the minimum lot width and side setback shall be the second figure stated above.
2. Districts are designed to allow alleys in the rear of the lot. See Chapter 545 Subdivision and Platting Regulations for minimum alley dimensions.
3. Front porches may encroach to within ten (10) feet of the front lot line. The setback shall be measured to the closest point of the porch or any associated access stairs. This provision applies only to the front yard and not to the street side yard of a corner lot.

	LI	HI
	Light Industrial	*Heavy Industrial*
4. Accessory structures that only meet minimum accessory structure setbacks have a maximum height of 15 feet. Accessory structures that meet minimum principal structure setbacks have a maximum height of 24 feet. No accessory structure shall be taller than the principal structure on the lot. See Section 550.03.06(6)(b) for Cottage Court land uses. 5. Minimum lot frontage shall not apply to a Cottage Courts that includes individual lots for each individual dwelling unit. All dwelling units within a Cottage Court shall meet all fire access requirements, including a minimum 20-foot-wide all-weather paved surface to access all individual dwelling units. 6. Along all peripheral property lines that directly abut a non-Cottage Court land use, the minimum principal building setback shall be 10 feet, and the minimum accessory structure setback shall be 5 feet. 7. A zero-foot pavement setback is only permitted for shared driveways so long as there is a recorded legal cross access easement between the two lots.		

Section 550.04.14 Table of Bulk Dimensions – Agriculture, Open Space, and Other Zoning Districts

	AG	PR	IOA
	Agricultural Holding	*Parks and Recreation*	*Intensive Outdoor Activity*
Density and Intensity Limits			
Maximum Impervious Surface Percentage	30%	30%	75%
Maximum Lot Dwelling Unit Density	Not Applicable	Not Applicable	Not Applicable
Lot Requirements			
Minimum Lot Area	1 Acre	1 Acre	1 Acre
Minimum Lot Width (at front setback line)	100 ft	100 ft	100 ft
Minimum Lot Frontage at Right-of-Way	50 ft	100 ft	100 ft
Principal Building Setbacks			
Minimum Front Yard and Street Side Corner Setback	35 ft	20 ft	50 ft
Minimum Side Yard Setback - Interior	30 ft	20 ft	50 ft
Minimum Rear Yard Setback	35 ft	20 ft	50 ft
Maximum Building Height (for principal building)	50 ft and 4 stories	45 feet and 3 stories	60 ft and 4 stories
Minimum Building Separation (on same lot)	See Building Code	See Building Code	See Building Code
Minimum Front-Loaded Garage Setback (for attached garages)	None	N/A	N/A
Accessory Building Requirements			
Minimum Front Yard and Street Side Corner Setback	Even with or behind the principal building	5 ft	Even with or behind the principal building
Minimum Building Separation (on same lot)	See Building Code	See Building Code	See Building Code
Minimum Side Yard Setback	10 ft	10 ft	10 ft
Minimum Rear Yard Setback	10 ft	10 ft	10 ft
Maximum Building Height	45 ft	45 ft	45 ft
Minimum Pavement Setbacks			
Minimum Pavement Setback - Street or Right-of-Way	10 ft	10 ft	10 ft
Minimum Pavement Setback - Side and Rear Yard	3 ft	3 ft	3 ft

Section 550.04.15 to 550.04.19: Reserved

Section 550.04.20: Exceptions to Maximum Height Regulations

The maximum height regulations listed for residential and nonresidential uses and accessory structures in each zoning district in Sections 550.04.11 to 550.04.14 are the maximum permitted heights for all buildings and structures, except those exempted by this Section.

(1) Minor Projections. The following are permitted to exceed the maximum height regulations within any district where permitted, outside of the Airport Overlay (Section 550.02.28): church spires; belfries; cupolas; penthouses and domes (not used for human occupancy); public monuments; stage towers or scenery lofts; water towers; fire and hose towers; tanks; utility poles; flag poles; chimneys; cooling towers; exhaust pipes; ventilators; skylights; telecommunications towers and antennas; satellite dishes; elevator bulkheads, grain elevators, feed mills, grain and seed mixing bins, concrete mixing bins, and other necessary mechanical appurtenances usually carried above roof level; and similar features. The provisions of this Chapter shall not apply to prevent the erection above the building height limit of a parapet wall or cornice for ornament (and without windows) extending above such height limit not more than 10 feet. Such features, however, shall be erected only to such height as is necessary to accomplish the purpose they are to serve and subject to the Wisconsin state building code.

(2) Additional Height for Roof Design or Non-Residential Space on the Ground Level. An Apartment/Multiplex, Townhouse, Live/Work, or Mixed-Use Building may exceed the maximum height regulations by up to a total of six (6) feet within any district where the land use is permitted, outside the Airport Overlay District (Section 550.02.28), if either of the following conditions is met:

(a) The structure is designed with a gable, hip, or gambrel roof with a pitch of at least 6/12.

(b) A Mixed-Use Building may increase the floor-to-ceiling height of the ground level, but then the building is not eligible for additional height for roof design.

Sections 550.04.21 to 550.04.29: Reserved

Section 550.04.30: Yard Setback Adjustments

(1) Lot size and minimum yard dimensions. No lot, yard, court, parking area, or other space shall be reduced in area or dimension so as to make the area or dimension less than the minimum required by this Chapter. If an existing yard is less than the minimum required, it shall not be reduced further, except where exempted by the provisions of this Section.

(2) Yard Setback Adjustments.

(a) Decrease of Front Yard Setback.

1. In the Residential and Mixed-Use zoning districts, a front yard setback may be reduced to the mean of the setbacks of the immediately adjoining lots that are on both sides of the subject lot. The following rules apply in calculating the mean setback (see Figure 550.04.30a):

a. Only the front yard setbacks on 5 or fewer adjoining lots, which are contiguous to each other in either direction of the subject lot and which are on the same side of the street as each other on the same block, may be used.

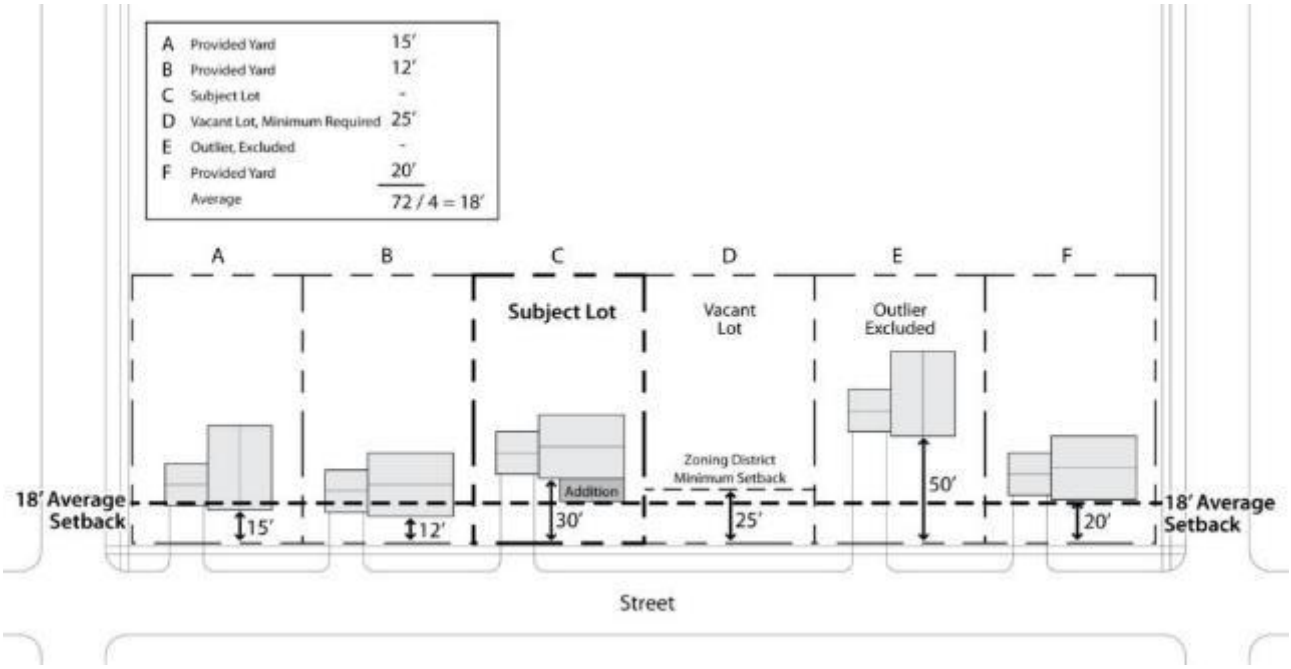
b. Where a lot is vacant, the minimum front yard setback of the zoning district for the proposed use will be applied to the vacant lot and factored into the averaging calculation.

c. Outliers, defined as yards with a setback that is equal to or greater than twice that of the next largest setback among the adjoining lots and thus which do not fit the established

pattern of front yard setbacks, shall be excluded in calculating the mean front yard setback, as determined by the Zoning Administrator.

d. In residential districts, the minimum front yard and street side yard setback on any lot shall be at least 6 feet. The minimum setback for an attached or detached accessory building facing the front yard or street side yard shall be at least 20 feet.

Figure 550.04.30a: Front Yard Averaging Example



(b) Increase of Front Yard Setback.

1. In the Residential and Mixed-Use zoning districts, blocks with mean front yard setback more than 5 feet over the minimum required front yard setback shall be increased to the mean of the adjoining same type of principal structures on said block or street. This regulation is intended to preserve and maintain the character of established neighborhoods that are typified by front yard setbacks substantially in excess of the minimum required front yard setback.
2. Outliers, defined as yards with a setback that is equal to or less than half that of the next smallest setback among the adjoining lots and thus which do not fit the established pattern of front yard setbacks, shall be excluded in calculating the mean front yard setback, as determined by the Zoning Administrator.

(c) Side Yard Setback Adjustments

1. Street Side Yard Setback Adjustments (for Corner Lots). On corner lots, the street side yard setback may be reduced to 8 feet, as may be necessary to attain at 30-foot buildable width. The required interior side yard setback must be maintained.
2. Side Yard Adjustments for Bufferyards. In instances where the required bufferyard width (per Article VIII) exceeds the minimum required side setback width, the minimum required bufferyard width shall prevail. Absolutely no intrusions of a building or structure are permitted within the required bufferyard, with the exception of utility boxes/cabinets and other minor accessory structures exempt from the setback requirements of this Chapter.

3. Side Yard Adjustments for Small Lots. On lots under separate ownership on the effective date of this Chapter and less than 50 feet in width, the side yard may be reduced to 10 percent of the lot width but not less than 4 feet.

(d) Rear Yard Setback Adjustments.

1. Rear Yard Adjustments for Bufferyards. In instances where the required bufferyard width (per Article VIII) exceeds the minimum required rear setback width, the minimum required bufferyard width shall prevail. Absolutely no intrusions of a building or structure are permitted within the required bufferyard, with the exception of utility boxes/cabinets and other minor accessory structures exempt from the setback requirements of this Chapter.
2. Rear Yard Adjustments for Small Lots. On lots under separate ownership on the effective date of this Chapter and less than 100 feet in depth, and where the minimum lot depth is required to be at least 100 feet, the rear yard may be reduced to 20 percent of the lot depth.
3. Increase of Rear Yard Setback: A principal building on a riverfront lot in a Residential or Mixed-Use zoning district shall have a minimum rear setback of 30 feet measured from the Ordinary High Water Mark.

Sections 550.04.31 to 550.04.39: Reserved

Section 550.04.40: Projections into Required Yards

The minimum setback requirements of each zoning district establish the minimum required yards for all uses, except those exempted by the provisions of this Section.

(1) With the exception of fences, minor accessory structures permitted in the front or street side yard, and the permitted projections described in this Section, no principal or accessory structures shall be permitted within any portion of a front or street side yard.

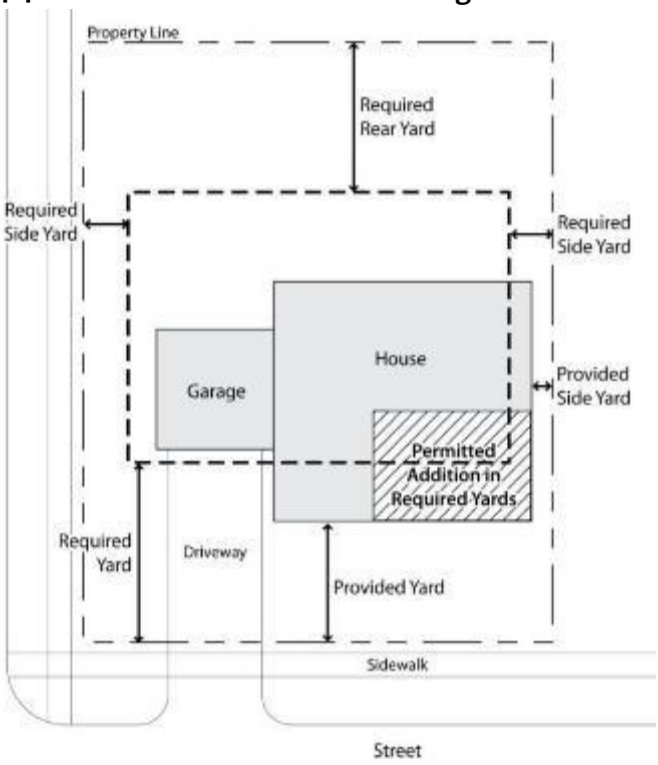
(2) Permitted Projections into All Required Yards.

(a) For principal and accessory residential buildings, the ordinary projection of sills, belt courses, cornices, downspouts, gutters, eaves, overhangs, ornamental features, pilasters, lintels, bay windows, chimneys, egress windows, and flues, provided they do not extend more than 2.5 feet into the required yards.

(b) Fences shall meet the requirements of Section 550.06.40.

(c) Additions to the existing building (including vertical additions, additional floors, and architectural features), balconies, terraces, covered porches, or similar appurtenances not extending beyond the setback of the existing façade, may be located in the provided or required yard setback, whichever is more permissive. If the addition is a front-loaded garage or front-loaded garage addition, the minimum setback when facing the front yard or street side yard shall be at least 15 feet. In no instance shall any new addition be within 10 feet of an adjacent principal structure or within 5 feet of an adjacent property line. See Figure 550.04.40a.

Figure 550.04.40a: Permitted Additions to Existing Structures in Required Yards



Note: Building additions must meet the design standards of Article VII.

(d) Handicap Accessible Ramps.

1. Handicap ramps or other devices required to make reasonable accommodation under the Fair Housing Act or the Americans with Disabilities Act are to be permitted in any required setbacks, provided that the maximum encroachment into a required setback is the minimum dimension required by the Wisconsin Commercial Building Code or Wisconsin Uniform Dwelling Code for accessible ramps and that no other location is feasible outside the required setbacks. Only temporary and removable ramps shall be permitted to encroach into the required setbacks.

2. Handicap Ramp Permit. Handicap ramps shall secure a Building Permit from the Building Inspector prior to construction. An application for a permit shall include a written statement explaining the reasons for the placement of the handicap ramp. The Zoning Administrator may also require a statement from a physician verifying the need for a handicap ramp.

3. Handicap Ramp Removal. The Zoning Administrator may periodically require verification of the continual need for the handicap ramp. When it has been determined the handicap ramp is no longer needed, the Zoning Administrator may order its immediate removal.

(e) Any other provisions identified elsewhere in this Chapter (landscape features, accessory structures, and other features where specific setbacks are established).

(3) Permitted Projections into Required Front Yards.

(a) All of the permitted projections listed under Subsection (2) above.

(b) Reference Sections 550.04.11 to 550.04.14 for porch dimensions and Section 550.03.28 for minor accessory structures.

(c) Uncovered entry platforms and steps necessary to comply with current ingress and egress regulations provided they do not extend more than 5 feet into the front yard setback and are no more than 6 feet wide. Steps from the platform may extend into the front setback area for the distance needed to meet minimum building code requirements for risers and treads. Replacement steps for porches may be as wide as the steps being replaced and may extend into the front setback area for the distance needed to meet minimum building code requirements for risers and treads. These exceptions apply only to residential districts.

(4) Permitted Projections into Required Street Side Yards (for Corner Lots).

(a) All of the permitted projections listed under Subsection (2) above.

(b) Reference Sections 550.04.11 to 550.04.14 for porch dimensions and Section 550.03.28 for minor accessory structures.

(5) Permitted Projections into Required Interior Side Yards.

(a) Reference Sections 550.04.11 to 550.04.14 for porch dimensions and Section 550.03.28 for minor accessory structures.

(b) Open fire escapes, fireproof outside stairways, and balconies opening upon fire towers may project into a side yard not more than 3 ½ feet when so placed as not to obstruct light and ventilation.

(c) Uncovered entry platforms and steps necessary to comply with current ingress and egress regulations provided they do not extend more than 4 feet into the interior side yard setback and are no more than 6 feet wide. Steps from the platform may extend into the front setback area for the distance needed to meet minimum building code requirements for risers and treads. Replacement steps for porches may be as wide as the steps being replaced and may extend into the front setback area for the distance needed to meet minimum building code requirements for risers and treads. These exceptions apply only to residential districts.

(6) Permitted Projections into Required Rear Yards.

(a) Reference Sections 550.04.11 to 550.04.14 for porch dimensions and Section 550.03.28 for minor accessory structures.

(b) Open fire escapes, fireproof outside stairways, and balconies opening upon fire towers may project into a rear yard not more than 3 ½ feet when so placed as not to obstruct light and ventilation.

(c) Uncovered entry platforms and steps necessary to comply with current ingress and egress regulations provided they do not extend more than 4 feet into the rear yard setback and are no more than 6 feet wide. Steps from the platform may extend into the front setback area for the distance needed to meet minimum building code requirements for risers and treads. Replacement steps for porches may be as wide as the steps being replaced and may extend into the front setback area for the distance needed to meet minimum building code requirements for risers and treads. These exceptions apply only to residential districts.

(7) Permitted Projections in the Planned Development District (PD): Per approved Specific Implementation Plan (see Section 550.02.29).

(8) Permitted Projections in the Overlay Districts. See Sections 550.02.20.

Sections 550.04.41 to 550.04.99: Reserved

ARTICLE V: NONCONFORMING SITUATIONS

Section 550.05.01: Purpose

The purpose of this Article is to establish regulations for the following nonconforming situations created legally prior to the effective date of this Chapter: nonconforming uses, nonconforming and substandard lots, nonconforming structures, and other nonconforming sites.

Sections 550.05.02 to 550.05.09: Reserved

Section 550.05.10: Legal Nonconforming Uses

(1) Definition. A nonconforming use is an active and actual use of land or structures, or both; legally established prior to the effective date of this Chapter or subsequent applicable amendments thereto which has continued the same use to the present, and which would not be permitted under the current terms of this Chapter.

(2) Legal Nonconforming Uses.

(a) Any use not in conformity with this Chapter, but lawfully existing upon the effective date of this Chapter, shall be a legal nonconforming use and may be continued at the size and in a manner of operation existing upon such date, except as specified in this Section.

(b) If a parcel or lot contains a legal nonconforming use, the addition of a new conforming use on that parcel or lot shall require a conditional use permit, subject to the standards, criteria, and procedures prescribed by Section 550.10.32, in order to ensure compatibility with the existing nonconforming use. Whether uses are compatible shall be determined by the Plan Commission.

(c) In the absence of a conditional use permit granting it legal conforming status, a nonconforming use shall be discontinued before a new conforming use may be added to the parcel.

(3) Modification of a Legal Nonconforming Use. A structure containing a nonconforming use shall not be enlarged or increased to occupy a greater area of lot, parcel, site, or structure than was occupied at the time of the effective date of this Chapter.

(4) No legal nonconforming use of a premise shall be moved in whole or in part to any other portion of the lot, parcel, site or structure than was occupied upon the effective date of this Chapter.

(5) Discontinuance of a Legal Nonconforming Use.

(a) When any legal nonconforming use of any structure or land is discontinued for a period of one year, or is changed into a conforming use, any future use of said structure or land shall be in complete conformity with the provisions of this Chapter.

(b) The property owner has the burden to prove that the nonconforming use was legal established and has been continuously maintained over time. Potential forms of documentation include but are not limited to utility bills; tax records; business licenses; listing in telephone, business, or City directories; advertisements in dated publications; building, land use, or development permits; insurance policies; leases; dated aerial photos; insurance maps that identify use or development such as Sanborn Maps; or land use and development inventories prepared by a government agency.

(6) Ordinary Maintenance and Repairs of a Structure and Land Containing a Nonconforming Use.

(a) The ordinary maintenance and repairs made to a structure or land containing or related to a legal nonconforming use is permitted. Ordinary maintenance and repairs are defined as follows:

1. The repair or replacement of doors, windows, nonbearing walls, fixtures, heating and air conditioning components, wiring, plumbing, siding, roofing, or other nonstructural components.
2. Overlaying an off-street parking or loading lot, which shall mean adding a layer of asphalt or concrete to an existing off-street parking or loading lot.
3. Resurfacing the asphalt or concrete of the off-street parking, loading facilities, or access drives without exposing the base course and overlaying such area.

(b) In no instance shall said maintenance and repairs exceed, over the life of the structure, 50 percent of the present equalized assessed value of said structure or property prior to said repairs, in accordance with Wis. Stats. § 62.23(7)(h) unless the use of the structure is brought into compliance with requirements of this Chapter.

Sections 550.05.11 to 550.05.19: Reserved

Section 550.05.20: Legal Nonconforming Lots

(1) Definition. A legal nonconforming lot is a lot legally established prior to the effective date of this Chapter or subsequent applicable amendments thereto which would not be permitted under the current terms of this Chapter.

(2) Applicability: The following Section shall apply to all lots in the City except in the following circumstances:

(a) The lot did not legally exist as of the effective date of this Chapter.

(b) The lot is subject to a court order to the contrary of this Section.

(3) Blanket Conforming Status.

(a) Blanket conforming status for any and all requirements of this Chapter is hereby automatically granted to all legal nonconforming lots in their configuration existing or as finally approved as of the effective date of this Chapter. This Subsection ensures that lots approved and created prior to the adoption of this Chapter do not encounter difficulty because the lots would otherwise be considered nonconforming or substandard.

(b) After the effective date of this Chapter, no lot shall be created which does not meet the density, intensity, and bulk requirements of the zoning district, except any lot located within a subdivision platted prior to the effective date of this Chapter may return to its originally-platted dimensions and configurations.

(4) New Development: A lot of record existing upon the effective date of this Chapter in any zoning district, which does not meet the minimum lot area, width, and frontage requirements for the zoning district, may be utilized provided that such development complies with all of the density, intensity, and bulk regulations for that zoning district.

Sections 550.05.21 to 550.05.29: Reserved

Section 550.05.30: Legal Nonconforming Structures

(1) Definition. A legal nonconforming structure is a structure legally established prior to the effective date of this Chapter or subsequent applicable amendments thereto which would not be permitted under the current terms of this Chapter.

(2) The following Section shall apply to all structures in the City except in the following circumstances:

(a) The structure did not legally exist as of the effective date of this Chapter.

(b) The structure is subject to a court order to the contrary of this Section.

(c) Where there are conflicts between or among regulations within this Section and other regulations such as floodplain, wetland, and shoreland regulations, the regulations which are more restrictive or which impose higher standards or requirements shall prevail.

(3) Blanket Conforming Status.

(a) Blanket conforming status for any and all requirements of this Chapter is hereby automatically granted to any structure lawfully existing upon the effective date of this Chapter.

(b) The repair, maintenance, renovation, rebuilding, or remodeling of a nonconforming structure or any part of a legal nonconforming structure is permitted in accordance with Wis. Stats. § 62.23(hb) and (he).

(c) Structures may not be enlarged, expanded, or extended without bringing the enlargement, expansion, or extension into compliance with the provisions of this Chapter, or unless a variance is granted by the Board of Zoning Appeals under Section 550.10.51.

(d) This Subsection is intended to eliminate the new or continued classification of structures as nonconforming subject to the requirements of this Chapter. This provision addresses two different situations:

1. Any structure erected prior to the original adoption of zoning by the City of Watertown that does not meet some or all of the bulk or intensity requirements of this Chapter.

2. In some instances, this Chapter establishes new bulk or intensity requirements that existing legal structures under the previous Zoning Ordinance do not meet.

(e) This Section therefore ensures that owners of such structures legally established prior to the effective date of this Chapter do not encounter difficulty because the structures would otherwise be considered nonconforming.

(4) Continuation. Any structure or building lawfully existing upon the effective date of this Chapter may be continued at the size and in a manner of operation existing upon such date, except as hereafter specified.

(5) Unsafe Conditions. Nothing in this Chapter shall preclude the Building Inspector from remedial or enforcement actions when said structure or building is declared unsafe.

(6) Alterations.

(a) For the purposes of this Section, alterations shall be defined as being one or more of the following:

1. Adding, removing, changing, or rearranging the supporting members of an existing structure, such as load-bearing walls, columns, beams, girders, trusses, or interior partitions.

2. Pulverizing or removing asphalt or concrete from off-street parking and loading facilities or access drives to the extent of exposing the base course, whether or not repaving of such area occurs.

3. Full-depth reclamation and mix and mill in-place processes that pulverize the parking facility surface and blend it on-site with the existing aggregate base.

4. For the purposes of this Section, "size" is defined as the site coverage, physical dimension, volume, height, length, width, or gross floor area.

(b) A legal nonconforming structure may be altered provided that the nonconforming structure does not encroach any further into the established nonconforming yard setbacks or required yard setbacks.

(7) Additions.

(a) An addition shall be defined as anything that increases the size of an existing building or structure.

(b) Additions made to nonconforming structures shall be permissible in required setbacks subject to the following:

1. The addition shall not encroach any further into the established nonconforming yard setbacks or required yard setbacks.
2. The addition shall conform to all other requirements of the district in which it is located.

(c) Additions shall meet all other provisions of this Chapter, including, but not limited to, maximum lot coverage, off-street parking and loading facilities, and landscaping standards.

(8) Relocation.

(a) Relocation shall be defined as any repositioning of a structure on its site or moving any structure to another site.

(b) No structure shall be moved in whole or in part to any other location on the same or any other site unless the structure complies with all of the provisions of this Chapter.

(c) If a structure is relocated to a new site, it shall also comply with all other provisions of this Chapter, including, but not limited to, maximum lot coverage, off-street parking and loading facilities, and landscaping standards.

(9) Ordinary Maintenance and Repairs.

(a) The ordinary maintenance and repairs made to a nonconforming structure is permitted.

(b) Ordinary maintenance and repairs are defined as follows:

1. The repair or replacement of doors, windows, nonbearing walls, fixtures, heating and air conditioning components, wiring, plumbing, siding, roofing, or other nonstructural components.
2. Overlaying an off-street parking or loading lot, which shall mean adding a layer of asphalt or concrete to an existing off-street parking or loading lot.
3. Resurfacing the asphalt or concrete of the off-street parking, loading facilities, and/or access drives without exposing the base course and overlaying such area.

(10) Destruction and Reconstruction. A damaged, destroyed, or removed structure may be restored to the size, location, design and use that it had immediately before the damage, destruction, or removal occurred without any limits on the costs of the repair, reconstruction, or improvement if either (a) or (b), below, apply. The burden of proof in regard to the location, dimensions, configuration, and exterior building materials of the damaged or removed structure shall be upon the property owner to demonstrate prior to the issuance of a building permit.

(a) The structure was damaged or destroyed by violent wind, vandalism, fire, flood, ice, snow, mold, infestation, or other act identified by Wis. Stats. § 62.23(hb) and (he) on or after March 2, 2006.

(b) The structure was damaged, destroyed, removed, or partially removed by other means on or after the effective date of this Chapter.

(c) For special regulations pertaining to the reconstruction of nonconforming single family or two-family driveways, refer to Section 550.06.03(13)(a)1. For special regulations pertaining to the

reconstruction of nonconforming multi-family or commercial parking lots, refer to Section 550.06.06(7)(e).

Sections 550.05.31 to 550.05.39: Reserved

Section 550.05.40: Other Nonconforming Sites

(1) Definition. A nonconforming site is a site legally established prior to the effective date of this Chapter or subsequent applicable amendments thereto which would not be permitted under the current terms of this Chapter because it does not meet the building and site design requirements of this Chapter. Such building and site design components may include one or more of the following:

(a) Bulk, intensity, and density requirements.

(b) Exterior building materials requirements.

(c) Exterior building design requirements.

(d) Number of parking spaces required.

(e) Landscaping requirements.

(f) Bufferyard requirements.

(g) Fencing requirements.

(h) Lighting requirements

(2) Blanket Conforming Status.

(a) Blanket conforming status for any and all requirements of this Chapter is hereby automatically granted to all development sites in their configuration existing or as finally approved as of the effective date of this Chapter.

(b) After the effective date of this Chapter, additional site development that would result in the enlargement, expansion, or extension of uses, structures or other development per (1)(a) through (g), above, will not be allowed to occur without such additional site development being in full compliance with the provisions of this Chapter.

(c) This Subsection is intended to prevent the creation of nonconforming sites related to the building and site design requirements of this Chapter.

(d) This Subsection ensures that sites approved prior to the effective date of this Chapter do not encounter difficulty because they would otherwise be considered nonconforming.

(3) New Development. All new buildings, structures, parking areas, and parking stall counts, including reconstructions, shall comply with all site design requirements of this Chapter, including the components of (1)(a) through (h), above, for the new or reconstructed portion of the development.

(4) Conformance Required Where Possible. On nonconforming lots where the site configuration and undeveloped area are sufficient to comply with site design requirements, any change that would make compliance with the site design requirements of this Chapter impossible shall not be permitted, as determined by the Zoning Administrator.

(5) On nonconforming lots where the site configuration and undeveloped area are not sufficient to comply with all site design requirements, but space is available to reduce the degree of one or more nonconformities, the Zoning Administrator, shall determine the manner and degree to which each site nonconformities shall be brought into conformance, specifically to improve public safety and/or reduce public nuisances.

(6) Creation of Additional Nonconformity Prohibited. Enlargements, expansions, or extensions that would result in creation of one or more nonconformities, or increase the degree of existing nonconformities with the site development standards of this Chapter shall not be permitted.

Sections 550.05.41 to 550.05.99: Reserved

ARTICLE VI: PERFORMANCE STANDARDS

Section 550.06.01: Purpose

The purpose of this Article is to indicate the standards and minimum requirements for group developments; vehicle, bicycle, and pedestrian access; visibility; off-street parking and traffic circulation; off-street loading; exterior lighting; exterior storage; vibration, air pollution, odor, glare, fire, toxic/hazardous materials, and noise standards; fencing; swimming pools; vacant buildings; and outdoor recreational space within the jurisdiction of this Chapter.

Section 550.06.02: Group Development Standards

(1) Purpose. The purpose of this Section is to establish standards that ensure group developments are properly located and are compatible with the surrounding area and the overall community character of the City of Watertown.

(2) Definitions.

(a) Group Development.

1. Any development located on one lot and comprised of any combination of 2 or more principal buildings on the same lot in any zoning district.

(3) Exceptions. The following situations are exempt from the requirements of this Section.

(a) Development in the following zoning districts:

1. Mixed-Residential-1 District
2. Mixed-Residential -2 District
3. Mixed-Residential -3 District
4. Neighborhood Mixed Use District
5. Planned Development District
6. Light Industrial District
7. Heavy Industrial District

(4) Review and Approval.

(a) All group developments require a conditional use permit (see Section 550.10.32 for review and approval procedure) regardless of whether individual use(s) within the development are permitted by right within the applicable district.

(b) Land uses permitted by right in the applicable zoning district shall be permitted by right within an approved group development, subject to the provisions of this Section, unless otherwise restricted by the conditions of approval imposed during the conditional use approval for the group development as a whole.

(c) Land uses allowed by conditional use permit within the applicable zoning district shall be allowed within the group development only with conditional use approval for that land use category. The consideration of the conditional use for the group development may occur in conjunction with the review for additional conditional land uses.

(d) The detailed land use regulations in Article III that pertain to each proposed land use shall also apply within a group development, as will all other applicable provisions of this Chapter.

(5) Changes to an Approved Group Development.

(a) Following initial issuance of a conditional use permit for the group development, all subsequent changes determined to be significant by the Zoning Administrator, to site design and building

design (including addition of structures, additions to structures, and expansions of parking or storage areas) in the group development shall require an amendment to the approved conditional use permit regardless of individual land use(s).

(b) Changes to individual land uses within a group development listed as permitted by right uses within the applicable zoning district are allowed without amendment to the group development conditional use permit, unless said conditional use permit placed restrictions on change of use.

(c) Changes to individual land uses within a group development listed as conditional uses within the applicable zoning district shall be allowed only by amendment to the conditional use permit, regardless of whether or not said use entails modifications to the building and/or site layout in the group development.

(6) Standards Applicable to Group Developments.

(a) Land uses and development shall comply with the applicable requirements of this Chapter, including, but not limited to, density, intensity, bulk, setback, and building separation requirements; building and site design standards; landscaping and green space requirements; access, parking, loading requirements; exterior lighting requirements; and signage requirements (Article IX).

(b) The applicant shall demonstrate how the proposed development relates to each of the following criteria:

1. Complements the design and layout of nearby buildings and developments.
2. Enhances, rather than detracts from, the desired character of the surrounding area.
3. All buildings within the group development shall be compatible with one another in terms of architectural quality and design, as determined by the Plan Commission.

(7) General Layout and Future Divisibility of Group Developments.

(a) Development located within a group development shall be located so as to comply with the intent of this Chapter regarding setbacks of structures and buildings from lot lines. Building envelopes shall be depicted on the site plan required for review of group developments. The use of this approach to designing group developments will facilitate the subdividing of group developments in the future (if such action is so desired).

(8) Roadway Connections. All nonresidential projects shall have direct access or access through an easement to a collector level street; or to a local street or arterial street if no other access is available, as deemed appropriate by the City.

(9) Parking. Parking lot designs and number of spaces shall meet the requirements of Section 550.06.06.

(10) Outdoor Display Areas. Exterior display areas shall be permitted only where clearly depicted on the approved site plan. All exterior display areas shall be separated from motor vehicle routes by a minimum of 5 feet or by a physical barrier visible to drivers and pedestrians.

(11) Outdoor Storage Uses and Areas. Exterior storage structures or uses, including the parking or storage of vehicles, trailers, equipment, containers, crates, pallets, merchandise, materials, forklifts, trash, recyclables, and all other items shall be permitted only where clearly depicted and labeled on the approved site plan. Outdoor storage uses and areas shall meet the screening requirements of Section 550.06.21.

(12) Landscaping. Landscaping shall meet the standards in Article VIII.

(13) Lighting. On-site exterior lighting shall meet the standards in Section 550.06.20.

(14) Signage. Signage shall meet the standards in Article IX.

Section 550.06.03: Access and Visibility Standards

(1) Purpose. The purpose of this Section is to promote the safety and general welfare of the public by establishing minimum requirements for the provision of driveways and other points of vehicle access, promote alleviating congestion of public and private rights-of-way by establishing minimum requirements for the provision of vehicular visibility, and supports the use of alternative modes of transportation by establishing requirements for pedestrian and bicycle access and bicycle parking.

(2) Applicability. The requirements of this Section shall apply to all new access points or existing access points to be modified with new development or redevelopment.

(3) Review and Approval. The location and configuration of any new access point and its associated visibility standards shall be indicated on the site plan. Through the site plan review process (see Section 550.10.43), the Zoning Administrator and/or Public Works Director/City Engineer shall review and recommend for approval all proposed access points and visibility standards on the subject property. Also, see Chapter 545 of the Watertown Municipal Code.

(a) Driveways for residential land uses may be approved by the Zoning Administrator.

(b) Additional access and visibility standards beyond those listed in this Section may be required to meet any health or safety requirement as determined by the City of Watertown Police or Fire Department.

(4) Access Location

(a) Nonresidential Driveway Access. One street access point shall be established per site.

1. In the case of any parcel with street frontage greater than 200 feet along a street, multiple street access points may be permitted with the approval of a Site Plan (see Section 550.10.43) or by the Public Works Director/City Engineer.

2. Nonresidential uses shall not have driveways or other access points onto a residential local street unless such street has the only available frontage.

(b) Residential Driveway Access. One street access point shall be established per site.

1. In the case of any parcel with multiple street frontages (corner lots), an access point may be established to each street frontage. For minimum and maximum driveway size, see Section 550.06.03(6).
2. Two street access points may be permitted on a single lot with only one street frontage if the combined size of all access points is less than 60% of the total lot width at the right-of-way-adjacent property line. For minimum and maximum driveway size, see Section 550.06.03(6).
3. Single-family, two-family, and multi-family dwelling units shall not have driveways or other access points onto a collector or arterial street that is not primarily residential unless such street has the only available frontage.

(c) Bicycle and Pedestrian Access. One pedestrian and bicycle access connection is required along all street frontages.

1. Pedestrian and bicycle access shall include appropriate connections to the existing and planned pedestrian and bicycle facilities in the community and in surrounding neighborhoods.

2. The entire development shall provide walkways for full and safe pedestrian and bicycle access within the development. A walkway or walkway system may be used by both pedestrians and bicyclists.

3. Walkways shall provide pedestrian access through or around off-street parking areas from street sidewalks to building entries. Walkways shall be located and aligned to directly and continuously connect areas or points of pedestrian origin and destination, and walkways shall

not be located and aligned solely based on the outline of a parking lot configuration unless such configuration allows for direct pedestrian access.

(d) Access Near Street Intersections. Unless access is aligned at a 90-degree angle with an existing or proposed intersection, no direct public or private access shall be permitted to the existing or proposed rights of way of the following intersections, unless otherwise permitted by the Public Works Director/City Engineer:

1. Arterial streets intersecting another arterial street within 100 feet of the intersection of the right of way lines. Driveways on opposite sides of this roadway should be directly opposite of each other where possible or separated by at least 100 feet of lateral distance.
2. Local streets intersecting arterial or collector streets within 50 feet of the intersection of the right of way lines.
3. Local streets intersecting local streets within 20 feet of the intersection of the right of ways lines.

(5) Access Configuration

(a) Driveways and other access points shall intersect with any public right-of-way at an angle of not less than 75 degrees and shall ideally intersect at an angle of 90 degrees.

(b) Driveways shall follow the surfacing requirements of Section 550.06.06(7)(f).

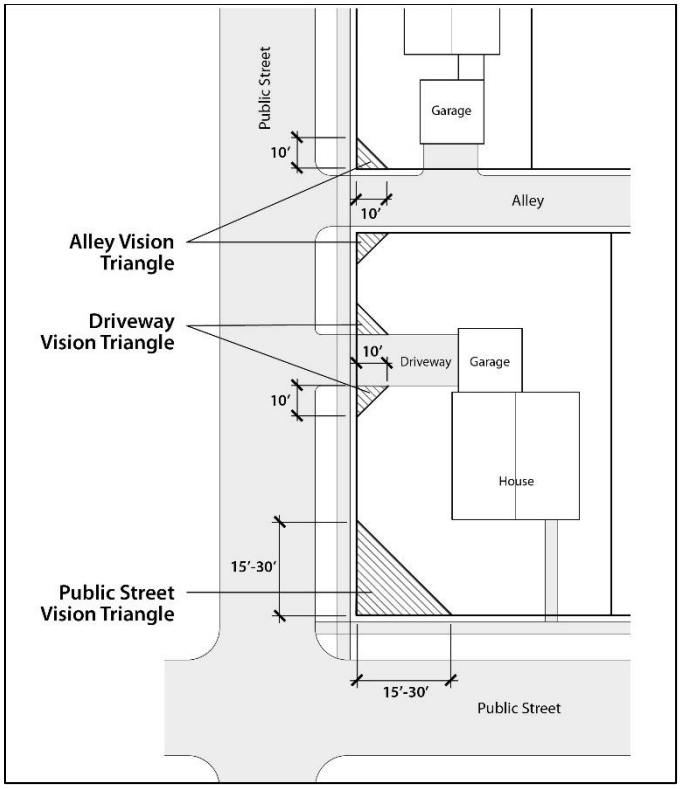
(c) The traffic generated by any use shall be channelized and controlled in a manner that avoids congestion on public streets and other safety hazards.

1. Traffic into and out of all off-street parking, loading, and traffic circulation areas shall be forward-moving, with no backing of vehicles into public streets. Single-family and two-family land uses are exempt from this standard.

(d) Vision Triangle at Public Streets. A vision triangle extending 15 feet from all public street right-of-way intersections shall be maintained for local street intersections and 30 feet when the intersection includes streets functionally classified as collector or arterial. If the street intersection is curved, the vision triangle distance shall be maintained as if the right-of-way were extended to create a 90-degree corner. No wall, fence, structure, sign, utility structure or appurtenance, or vegetation shall be permitted within such vision triangle which materially impedes vision between the height of 3 feet and 10 feet above the curb elevations of the intersecting streets, alleys, or railroad tracks with the exception of fencing, which shall be no greater than 30% opaque. Development located on streets with signalized intersections may be granted a reduction in the minimum vision triangle requirement by the Public Works Director/City Engineer. Development in the DMU district is exempt from this standard.

(e) Vision Triangle at Alleys and Driveways. A vision triangle extending 10 feet along the property line from alleys and driveways shall be maintained. No wall, fence, structure, utility structure or appurtenance, or vegetation shall be permitted within such vision triangles which materially impedes vision between the height of 3 feet and 10 feet above the centerline grade elevations of the intersecting streets, alleys, or railroad tracks. Development in the DMU district shall be exempt from this requirement.

Figure 550.06.03a: Visibility Standards



(6) Design of Single-Family and Two-Family Residential Driveways.

(a) All driveways shall follow the surfacing requirements of Section 550.06.06(7)(f).

(b) Minimum Driveway Setback. All driveways shall meet all pavement setbacks of the applicable zoning district in Sections 550.04.11 to 550.04.14 and be a perpendicular extension from the street to the garage or primary parking facility or intersect the street at a 90-degree angle.

(c) Driveway Width. Also see Section 550.06.03(4)(b) for driveway access standards.

1. Driveways shall be a minimum width of 12 feet and a maximum width of 24 feet at the property line.

   a. If a 12-foot driveway width is unattainable, the Zoning Administrator may reduce the minimum required driveway width to that which is deemed functional.

2. Where the width of the driveway at the garage or uncovered parking area exceeds the maximum width of the driveway at the lot line, the driveway shall be tapered between the garage or the edge of the uncovered space alongside the garage and the lot line starting a minimum of 5 feet inside the parcel. See Figure 550.06.03c. label "B". When leading to a legal uncovered space next to the garage, the driveway width shall be the least possible needed and shall not exceed 24 feet in width at the property line.

3. Driveways for two family uses with adjacent, attached garages are limited to 24 feet maximum width at the property line for each driveway leading to each unit. See Figure 550.06.03d. label "A".

4. The maximum width of multiple driveways on the same street frontage shall not exceed 60% of the lot width at the right-of-way adjacent property line. See Figure 300.06.03e label "D".

Figure 550.06.03b: Driveways up to 24 Feet Wide

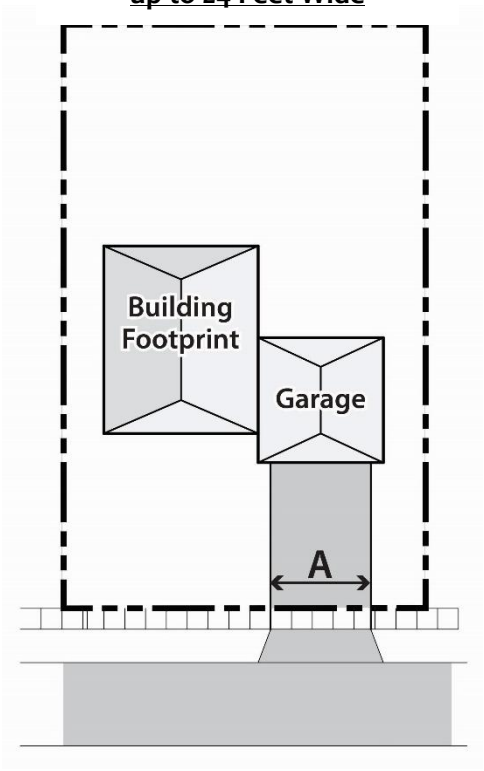


Figure 550.06.03c: Driveways Wider than 24 Feet

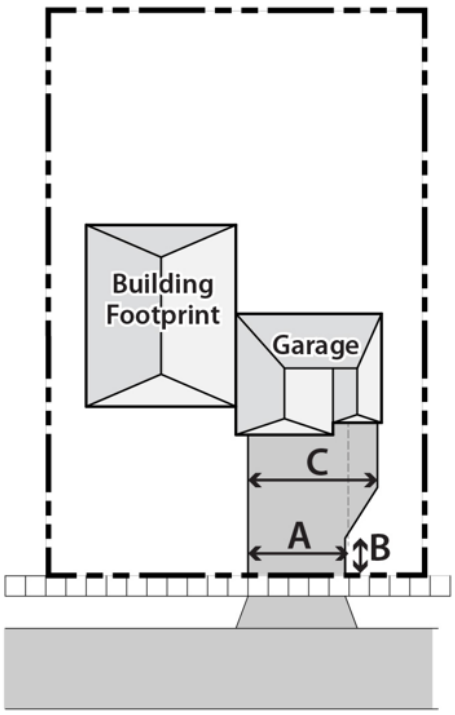


Figure 550.06.03d: Two Family Dwellings with Two Driveways

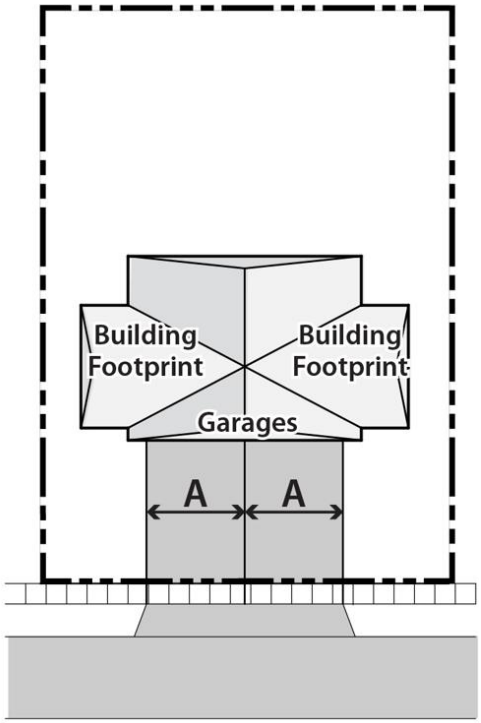
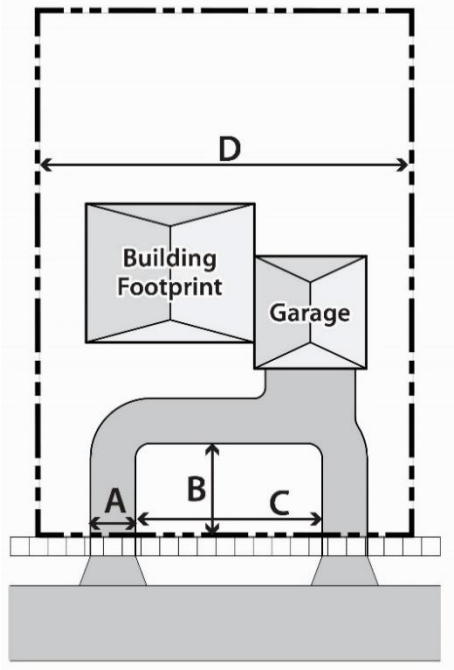


Figure 17-620.06.03e: Multiple Driveways On Single Street Frontage



(7) Design of All Other Driveways.

(a) All driveways shall follow the surfacing requirements of Section 550.06.06(7)(f).

(a) Minimum Driveway Setback. With the exception of interconnected drives and parking areas with an established cross access easement, driveways shall meet the minimum pavement setback as required in Sections 550.04.11 to 550.04.14 for the applicable zoning district.

(b) Driveway Width. Driveways shall be a minimum width of 12 feet. The maximum driveway width shall be 40 feet, unless required to be larger for fire access or large volumes of long-wheelbase vehicles. The design of such larger driveways shall be determined by City staff through the Site Plan review (Section 550.10.43) or a Traffic Impact Analysis.

(c) Traffic Impact Analysis. The City may require that a traffic impact analysis (TIA) be completed.

(8) Design of Bicycle and Pedestrian Walkways.

(a) All walkways shall follow the surfacing requirements of Section 550.06.06(7)(f).

(b) Walkways shall not be less than 5 feet in width and shall be grade-separated from the parking lot or otherwise delineated with pavement markers, planters, or alternate paving materials. Parked vehicles shall not encroach upon this minimum width.

(c) The entirety of the on-site pedestrian walkway system shall be marked and defined using pavement treatments, signs, lighting, median refuge areas, and landscaping as appropriate, as consistent with the Americans with Disabilities Act and the building code, and as approved by the Zoning Administrator.

(d) Where the pedestrian walkway crosses drive aisles or internal roadways, the pedestrian crossing shall emphasize and place priority on pedestrian access and safety.

(e) The material and layout of the pedestrian walkway shall be continuous throughout the property, outside of areas in which the driveway paving may be different than pedestrian walkway paving.

(f) Walkways shall meet the minimum pavement setback as required in Sections 550.04.11 to 550.04.14 for the applicable zoning district.

(g) The Zoning Administrator and Plan Commission may waive the standards of section (8) herein if it is determined that no safe bicycle and pedestrian walkway is possible from a given street frontage to the on-site structure.

(9) Nonconforming Driveways.

(a) Nonconforming driveways shall comply with all of the regulations and requirements of Article V for nonconforming structures.

1. Legally established driveways that do not conform to the performance standards herein shall be permitted to be reconstructed provided the reconstructed driveway is not dimensionally expanded beyond its existing footprint.

(b) Shared driveways (driveways located on multiple lots and typically situated over lot lines) that existed prior to the adoption of this Chapter may remain legal driveways. No new or reconstructed shared driveways may be established unless cross-access easements are recorded with the Register of Deeds.

Sections 550.06.04 through 550.06.05: Reserved

Section 550.06.06: Off-Street Parking and Traffic Circulation

(1) Purpose. The purpose of this Section is to alleviate or prevent congestion of public rights-of-way so as to promote the safety and general welfare of the public by establishing minimum requirements for the provision of off-street parking and circulation in accordance with the use of various sites and types of development. The bicycle parking standards are intended to ensure that safe and convenient bicycle parking is provided in a manner appropriate to the use of each site and type of development and to support use of multi-modal transportation options.

(2) Applicability. The requirements of this Section shall apply to all new development and redevelopment.

(3) Review and Approval. Through the site plan review process (see Section 550.10.43), the Zoning Administrator shall review and approve all development for conformance with this Section.

(4) Depiction on Required Site Plan. All required elements of the Site Plan (Section 550.10.43) shall be depicted on the submitted Site Plan for off-street parking and traffic circulation.

(5) Computation. Fractional space requirements of up to one-half (½) space shall be rounded down to the next whole number and greater than one-half (½) rounded up to the next whole number.

(6) Parking Quantity Standards.

(a) Minimum Number of Required Off-Street Parking Spaces. Off-street parking requirements for each land use are generally tied to the use's capacity and gross floor area or the number of employees at the subject property during the largest work shift.

1. The term "capacity" means the maximum number of persons that may be accommodated by the use as determined by its design or by state building code regulations, whichever number is greater.
2. The term "employees on the largest work shift" means the maximum number of employees working at the facility during a single given day, regardless of the time period during which this occurs, and regardless of whether any such person is a full-time employee. The largest work shift may occur on any particular day of the week or during a lunch or dinner period in the case of a restaurant.
3. The term "gross floor area" shall mean the total floor area inside the building envelope on all levels of a building.

(b) A garage stall shall be considered a parking space (see subsection (7) below).

(c) One reserved parking space shall be provided for each service vehicle used by the operation during business hours.

(d) See Figure 550.06.06a for the number of parking spaces required by land use. Also, see Figure 550.06.06b for the number of ADA-compliant off-street parking spaces required by land use.

(e) Potential Reduction in Minimum Parking Requirements. The parking requirements listed in Figure 550.06.06a can be reduced, eliminated, or increased as determined by the Plan Commission through a Conditional Use Permit, Planned Development, Site Plan review, or Parking Study. The following factors shall be used to determine a reduction in minimum parking requirements:

1. The proposed development or lot has unique or unusual characteristics which factor into creating a parking demand that may not be typical in comparison to other land uses.
2. The lot and its surroundings provide an opportunity to address the anticipated parking demand of the proposed land use.

3. Pedestrian and bicycle connectivity is provided and connects to adjacent pedestrian and bicycle facilities. Also see 550.06.06(7)(j).
4. The need for additional parking can be reasonably met through provision of shared parking with nearby uses.

(f) Parking Studies. The Zoning Administrator or Plan Commission may require a parking study to determine parking requirements. Where a parking study is required, the study shall contain information on the anticipated number of employees, customers, visitors, clients, shifts, events, or deliveries to the use, and may refer to other studies or similar situations elsewhere.

(g) Partial or Phased Development of Required Parking Spaces.

1. Any development may seek permission from the Plan Commission to phase-in a portion of its required parking at time of site plan review; however, the site plan shall depict the minimum number of required parking spaces.
2. Areas required for parking, but not immediately improved, shall be reserved for future parking.
3. Undeveloped future parking areas shall be seeded with a grass mix or vegetative cover acceptable to the Zoning Administrator until said area is developed into a parking surface.

(h) Joint Off-Site Parking Facilities.

1. Parking facilities which have been approved by the Plan Commission to provide required parking for one or more uses shall provide a total number of parking spaces which shall not be less than the sum total of the separate parking needs for each use during any peak hour parking period when said joint parking facility is utilized at the same time by said uses.
2. Joint Use Parking Facility. Up to a 50 percent reduction in the number of required parking spaces may be authorized by the Zoning Administrator, following approval of a plan which provides for a collective parking facility serving multiple separate land uses.
3. Day-Night Use Parking Facility. The Zoning Administrator may authorize the shared day-night use of parking facilities under the following conditions:
   a. Up to 50 percent of the parking facilities by nighttime uses may be supplied by the off-street parking facilities of daytime uses.
   b. Up to 50 percent of the parking facilities of daytime uses may be supplied by the off-street parking facilities of nighttime uses.
4. The applicant(s) for approval of a joint or day-night use parking facility shall demonstrate to the satisfaction of the Zoning Administrator that there is no substantial conflict in the demand for parking during the principal operating hours of the uses for which the joint parking facility is proposed to serve. Conditions required for joint use shall be as follows:
   a. The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be located within 1,000 feet of such parking facilities. A walkway shall be provided between joint off-site parking facilities meeting the standards of Section 550.06.03(4)(b).
   b. A properly drawn legal instrument, executed by the parties concerned for joint use of off-street parking facilities, duly approved as to form and manner of execution by the City attorney, shall be recorded at the Register of Deeds. Said agreement shall cover a period of no less than 30 years. Joint use parking privileges shall continue in effect only so long as such an instrument, binding on all parties, remains in force. If such instrument becomes legally ineffective, then parking shall be provided as otherwise required in this Chapter.

Figure 550.06.06a: Number of Off-Street Parking Spaces Required by Land Use

	Land Use	Minimum Number of Off-Street Parking Spaces Required
Residential	All Residential Land Uses, Unless Specified Below	2 per dwelling unit
	Apartments/Multiplex, Townhouse	1 per studio or 1-bedroom unit, 2 per 2-bedroom unit or greater
	Boarding House Living Arrangement	1 per room for rent
DMU Zoning District	All Land Uses, Unless Specified Below	None
Mixed-Use	All Land Uses	Per the minimum of each individual land use
Commercial	All Commercial Land Uses, Unless Specified Below	1 per 500 square feet of gross floor area
	Bed and Breakfast	1 space per each bedroom, plus 1 per dwelling unit
	Campground	1 per campsite
	Commercial Indoor Lodging	1 per room for rent, plus 1 for each employee on the largest work shift
	Drive-Through and In-Vehicle Sales or Services	Refer to the parking requirements of the other land use activities on the site such as Indoor Sales and Service for a gas station convenience store or Office for a bank.
	Golf Course	1 per 500 square feet of gross floor area, plus 1 for each employee on the largest work shift
	Group Daycare Center (9+ children)	1 per employee on the largest work shift
	Indoor Commercial Entertainment	1 per 5 persons at the maximum capacity
	Intensive Outdoor Activity	1 per 5 persons at the maximum capacity
	Outdoor Commercial Entertainment	1 per 5 persons at the maximum capacity
	Outdoor Sales and Display	1 per 1,000 square feet of gross outdoor display area
	Outdoor Maintenance Service	1 per employee on the largest work shift
	Vehicle and Boat Sales	1 per employee on the largest work shift
	Vehicle Service and Repair	1 per employee on the largest work shift
Institutional	All Institutional Land Uses, Unless Specified Below	Determined by the Plan Commission
	Community Living Arrangement (1-8, 9-15, or 16+)	1 per employee on the largest work shift
	Small Scale Public Services and Utilities	None
	Large Scale Public Services and Utilities	1 per employee on the largest work shift
	Outdoor Open Space Institutional	None

	Land Use	Minimum Number of Off-Street Parking Spaces Required
Industrial	All Industrial Land Uses	1 per employee on the largest work shift
Storage	All Storage Land Uses	1 per employee on the largest work shift
Transportation	All Transportation Land Uses, Unless Specified Below	Determined by the Plan Commission
	Distribution Center	1 per employee on the largest work shift
	Freight Terminal	1 per employee on the largest work shift
	Heliport	None
Telecommunication	All Telecommunication Land Uses	None
Extraction	All Extraction and Disposal Land Uses	1 per employee on the largest work shift
Energy	All Energy Production Land Uses	None
Agricultural	All Agricultural Land Uses, Unless Specified Below	1 per employee on the largest work shift
	Community/Market Garden	None
	On-Site Agricultural Retail	1 per 500 square feet of gross floor area
Accessory	All Accessory Land Uses, Unless Specified Below	None, except as required for the principal use
	Accessory Dwelling Units	None
	Home Occupation	1 per non-resident employee
	Short-Term Residential Rental	2 spaces per unit
Temporary	All Temporary Land Uses	None, except as required for the principal use

*The Plan Commission may consider alternative available off-site parking to satisfy the minimum off-street parking space requirements of Figure 550.06.06a. Said alternative available off-site parking shall not include a City-owned public parking facility or on-street public parking facility. See 550.06.06(6)(h) for joint parking facility requirements.

Figure 550.06.06b: Number of Accessible Off-Street Parking Spaces Required by Land Use*

	Total Parking Spaces Provided	Required Minimum Number of Accessible Spaces
All Land Uses	1 to 25	1
	26 to 50	2
	51 to 75	3
	76 to 100	4
	101 to 150	5
	151 to 200	6
	201 to 300	7
	301 to 400	8
	401 to 500	9
	501 to 1,000	2% of total
	More than 1,000	20 plus one for each 100 over 1,000

* *Per IBC Section 1106.1.* Any existing parking areas intended to be restriped shall provide accessible parking spaces per the requirements above in accordance with the 2010 ADA Standards for Accessible Design or the most recent official ADA Standards demonstrated by the applicant to the satisfaction of the Zoning Administrator.

(7) Design Standards.

(a) Parking Space Design Standards. Other than accessible parking, permitted parking in residential driveways, and where otherwise regulated in this Section, each off-street parking space shall comply with the minimum requirements of Figure 550.06.06c. All parking spaces shall have a minimum vertical clearance of at least 7 feet.

Figure 550.06.06c: Parking Layout Dimensions

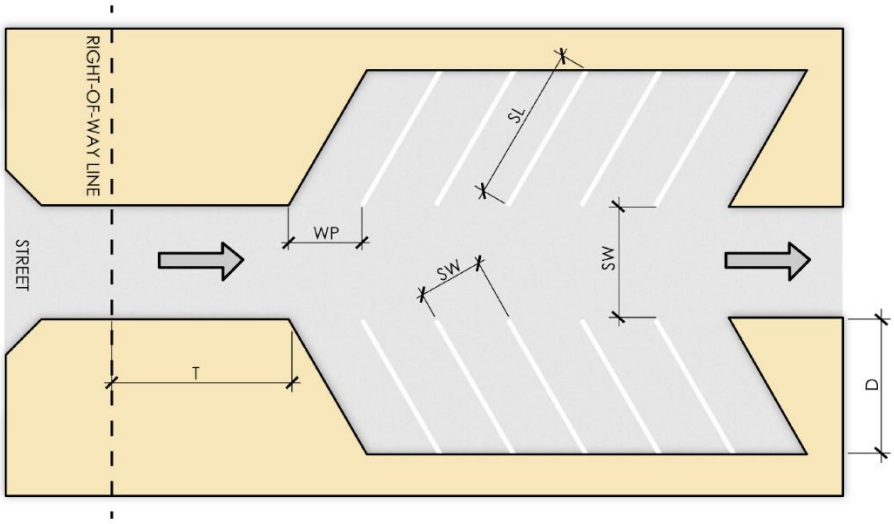
Minimum Permitted Dimensions	Parking Angle in Degrees				
	0°	45°	60°	75°	90°
Stall Width at Parking Angle (SW)	9’	9’	9’	9’	9’
Stall Width Parallel to Aisle (WP)	20’	12’	10’	9’	9’
Stall Depth to Wall (D)[1]	9’	18’	18’	18’	18’
Stall Length (SL)	18’	20’	20’	20’	18’
Cross Aisle Width for 1-way traffic flow (AW)	14’	14’	14’	14’	14’
Cross Aisle Width for 2-way traffic flow (AW)	24’	24’	24’	24’	24’
Throat Length (right-of-way to parking angle) (T)[2]	Figure 550.06.06d				

Notes:

[1]Stall Depth (D) may be reduced by 2 feet, provided vehicle overhang is located over a landscaped area or pedestrian walk if said walk is oversized to provide a minimum of 5 feet of clear pedestrian access and a concrete curb or wheel stop is provided to protect vegetation and pedestrians.

[2]In no case shall the throat length be less than the required pavement setback.

Figure 550.06.06d: Parking Layout Dimensions Diagram



(b) Parking Space Design for Single and Two-Family Uses.

1. Surfacing. All off-street parking and traffic circulation areas shall follow the surfacing requirements Section 550.06.06(7)(f).
2. Legal Spaces. Parking spaces shall be provided either within a garage, in a driveway, or as uncovered parking spaces meeting the requirements of this Section. See Figures 550.06.06c.
3. Driveway Parking Spaces. A driveway parking space shall be at least 12 feet wide and 18 feet deep. Driveway Parking Spaces may be stacked when each space in the stack is for the same dwelling unit.
    a. Parking is not permitted in the front yard, except for driveways leading to legal parking spaces.
4. Lots shall not exceed the maximum impervious surface ratio for the applicable zoning district.

(c) Parking Space Design for Multi-Family Land Uses served by individual driveways shall comply with the following standards:

1. Surfacing. All off-street parking and traffic circulation areas shall follow the surfacing requirements of Section 550.06.06(7)(f).
2. Driveway Parking Spaces.
    a. Driveways shall be considered legal, "stacked" (meaning in front of one another) parking spaces for all required stalls.
    b. Required parking spaces may be located in a driveway or in a garage. Each space shall be at least 12 feet wide and 18 feet deep.
3. Parking is not permitted in the front yard, except for driveways leading to legal parking spaces.
4. All driveways shall meet the minimum pavement setbacks as required in Sections 550.04.11 to 550.04.14 for the applicable zoning district.
5. Any uncovered parking spaces associated with these land uses shall meet the minimum requirements of Section 550.06.06(d) below.

(d) Off-Street Parking and Traffic Circulation Standards for Multi-Family and Nonresidential Uses.

1. Circulation. The site shall be designed to provide for the safe and efficient movement of all traffic entering, exiting, and circulating on the site. Circulation patterns shall conform to the general rules of the road. All traffic control measures shall meet the requirements of the Manual of Uniform Traffic Control Devices.

    a. Traffic patterns which are determined as too complicated by the Public Works Director/City Engineer shall be prohibited. Complications may be identified due to steep grades, inadequate throat depths, offset intersections, too many intersections within a particular area, dangerous and conflicting traffic movements, movements compromised by limited visibility, or restricted turning radii for the types of vehicles likely present on the site.

2. Surfacing. All off-street parking and traffic circulation areas shall follow the surfacing requirements of Section 550.06.06(7)(f).

3. Drainage. All off-street parking and traffic circulation areas shall be designed in such a manner as not to alter the surface water drainage pattern on adjacent properties nor cause erosion, and to meet the requirements of Chapter 288 and Chapter 453 of the City of Watertown Municipal Code.

4. Marking. All off-street parking and traffic circulation areas shall be marked, striped, and maintained in a clear and visible manner which clearly indicates parking spaces, pedestrian walkways, and other designated areas.

5. Curbing. A 6-inch-high curb shall be installed around all traffic circulation, parking areas, and internal landscape islands, except as follows:

    a. Where stormwater management facilities are utilized as part of an approved grading and drainage plan, use of curb cuts or other alternatives to the installation of curbing may be considered by the Public Works Director/City Engineer, provided that measures are taken to protect the landscaping from vehicular circulation damage. See also landscaping requirements in Section 550.08.30(2).

    b. For industrial uses within industrial zoning districts, curbing is only required adjacent to buildings, planting islands, required front yards, and where necessary to prevent any part of a vehicle from extending over or beyond any pedestrian paths or rights-of-way.

6. Access. Each off-street parking space shall open directly upon an aisle or driveway that is wide enough to provide a safe and efficient means of vehicular access to the parking space without directly backing or maneuvering a vehicle into any pedestrian way or right-of-way.

7. Location. All traffic circulation areas shall meet the minimum pavement setbacks as required in Sections 550.04.11 to 550.04.14 for the applicable zoning district.

8. Lighting. See Section 550.06.20.

9. Signage. All signage located within, or related to, required off-street parking or traffic circulation shall comply with the requirements of Article IX.

10. Landscaping and Screening. Parking lots shall meet the screening requirements of Section 550.06.06(7)(h). Landscaping used to meet this requirement shall count toward the landscaping required for paved areas in Article VIII.

11. Minimum Permitted Throat Length.

    a. Refer to Figure 550.06.06d below to determine the minimum permitted throat length of access drives serving parking lots as measured from the right-of-way line along the

centerline of the access drive. As determined by the Zoning Administrator, the minimum permitted throat length standard may be met with the length of the access drive measured as the shortest distance from the curb to the traffic circulation or parking area when there is adequate driveway length to meet the standards below for the applicable land use.

b. In no case shall the throat length be less than a surface parking lot's minimum required setback.

Figure 550.06.06d Minimum Permitted Throat Length

Land Use	Type	Scale of Development	Type of Access Street	
			Collector	Arterial
Residential	Any Residential	0-100 dwelling units	20'	-
		101-200 dwelling units	50'	75'
		201+ dwelling units	75'	125'
Commercial	All Commercial Uses	0-25,000 gross sq.ft.	20'	50'
		25,001-100,000 gross sq.ft.	25'	75'
		100,000-500,000 gross sq.ft.	50'	100'
		500,001+ gross sq.ft.	75'	200'
Industrial	All Industrial uses	0-100,000 gross sq.ft.	20'	50'
		100,000-500,000 gross sq.ft.	50'	100'
		500,000+ gross sq.ft.	50'	200'
All Other Use	6+ Parking Space		20'	50'

(e) Special Provisions for Nonconforming Parking Lots.

1. Legally established parking facilities constructed prior to the effective date of this Chapter which do not meet the minimum setbacks required by this Chapter shall be permitted to be reconstructed with reduced setbacks, subject to approval of a parking lot layout plan by the Plan Commission. Said parking lot layout plan shall be designed in accordance with the dimensions identified in Figure 550.06.06c of this Chapter. Parking lot setback reductions shall only be provided in the following instances:

   a. To prevent the loss of legal parking spaces as required by this Chapter.

   b. To prevent the loss of required internal circulation aisles.

   c. To retain the functionality of the parking lot.

2. The remaining setback area shall be devoted to landscape buffer area per the landscape requirements for paved areas described in Section 550.08.30(2). If, in the opinion of the Zoning Administrator, the remaining setback area cannot effectively support any type of vegetation, the parking facility may be reconstructed to the existing setback, with the exception that curbing, decorative masonry wall, and/or wrought iron fence be installed along said parking lot perimeter to prevent vehicles from encroaching over the right-of-way or property lines.

3. Parking lots with existing curbing installed along perimeter property lines and adjacent to the right-of-way shall be allowed to be reconstructed inside of said curbed area.

4. The provisions of this Chapter pertaining to the installation of curbing located in Section 550.06.06(7)(d)5. and internal landscaping located in Section 550.08.30(2) shall not apply to the reconstruction of parking lots of 50 stalls or less.

(f) Surfacing.

1. All off-street parking, loading, and traffic circulation areas shall be graded and surfaced so as to be dust-free and properly drained and shall be paved with a hard, all-weather or other surface.

   a. Except as otherwise provided in this Section, paved pads surfaced with concrete or asphalt are required for all motorized vehicles, including passenger vehicles, light trucks, recreational vehicles (RVs), and recreational equipment not stored on a trailer.

2. The following shall be exempt from these surfacing requirements:

   a. Driveways in the AG, and PR districts shall be exempt.

   b. Recreational vehicles parked or stored within the rear or interior side yard in accordance with Section 550.06.06(8)(d) shall be exempt from the surfacing requirements of this Section.

(g) Installation and Maintenance.

1. Off-street parking and circulation areas and required screening and landscaping shall be continuously maintained in good condition and appearance. Surfacing, lighting, barriers, markings, planting materials, and all other aspects of the off-street parking and circulation facility shall be repaired or replaced in compliance with the provision of this Chapter.

2. All off-street parking and traffic circulation areas shall be completed prior to building occupancy and shall be maintained in a dust-free condition at all times, except for approved phased development of parking spaces as provided for by Section 550.06.06(6)(g), above. In no instance or manner shall any off-street parking or traffic circulation area be used as a storage area, except as provided for by Section 550.03.16.

(h) Screening Requirements. All uncovered parking areas shall meet the minimum landscaping requirements for paved areas in Article VIII and minimum pavement setback requirements for the applicable zoning district in Article IV.

(i) Bicycle Parking Standards.

1. Required provision of bicycle parking areas.

   a. The automobile parking requirements may be reduced by providing additional bicycle parking. After the bicycle parking requirement has been met, a minimum of four bicycle parking spaces may be provided in lieu of one required automobile parking space.

   b. All bicycle parking racks shall permit the locking of the bicycle frame and one (1) wheel to the rack and shall support a bicycle in a stable position. All racks shall accommodate cable locks and "U" locks including removing the front wheel and locking it to the rear fork and frame. The "inverted-U" type bike rack is the preferred bicycle parking rack and means of providing off-street bicycle parking spaces as required in this Section ("wheel-bender" style bike racks do not provide sufficient support). One inverted-U type rack will count as 2 bicycle parking spaces. Freestanding bicycle parking racks shall be securely fastened to the ground.

c. Bicycle parking spaces shall be located on a paved or pervious, surface with a slope no greater than three percent (3%). Surfaces shall not be gravel, landscape stone, or wood chips.

d. Bicycle parking spaces shall be a minimum of two (2) feet by six (6) feet. There shall be an access aisle a minimum of five (5) feet in width. Each bicycle parking space shall be accessible without moving another bicycle and its placement shall not conflict with pedestrians and motorized traffic. Bicycle racks shall be installed to the manufacturer's specifications, including the minimum recommended distance from other structures. The spaces shall be placed where bicyclists would naturally transition to pedestrian mode.

(8) Locational Standards.

(a) Locational Prohibitions for Off-Street Parking Areas.

1. On a lot containing a single family or two-family dwelling unit, off-street parking shall not be located between the principal structure and a street right-of-way, except within residential driveways leading to a legal parking space.

2. No private parking shall occur within the right-of-way or any interior traffic circulation areas.

(b) Setbacks.

1. The distance from an off-street parking area to the property line of an abutting property shall meet the required setbacks in Article IV.

2. Existing parking areas that do not meet the requirements of this Chapter may be maintained or repaired at their setback as of the effective date of this Chapter.

(9) Limitations on Uses of All Off-Street Parking Areas.

(a) All vehicles shall be in condition for safe and legal performance on public rights-of-way, be registered, and display current license plates.

(b) No vehicle or equipment shall be used as permanent living quarters. This prohibition does not apply within an approved Campground land use or to temporary occupancy lasting fewer than seven consecutive days within any 30-day period.

(c) Outside of active construction activities associated with an approved Building Permit, vehicles or equipment not normally associated with a residential use shall not be parked or stored outdoors on a residential property except for as provided in subsection (d) below. On a nonresidential property, such vehicles or equipment shall not be parked or stored outdoors, except in areas identified on an approved site plan for the purpose of heavy vehicle parking or an Outdoor Storage land use. Such vehicles or equipment include:

1. Construction equipment such as bulldozers, backhoes, skid steers, and fork lifts

2. Dump and stake body style trucks

3. Cube type vans and trucks

4. Landscaping business equipment or agricultural equipment such as tractors, tree spades, graders, and scrapers

5. Semi-trailers and tractors

6. Concession, vending, and catering trailers

7. Commercial/industrial equipment trailers and lifts

8. Tow trucks, wreckers, or car carriers except for 1 light-duty tow truck (not a roll back, flat bed, or carrier type) with a gross vehicle weight not exceeding 12,000 pounds may be parked on a residential lot when on call, operating under the rotating call list established and kept by the City of Watertown Police Department
9. Amusement rides and similar vehicles

(d) In residential districts and on lots associated with residential uses, accessory off-street parking facilities shall be solely for the parking of motor vehicles, which shall be regulated as follows:

1. No front yard of any residential district and no front yard of a lot associated with a residential use shall be used for the parking of a motor vehicle except in approved driveways. Motor vehicles parked on any legal driveway shall not be permitted within three feet of any right-of-way line of a street.
2. No person shall park any motor truck, truck trailer, trailer, semitrailer or any other vehicle or combination of vehicles weighing more than 30,000 pounds 35 feet in length, or 11 feet in height, except recreational vehicles or motor homes are permitted if parked in a driveway or other legal off-street parking space.
3. A recreational vehicle (RV) associated with and customary to residential uses may be parked as if a passenger vehicle but shall not be utilized for the storage of goods, materials, or equipment other than that which is considered part of the RV or essential to its function.
    a. No person shall park or store any recreational equipment within the front yard or street side yard of any residential zoning district unless the equipment is parked on a driveway which meets all of the requirements in this Section.
    b. A maximum of three recreational vehicles may be parked or stored outdoors per residential property, with no more than two located within the rear or interior side yard and no more than one located within the front yard on a paved driveway. Recreational vehicles located within the rear or side yard may be parked or stored on grass, gravel, or paved surfaces and shall be exempt from the surfacing requirements of Section 550.06.06(7)(f). All recreational vehicles shall be located at least three feet from any side or rear lot line. The area surrounding each vehicle shall be maintained free of weeds, debris, and accumulated outdoor storage materials.

Section 550.06.07: Off-Street Loading Standards

(1) Purpose. The purpose of this Section is to promote the safety and general welfare of the public by establishing minimum requirements for the provision of loading facilities.

(2) Applicability. All institutional, commercial, industrial, storage, and transportation land uses shall provide off-street loading facilities in accordance with the regulations of this Section. Depending on the land use, off-street loading standards may be waived by the Plan Commission.

(3) Review and Approval. All developments and redevelopments will be reviewed for conformance with this Section through the site plan review process (see Section 550.10.43).

(4) Depiction on Required Site Plan. Any and all required loading areas and trailer and container storage areas proposed to be located on the subject property shall be depicted as to its location and configuration on the site plan required for the development of the subject property.

(5) Location.

(a) Loading areas shall be located on the private lot off an adjacent alley, service drive, or other paved open space on the same lot, shall provide adequate receiving platforms or other facilities

per subsection (6) below, and shall not be located within or interfere with any public right-of-way while in use.

(b) Loading areas shall be located on the same lot as the use served.

(c) For development with a gross floor area of greater than 10,000 square feet, loading areas shall not be located in a required front yard.

(d) Loading areas shall be located at least 50 feet from a residential district.

(e) Loading areas shall be located 25 feet or more from the intersection of 2 street right-of-way lines.

(6) Size of Loading Area. Structures shall provide functional receiving platforms or other facilities of adequate width, length, and at least 14 feet of vertical vehicle clearance.

(7) Access to Loading Area. Each loading area shall be located so as to facilitate access to a public street or alley, shall not interfere with other vehicular or pedestrian traffic, and shall not interfere with the function of parking areas. In no instance shall loading areas rely on backing movements into public rights-of-way while in use.

(8) Surface. All required loading areas shall follow the surfacing requirements of Section 550.06.06(7)(f).

(9) Use of Required Loading Areas. Loading areas shall not be used to provide the required number of parking spaces.

(10) Lighting. See Section 550.06.20.

(11) Signage. See Article IX.

Sections 550.06.08 to 550.06.19: Reserved

Section 550.06.20: Exterior Lighting Standards

(1) Purpose. This purpose of this Section is to provide illumination levels on sites for function and safety as well as regulate the spillover of light and glare on operators of motor vehicles, pedestrians, and nearby land uses in the vicinity of a light source to promote traffic safety and to prevent the creatin of nuisances.

(2) Applicability. The requirements of this Section apply to all exterior lighting within the jurisdiction of this Chapter, except for lighting within public rights-of-way.

(3) Review and Approval. All developments and redevelopments will be reviewed for conformance with this Section through the site plan review process (see Section 550.10.43).

(4) Depiction on Required Site Plan. All exterior lighting shall be depicted as to its location, orientation, and configuration on the site plan required for the development of the subject property. Catalog pages and specification sheets shall be included that indicate fixture type, mounting height, uplight rating, lumen rating, additional shielding, corelated color temperature and method of control. Photometric calculations shall be included to demonstrate compliance with allowable light trespass and illumination levels.

(5) Exterior Lighting Requirements.

(a) Flashing, flickering and/or other lighting which may distract motorists are prohibited.

(b) Intensity of Illumination.

1. In no instance shall the amount of illumination attributable to exterior lighting, as measured at the property line, exceed 0.75 foot-candles above ambient lighting conditions on a cloudless night.

2. The maximum average on-site lighting in nonresidential zoning districts shall be 3.0 foot-candles.
3. The maximum average on-site lighting in residential parking lots, regardless of zoning district shall be 1.0 foot-candles.
4. The following exceptions shall be permitted.
    a. The maximum average allowable on-site lighting of outdoor recreation facilities and assembly areas is 4.0 foot-candles.
    b. The maximum average on-site lighting of auto display lots and gas station pump islands is 25.0 foot-candles, provided that lighting is dimmed to 3.0 foot-candles when business is closed. All under-the-canopy fixtures shall be fully recessed.
5. Reflected glare onto nearby buildings, streets, or pedestrian areas is prohibited.

(c) Fixtures and Luminaries.

1. Outdoor lighting shall be full cut-off fixtures and downward facing and no direct light shall transmit onto adjacent properties.
    a. Exempt from this requirement are decorative light fixtures with frosted or otherwise diffusing enclosures and fixtures with a total factory-rated light output not exceeding 1,700 lumens per fixture.
2. Light fixtures shall not be located within required bufferyards or required minimum setbacks.
3. The color and design of fixtures shall be compatible with the building and public lighting in the area and shall be uniform throughout the entire development site.
4. All lighting fixtures existing prior to the effective date of this Chapter shall be considered legal nonconforming fixtures.

(d) All areas designated on required site plans for vehicular parking, loading, or circulation and used for any such purpose after sunset shall provide artificial illumination in such areas at a minimum intensity of 0.4 foot-candles.

(6) Additional Lighting Requirements for Nonresidential Uses and Multi-Family Uses.

(a) Each exterior entrance shall have an exterior light within 8 feet of the entrance.

(7) Nonconforming lighting. All lighting fixtures and structures existing prior to the effective date of this chapter shall be considered as legal conforming uses (See Article V); except, however, that where nonconforming lighting is deemed to create a public nuisance by the Zoning Administrator, it shall not be subject to the protections of Article V and may be ordered to be modified or removed so as to conform to the standards of this section.

(8) Additional Lighting Requirements for Intensive Outdoor Recreation Uses.

(a) Lighting shall be set to automatically shut off when there is no scheduled play and shall be extinguished no later than 10 P.M. Lower light levels for off-the-field lighting may be provided for an additional 1 hour for safe egress.

(b) The mounting height for light fixtures shall be no greater than one-fourth the distance to the nearest property line from where the light fixture is located.

Section 550.06.21: Exterior Storage and Screening Standards

(1) Purpose. The purpose of this Section is to control the use of exterior storage so as to promote the safety and general welfare of the public. For additional requirements relating to exterior storage for specific uses, refer to Article III of this zoning ordinance.

(2) Applicability. The requirements of this Section apply to all development.

(3) Review and Approval.

(a) All developments and redevelopments will be reviewed for conformance with this Section through the site plan review process (see Section 550.10.43).

(b) Outdoor Storage land uses shall meet the requirements of 550.03.16.

(4) Requirements for Exterior Storage.

(a) Requirements for Exterior Storage in Multi-Family and Mixed-Use Zoning Districts.

1. All materials and equipment shall be stored within a completely enclosed building except for the following: screened refuse containers, construction materials, landscape materials, and related equipment connected within on-site construction. Materials related to construction and landscaping projects shall not be stored outdoors after the completion of the project.

2. Such outdoor storage shall not be located within any front yard or required street yard (except for vehicles in designated off-street parking spaces). Outdoor storage shall conform to all setback requirements or shall be located a minimum of 5 feet from all property lines, whichever is more restrictive.

(b) Screening for storage land uses shall comply with the requirements of Section 550.03.16. Screening for Incidental Outdoor Storage land uses shall comply with the requirements of Section 550.03.28(13).

(c) Screening shall be maintained in accordance with the approved Site Plan.

(5) Exterior Storage Within Refuse or Recycling Enclosures.

(a) For all Multi-Family and Nonresidential Land Uses, all trash storage areas are recommended within the building, but if such enclosure is located on the exterior of the building, trash storage areas shall be located within an enclosure at least 6 feet in height that completely screens the view of all trash and trash storage containers. The exterior of said enclosure shall be constructed of solid wood that matches or is complementary to the exterior of the principal building or be one or more of the materials used on the exterior of the main building. A solid gate shall be used to gain access to the storage area; said gate shall be constructed of an opaque material matching the exterior of the enclosure. Metal panel gates and metal fence gates with interwoven slat fencing is prohibited. After initial approval, any subsequent modification to a trash storage area location shall require Site Plan approval (see Section 550.10.43).

(b) No exterior trash storage or dumpsters shall be located between a building and a public street except if in the opinion of the Zoning Administrator, no other suitable location is available for such purpose, and provided the dumpster area is developed in a manner so as to minimize its appearance from a public street.

(6) Mechanical Equipment and On-Site Utilities.

(a) Definition. Mechanical equipment is defined as devices installed for a use appurtenant to the property, structures, or principal use. Mechanical equipment includes, but is not limited to, HVAC equipment, transformers, gas and electric meters, utility-related equipment, exhaust fans external to buildings, louvers, vents, and industrial process equipment. The following equipment

shall be exempt from screening requirements due to functional concerns: satellite dishes, personal antennas and towers, industrial smoke stacks, and solar or wind energy systems.

(b) Applicability. The screening of mechanical equipment and utilities shall be required for all uses as regulated in this Chapter, except for single family and two family dwelling units and those exempted in other sections of the City of Watertown Municipal Code.

1. Screening is not required for any existing mechanical equipment on site.
2. Screening is required for any new or replaced mechanical equipment on-site.

(c) Situations which change the status of a conforming mechanical equipment installation to nonconforming status such as a change in zoning or establishment of a use shall be regulated as set forth in Article V.

(d) Screening Design Standards for Ground-Mounted Equipment. Ground-mounted mechanical equipment shall be hidden from view through the use of any of the following methods:

1. Earth berm(s) or landscaping at a combined height sufficient to fully screen the equipment from the right-of-way or other users of the site.
2. A bufferyard with a minimum opacity of 0.2 that completely surrounds the equipment.
3. Any opaque fence or wall permitted in the zoning district.

(e) Screening Distance.

1. Mechanical equipment is considered to be screened if it is not visible using an opaque combination of plants and/or permitted exterior materials (See Article VII) that is a minimum of the height of the object being screened, when viewed from any public right-of-way.
2. Exceptions can be made for elevated roads that are of a considerable higher grade from that of the mechanical equipment, for drastic grade changes, or for other special circumstances as determined by the Zoning Administrator.

(f) See Article VII of this zoning ordinance for requirements for building-mounted and roof-mounted mechanical equipment.

Sections 550.06.22 to 550.06.29: Reserved

Section 550.06.30: Vibration Standards

(1) Purpose. The purpose of this Section is to regulate the creation of vibration which adversely affects adjoining properties in order to prevent the creation of nuisances and to promote the health, safety, and general welfare of the public.

(2) Applicability. The requirements of this Section apply to all uses and activities which create detectable vibrations, except that these standards shall not apply to vibrations created during the construction of the principal use on the subject property.

(3) Review and Approval. Through the site plan review process (see Section 550.10.43), the Plan Commission shall review and approve all development on the subject property.

(4) Depiction on Required Site Plan. Any activity or equipment which creates detectable vibrations outside the confines of a building shall be depicted as to its location on the site plan required for the development of the subject property.

(5) Requirements. No activity or operation shall cause or create earthborn vibrations in excess of the displacement values given in Figure 550.06.30a, below.

(6) Method of Measurement. Measurements shall be made at or beyond the adjacent lot line or the nearest residential district boundary line. Vibration displacements shall be measured with an instrument capable of simultaneously measuring in three mutually perpendicular directions. The maximum permitted displacements shall be determined in each zoning district by the following formula: D = K/f, where D = displacement in inches; K = a constant to be determined by reference to Figure 550.06.30a below; f = the frequency of vibration transmitted through the ground (cycles per second).

Figure 550.06.30a: Vibration Measurement Constant

Change or Improvement	K All Other Districts	K BP, LI, HI, IOA Districts
On OR Beyond Any Adjacent Lot Line		
Continuous	0.003	0.015
Impulsive	0.006	0.030
Less than 8 pulses per 24-hour period	0.015	0.075
On OR Beyond Any Residential District Boundary Line		
Continuous	0.003	0.003
Impulsive	0.006	0.006
Less than 8 pulses per 24-hour period	0.015	0.015

Section 550.06.31: Noise Standards

(1) Purpose. The purpose of this Section is to regulate the creation of noise which adversely affects adjoining properties in order to prevent the creation of nuisances and to promote the health, safety, and general welfare of the public.

(2) Applicability. The requirements of this Section apply to all uses and activities which create detectable noise, except that these standards shall not apply to noise created during the construction of the principal use on the subject property, or by incidental traffic, parking, loading, maintenance, or agricultural operations.

(3) General Requirements. No use or activity shall generate noise that exceeds the maximum sound levels established in Figure 550.06.31.

(4) Measurement. Sound levels shall be measured using a Type 2 sound-level meter meeting the current applicable ANSI standard. Measurements shall be taken at the lot line of the receiving property nearest to the source of the noise. The measurement shall be conducted at the lot line of the subject property where said lot abuts property within any residential, mixed-use, or institutional zoning district.

(5) Noise Characteristics. Noise that is tonal, impulsive, intermittent, or repetitive may be subject to the adjustments established in Figure 550.06.31.

(6) Definitions. For purposes of this section:

(a) Tonal noise means sound characterized by a prominent and distinguishable tone or frequency such as a hum, whine, or whistle.

(b) Impulsive noise means sound characterized by brief, abrupt bursts of sound pressure, such as banging, hammering, or impact noise.

(c) Intermittent noise means sound that starts and stops repeatedly or occurs at irregular intervals rather than continuously.

Figure 550.06.31: Maximum Permitted Noise Level at Lot Line

Receiving Zoning District	Daytime Maximum (7:00 am to 10:00 pm)	Nighttime Maximum (10:00 pm to 7:00 am)
SF-1, SF-2, SF-3, MR-1, MR-2, MR-3, MH-1, CC, AG, PR	65 dBA	55 dBA
INST, NMU, CMU, DMU	70 dBA	65 dBA
LI, HI, IOA	70 dBA	65 dBA

Adjustments for Character of Noise	Adjustment to Maximum Allowable Level
Tonal Noise	Minus 5 dBA
Impulsive Noise	Minus 5 dBA
Intermittent or Repetitive Noise	Minus 5 dBA

(7) Exceptions. Subsection 3 shall not apply to the following:
- (a) Public Events under Chapter 428.
- (b) Park events under Section 398-18.

Section 550.06.32: Air Pollution Standards

(1) Purpose. The purpose of this Section is to regulate the creation of air pollution which adversely affects adjoining properties in order to prevent the creation of nuisances and to promote the health, safety, and general welfare of the public.

(2) Applicability. The requirements of this Section apply to all land uses and activities, except that these standards shall not apply to air pollution created during the construction of the principal use on the subject property, or by incidental traffic, parking, loading, or maintenance operations associated with an allowed use on the site.

(3) Standards. In addition to all applicable state and federal standards, the following shall apply:

- (a) The emission of particulate matter containing a particle diameter larger than 44 microns shall be controlled through appropriate fugitive dust mitigation measures to prevent such particulate matter from leaving the subject property. Mitigation measures shall be consistent with applicable requirements of Wis. Admin. Code ch. NR415.
- (b) Emission of smoke or particulate matter of a density or opacity equal to or greater than Number 2 on the Ringelmann Chart (US Bureau of Mines) is prohibited at all times.
- (c) Dust and other types of air pollution borne by the wind from such sources as storage areas, yards, and roads within the boundaries of any lot shall be kept to a minimum by appropriate landscaping, paving, oiling, or other acceptable means.
- (d) Outdoor accessory structure wood furnaces are prohibited in the City of Watertown for public health and safety reasons.
- (e) All other applicable state and federal standards, including the NR 400 Series, Wis. Adm. Code.
- (f) When the Zoning Administrator has a reasonable basis to believe that a violation may be occurring, the property owner or operator may be required to provide, at the owner's or operator's expense, documentation prepared by a qualified professional demonstrating compliance using a generally accepted testing or evaluation method approved by the Zoning Administrator.

Section 550.06.33: Odor Standards

(1) Purpose. The purpose of this Section is to minimize objectionable odors that adversely affect adjoining properties or substantially interfere with the reasonable use and enjoyment of surrounding properties, while recognizing that certain permitted land uses and activities may generate occasional or incidental odors as part of their normal operation.

(2) Applicability. The requirements of this Section apply to all land uses and activities, except that these standards shall not apply to odors temporarily generated during construction, incidental fertilizer application, traffic, parking, loading, routine property maintenance, lawn care, painting, roofing, food preparation and cooking odors, or similar temporary activities associated with an allowed use. Public wastewater treatment facilities and public landfills shall be exempt from the requirements of this Section as essential public services.

(3) Standards.

(a) No land use or activity shall generate odors beyond the boundary of the subject property that are objectionable due to their intensity, frequency, duration, or character and that substantially interfere with the reasonable use and enjoyment of another property. The mere detection of an odor beyond the boundary of the subject property shall not, by itself, constitute a violation of this Section.

(b) Uses that have the potential to generate objectionable odors shall employ reasonable odor-control measures appropriate to the nature and scale of the use. Such measures may include enclosure of odor-generating activities; capture, ventilation, filtration, or treatment of process air; appropriate design and location of exhaust systems; proper storage and disposal of odor-producing materials and waste; and operational or maintenance practices intended to minimize off-site odors.

(c) In determining compliance with this Section, the Zoning Administrator may consider the intensity, frequency, duration, and character of the odor; the zoning and use of surrounding properties; the nature and normal operating characteristics of the use generating the odor; prevailing weather and atmospheric conditions; the distance between the odor source and affected properties; and the odor-control measures employed by the property owner or operator.

(d) Where the Zoning Administrator determines that a land use or activity is generating objectionable odors in violation of this Section, the property owner or operator may be required to implement additional reasonable odor-control measures necessary to bring the use into compliance.

(e) No operation or activity shall emit any substance or combination of substances in quantities that create an objectionable odor as defined in Wis. Admin. Code ch. NR 429.

Section 550.06.34: Glare and Heat Standards

(1) Purpose. The purpose of this Section is to regulate the creation of glare or heat in order to prevent the creation of nuisances and to promote the health, safety, and welfare of the public.

(2) Applicability. The requirements of this Section apply to all land uses and activities, except that these standards shall not apply to glare created during the construction of the principal use on the subject property, or by incidental traffic, parking, loading, or maintenance operations.

(3) Standards. No direct or sky-reflected glare shall be visible at the lot line of the subject property, whether from floodlights or from temperature processes, such as combustion, welding, or otherwise. No glare-producing materials shall be used on the exterior of any structure, including any metal building, which are hazardous to aviation, or result in glare in the eyes of pilots using the Airport. As determined by the Zoning Administrator, there shall be no discernible transmission of heat or heated

air at the lot line. Solar systems regulated by Wis. Stats. § 66.0401 shall be entitled to the protection of its provisions.

Section 550.06.35: Fire and Explosions

(1) Purpose. The purpose of this Section is to regulate the creation of fire or explosion hazards which adversely affect adjoining properties in order to prevent the creation of nuisances and to promote the health, safety, and general welfare of the public.

(2) Applicability. The requirements of this Section apply to all land uses and activities, except that these standards shall not apply to permitted blasting during construction.

(3) Standards. Any use involving materials which could decompose by detonation shall locate such materials not less than 400 feet from any residential zoning district except that this standard shall not apply to the storage or usage of liquefied petroleum or natural gas for normal residential or business purposes. All activities and storage of flammable and explosive materials at any point shall be provided with adequate safety and firefighting devices in accordance with all fire prevention codes of the State of Wisconsin.

Section 550.06.36: Toxic, Noxious, and Waste Materials

(1) Purpose. The purpose of this Section is to regulate the handling of toxic, noxious, or waste material which adversely affects adjoining properties in order to prevent the creation of nuisances and to promote the health, safety, and general welfare of the public.

(2) Applicability. The requirements of this Section apply to all land uses and activities.

(3) Standards. No use shall discharge across the boundaries of the subject property, or through percolation into the subsoil, toxic or noxious material in such concentration as to be detrimental to or endanger the public health, safety, comfort, or welfare, or cause injury or damage to private property or business.

(4) No use shall discharge at any point into any public or private sewage disposal system or stream, or into the ground, any liquid or solid materials except in accordance with the regulations of the Wisconsin Department of Public Health and Department of Natural Resources.

(5) No operation or activity shall emit any hazardous substances in such a quantity, concentration or duration as to be injurious to human health or property, and all emissions of hazardous substances shall not exceed the limitations established in Ch. NR 445, Wis. Adm. Code.

Section 550.06.37: Hazardous Materials

(1) Purpose. The purpose of this Section is to provide information to the City regarding the nature of land uses which involve research, production, storage, disposal, handling, or shipment of hazardous materials.

(2) Applicability. The requirements of this Section apply to all land uses and activities involving any one or more of the following:

(a) Soil and plant additives subject to Wis. Stats. § 94.65.

(b) Pesticides subject to Wis. Stats. § 94.67.

(c) Biological products subject to Wis. Stats. § 95.39.

(d) Hazardous substances subject to Wis. Stats. § 100.37.

(e) Toxic substances as defined in Wis. Stats. § 101.58(2)(j).

(f) Infectious agents as defined in Wis. Stats. § 101.58(2)(f).

(g) Any material for which the State of Wisconsin requires notification of a local fire department.

(h) Any other uses, activities, or materials which are subject to county, state, or federal hazardous, or related, materials regulations.

(3) Standards. All land uses involving such hazardous materials shall submit a written description of such materials and the operations involving such materials conducted on their property as part of the required site plan submittal.

Sections 550.06.38 to 550.06.39: Reserved

Section 550.06.40: Residential Fencing Standards

(1) Purpose. The purpose of this Section is to regulate the materials, location, height, and maintenance of fencing, landscaping walls, retaining walls, and decorative posts in order to prevent the creation of nuisances and to promote the general welfare of the public.

(2) Applicability. The requirements of this Section apply to all fencing, hedges, landscape walls, and decorative posts for all land uses and activities within the SF-1, SF-2, SF-3, MR-1, MR-2, MR-3, CC, or MH-1 zoning districts. See swimming pools for additional fencing standards Section 550.06.42.

(3) Review and Approval. Fences shall be reviewed and approved by the Zoning Administrator. Fences shall require a building permit.

(4) Temporary Fencing. Permits are not required for temporary fencing. Temporary fencing shall be permitted for the following purposes:

(a) Garden fencing such as chicken wire or woven wire during the growing season, provided that the fencing is designed to support plants and/or help keep out garden pests.

(b) The use of woven together wooden slat snow fences for the purposes of limiting snow drifting between November 1 and April 1.

(c) The protection of excavation and construction sites and the protection of plants during grading and construction, in association with an active building permit.

(5) Design and Materials.

(a) Materials.

1. Fences shall be constructed using the following materials:

a. Naturally resistant or treated wood, brick or masonry, natural stone, wrought iron, vinyl, galvanized or coated or non-coated chain link, metal cable within a solid frame, or any other material of comparable quality as approved by the Zoning Administrator.

2. Fences shall not be constructed using the following materials:

a. Rope, string, wire products, netting, cut or broken glass, paper, metal panels, corrugated metal panels, galvanized sheet metal, plywood, pallets, fiberglass or plastic panels.

3. Rules Related to Specific Materials.

a. Permanent chicken wire fences or snow fences shall not be used.

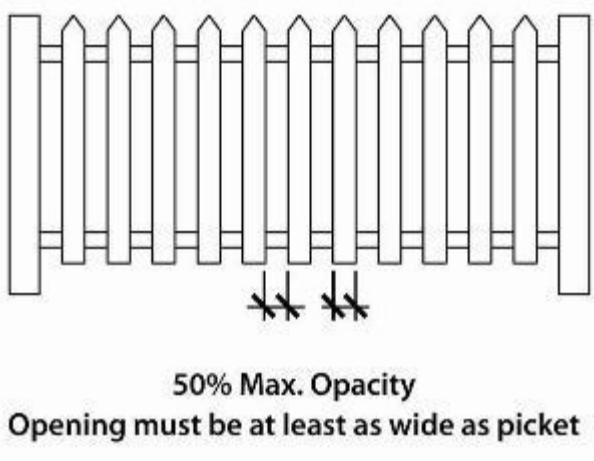
b. Chain link fencing is permitted within front or street yards in all zoning districts.

c. Non-corrugated, solid metal fences and any kind of barb wire fencing is prohibited.

(b) Design.

1. With the exception of fences used for required screening (Section 550.08.30(5) Bufferyards, Section 550.06.21 Exterior Storage and Screening Standards, Article III Land Use Regulations), any fence located in the front or street side yard shall be a maximum of 50 percent opaque, meaning that the spaces between the pickets are equal to or greater than the width of the pickets, a minimum of 2 inches apart. See Figure 550.06.40a.

Figure 17.06.40a: Fencing Standards



2. A fence that includes pre-woven or interwoven privacy fence slats and that is at least 90 percent opaque shall be considered a solid fence.

3. Fences shall be architecturally compatible with the design and materials of the principal building. Design details shall be substantially the same (but need not be identical) as those of the principal building.

4. All fences shall include a minimum of one access gate within the front yard and a minimum of one access gate from the front or side yard to any fence in the rear yard. Additional access gates may be required to meet any health or safety requirement as determined by the City of Watertown Police or Fire Department.

(6) Height.

(a) Maximum Height. The maximum height of any fence panel, landscape wall, or decorative post shall be the following (also see Figure 550.06.40c and Figure 550.06.41d.):

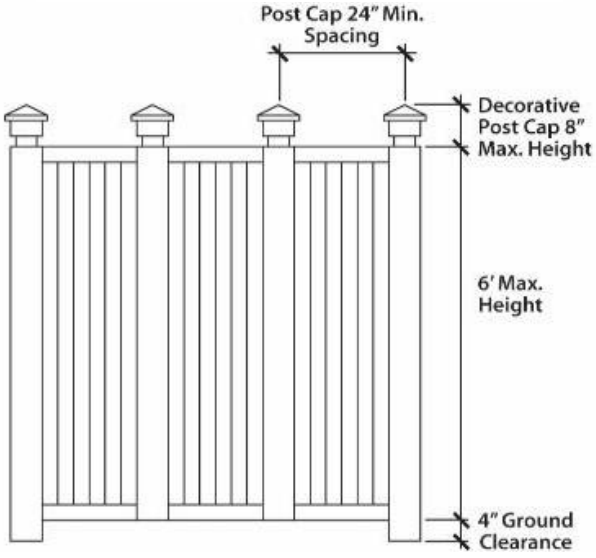
1. In the SF-1, SF-2, SF-3, MR-1, MR-2, MR-3, CC, or MH-1, zoning districts:

a. Front Yard: 4 feet maximum. The front yard shall extend across the entire width of the lot.

b. Side Yard and Rear Yard: 8 feet maximum, provided the fence is not located within the front yard or beyond the front façade of the principal building.

c. Street Side Yard: 6 feet provided the fence does not encroach into the front yard or the required vision triangle.

Figure 17.06.40b: Fence Measurements



(b) Height shall be measured from the ground immediately under the fence to the top rail of the fence.

(c) Height Exceptions.

1. Decorative posts at a minimum spacing of 24 inches may extend 8 inches above the maximum height. See Figure 550.06.40b.
2. To accommodate slopes or lawn maintenance, up to 4 inches of ground clearance shall be allowed which will not contribute to the measurement of maximum fence height.
3. Berms with slopes less than or equal to a minimum of 3 feet of horizontal to a maximum of every 1 foot of vertical (i.e. 3:1) shall not contribute to the measurement of maximum fence height.
4. Landscape walls and retaining walls exceeding 4 feet in height shall require engineered plans demonstrating structural stability and safety. Where a retaining wall creates a vertical drop exceeding 30 inches within 3 feet of a pedestrian walkway or other regularly accessible area, the City may require a protective fence or guard to address potential fall hazards.

(7) Location.

(a) Fences shall meet the visibility standards in Section 550.06.03.

(b) Fences within all zoning districts shall have a minimum 6-inch setback from all property lines and it is recommended that installation occur one (1) foot into the subject lot to allow for maintenance.

(c) Connecting a new fence to an abutting neighboring fence is allowed when the affected property owners execute a written agreement addressing the connection, access, maintenance, repair, replacement, and removal of the fences. The agreement shall be recorded with the Register of Deeds and shall be binding upon subsequent property owners. The agreement shall be subject to approval as to form by the City Attorney.

(d) Fences are not permitted within any recorded easements.

(e) Fences shall follow clearances required by the State Electrical Code.

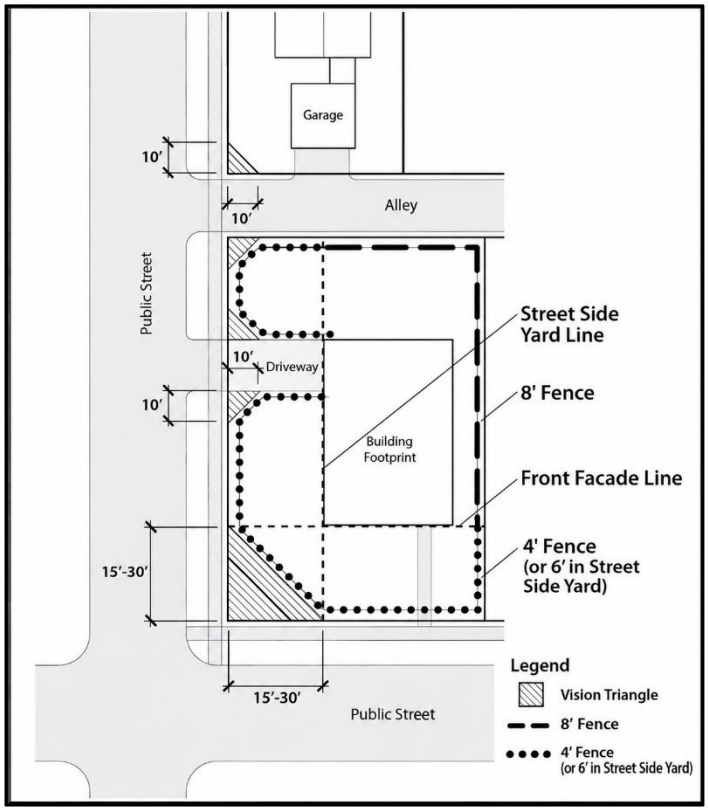
(f) Fences legally constructed prior to the effective date of this Chapter shall be permitted to be replaced in their existing location, unless they encroach into a public utility or access easement.

(8) All hedges are permitted, except that no hedge may be established and maintained so as to create a traffic visibility hazard for vehicles or pedestrians as determined by the Zoning Administrator or designee. Hedges that may adversely impede visibility which are located near public and private streets, drives, alleys, driveways, walks, paths, or other vehicle or pedestrian facilities, shall be trimmed to a height of 30 inches or less above the grade of the affected vehicle or pedestrian facility.

(9) Orientation. Any and all fences, landscape walls, or decorative posts shall be erected so as to locate visible supports and other structural components toward the subject property, i.e. with the finished side facing outward

(10) Maintenance. Any and all fences, landscape walls, or decorative posts shall be maintained in a structurally sound and attractive manner.

Figure 550.06.40c: Residential Fencing Standards



Section 550.06.41: Non-Residential Fencing Standards

(11) Purpose. The purpose of this Section is to regulate the materials, location, height, and maintenance of fencing, landscaping walls, retaining walls, and decorative posts in order to prevent the creation of nuisances and to promote the general welfare of the public.

(12) Applicability. The requirements of this Section apply to all fencing, hedges, landscape walls, and decorative posts for all land uses and activities in the INST, NMU, CMU, DMU, DRR, LI, HI, PR, IOA and AG districts. See swimming pools for additional fencing standards Section 550.06.42.

(13) Review and Approval. Fences shall be reviewed and approved by the Zoning Administrator and the Electrical Superintendent. Fences shall require a building permit.

(14) Temporary Fencing. Permits are not required for temporary fencing. Temporary fencing shall be permitted for the following purposes:

(a) Garden fencing such as chicken wire or woven wire during the growing season, provided that the fencing is designed to support plants and/or help keep out garden pests.

(b) The use of woven together wooden slat snow fences for the purposes of limiting snow drifting between November 1 and April 1.

(c) The protection of excavation and construction sites and the protection of plants during grading and construction, in association with an active building permit.

(15) Design and Materials.

(a) Materials.

1. Fences shall be constructed using the following materials:

a. Naturally resistant or treated wood, brick or masonry, natural stone, wrought iron, vinyl, galvanized or coated or non-coated chain link, metal cable within a solid frame, or any other material of comparable quality as approved by the Zoning Administrator.

2. Fences shall not be constructed using the following materials:

a. Rope, string, wire products, netting, cut or broken glass, paper, metal panels, corrugated metal panels, galvanized sheet metal, plywood, pallets, fiberglass or plastic panels.

3. Rules Related to Specific Materials.

a. Permanent chicken wire fences or snow fences shall not be used.

b. Wire mesh and chain link fencing is not permitted within front or street yards and shall not extend toward the street beyond the front of the building in the NMU, CMU, DMU, DRR, and INST zoning districts, except when used in conjunction with parks, schools, airports, or other institutional uses.

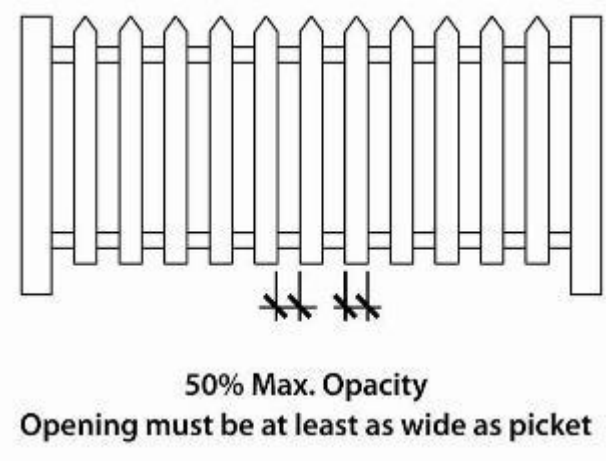
i. All other zoning districts are exempt from this requirement.

c. Non-corrugated, solid metal fences and any kind of barb wire fencing is prohibited.

(b) Design.

1. With the exception of fences used for required screening (Section 550.08.30(5) Bufferyards, Section 550.06.21 Exterior Storage and Screening Standards, Article III Land Use Regulations), any fence located in the front or street side yard shall be a maximum of 50 percent opaque, meaning that the spaces between the pickets are equal to or greater than the width of the pickets, a minimum of 2 inches apart. See Figure 550.06.41a.

Figure 17.06.41a: Fencing Standards



2. A fence that includes pre-woven or interwoven privacy fence slats and that is at least 90 percent opaque shall be considered a solid fence.

3. Fences shall be architecturally compatible with the design and materials of the principal building. Design details shall be substantially the same (but need not be identical) as those of the principal building. Industrial uses shall be exempt from this requirement.

4. All fences shall include a minimum of one access gate within the front yard and a minimum of one access gate from the front or side yard to any fence in the rear yard. Additional access gates may be required to meet any health or safety requirement as determined by the City of Watertown Police or Fire Department.

(16) Height.

(a) Maximum Height. The maximum height of any fence panel, landscape wall, or decorative post shall be the following (also see Figure 550.06.41c. and Figure 550.06.41d.):

1. In the INST, NMU, CMU, DMU, DRR, and PR zoning districts:

   a. Font Yard: 4 feet maximum.

   b. Side Yard and Rear Yard: 10 feet maximum, provided the fence is not located within the front yard or beyond the front façade of the principal building.

   c. Street Side Yard: 6 feet provided the fence does not encroach into the front yard or the required vision triangle.

2. In the LI, HI, AG, and IOA zoning districts:

   a. Front Yard: 4 feet maximum.

      i. Security fencing height can be increased to 8 feet provided the fence is decorative in style, as determined by the Zoning Administrator.

   b. Side Yard and Rear Yard: 10 feet maximum, provided the fence is not located within the front yard or beyond the front façade of the principal building.

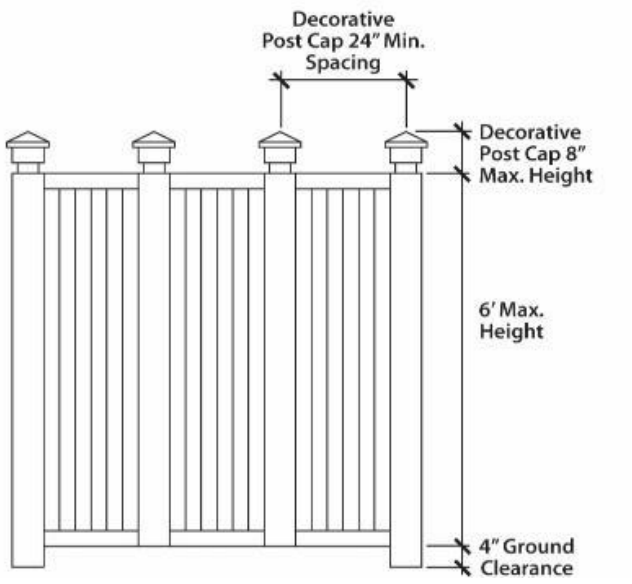
   c. Street Side Yard: 6 feet provided the fence does not encroach into the front yard or the required vision triangle.

(b) Height shall be measured from the ground immediately under the fence to the top rail of the fence.

(c) Height Exceptions.

1. Decorative posts at a minimum spacing of 24 inches may extend 8 inches above the maximum height. See Figure 550.06.41b.
2. To accommodate slopes or lawn maintenance, up to 4 inches of ground clearance shall be allowed which will not contribute to the measurement of maximum fence height.
3. Berms with slopes less than or equal to a minimum of 3 feet of horizontal to a maximum of every 1 foot of vertical (i.e. 3:1) shall not contribute to the measurement of maximum fence height.
4. Landscape walls and retaining walls exceeding 4 feet in height shall require engineered plans demonstrating structural stability and safety. Where a retaining wall creates a vertical drop exceeding 30 inches within 3 feet of a pedestrian walkway or other regularly accessible area, the City may require a protective fence or guard to address potential fall hazards.

Figure 17.06.41b: Fence Measurements



(17) Location.

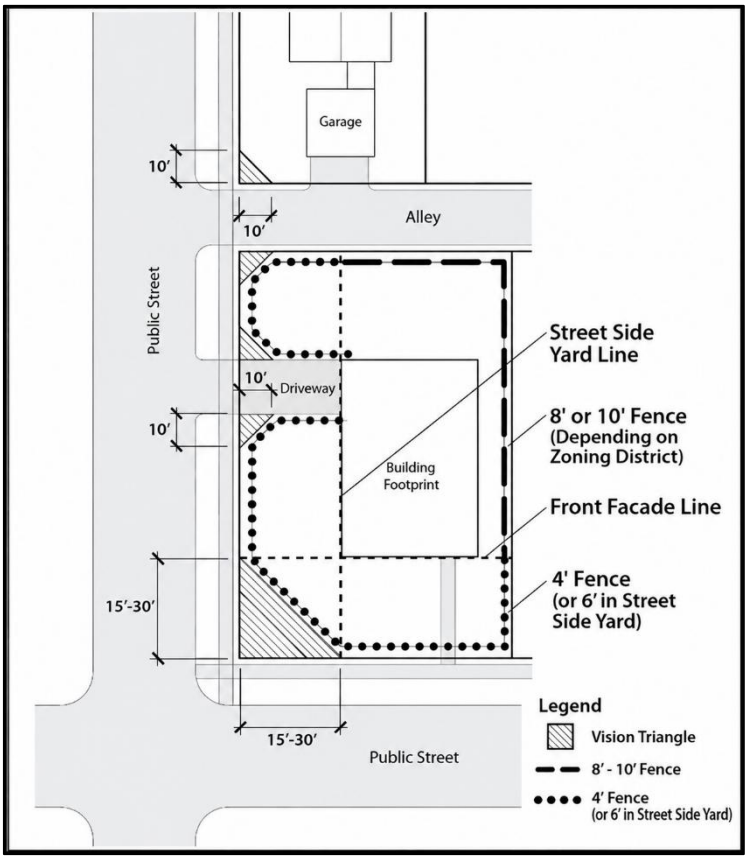
(a) Fences shall meet the visibility standards in Section 550.06.03.

(b) Fences within all zoning districts shall have a minimum 6 inch setback from all property lines and it is recommended that installation occur one (1) foot into the subject lot to allow for maintenance.

(c) Connecting a new fence to an abutting neighboring fence is allowed when the affected property owners execute a written agreement addressing the connection, access, maintenance, repair, replacement, and removal of the fences. The agreement shall be recorded with the Register of Deeds and shall be binding upon subsequent property owners. The agreement shall be subject to approval as to form by the City Attorney.

(d) Fences are not permitted within any recorded easements.

Figure 17.06.41c: Non-Residential Fencing Standards



(e) Fences shall follow clearances required by the State Electrical Code.

(f) Fences legally constructed prior to the effective date of this Chapter shall be permitted to be replaced in their existing location, unless they encroach into a public utility or access easement.

(18) All hedges are permitted, except that no hedge may be established and maintained so as to create a traffic visibility hazard for vehicles or pedestrians as determined by the Zoning Administrator or designee. Hedges that may adversely impede visibility which are located near public and private streets, drives, alleys, driveways, walks, paths, or other vehicle or pedestrian facilities, shall be trimmed to a height of 30 inches or less above the grade of the affected vehicle or pedestrian facility.

(19) Orientation. Any and all fences, landscape walls, or decorative posts shall be erected so as to locate visible supports and other structural components toward the subject property, i.e. with the finished side facing outward

(20) Maintenance. Any and all fences, landscape walls, or decorative posts shall be maintained in a structurally sound and attractive manner.

Figure 17.06.41d: Maximum Fence Height

Location	Residential Zoning Districts (feet)	Commercial Zoning Districts (feet)	Industrial Zoning Districts (feet)
Front	4	4	4

Street Side	6	6	6
Interior Side	8	10	10
Rear	8	10	10

Section 550.06.42: Swimming Pool Standards

(1) Purpose. The purpose of this Section is to regulate swimming pools in order to prevent the creation of nuisances and to promote the health, safety, and general welfare of the public.

(2) Applicability. This Section applies to all swimming pools, defined as an outdoor structure containing a body of water in a receptacle or other container having a depth for water at any point greater than 15 inches, used or intended to be used solely by the owner, operator, or lessee thereof and family and guests invited to use it; and including all structural facilities, appliances, appurtenances, equipment, and other items used and intended to be used for the operation and maintenance of a private or residential swimming pool.

(3) Review and Approval. Any pool requiring excavation below 1-foot of the existing grade is subject to site plan review. For a pool in an SF-1, SF-2, SF-3, MR-1, CC, and MH-1 zoning district, the site plan may be approved administratively by City staff.

(4) Permit Required. A building permit shall be secured prior to the commencement of construction or erection of a private or residential swimming pool, or on any alterations, additions, remodeling, or other improvements. Plans, specifications, and pertinent explanatory data shall be submitted to the Building Inspector at the time of application.

(5) Exempt Pools. Non-filtered, storable swimming or wading pools that are so constructed that they may be readily disassembled for storage and reassembled to their original integrity are exempt from the provisions of this Section. Decorative ponds that are less than 36 inches in depth are exempt from the provisions of this Section. Spas and hot tubs with lockable tops are also exempt. Lockable tops shall be securely fastened in place at all times when the hot tub is not in actual use.

(6) Construction Requirements. In addition to such other requirements as may be reasonably imposed by the Building Inspector, the Building Inspector shall not issue a building permit for construction as provided for in Subsection (4), above, unless the following requirements are observed:

(a) All materials and methods of construction in the construction, alteration, addition, remodeling, or other improvements and pool installation shall be in accord with all state regulations and with any and all ordinances of the City now in effect or hereafter enacted.

(b) All plumbing work shall be in accordance with all applicable ordinances of the City and all state plumbing codes. Every private or residential swimming pool shall be provided with a suitable draining method, and in no case shall waters from any pool be drained into the sanitary sewer system, onto lands of other property owners adjacent to that on which the pool is located, or in the general vicinity. Provisions may be made for draining the contents of any swimming pool into a storm sewer, but such installation shall be subject to prior approval by the Public Works Director/City Engineer.

(c) All electrical installations, including lighting and heating, which are used in conjunction with a private swimming pool shall be in conformance with the state laws and City ordinances regulating electrical installations.

(7) Setbacks and Other Requirements. Private swimming pools shall be erected or constructed on rear or side yards only, and only on a lot occupied by a principal building. No swimming pool shall be erected

or constructed on an otherwise vacant lot. The water surface and supporting structure of all swimming pools shall be out of all easements and at least 10 feet from any lot line and 1 foot from any easement line and it shall be at least 10 feet from any building unless designed and approved as an addition to a building.

(8) Enclosure. Pools within the scope of this Section that are not enclosed with a permanent building shall be completely enclosed by a fence of sufficient strength to prevent access to the pool. Such fence or wall shall be a maximum of 6 feet in height from ground level and a minimum of 4 feet in height from ground level and a minimum of 4 feet from the water surface edge, and constructed not to have voids, holes, or openings larger than 4 inches in one dimension. Gates or doors shall be equipped with self-closing and self-latching devices located at the top of the gate or door on the pool side of the enclosure, except the door of any residence that forms a part of the enclosure.

(a) Pools shall not be required to have a fence if each side of the pool structure (such as a raised deck) is a minimum of 54 inches tall and a removable ladder or gate is provided and removed when not in use, or the pool structure is less than 54 inches tall but has approved wall height extensions and a removeable ladder or gate is provided, as approved by the Zoning Administrator.

(b) A pool enclosure may also be omitted if a swimming pool cover is installed that meets or exceeds the ASTM Standard F1346-91 and provides enough strength to withstand 475 pounds of pressure on top of the pool cover. Said cover shall also be sealed tight with a lock and key whenever the pool is not in use.

(c) This Section shall not apply to existing fences on the date of adoption of this Chapter at least 48 inches in height that otherwise comply with this Section.

(9) Filter System Required. All private swimming pools within the meaning of this Chapter shall have some filtration system to assure proper circulation of the water therein and maintenance of the proper bacterial quality thereof.

(10) Dirt Bottoms Prohibited. All swimming pools of a permanent nature shall have the sides and bottom of a smooth finish, and no sand or dirt bottom shall be permitted.

Section 550.06.43: Reserved

Sections 550.06.44 to 550.06.49: Reserved

Section 550.06.50: Regulations for Vacant Buildings

(1) This Section shall apply to all buildings as of the effective date of this Chapter.

(2) Where any building is vacated because 100 percent of the residential or commercial use conducted thereon is being terminated or relocated to a different building, the party that vacated the site shall not impose limits on the type of reuse of the vacated site through conditions of sale or lease.

(3) With the exception of historic buildings and landmarks, any building that is completely vacated for any reason shall be subject to the following provisions:

(a) The owner must file with the City a written statement as to the names, phone numbers, and addresses for all persons who are in control of the property and building.

(b) The owner shall be required to meet the requirements defined below based on the amount of time the building remains vacant:

Figure 550.06.50a: Steps for Addressing Building Vacancy

Time Period Building is Vacant	Requirement

1 Year of Vacancy	Install a fire department access box for annual fire inspection if the Fire Department determines it is necessary. Remove signage per the requirements of Section 550.09.27.
2 Years of Vacancy	The City will complete a comprehensive maintenance review of the property and may require the property owner to meet the standards of the Property Maintenance and Building Codes.
5 Years of Vacancy	If the building is not maintained, the City may require the site to be cleared of all improvements and returned to vegetative ground cover.

(c) Within the first quarter of each year of complete vacancy, the owner shall provide the Zoning Administrator, with a statement as to the condition of the building and prospects for removal or re-occupancy of the building(s).

(d) At any time following complete vacancy, the City may utilize other enforcement options available to it to ensure property maintenance and upkeep of the building and site such as requiring the property owner to meet the standards of the Property Maintenance and Building Codes.

(e) Occupancy of any portion of the building(s) and/or the exterior grounds for a period of less than 90 consecutive days shall not be considered to remove the vacancy status of the building under this Section.

Sections 550.06.51 to 550.06.99: Reserved

ARTICLE VII: EXTERIOR BUILDING DESIGN STANDARDS

Section 550.07.01: Purpose and Applicability

(1) Purpose. The purpose of this Section is to regulate the design and materials used for the exterior of buildings and structures within the City so as to maintain and enhance the attractiveness and values of property in the community. This Article is further intended to support the creation of a pedestrian-oriented urban environment that emphasizes architectural and urban design principles of human scale and visual interest. Additionally, this Article is intended to ensure the development of structures that maintain a long-lasting appearance; withstand the effects of time and exposure to the elements; resist damage in areas with high vehicular and pedestrian traffic and in areas where larger equipment that could cause damage is commonly used; that maintain a consistent character of development based on land use and zoning district particular to each development; and that contribute to the long-term economic and social vitality of the City of Watertown.

(2) Applicability. Telecommunication, Extraction and Disposal, Energy Production, and Agricultural land uses are exempt from the exterior design standards in Sections 550.07.10 to 550.07.50 below.

(a) New Construction. The requirements of this Section shall apply to all structures and buildings within the City constructed after the effective date of this Chapter.

(b) Additions. Additions to buildings constructed after the effective date of this Chapter shall comply with the standards of this Section and, as determined by the Plan Commission, shall match or be substantially similar to the design and materials of the existing building.

(c) Alterations. For buildings constructed prior to the effective date of this Chapter, alterations that do not impact the floor area of the building shall comply with the standards of this Section, or shall match or be substantially similar to the existing building design and materials. Ordinary repairs and maintenance are not considered alterations.

(d) Exceptions and Appeals.

1. Exceptions. Exceptions to the building design standards set forth in this Section may be granted by the Zoning Administrator, to permit substitute building materials or construction of comparable quality or design when it can be demonstrated that the provisions of this Section are infeasible and that the granting of such exception is in keeping with the purpose of this Section. Decisions rendered by the Zoning Administrator may be appealed to the Plan Commission.

2. Appeals. Any person affected by a decision of the Zoning Administrator may petition for a hearing before the Plan Commission.

3. Waivers. The Plan Commission is authorized to grant one or more waivers for specific design requirements in this Section when the Plan Commission finds the design to constitute an exemption as described above in subsection (1) or finds an alternative design standard also achieves the Purpose of this Section.

    a. Granting of waivers by the Plan Commission shall be identified within the conditions of approval as part of the design review component of any Site Plan review (Section 550.10.43).

(e) Beyond the rules in this Section, additional building design standards may apply to:

1. Conditional Use Permits (see Section 550.10.32)

2. Planned Development Districts (see Section 550.0.2.11)

(3) Review and Approval. Through the site plan review and building permit processes, the Zoning Administrator shall be responsible and have authority to hear, review, and act upon all proposed exterior architectural plans for all proposed development.

(4) Exterior Building Materials. The 4 classes of building materials referenced in this Chapter have the following meanings:

(a) Class I materials include brick, brick veneer, stone, stone veneer, and glass (curtain/storefront).

(b) Class II materials include split face or decorative block, and stucco.

(c) Class III materials include architectural/decorative metal panels, EIFS, residential aluminum siding, and siding made of wood, wood composite, vinyl, or fiber cement.

(d) Class IV materials include smooth face or non-decorative block; concrete panels (tilt-up or precast); asphaltic, fiberglass, metal, or poly-roofing siding; non-decorative metal panels; corrugated metal; and plywood, chipboard, or other non-decorative wood. Also includes any material not listed in (a) through (c) above.

(e) Architectural Metal Panels. For purposes of this section, architectural metal panels are factory-manufactured exterior metal wall panels with concealed fasteners, a factory-applied or inherently finished surface, and a smooth or intentionally designed profile. Corrugated, standard ribbed, and exposed-fastener metal panels shall be classified as Class IV materials. The Zoning Administrator may require manufacturer specifications to verify compliance.

Figure 550.07.01a: Exterior Building Material Requirements by Use*

Type of Construction	Land Use (see Article III)	Exterior Building Materials Permitted
New Construction of Any Kind	Single Family, Two-Family, Manufactured Homes, and Cottage Courts	See Section 550.07.10
New Construction of Any Kind	Townhouse, Multiplex, Apartment	See Section 550.07.20
New Construction of Any Kind	Commercial, Mixed-Use, and Institutional Uses	See Section 550.07.30
New Construction of Any Kind	Industrial, Storage, Transportation	See Section 550.07.40
Any Exterior Change	Within the Downtown Mixed Use Zoning District	See Section 550.07.50

*Telecommunication, Extraction and Disposal, Energy Production, and Agricultural land uses are exempt from the exterior design requirements of this Article.

Sections 550.07.02 to 550.07.09: Reserved

Section 550.07.10: Single- and Two-Family Uses

These standards apply to all single-family, duplex, twin house, two-flat, manufactured home, and cottage court land uses, buildings, and structures constructed after the effective date of this Chapter.

(1) Except for (1)(a) below, all single-family, duplex, twin house, two-flat, manufactured home and cottage court land uses are exempt from the exterior design standards of this Article. See applicable land use requirements in Section 550.03.06 and the base zoning district's bulk dimensional standards in Article IV.

(a) Exterior building colors. High gloss paints and exterior finishes and primary colors, including red, blue, green, yellow, black, and fluorescent colors, shall not be permitted. Where an integral part of site design or used as accents, muted versions of these colors may be used as determined by the Zoning Administrator.

Sections 550.07.11 to 550.07.19: Reserved

Section 550.07.20: Multi-Family Uses

These standards apply to all townhouse, multiplex, and apartment land uses, buildings, and structures constructed after the effective date of this Chapter. See an example exterior design diagram in Figure 550.07.20a.

(1) Exterior Materials. Multi-family buildings shall be clad in Class I, II or III materials. Class IV materials are prohibited.

(a) Materials of comparable quality may be substituted for any class of material or be used as a decorative element if the material can be removed or replaced with a permitted exterior material, as determined by the Zoning Administrator.

(b) Exterior building materials in conjunction with façade articulations listed below in Section 550.07.20(3) shall be used to create the building's distinct horizontal base, middle, and top.

(2) Building Entrance.

(a) The primary entrance shall be on the front façade facing the street and decorative doors shall be used on this facade.

(b) The primary entrance shall be covered a minimum of 3 feet from the door. Recessed 3-foot entries shall be deemed to meet this requirement.

(c) Exterior entry doors for individual units shall be residential in style and shall include frame and panel (real or decorative).

(d) Exterior entry doors for multiple units may be residential (as described in Subsection (c) above) or commercial in style (glass).

(3) Façade Articulation.

(a) Façade lengths shall not be greater than 40 feet without articulation such as:

1. Recesses or projections that step back or project a portion of the main façade plane.
2. Recesses or projections of upper floors from the ground floor façade plane.
3. Vertical division using different textures or materials.
4. Division of the façade into individual units through the use of windows, entrances, arcades, porches, decks, balconies, lighting, etc.
5. Roof form variation such as the inclusion of dormers, change in roof lines, or change in roof type.
6. Public art installations located directly on a facade, such as murals (See Chapter 12.075 of the City of Watertown Municipal Code for public art standards).

(b) On façades facing the street, windows or doors shall be required in order to promote a visual connection to the street.

1. The total area of windows and doors, including trim, shall comprise a minimum of 20 percent of the total façade area, excluding gables.

2. Structured in-building vehicle parking or access is permitted on the ground floor of a structure in accordance with the standards below:

   a. Vehicle access is permitted from any façade of the structure to the right-of-way.

   b. Structured in-building parking shall be fully enclosed on all sides within the structure. Vehicle parking is permitted within the ground floor of the structure as long as the nonresidential land use requirements for ground floors of Mixed Use Buildings are met (see Section 550.03.08. and 550.03.28(19)).

(c) On any façade facing a public street or parking area, hard and durable materials such as decorative block, brick, stone, comparable materials shall be provided for a minimum of 60% of the façade's horizontal length, extending at least 40 inches above the adjacent finished grade.

(4) Roofs.

(a) As determined by the Plan Commission, decorative and articulated metal roofs and exterior metal wall panels shall be permitted if all fasteners are fully shielded from view.

(b) See (8) below for roof-top mechanical screening requirements.

(5) Wall Details, Trim, and Windows.

(a) Exterior windows shall match the architectural character of the building. Spandrel, mirrored, or tinted glass is prohibited.

(b) All façade openings shall be articulated or appropriately trimmed through the use of materials such as lintels, sills, surrounds, shutters, etc.

(c) Natural wood shall be painted or stained unless it is cedar, redwood or other naturally weather-resistant species intended to be exposed.

(d) Pressure-treated lumber shall be painted or stained after a curing period of no greater than 18 months.

(e) Exterior building apparatus such as brackets, wiring, antennas, gutters, downspouts, and other similar feature shall blend in with the color and design of the structure's exterior façade.

(6) Patios, Decks, and Balconies.

(a) Ground-level patios and decks facing the street shall be bordered with landscape treatments, in accordance with Article VIII as depicted and approved on the Site Plan (Section 550.10.43).

1. Covered porches are exempt from this requirement.

(b) Exterior stairs leading to a deck or balcony are not permitted on the front or street side of a building.

1. On corner lots, exterior stairs shall be permitted on the interior side façade.

(c) Exterior corridors shall be covered by the building roof, shall be located within the footprint of the building foundation, and shall not be visible from the street.

(d) Upper-story decks and balconies shall be cantilevered, supported by vertical columns, or supported from above.

(7) Mechanical and Exterior Building Systems.

(a) Drainage pipes and air intakes and exhaust vents for high-energy gas applications and meters on exterior walls shall match or be complementary to the color of the roof and wall onto which they are mounted.

(b) Facade-mounted Equipment.

1. Window-mounted air conditioning units shall not be permitted in any window that faces a public street and shall not encroach into exterior balconies, porches, decks, or patios.
    a. When no alternative is available, units shall be masked (painted, encased, etc.) in order to blend into the building's exterior finish and shall be flush-mounted so as not to project beyond the main plane of the façade more than necessary.
2. Building-mounted equipment installed on the façade visible from an adjacent public right-of-way or residential district shall not encroach into exterior balconies, porches, decks, or patios and shall be screened in a manner that is:
    a. Architecturally compatible with the primary structure to which the equipment is attached. Screening materials shall be identical to or substantially similar to the materials used on the building façade to which the equipment is attached.
    b. Incorporated as part of the building wall or flush-mounted so as not to project beyond the main plane of the façade.
    c. Consistent with the color of the structure to which the equipment is attached.

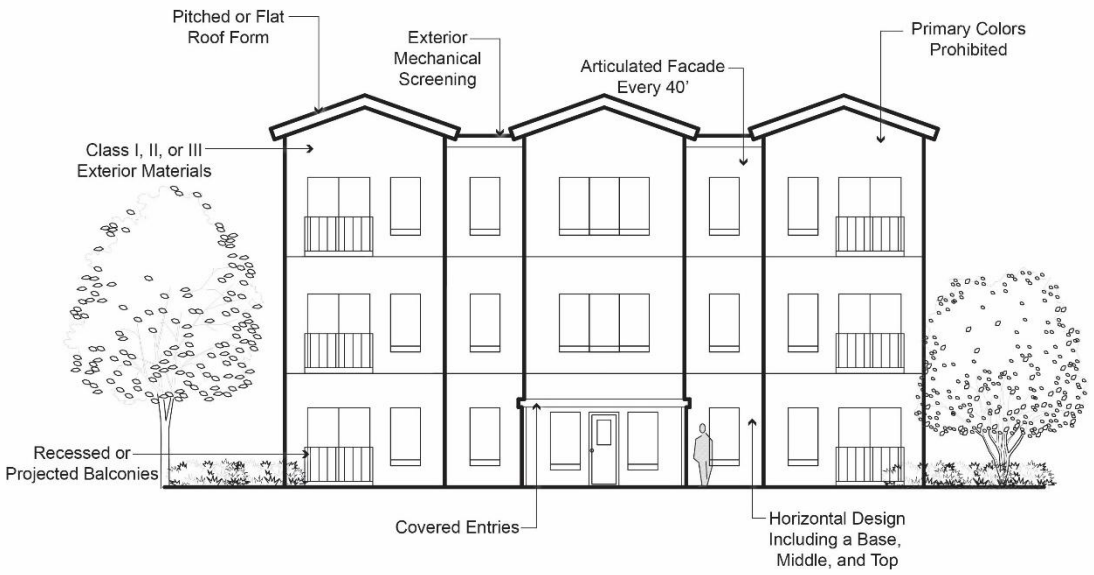
(c) Roof-mounted Equipment. Roof-mounted equipment shall be screened, preferably by parapet walls. Other acceptable screen types shall be:

1. Architecturally compatible with the primary structure to which the equipment is attached. Screening materials shall be identical to or substantially similar to the materials used on the building façade to which the equipment is attached.
2. Consistent with the color of the structure to which the equipment is attached.
3. Designed to be an integral part of the building's architectural design and give the impression that it is something other than a mechanical screen.

(d) See Section 550.06.21 for screening requirements for ground-mounted mechanical systems and refuse enclosure requirements.

(8) Wall or Roof-Mounted Lighting. See Section 550.06.20.

Figure 550.07.20a: Multi-Family Exterior Design Standards Example



Sections 550.07.21 to 550.07.29: Reserved

Section 550.07.30: Commercial, Mixed-Use, and Institutional Uses

These standards apply to all mixed-use, commercial, and institutional land uses, buildings, and structures constructed after the effective date of this Chapter. See Article VIII for landscaping standards. See an example exterior design diagram in Figure 550.07.30a.

(1) Building Entrance and Orientation.

(a) The main entrance shall be clearly defined and accentuated through the use of detailing, distinctive materials, or colors, projections or recesses, porticos, covered entrances, stoops, or other features as deemed appropriate by the Zoning Administrator.

(b) Buildings shall be oriented so that the front façade faces the road with the highest traffic volumes.

(a) All façades facing a public right-of-way shall be designed to have the appearance of a front façade and shall incorporate decorative doors, meaning each shall include windows, doors or other architectural components typically associated with front façades, as approved by the Zoning Administrator.

(c) Service or loading areas shall not be permitted between the building and the public street.

(d) Drive-through windows shall not be located between the principal building and the street right-of-way except that the Plan Commission may grant a waiver for an alternative location for lots with frontage on more than one street.

(2) Exterior Materials. Commercial buildings shall be predominately clad in Class I materials. Class II and Class III materials may be used as accents and trim not to exceed 50 percent of the total building façade. Class IV materials are prohibited.

(a) Rear or side building elevations not facing a public street or public parking lot shall be exempt from this requirement.

(b) Materials of comparable quality may be substituted for any class of material or be used as a decorative element if the material can be removed or replaced with a permitted exterior material, as determined by the Zoning Administrator.

(c) Exterior building materials in conjunction with façade articulations listed below in Section 550.07.30(3) shall be used to create the building's distinct horizontal base, middle, and top.

(3) Façade Articulation. See Section 550.07.20(3).

(4) Roofs. See Section 550.07.20(5).

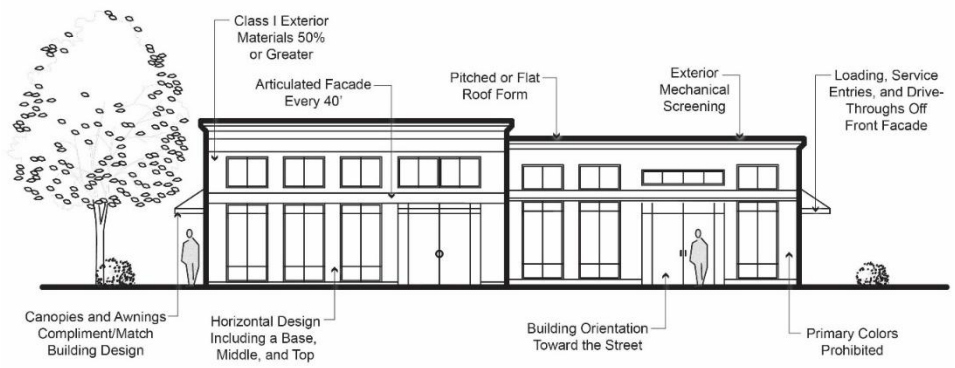
(5) Wall Details, Trim, and Windows. See Section 550.07.20(6).

(6) Patios, Decks, and Balconies. See Section 550.07.20(7).

(7) Mechanical and Exterior Building Systems. See Section 550.07.20(8).

(8) Wall or Roof-Mounted Lighting. See Section 550.07.20(9).

Figure 550.07.30a: Commercial, Mixed-Use, and Institutional Exterior Design Standards Example



Sections 550.07.31 to 550.07.39: Reserved

Section 550.07.40: Industrial Uses

These standards apply to all industrial, storage, and transportation land uses, buildings, and structures constructed after the effective date of this Chapter. See Article VIII for landscaping standards. See an example exterior design diagram in Figure 550.07.40a.

(1) Architectural Design.

(a) Buildings shall be designed to include façade articulation; flat, unadorned walls shall be avoided.

(b) Buildings shall be oriented so as to face the road with the highest traffic volumes. This requirement shall not apply to buildings with frontage on state or federal highways, unless there is direct access from the development to the highway.

1. If a visitor, office, or customer entrance component is included in the building, such space(s) shall be clearly defined and accentuated through the use of detailing, windows, distinctive materials and/or colors, projections or recesses, or other architectural features as deemed appropriate by the Plan Commission.

(2) Exterior Materials. Industrial buildings shall be clad in Class I, II or III materials. Certain Class IV materials are also acceptable as noted.

(a) For all façades facing a public street, a minimum of 15 percent of the façade shall be composed of Class I building materials.

1. This requirement may be reduced to 10 percent of the façade provided that other elements are incorporated into the building and site design, such as façade articulation, increased landscaping, or other improvements approved by the Plan Commission.

(b) Smooth faced/non-decorative block or concrete panels (tilt-up/precast) (Class IV materials) may be used if they are part of a palette of permitted materials or if they incorporate horizontal and vertical articulation including, but not limited to, changes in color or texture, as deemed appropriate by the Plan Commission.

(c) Non-decorative metal panels (Class IV materials) may be used as deemed appropriate by the Plan Commission.

1. In the AG, LI, HI, and IOA zoning districts, visible exterior fasteners shall be the same color as the attached wall for any principal or accessory building visible from a public street.

2. In all other zoning districts, exterior wall fasteners shall be fully concealed from view.

(d) Materials of comparable quality may be substituted for any class of material or be used as a decorative element if the material can be removed or replaced with a permitted exterior material, as determined by the Plan Commission.

(3) Façade Articulation.

(a) Façade lengths shall not be greater than 100 feet without articulation such as:

1. Recesses or projections that step back or project a portion of the main façade plane.

2. Recesses or projections of upper floors from the ground floor façade plane.

3. Vertical division using different textures or materials.

4. Division of the façade into individual components (i.e., storefronts, distinct uses) through the use of architectural elements such as porches, balconies, windows, covered entrances, arcades, awnings, marquees, lighting, signage, etc.

5. Roof form variation such as the inclusion of dormers, change in roof lines, or change in roof type.

6. Public art installations located directly on a facade, such as murals (See Chapter 12.075 of the City of Watertown Municipal Code for public art standards).

(4) Mechanical and Exterior Building Systems.

(a) Applicability. See Section 550.06.21 to determine whether screening is required.

(b) Drainage pipes on exterior walls shall match or be complementary to the color of the roof and wall onto which they are mounted.

(c) Building-mounted Equipment.

1. Building-mounted equipment installed on the façade visible from an adjacent public right-of-way or residential district shall be disguised or screened in one of the following ways:

a. Architecturally compatible with the primary structure to which the equipment is attached. Screening materials shall be identical to or substantially similar to the materials used on the building façade to which the equipment is attached.

b. Incorporated as part of the building wall and/or flush-mounted so as not to project beyond the main plane of the façade.

c. Consistent with the color of the structure to which the equipment is attached.

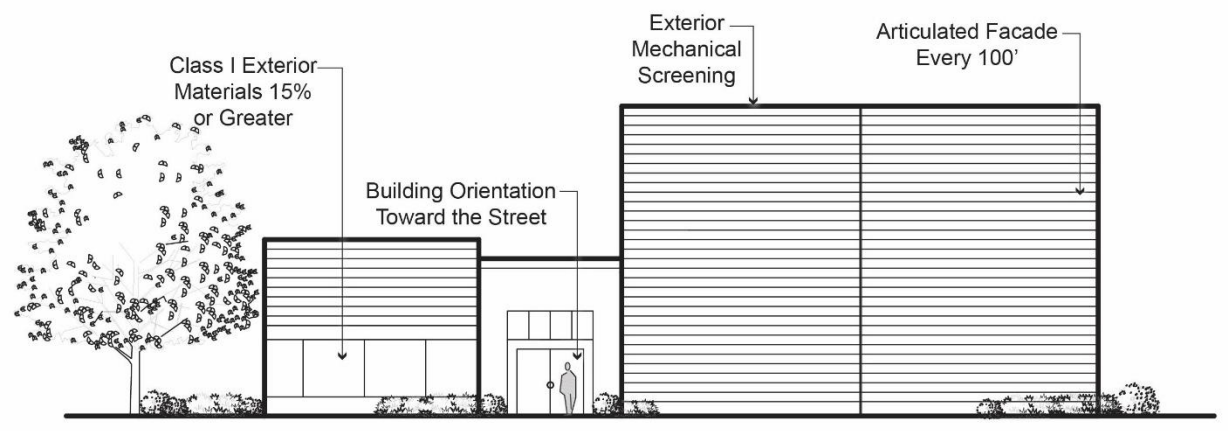
(d) Roof-mounted Equipment. Roof-mounted equipment visible from an adjacent public right-of-way or residential district shall be screened, preferably by parapet walls. Other acceptable screen types shall be:

a. Architecturally compatible with the primary structure to which the equipment is attached. Screening materials shall be identical to or substantially similar to the materials used on the building façade to which the equipment is attached.

b. Consistent with the color of the structure to which the equipment is attached.

c. Designed to be an integral part of the building's architectural design and give the impression that it is something other than a mechanical screen.

Figure 550.07.40a: Industrial Exterior Design Standards Example



Sections 550.07.41 to 550.07.49: Reserved

Section 550.07.50: Downtown Historic Preservation and Exterior Design Review

(1) Purpose. The purpose of this Section is to preserve and enhance the historic and architectural character of downtown Watertown, encourage compatible new development and reinvestment in existing buildings, and coordinate zoning review with the City's historic preservation review process.

(2) Applicability. Properties within the Downtown and Riverfront Mixed-Use (DMU) Zoning District shall be subject to the following exterior building design requirements.

(a) Historic Preservation Review. Properties subject to a Certificate of Appropriateness under Chapter 325, Historic Preservation, shall be reviewed in accordance with Chapter 325.

(b) Other DMU Properties. Properties within the DMU Zoning District that are not subject to historic preservation review under Chapter 325 shall comply with the applicable exterior building design standards of Sections 550.07.10 through 550.07.40.

(c) Other Applicable Requirements. All properties within the DMU Zoning District shall remain subject to applicable zoning requirements including dimensional standards, site design, landscaping, lighting, parking, signage, and other applicable provisions of this Chapter.

(3) Review and Approval.

(a) Historic Preservation Review. The Historic Preservation Commission shall review applications requiring a Certificate of Appropriateness in accordance with Chapter 325. Such review shall address the historic and architectural appropriateness of proposed exterior improvements.

(b) Site Plan Review. For development requiring Site Plan Review under Section 550.10.43 and a Certificate of Appropriateness under Chapter 325, the Historic Preservation Commission shall review the proposed exterior building design and provide a recommendation to the Plan Commission prior to final Site Plan approval. The Historic Preservation Commission shall retain its authority to issue Certificates of Appropriateness as provided in Chapter 325.

Sections 550.07.51 to 550.07.99: Reserved

ARTICLE VIII: LANDSCAPING REQUIREMENTS

Section 550.08.01: Purpose

The purpose of this Article is to establish landscaping requirements and other regulations intended to preserve and maintain vegetation within in a manner that promotes the natural resource protection, aesthetic, and public health goals of the City.

Sections 550.08.02 to 550.08.09: Reserved

Section 550.08.10: Applicability

(1) The requirements of this Section shall not apply retroactively to existing buildings, structures, or paved areas, including requirements for bufferyards.

(2) Any use for which site plan approval is required under Section 550.10.43 shall provide landscaping in accordance with the regulations of this Section, including the following development.

(a) New buildings and paved areas. All new buildings and paved areas shall provide landscaping per the requirements of this Article.

(b) Expansions of existing buildings or paved areas. In the case of expansions, only the new portion of the building or paved area shall provide landscaping per the requirements of this Article.

(3) Where insufficient site area remains to comply with all provisions of this Section, the Plan Commission may require compliance to the greatest extent practical.

(4) Existing Plant Materials. If existing plant material meets the requirements of this Article and will be preserved on the subject property following the completion of development, it may be counted as contributing to the landscaping requirements and worth double the landscaping point value per plant.

(5) Exemptions.

(a) Parking areas of 4 or more spaces shall meet the paved area landscaping requirements for paved areas. Any parking area of 3 or fewer spaces is exempt from the paved area landscaping requirements.

(b) All land uses in the Downtown and Riverfront Mixed-Use District and Parks and Recreation District are exempt from all landscaping requirements.

(c) Single family dwelling units, two family dwelling units, manufactured homes, cottage court, and agricultural land uses are exempt from landscaping requirements.

(6) Changes to the Landscaping Plan. The City may allow or require changes to the landscaping plan of Section 550.08.20 or the landscaping requirements of Section 550.08.30, as provided below.

(a) The Zoning Administrator and the Plan Commission shall have the authority to allow alterations or substitutions of one type of plant for another to the landscaping requirements as long as the altered requirements achieve an equivalent or greater level of landscaping on a site. Such alternations or substitutions may be based on the following:

1. Unusual conditions
2. The consideration of landscape architecture approaches
3. The preservation of existing trees
4. The consideration of Wisconsin native landscaping
5. When larger size plantings are provided as part of the overall landscape plan

6. When more shrubs may be appropriate versus more trees, and vice versa
7. Utility or other easements

(b) The Zoning Administrator and the Plan Commission shall have the authority to require the modification of any landscaping plan including the rearrangement of landscaping points on a site to better meet aesthetic, environmental, and stormwater management goals or objectives.

(c) The Zoning Administrator and the Plan Commission may permit less required points for a certain portion of the site (building foundations, paved areas, street frontages, and yards) to be acceptable within the Landscaping Plan if the total number of landscaping points for the entire site is met.

Sections 550.08.11 to 550.08.19: Reserved

Section 550.08.20: Landscape Plan

The applicant shall provide a digital copy of a landscaping plan. The plan shall be drawn at a reasonable scale to clearly delineate the landscape improvements and depict all required elements as specified within the Site Plan Review Section 550.10.43(e), at the discretion of the Zoning Administrator:

Sections 550.08.21 to 550.08.29 Reserved

Section 550.08.30: Landscaping Requirements

Landscaping shall be provided based on the following requirements for building foundations, paved areas, street frontages, yards, and bufferyard.

(1) **Building Foundations**. See Figure 550.08.30d.

(2) **Paved Areas**. See Figure 550.08.30d.

(a) Parking Lot Design. See also Section 550.06.06(7).

1. Interior parking lot landscaping shall be required for any parking lot with more than 30 parking spaces. Internal parking lot landscaping shall be accomplished by the installation of landscaped planter islands or other types of landscaping application approved by the Zoning Administrator.

2. Landscaped planter islands shall be required at the ends of all parking rows, driveway entrances, and at intermediate locations such that there is a maximum of 180 feet between islands, or approximately no more than 20 standard parking stalls. See Figure 550.08.30a.

a. Landscaped planter islands are required where 2 rows of parking stalls meet at a right angle. See Figure 550.08.30b.

Figure 550.08.30a: Requirements for Interior Landscaping

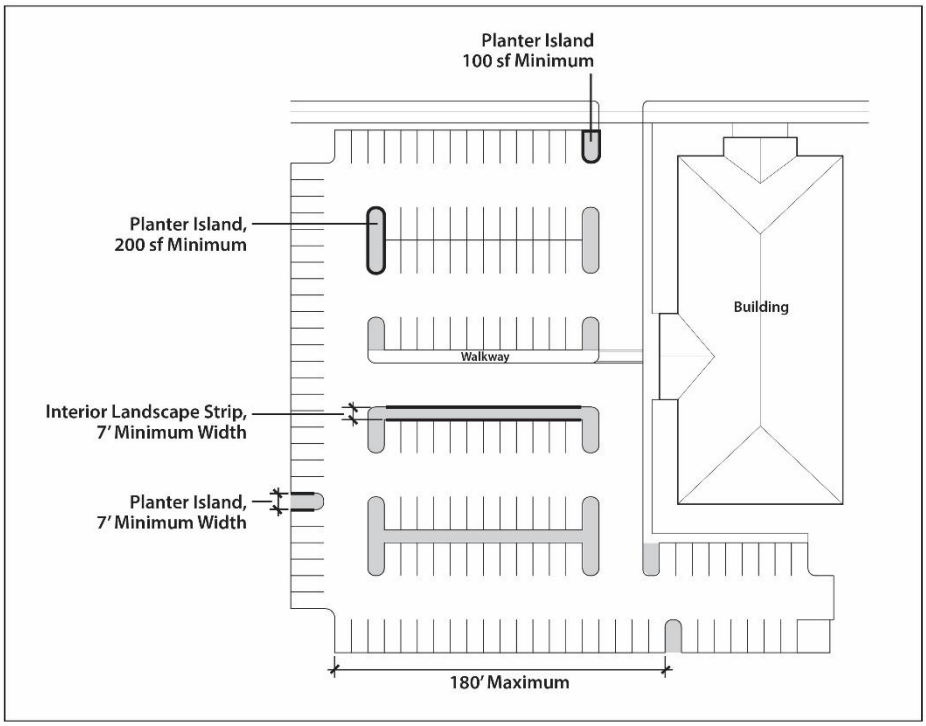
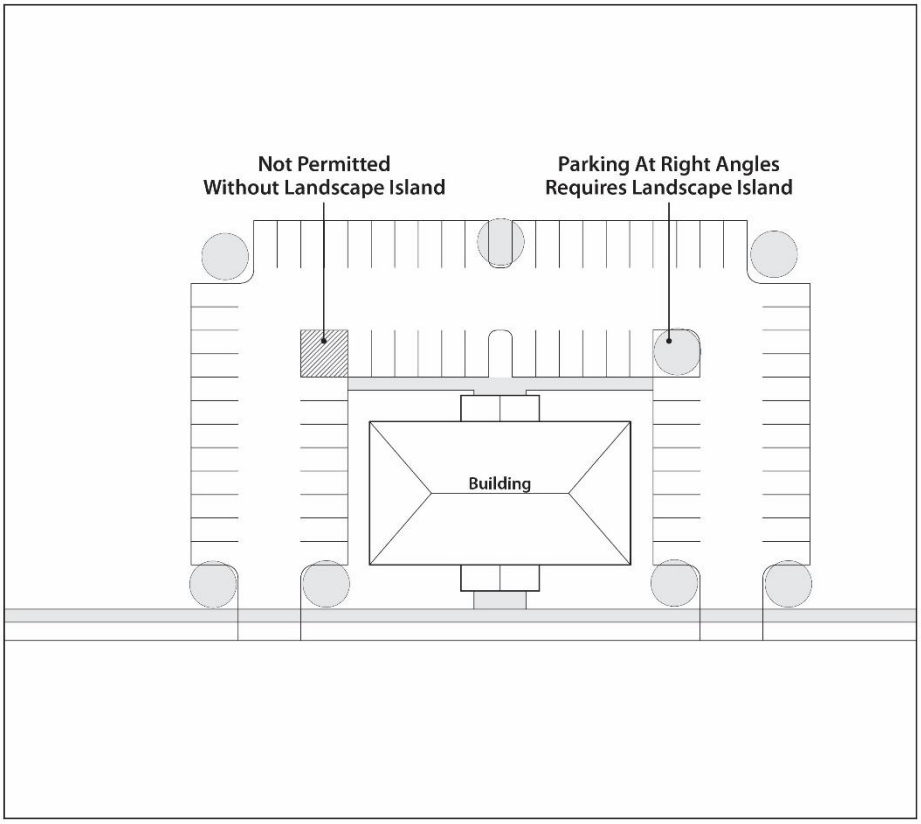
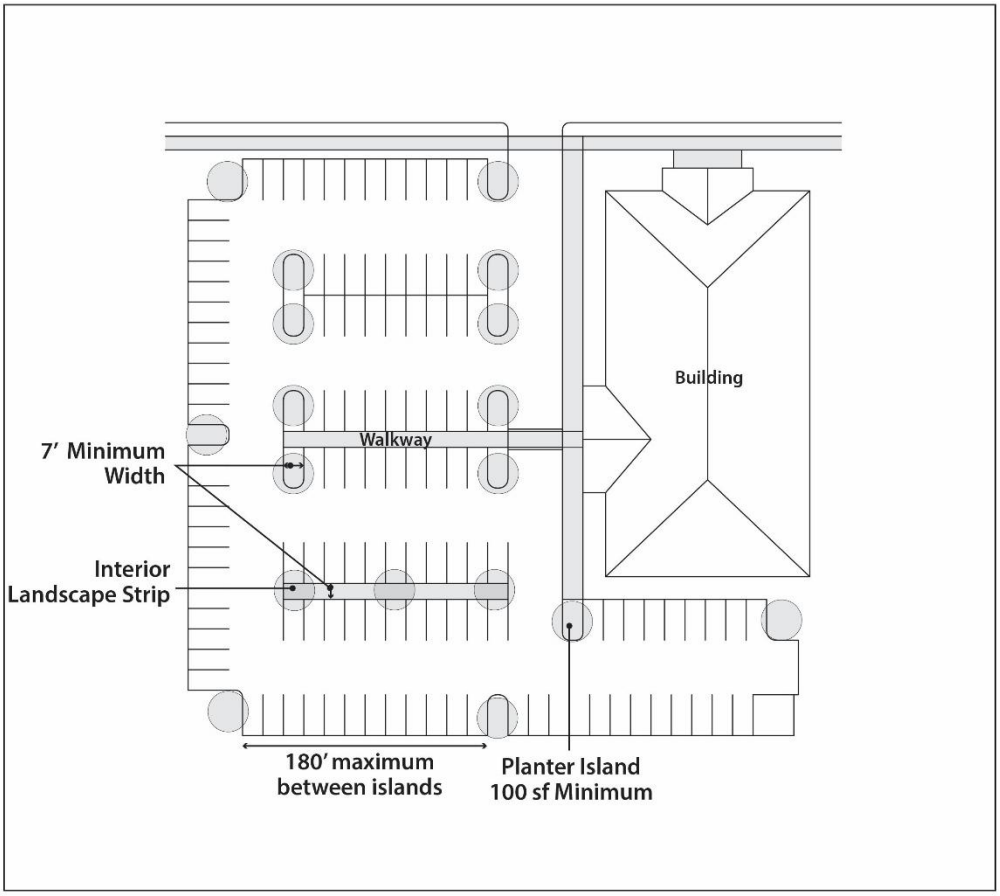


Figure 550.08.30b: Parking Rows at Right Angles



3. Each landscaped planter island shall be no less than 100 square feet in area and 7 feet in width, measured from the back of the curb. For double-parking rows, each landscaped planter island shall be no less than 200 square feet in area. The 7-foot width requirement may be reduced to accommodate the triangular shape resulting from angled parking.
    a. Exception. A continuous 7-foot wide landscape strip may be provided between double parking rows in place of landscaped planter islands.
    b. See Figure 550.08.30a, b, and c.

Figure 550.08.30c: Interior Landscaping



4. All islands shall be crowned for positive drainage, unless bio-retention methods of stormwater management are utilized per a stormwater management plan approved by the Public Works Director/City Engineer.
5. One shade tree shall be provided for every island and for every 40 linear feet of continuous landscape strip, except as would be in conflict with a lighting fixture or underground wet utility pipe. Medium or low trees (evergreen or deciduous) may be used to supplement deciduous shade trees in locations that may not support healthy shade tree or tall deciduous tree growth. This determination shall be made by the Zoning Administrator. For double-row parking, two shade trees or tall deciduous trees shall be required for each island. See Figure 550.08.30g for minimum planting sizes.
6. In addition to the required trees and shrubs, islands shall be planted with grass, low ground cover, shrubs, flowers, decorative stone/river rock, mulch, or a combination thereof.

Mulches and decorative stone shall be installed so that the loose material will not erode, fall, be plowed, or be otherwise transported onto paved surfaces.

7. To ensure proper visibility within the parking lot, landscaping shall not impede on-site traffic visibility or the vision triangle per Section 550.06.03.

(b) Paved area expansions (see Section 550.08.10(2)) shall be subject to the same landscaping formula requirements as new paved areas (see Section 550.08.30(2)).

(3) **Street Frontages**. See Figure 550.08.30d.

(4) **Yards**. See Figure 550.08.30d.

(5) **Bufferyards**. A bufferyard provides physical separation and visual screening between properties located in zoning districts having different development intensities. A bufferyard may include open space, landscaping, fences or walls, berms, or a combination thereof, which are required to eliminate or reduce existing or potential nuisances (e.g. dirt, litter, noise, glare, signs, and incompatible land uses, buildings, or parking areas). See 550.08.30h for an example of what a bufferyard includes.

(a) Bufferyards shall be provided along a side or rear lot line where required by Figure 550.08.30e. Bufferyards shall not be required in front yards or along public street frontages.

(b) The required bufferyard value is identified in Figure 550.08.30e. The applicant shall select one of the corresponding design options for each value as provided in Figure 550.08.30f. The assigned value reflects the degree of screening required based on the difference in potential development character between the subject property's zoning district and the adjoining property's zoning district.

(c) Reduction of Required Bufferyard Width.

1. Where the minimum width for the required bufferyard is not available under the current or proposed state of development, the Plan Commission, may reduce the width required for the bufferyard to that currently available on the site, provided that the portion of the site that requires a bufferyard contains one or more of the following:

   a. Steep slopes that contain retaining walls or rip-rap.

   b. Permanently undevelopable green space or other permanently protected green space designated on site plans such as a native or restored prairies or park savannas, wetlands, bodies of water, floodplains, drainageways, upland woods, stormwater basins, or other natural resource protection areas, including areas protected by covenants or conservation easements.

   c. Existing development where the location of existing buildings, parking areas, or other site improvements makes compliance with the required bufferyard width impractical or infeasible.

2. Where there is permanently protected green space located on an adjoining property adjacent to the portion of a site that requires a bufferyard, the Plan Commission may reduce the width required for the bufferyard. The reduction shall consist of no more than 1 foot for every 3 feet of permanently protected green space on the adjoining property, as measured from the property line at a right angle into said adjacent property. There shall be no reduction in the number of landscape points required.

(d) Use of Required Bufferyard and Landscaped Areas.

1. A required bufferyard may contain pedestrian or bicycle paths, passive recreation areas, stormwater facilities, and utilities, provided that the required width and screening are maintained.
2. Buildings, parking spaces, loading areas, outdoor storage, outdoor display areas, refuse facilities, and recreational courts or fields are prohibited within a required bufferyard.
3. A driveway or pedestrian connection may cross a bufferyard approximately perpendicular to the lot line where necessary to provide approved access.

(6) Determination of Landscaping Requirements.

(a) The requirements of this Article are additive to each other and any other landscaping or screening requirements in this Chapter.

(b) Landscape points used to meet one requirement (e.g. building foundations, paved areas, street frontages, yards, or bufferyards) shall not be used to meet another requirement.

(7) Measurement and Calculation.

(a) Mature existing landscape plantings that are retained and protected during development may be counted at twice their otherwise applicable landscaping point value, as determined by the Zoning Administrator based on the health, size, species, location, and anticipated longevity of the planting.

(b) In calculating the number of required landscaping points under the provisions of this Section, all areas and distances on which required calculations are based shall be rounded up to the nearest whole number of square feet or linear feet.

(c) Any partial plant derived from the required calculations of this Section (for example: 23.3 shade trees) shall be rounded up to the next whole plant (for example: 24 shade trees).

(8) Utility Easements. Landscaping materials, fences and berms located within a recorded utility, stormwater, or a pedestrian easement, that may have been permitted per terms of an easement encroachment agreement, may count toward meeting a landscaping requirement, if authorized by the City and the easement holder. The width of such areas may be counted as part of a landscaping width requirement for bufferyards. No landscaping materials, fences, or berms are allowed in drainage easements.

(9) Other Green Space Areas. Green space areas not used for landscape plantings other than natural resource protection areas shall be graded and seeded or sodded with an acceptable maintainable seed mix, restored to native vegetation. Alternatively, such areas may be maintained in crop production if a principal use exists on-site and if approved by the Zoning Administrator.

Figure 550.08.30d: Landscaping Requirements for Regular Development*

	Landscaping Component**				
	Building Foundation Perimeter	Paved Areas	Street Frontage Length	Yards	Bufferyards
Type of Landscaping:	A minimum of 25 % of points on side facing public street and 50% of points on side of main entrance. Shade Trees and Tall Trees not allowed.	A minimum of 30% of points devoted to Tall Trees and 40% to Shrubs.	A minimum of 50% of points devoted to Tall Trees & 30% to Medium Trees.	Any type allowed.	See types "Appropriate for Screening" in Figure 550.08.40b
Native and Existing Plantings:	Wisconsin native plant species identified in Figure 550.08.40a shall count as 1.5 times the point values for each planting provided as shown in Figure 550.08.30g and 550.08.40a. Any existing on-site mature tree that is protected shall count as 2 times the point values for each planting provided as shown in Figure 550.08.30g and 550.08.40a.				
Placement of Landscaping:	Within 10 feet of building foundation.	Within 10 feet of paved area or within paved area.	Within 10 feet of street right-of-way.	Any location.	Within bufferyard, per Figure 550.08.30f
Calculation of Landscaping Points by Zoning District:	Points per 100 linear feet of building foundation	Greater of: points per 10 parking stalls or 10,000 square feet of paved area	Points per 100 feet of the longest street right-of-way frontage	Points per 1,000 sq ft of the largest floor's gross floor area	See Figure 550.08.30f
Park and Recreation (PR)	20	20	20	10	Only required along certain zoning district boundaries. See Figure 550.08.40b for requirements.
Mixed Residential (MR-1) (MR-2) (MR-3)	40	50	100	20	
Manufactured Home Res. (MH-1)	40	50	100	20	
Institutional (INST)	40	50	100	20	
Neighborhood Mixed-Use (NMU)	40	50	100	20	
Corridor Mixed-Use (CMU)	80	50	100	20	
Downtown and Riverfront Mixed-Use (DMU) and Downtown Riverfront Residential (DRR)	0	0	0	0	
Light Industrial (LI)	60	50	100	20	
Heavy Industrial (HI)	30	30	50	10	
Intensive Outdoor Activity (IOA)	60	50	100	20	

*Note: Single family dwelling units, two family dwelling units, manufactured dwelling units, cottage court residential, and agricultural land uses are exempt from landscaping requirements. Additionally, any parcel zoned Parks and Recreation (PR) are exempt from landscaping requirements.
**See Figures 10.08.30g and 10.08.40a for points associated with plant types.

Figure 550.08.30e: Required Bufferyard Class Matrix

Apply the required bufferyard class from this Figure to Figure 550.08.30f and select an appropriate bufferyard design option. Note that certain land uses, conditional uses, and planned development projects may have more stringent bufferyard requirements. The required bufferyard shall be provided on the property within the more intensively zoned district. Key: NR = no bufferyard required. A through D identify the required bufferyard class.		Adjacent Property Zoning District									
		AG, PR	SF-1, SF-2, SF-3	MH	MR-1, CC	MR-2, MR-3, INST	DMU, DRR	CMU	LI	HI	IOA
Subject Property Zoning District:	Agriculture (AG), Parks and Recreation (PR)	NR									
	Single Family Residential–1 (SF-1), Single Family Residential-2 (SF-2), and Single Family Residential-3 (SF-3)	NR	NR								
	Manufactured Home Residential (MH)	NR	A	NR							
	Mixed Residential-1 (MR-1) and Cottage Court (CC)	NR	A	A	NR						
	Mixed Residential-2 (MR-2), Mixed Residential-3 (MR-3), and Institutional (INST)	NR	B	B	A	NR					
	Downtown Mixed Use (DMU) and Downtown Riverfront Residential (DRR)	NR	NR	NR	NR	NR	NR				
	Corridor Mixed Use (CMU)	NR	C	C	C	B	NR	NR			
	Light Industrial (LI)	NR	C	C	C	C	C	B	NR		
	Heavy Industrial (HI)	NR	D	D	D	D	C	C	C	NR	
	Intensive Outdoor Activity (IOA)	NR	D	D	D	D	D	D	C	NR	NR

Figure 550.08.30f: Design Options for Required Bufferyards

Bufferyard Design Options	Minimum Width	Required Plantings Per 100 Linear Feet	Required Fence, Wall, or Berm
A-1 Planted Transition	10 feet	2 screening trees and 8 medium or tall shrubs	None
A-2 Decorative Fence	8 feet	1 screening tree and 6 medium or tall shrubs	Minimum 4-foot decorative fence having at least 50% opacity
B-1 Planted Buffer	15 feet	3 screening trees and 12 medium or tall shrubs	None
B-2 Fence and Plantings	10 feet	2 screening trees and 10 medium or tall shrubs	Minimum 6-foot solid fence or wall
B-3 Berm and Plantings	18 feet	2 screening trees and 8 medium or tall shrubs	Minimum 3-foot-high berm
C-1 Enhanced Planted Buffer	20 feet	5 screening trees and 18 medium or tall shrubs	None
C-2 Fence and Enhanced Plantings	12 feet	3 screening trees and 14 medium or tall shrubs	Minimum 6-foot solid fence or wall
C-3 Berm and Enhanced Plantings	24 feet	3 screening trees and 12 medium or tall shrubs	Minimum 4-foot-high berm
D-1 Intensive Planted Buffer	30 feet	8 screening trees and 24 medium or tall shrubs	None
D-2 Solid Barrier and Plantings	15 feet	4 screening trees and 18 medium or tall shrubs	Minimum 8-foot solid fence or wall
D-3 Berm and Intensive Plantings	30 feet	5 screening trees and 18 medium or tall shrubs	Minimum 5-foot-high berm

Notes: Fences contributing to landscaping requirements are not permitted along street frontages for nonresidential uses. Where used in combination with plant materials to meet bufferyard requirements, a minimum of 50% of all plant materials shall be located on the exterior side (the side away from the center of the subject property) of the fence. A building wall which does not contain doors (except those used for emergency exit) may be used to satisfy the required fence portions of the bufferyard requirements.

Required plant quantities shall be multiplied by the length of the required bufferyard and divided by 100. Any resulting fraction of a plant shall be rounded up to the next whole plant.

Required plantings shall be distributed throughout the bufferyard to provide reasonably continuous screening. Plantings shall not be concentrated in one portion of the bufferyard while leaving another portion substantially unscreened.

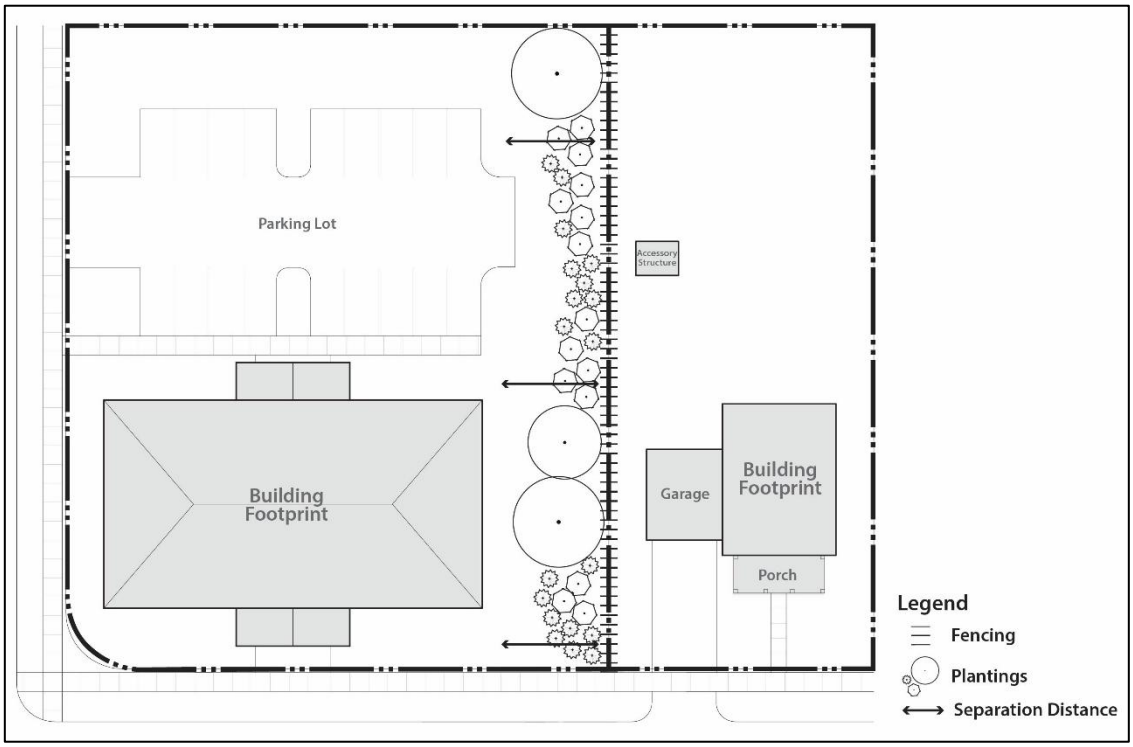
Figure 550.08.30g: Landscaping Points

Plant Category	Landscaping Points Per Plant	Minimum Permitted Installation Size
Shade Tree[1]	40	2" caliper trunk diameter
Tall Deciduous Tree[1]	30	2" caliper trunk diameter
Medium Deciduous Tree[1]	15	2" caliper trunk diameter
Low Deciduous Tree[1]	10	1.5" caliper trunk diameter
Tall Evergreen Tree[1]	40	5' Tall
Medium Evergreen Tree[1]	20	4' Tall
Low Evergreen Tree[1]	12	3' Tall
Tall Deciduous Shrub	10	3' Tall
Medium Deciduous Shrub	3	2' Tall
Low Deciduous Shrub	1	1' Tall
Medium Evergreen Shrub	5	2' Tall/Wide
Low Evergreen Shrub	3	1' Tall/Wide
Perennials/Ornamental Grasses	1	1 Gallon Container
Rain Garden & Bioswale Plants	1	4-6" Container, 12" O.C. Spacing
Non-Contributory Plants	0	N/A

Source: A Guide to Selecting Landscape Plants for Wisconsin, E. R. Hasselkus, UW-Extension Publication: A2865

[1] Any Wisconsin native planting per Figure 550.08.40a is worth 1.5 times the point value as provided in this table. Any existing on-site tree that is protected with no impervious surface or grading within its canopy is worth 2 times the point value as provided in this table. If said tree dies, it shall be replaced with the comparable new tree landscaping points as provided in this table. Any multi-stem tree shall be a minimum of 1 ½ - 2 inches in diameter.

Figure 550.08.30h: Bufferyard Example



Sections 550.08.31 to 550.08.39: Reserved

Section 550.08.40: Classification of Plant Species

(1) Species suitable for landscaping and compatible with local climate and soil factors are listed in Figure 550.08.40a. This list is not intended to be exhaustive, and the Zoning Administrator, shall review proposals for the applicability of species not listed and is authorized to approve appropriate similar species. See Figure 550.08.40b for species appropriate for specific and common landscaping situations (e.g., planting under power lines), and Figure 550.08.40c for a list of species to use selectively or to avoid.

(2) Wisconsin native plant species identified below in Figure 550.08.40a shall be worth 1.5 times the point values shown below. Any existing on-site tree that is protected with no impervious surface or grading within its canopy is worth 2 times the point values shown below. Existing trees must meet or exceed the minimum installation size requirements in Figure 550.08.30g above to receive 2 times the point value.

Figure 550.08.40a: Commonly-Used and Generally Appropriate Landscaping Species**

Plant Category	Landscaping Point Value Per Plant	Common Name	Scientific Name	Native Planting Type*
Shade Trees	50	Maple	*Acer spp.*	Yes
	50	Linden (Basswood, Redmond, Little Leaf)	*Tilia spp.*	Yes
	50	Elms (hybrids)	*Ulmus spp.*	No
	50	Oak (White, Northern Red, Bur, Swamp White)	*Quercus spp.*	Yes
	50	Honey Locust (male cultivars)	*Gleditsia triacanthos var. inermis*	No
	50	Hackberry	*Celtis occidentalis*	Yes
	50	Kentucky Coffee Tree (male	*Gymnocladus dioicus.*	Yes
Tall Deciduous Trees	30	Chinkapin oak	*Quercus muehlenbergii*	Yes
	30	Ginkgo (male cultivars)	*Ginkgo biloba*	No
	30	State Street Miyabe maple	*Acer miyabei 'Morton'*	No
Medium Deciduous Trees	15	Serviceberry	*Amelanchier**	Yes
	15	Eastern Redbud	*Cercis canadensis*	No
	15	Winter King Hawthorn	*Crataegus viridis*	No
	15	Hornbeam (Musclewood)	*Carpinus caroliniana*	Yes
	15	Ironwood/Hophornbeam	*Ostrya virginiana*	Yes
Low Deciduous Trees	10	Hazelnut	*Corylus spp.*	Yes
	10	Flowering crabapples	*Malus spp.*	No
	10	Prairie crabapple	*Malus ioensis*	Yes
	10	Japanese tree lilac	*Syringa reticulata*	No
Tall Evergreen Trees	40	Firs	*Abies spp.*	No
	40	Black Hills Spruce	*Picea glauca var. densata**	No
	40	Serbian Spruce	*Picea omorika*	No
	40	Pine	*Pinus spp. (not nigra)*	Yes
Medium Evergreen Trees	20	Juniper (Red Cedar)	*Juniperus virginiana*	Yes
	20	Arborvitae	*Thuja spp.*	Yes
	20	Eastern hemlock	*Tsuga canadensis*	Yes
Low Evergreen Trees	12	Juniper (Mountbatten)	*Juniperus chinensis*	No
Tall Deciduous Shrubs	10	Dogwood (Gray, Pagoda)	*Cornus spp.*	Yes
	10	Viburnum (Arrowwood, Warfaring Tree, Nannyberry)	*Viburnum spp.*	Yes
Medium Deciduous Shrub	3	Elderberry	*Sambucus candensis "aurea"*	No
	3	Forsythia (Virgina, Rugosa)	*Forsythia*	No
	3	Shrub Rose	*Rosa spp.*	Yes
	3	Potentilla	*Potentilla spp.*	Yes
	3	Bush Honeysuckle	*Diervilla spp.*	Yes
	3	Ninebark	*Physocarpus spp.*	No
	3	Azalea	*Rhododendron (Azalea) spp.*	No

Plant Category	Landscaping Point Value Per Plant	Common Name	Scientific Name	Native Planting Type*
	3	St. John's Wort	*Hypericum "Ames"*	Yes
	3	Summersweet Clethra	*Clethra alnifolia*	No
Low Deciduous Shrubs	1	Gro-Low Sumac	*Rhus aromatica "Gro-Low"*	Yes
Medium Evergreen Shrubs	5	Juniper (Pfitzer)	*Juniperus x pfitzeriana*	No
	5	Yew (Japanese)	*Taxus spp.*	No
Low Evergreen Shrubs	2	Boxwood	*Buxus spp.*	No
	2	Juniper (Sergeant, Creeping, Andorra)	*Juniperus spp.*	No
Ornamental Grasses	1	Prairie Dropseed	*Sporobulus heterolepsis*	Yes
	1	Little Bluestem	*Schizachyrium scoparium*	Yes
	1	Karl Foerster Feather Reed Grass	*Calamagrostis x acutiflora 'Karl Foerster'*	No
	1	Sideoats Grama	*Bouteloua curtipendula*	Yes
	1	Big Bluestem	*Andropogon gerard*	Yes
	1	*Indiangrass*	*Sorghastrum nutans*	Yes
	1	Northern Sea Oats	*Chasmanthium latifolium*	Yes
	1	Switchgrass	*Panicum virgatum*	Yes
Perennial Plantings	1	Coneflower	*Echinacea spp.*	Yes
	1	Black-Eyed Susan	*Rudbeckia*	Yes
	1	Lily	*Lilium spp.*	No
	1	Daylily	*Hemerocallis spp.*	No
	1	Columbine	*Aquilegia spp.*	Yes
	1	Aster	*Aster spp.*	Yes
	1	Blazing Star	*Liatris spp.*	Yes
	1	Peony	*Paeonia spp.*	No
	1	Pachysandra	*Pachysandra spp.*	No
	1	Stonecrops	*Sedum spp.*	Yes
	1	Astilbe	*Astilbe spp.*	No
	1	Hosta	*Hosta spp.*	No
Pollinator Perennials	2	Butterfly Weed	*Asclepias tuberosa*	Yes
	2	Smooth Blue Aster	*Aster laevis*	Yes
	2	Wild Bergamot	*Monarda fistulosa*	Yes
	2	Prairie Blazing Star	*Liatris pyconstachya*	Yes
	2	Sweet Black-Eyed Susan	*Rudbeckia subtomentosa*	Yes
	2	Smooth Penstemon	*Penstemon digitalis*	Yes
	2	Showy Goldenrod	*Solidago speciosa*	Yes
	2	Prairie Dropseed	*Sporobolus heterolepis*	Yes
	2	Prairie Onion	*Allium stellatum*	Yes
	2	Lance-leaf (sand) Coreopsis	*Coreopsis lanceolata*	Yes
	2	Wild Lupine	*Lupinus perennis*	Yes
	2	Pale Purple Coneflower	*Echinacea pallida*	Yes
Rain Garden Mix	1	Purple Prairie Clover	*Sporobolus heterolepis*	Yes

Plant Category	Landscaping Point Value Per Plant	Common Name	Scientific Name	Native Planting Type*
	1	Boneset	*Eupatorium perfoliatum*	Yes
	1	Blue Vervain	*Verbena hastata*	Yes
	1	Brown Fox Sedge	*Carex vulpinoidea*	Yes
	1	Wild Columbine	*Aquilegia canadensis*	Yes
	1	Blue Wood Aster	*Aster cordiforlium*	Yes
	1	Tell Bellflower	*Campanula americana*	Yes
	1	Cardinal Flower	*Lobelia cordiforlium*	Yes
	1	Palm Sedge	*Campanula mericana*	Yes
	1	Mountain Mint	*Pycnanthemum (native species)*	Yes
	1	Downy Wood Mint	*Blephilia ciliata*	Yes

*Wisconsin native plant species identified in this column shall be worth 1.5 times the point values identified.
**Not all species listed are suitable in all locations.

Figure 550.08.40b: Sample Plant Species Appropriate for Specific Situations

Classification	Landscaping Point Value Per Plant	Common Name	Scientific Name
Appropriate for Planting Under Power Lines	Medium Deciduous Tree	Serviceberry	*Amelanchier*
	Low Deciduous Tree	Flowering crabapple	*Malus spp.*
	Low Deciduous Tree	Japanese tree lilac	*Syringa reticulata*
	Tall Deciduous Shrub	Dogwood (Grey or Pagoda)	*Cornus*
Appropriate for Screening	Tall Evergreen Tree	Firs	*Abies spp.*
	Tall Evergreen Tree	Juniper (Red Cedar)	*Juniperus virginiana*
	Tall Evergreen Trees	Spruces	*Picea spp.*
	Tall Evergreen Trees	Pines	*Pinus spp.*
	Tall Evergreen Tree	Douglas fir	*Pseudotsuga menziesii var. glauca*
	Tall Evergreen Tree	Eastern hemlock	*Tsuga canadensis*
	Medium Evergreen Tree	Arborvitae	*Thuja occidentalis*
Salt Tolerant	Shade Tree	Kentucky Coffee Tree	*Gymnocladus dioicus*
	Shade Tree	Northern Red Oak	*Quercus rubra*
	Shade Tree	Swamp White Oak	*Quercus bicolor*
	Shade Tree	Honey Locust	*Gleditsia triacanthos*
	Shade Tree	White Oak	*Quercus alba*
	Tall Deciduous Tree	Ginkgos	*Gingko spp*
	Medium Deciduous Tree	Canadian Serviceberry	*Amelanchier canadensis*
	Low Deciduous Tree	Flowering Crabapples	*Malus spp*

Classification	Landscaping Point Value Per Plant	Common Name	Scientific Name
	Tall Deciduous Shrub	Dogwood (Gray, Pagoda)	*Cornus spp*
	Tall Deciduous Shrub	Common Lilac	*Syringa vulgaris*
	Tall Deciduous Shrub	Viburnum	*Viburnum*
	Medium Deciduous Shrub	Black Chokeberry	*Aronia melanocarpa*
	Medium Deciduous Shrub	Forsythia	*Forsythia spp*
	Low Deciduous Tree	Japanese Tree Lilac	*Syringa reticulata*
	Low Deciduous Shrub	Potentilla	*Cinquefoils*
	Low Deciduous Shrub	Azalea	*Azalea spp*
	Low Deciduous Shrub	Snowberry	*Symphoricarpos*
	Tall Deciduous Shrub	Staghorn Sumac	*Rhus typhina*
	Tall Deciduous Shrub	Mockorange	*Philadelphus*
	Medium Evergreen Shrub	Pfitzer Juniper	*Juniperus x pfitzeriana*
	Medium Evergreen Shrub	Yew (Japanese)	*Taxus spp*
	Low Evergreen Shrub	Boxwood	*Buxus spp*

Figure 550.08.40c: Prohibited Species and Species to Use Selectively

Classification	Common Name	Scientific Name	Prohibited[2] or Use Sparingly[1]	Reason
Shade Tree	Non-resistant elms	*Ulmus spp.*	Prohibited	Dutch Elm Disease
	Boxelder	*Acer negundo*	Prohibited	Spread quickly, self seed and sucker aggressively, attract bugs
	Norway Maples	*Acer platanoides*	Prohibited	Over-planted, dense, become weedy through self seeding
	Red Maples	*Acer rubrum*	Use Selectively	Not urban tolerant, prefer acidic soil
	Sugar Maples	*Acer saccharum*	Use Selectively	Not urban tolerant, best in open space settings
	Silver Maple	*Acer saccharinum*	Prohibited	Branches drop, become weedy through self seeding and aggressive root systems
Tall Deciduous Tree	Autumn Blaze Maple	*Acer x freemanni*	Prohibited	Historically over-planted
	Ash trees	*Fraxinus spp.*	Prohibited	Emerald Ash Borer
	Black Walnut	*Juglans nigra*	Prohibited	Root toxins limit other plant growth, drops messy tennis ball sized fruit
	Bradford pears	*Pyrus calleryana "bradford"*	Prohibited	Branches tend to break
	Cottonwood	*Populus deltoids, populus fremontii, or populus nigra*	Prohibited	Weak wood and aggressive root systems, seed litter

Classification	Common Name	Scientific Name	Prohibited[2] or Use Sparingly[1]	Reason
	Poplar	*Populus*	Prohibited	Aggressive root systems, short lived weedy nature
	Willow	*Salix*	Use Selectively	Weak wooded and prone to storm damage, aggressive roots
Medium Deciduous Tree	Ailanthus, Tree of Heaven	*Ailanthus altissima*	Prohibited	Invasive non-native
	European white birch	*Betula pendula*	Prohibited	Bronze Birch Borer
	White mulberry	*Morus alba*	Prohibited	Invasive non-native
Low Deciduous Tree	Purple Leaf Cherry Plum, Japanese Purple Plum	*Prunus cerasifera 'Atropurpurea'*	Use Selectively	Drops fruit
	Purple Sandcherry	*Prunus x cistena*	Use Selectively	Short-lived
	Russian Olive	*Elaegnus angustifolia*	Prohibited	Drops fruit, invasive, non-native
	Amur Maple	*Acer tataricum subsp. ginnala*	Prohibited	WisDNR restricted list
Tall Deciduous Shrub	Buckthorns	*Rhamnus cathartica*	Prohibited	Invasive, non- native
	Autumn-olive	*Elaeagnus umbellata*	Prohibited	Invasive, non- native
	Multiflora rose	*Rosa multiflora*	Prohibited	Invasive, non- native
Medium Deciduous Shrub	Japanese spirea	*Spiraea japonica*	Prohibited	Invasive (re-seed)
	Burning bush	*Euonymus alatus*	Prohibited	Invasive, non- native
	Honeysuckle	*Lonicera spp.*	Prohibited	Invasive, non- native
Low Deciduous Shrub	Japanese Barberry	*Berberis thunbergii*	Prohibited	Invasive
Tall Evergreen Tree	Austrian pine	*Pinus nigra*	Prohibited	Susceptibility to many diseases and pests

Notes:
[1] "Species to Use Sparingly" may be used as part of an overall landscaping plan, but only if the number of individual plants does not constitute more than 1 plant per 20 total plants within the same plant classification. For example, if a landscaping plan includes a total of 20 Tall Deciduous Trees, no more than 1 of those 20 trees may be classified as a "Species to Use Sparingly." The purpose of this provision is to encourage plant species diversity throughout the City.
[2] "Prohibited Species" shall not be included as part of any landscaping plan that is subject to City review per Section 550.10.43. The purpose of this provision is to limit the planting of species that are invasive, have invasive tendencies, or that may perpetuate or spread disease. Also see the Wisconsin Department of Natural Resources Regulated Species list for all Prohibited and Restricted Species. Additional tree species that are not recommended, should be used sparingly, or should be selectively used by location have been added to this list beyond those listed in the source above.
[3] "Species to Use Selectively" should only be used in locations that meet the plant's growing requirements, such as soil type, salt, pollution and other site impacts. These species should be used in locations that do not negatively impact surroundings.

Sections 550.08.41 to 550.08.49: Reserved

Section 550.08.50: Standards for Rain Gardens and Bioswales

(1) Definition.

(a) Rain gardens can serve both as landscaping and stormwater management features on a building site, where appropriately designed and sited. A rain garden is a shallow, depressed garden that is designed and positioned on a site to capture stormwater runoff and allow for the infiltration of water back into the ground. Rain garden plants are carefully chosen for their ability to withstand moisture extremes and potentially high concentrations of nutrients and sediments that are often found in stormwater runoff. A well designed and maintained rain garden serves as an attractive component of an overall landscaping plan for a development site.

(b) Bioswales can serve both as landscaping and stormwater management features on a building site, where appropriately designed and sited. A bioswale is a linear, vegetative stormwater runoff conveyance system that is designed to store and infiltrate water from small storm events back into the ground and direct water from heavy rain events to appropriate storm sewer inlets or other management facilities. The flow of water being conveyed through a bioswale is slowed down, allowing for municipal storm systems to more effectively manage heavier rain events and help reduce the risk of flooding on or off-site. Water being infiltrated or conveyed via a bioswale is also filtered by the vegetation within it, generally improving both ground and surface water quality.

(2) Requirements.

(a) The installation of a rain garden or bioswale may contribute to the overall stormwater management plan for a development site and count toward meeting the City's landscaping requirements. Rain gardens and bioswales may count for 20 points for every 20 square feet of planted area.

(b) Detailed plans shall be provided that show all proposed dimensions of the rain garden or bioswale including length, width, depth, and slope of depression; location of the rain garden or bioswale on the lot relative to hard-surfaced areas, downspouts, site topography, and drainage patterns; characteristics of the soil underlying the rain garden or bioswale; description of planting media; the species, number, and size at time of installation of all vegetation proposed for the rain garden or bioswale; and information on any other materials that will be used to line the rain garden or bioswale. The installation of a rain garden shall not change drainage patterns at the lot line. See the Wisconsin Department of Natural Resources Technical Standards for Rain Gardens for more information.

(c) Installation shall not be proposed for any of the following areas of a site:

1. Areas where there is known soil contamination unless the rain garden or bioswale is proposed to be constructed with an under-drain and an impervious basin liner;
2. Areas where the characteristics of the soil would not allow for the proper infiltration, as defined by the Wisconsin Department of Natural Resources, of water into the ground; or
3. Areas where there are expected to be high levels of foot traffic, unless such areas are protected from foot traffic.
4. Areas less than 5 feet from any building foundation with frost footings or pavement and less than 10 feet from any building foundation with a full basement.
5. Areas located within any on-site easements.

(d) The owner of the site shall record a maintenance agreement with the City if utilized for required stormwater management on the site. Specifically, the agreement shall specify that the rain garden or bioswale be kept free of trash, weeds, debris, and dead or dying plants, any pipes associated with the rain garden or bioswale will be inspected on a bi-annual basis and kept free of debris, and by the beginning of every spring dead plant materials will be cut back or removed.

(e) Bioswales and rain gardens shall be generously (and appropriately) vegetated with native plantings to qualify for landscaping points. If bioswales and rain gardens (or portions thereof) are

lined with turf but do not include other vegetation, then they will not count toward meeting landscaping point requirements.

(f) Rain gardens and bioswales may serve as a component of an overall stormwater management plan for a site only if detailed plans, calculations, and specifications are submitted and approved by the Public Works Director/City Engineer. Detailed plans shall include the location and description of all other stormwater management facilities serving the site, particularly those to which any bioswale will be directed.

Sections 550.08.51 to 550.08.59: Reserved

Section 550.08.60: Installation Requirements

(1) Installation. Any and all landscaping and bufferyard material required by the provisions of this Chapter shall be installed on the subject property, in accordance with the approved site plan within 365 days of the issuance of an occupancy permit for any building on the subject property. Failure to comply with this requirement shall be subject to the fees and penalties in Sections 550.10.60 and 10.10.61.

(2) All landscaping and bufferyard areas shall be seeded with lawn or native ground cover unless such vegetation is already fully established.

(3) The exact placement of plants and structures shall be depicted on the required detailed landscaping plan submitted to the City for its approval. Such plant and structure location shall be the decision of each property owner provided the following requirements are met:

(a) Where a combination of plant materials, berming, and fencing is used in a bufferyard, the fence and/or berm may be located toward the interior or exterior of the subject property and at least 50 percent of the required landscaping points shall be located toward the exterior of the subject property.

(b) A property owner may establish through a written agreement, recorded with the Register of Deeds that an abutting property owner agrees to provide on the immediately abutting portion of his or her land a partial or full portion of the required bufferyard, thereby relieving the developer of the responsibility of providing the entire bufferyard on his property. Responsibility for maintenance of bufferyard landscaping shall be included as part of this agreement.

(c) Under no circumstance shall landscaping or bufferyard materials be selected or located in a manner resulting in the alteration of drainage patterns at the lot line and in the creation of a safety or visibility hazard. Plant material located on any berm shall be placed to facilitate water infiltration to maximize plant survival. A flat portion of the top of the berm shall be utilized for planting, if possible.

(d) The restrictions on types of plants listed in this Article shall apply.

(4) Upon completion of the approved landscape improvements, a certification of compliance shall also be submitted by the owner or agent.

(5) Maintenance.

(a) The continual maintenance of all required landscaping and bufferyard materials shall be a requirement of this Chapter and shall be the responsibility of the owner of the property on which said materials and plants are required. This requirement shall run with the property and shall be binding upon all future property owners. Development of any or all property following the effective date of this Chapter shall constitute an agreement by the property owner to comply with the provisions of this Section.

(b) The owner of the premises shall be responsible for the watering, maintenance, repair, and replacement of all landscaping, fences, and other landscape architectural features on the site. All planting beds shall be kept weed-free. Plant material which has died shall be replaced with equivalent vegetation within twelve months.

Sections 550.08.61 to 550.08.99: Reserved

ARTICLE IX: SIGNAGE

Section 550.09.01: Purpose

(1) The purpose of this Chapter is to establish standards for the fabrication, erection, and use of signs, and to regulate the location, type, size, and height of signage for all properties within the City of Watertown. The adoption of this Chapter reflects the formal finding of fact by the City of Watertown Plan Commission and Common Council that regulation of signage advances the following compelling governmental interests:

(a) Elimination of signage that the City has determined to be a cause of unsafe traffic and visibility conditions for pedestrians, bicyclists, drivers, and passengers.

(b) Protection of pedestrians, bicyclists, drivers, and passengers from injury caused by the faulty and uncontrolled construction and use of signs within the City.

(c) Protection of pedestrians, bicyclists, drivers, and passengers from injury caused by distractions, obstructions, and hazards created by certain signs or by cluttered, distracting, or illegible signage.

(d) Promotion of the public welfare, health, and safety of all persons using public thoroughfares and rights-of-way within the City of Watertown in relation to the signage displayed thereon, or overhanging, or projecting into such public spaces.

(e) Preservation of the value of private property by assuring the compatibility of signs with surrounding land uses.

(f) Assuring that public benefits derived from expenditures of public funds for the improvement and beautification of public streets and other public structures and spaces are protected from visual blight and unsafe conditions by exercising reasonable controls over character and design of signage.

(g) Advancing the aesthetic goals of the City throughout the community and ensuring the effectiveness and flexibility in the design, creativity, or use of signage without creating a detriment to the general public.

(2) Furthermore, this Chapter leaves ample and adequate alternative channels of communication and is narrowly defined so as to limit regulation to exterior signage and signage designed to be viewed from beyond the boundaries of a site.

Section 550.09.02: Reserved

Section 550.09.03: Definitions

(1) **Definition of a Sign.** In this Chapter, the word "sign" means any object, device, display, structure, or part thereof, situated or visible from outdoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, logos, symbols, fixtures, colors, illumination, or projected images.

For the purposes of this Chapter, the following are not signs regulated by this Chapter:

(a) Government signs are signs that are constructed, placed or maintained by the federal, state, county or local government, or a sign that is required to be constructed, placed or maintained by the federal, state, county, or local government either directly or to enforce a property owner rights.

1. Government signs may be located within the public right-of-way and on City of Watertown property.

(b) Traffic control devices and similar structures erected by roadway authorities located within a right-of-way to communicate regulatory, directional or similar information to users.

(c) Decorations that are incidentally and customarily associated with a holiday, community festival or similar event.

(d) Flags which do not contain a commercial message or commercial logo or branding.

(e) Art works, including but not limited to wall murals and statues, which do not contain a commercial message or logo or branding.

(f) Building colors and lighting which do not contain a commercial message or commercial logo or branding.

(g) Window displays of merchandise, pictures, or models of products or services incorporated in a window display, which are not directly attached to an interior or exterior window surface.

(h) Vehicles that are licensed, operable, and parked in a legal on-site parking space(s) (not within the right-of-way).

(i) Individual signs that are less than one square foot in area. Individual signs shall not be combined in a "mosaic" arrangement to create a resulting larger sign.

(j) Construction site banners as defined in Wis. Stats. §66.1102(5)(a).

(2) **Other Definitions.**

(a) **Advertising**. Any writing, painting, display, emblem, drawing, sign, or other device designed, used, or intended for display or any type of publicity for the purpose of making anything known or attracting attention to a place, product, good, service, idea, or statement.

(b) **Building frontage**. The width of the building façade that fronts a public street, highway, or interstate.

(c) **Business frontage**. The portion of a building frontage occupied by a single tenant space having a public entrance within the building frontage. For businesses located on the interior of a building without frontage, the building elevation providing customer access shall be considered the business frontage.

(d) **Changeable copy**. Sign copy that may be changed manually to provide different information such as boards with changeable letters, bulletin boards, and chalkboards.

(e) **Commercial message**. Any sign wording, logo, branding, or other representation that, directly or indirectly, names, advertises, or calls attention to a business product, service, idea, or commercial activity. Any sign authorized by this Chapter may contain a commercial message.

(f) **Copy**. Words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign.

(g) **Customer entrance**. The entrance that the public can use when an establishment is open to the public.

(h) **Electronic message sign**: See Section 550.09.08.

(i) **Elevation, building**. The view of any building or other structure from any one of four sides regardless of the configuration or orientation of a building. No building shall be treated as having more than four building elevations. Each elevation will generally be identified as a north, south, east or west building elevation.

(j) **External illumination**. The lighting of an object from a light source located a distance from the object.

(k) **Façade**. See "Elevation, building."

(l) **For lease.** The period of time in which a property is being offered for lease through a licensed real estate agent or is being offered for lease by the owner.

(m) **Height of sign**. The vertical distance from the average ground level at the base of the sign to the top of the highest attached component of the sign. See Section 550.09.15(2) for the measurement of sign height.

(n) **Lighting, ambient.** Illumination in which the only light that falls onto the sign comes from sources that are available naturally (e.g. sunlight, moonlight) or from artificial lighting sources used for other purposes in the vicinity of the sign (e.g. street lights, lighting installed for other purposes or sites)

(o) **Lighting, backlit.** Illumination that is arranged in such a way that the light is cast from behind the sign to the eyes of the viewer. Often, the lighting element is unshielded but concealed behind individual freestanding letters, creating a silhouette effect.

(p) **Lighting, gooseneck.** Illumination resulting from light emitted directly from a shielded light fixture located at the top of the sign and angled downward onto the sign face. The light fixture is attached to a curved neck which is often flexible, allowing the user to position the light source onto the sign face.

(q) **Lighting, internal.** Illumination emanating from a lighting element that is located behind the sign face and which is completely enclosed.

1. Internally illuminated signs shall have a light-colored copy on a dark-colored or opaque background, so that the copy is legible during the day and night. When illuminated, the sign shall appear to have an illuminated copy with a dark or non-illuminated background.
    a. The requirements of Subsection (q)1., above, shall not apply to internally illuminated individual characters, letters, or shapes that do not contain copy on the sign face.
2. Neon lighting is not considered to be internal lighting.

(r) **Lighting, neon.** Glass tube lighting in which a gas and phosphors are used in combination to create a colored light. Neon lighting is not considered internal lighting as defined in Subsection (q) above.

(s) **Maintain**. Maintaining the existing appearance of the sign; replacing the sign face or the supporting structure with identical materials, colors, and messages; and changing the message of a Changeable Copy Sign; or changing the face of an Off-Premises Advertising Sign (billboard).

(t) **Noncommercial message.** Any wording, logo, branding, or other representation that does not, directly or indirectly, name, advertise, or call attention to a business product, service, idea, or commercial activity. Any sign authorized by this Chapter may contain a noncommercial message.

(u) **Open house.** An on-premise event used to advertise the lease, rent, or sale of a property.

(v) **Plat phase**. The subset of lots, rights-of-ways, and outlots located within the perimeter boundary of a Final Plat that is being developed during a discrete and separate period from other lands in the same Final Plat.

(w) **Sign area**. The entire face of a sign, including the extreme limits of writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display but not including any supporting framework. See Section 550.09.15(4).

(x) **Sign face**. The area or display surface used for the message.

(y) **Site**. A site shall include all lots that are contiguous, under unified single ownership and intended to remain under unified single ownership under the jurisdiction of this Chapter. A site may also be determined to be a portion of a single lot where more than one building contains separate businesses. For the purposes of this Chapter, the site shall be determined by the Zoning Administrator.

(z) **Street frontage.** The width of a parcel that fronts a public street.

(aa) **Temporary sign**. A sign or advertisement intended to be displayed for a certain limited period. If a sign display area is permanent, but the message displayed is subject to periodic changes, that sign shall not be considered temporary. A portable sign shall not be considered a temporary sign or used for such a purpose.

(bb) **Three-dimensional signs**. Signs that have a depth or relief on their surface. Where a sign consists of one or more three-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture or statue-like trademarks), the sign area shall be measured according to its maximum projection upon a vertical plane. See Section 550.09.15(4).

(cc) **Windowpane**. The area defined by any combination of the window frame and mullions located within said frame.

Section 550.09.04: Reserved

Section 550.09.05: Definitions Related to Sign Groups, Sign Categories, and Sign Types

This Section provides the definitions related to various Sign Groups, Sign Categories, and Sign Types. Figures 550.09.11(1) through 550.09.11(3.A.) provide the regulations for these signs applicable to each zoning district, including an indication of whether a particular Sign Type is permitted or prohibited as a new sign. Any Sign Type not addressed by this Chapter shall be considered prohibited.

(1) **Business Sign--Permanent Group.** A permanent sign which directs attention to a business, commodity, service, or entertainment conducted, sold, offered, or manufactured upon the site where the sign is located.

"Business Sign--Permanent" is a Sign Group which contains various Sign Categories and Sign Types that a business is eligible to use, and which requires a sign permit and in some cases Plan Commission approval. This Sign Group includes the following Sign Categories: Freestanding Signs, On-Building Signs, Pedestrian Signs, and Changeable Copy Signs. See Figure 550.09.11(1) for additional rules related to zoning districts.

(a) **Freestanding Sign Category**. A sign permanently resting on or supported by a slab, pedestal, post, pylon, or any other form of base located on the ground.

The following Freestanding Sign Types are addressed by this Chapter:

1. **Monument Sign**. A type of Freestanding Sign in which the bottom edge of the sign face is located within one foot of a ground-mounted pedestal. The ground-mounted pedestal may be smaller, equal to, or wider in width than the face of the sign.
2. **Dual Post Sign**. A type of Freestanding Sign mounted to the sides or ends of two or more posts, with the majority of the sign area located between the outermost posts, with the bottom edge located within an average of three feet of existing grade.
3. **Pylon Sign**. A type of Freestanding Sign erected upon one or more pylons or poles, generally of a height that is taller than permitted for a Dual Post sign.
    a. New pylon signs shall only be permitted within the "S.T.H. 26 Pylon Sign Allowance Areas" under Section 550.09.13.
        i. On substandard lots, as defined in Section 550.11.01, where monument or dual post signs are otherwise permitted, a pylon sign may be approved by conditional use permit pursuant to Section 550.10.32. The applicant shall provide substantial evidence, as defined in Wis. Stats. § 62.23(7)(de)1.b., demonstrating that a pylon sign is the only permitted freestanding sign type capable of complying with the visibility requirements of Section 550.06.03(5). The application shall specify the proposed sign height, setback, and area and include before-and-after photo simulations of the site.

ii. Existing pylon signs outside of the "S.T.H. 26 Pylon Sign Allowance Area" (see Section 550.09.30(1)(f)) are permitted as legal nonconforming signs per the requirement of Section 550.09.35.

4. **Freestanding Canopy Sign.** A type of Freestanding Sign placed directly on the facia of a freestanding canopy associated with a Drive-Through and In-Vehicle Sales and Service land use (See 550.03.10(9)).

(b) **On-Building Sign Category**. A type of sign permanently affixed to a wall of a building, and which is generally oriented and sized for visibility to motorists.

The following On-Building Sign Types are addressed by this Chapter:

1. **Wall Sign.** A type of On-Building Sign that is mounted directly on, and parallel to, a building façade or other vertical building surface. A Wall Sign also includes a permanent sign located on the interior of a building within five feet of the exterior wall that is intended to be viewed primarily from beyond the boundaries of the site. Whether an interior sign is considered a Wall Sign shall be determined by the Zoning Administrator during the sign permit review process.
2. **Awning Sign**. A type of On-Building Sign that is directly affixed via sewing, silk screening, painting, or similar method to a non-rigid removable awning which is mounted to the façade of a building. The definition of an awning can be found in Section 550.11.01.
3. **Canopy Sign**. A type of On-Building Sign that is directly affixed via bolts, brackets, or similar method to a rigid permanent canopy which is mounted to, or adjacent to, the façade of a building. The definition of a canopy can be found in Section 550.11.01.
4. **Marquee Sign**. A type of On-Building Sign that is mounted to a permanent roof-like structure that projects out from the exterior wall of a structure and shelters the entrance or entrance approaches to a building.
5. **Projecting Sign**. A type of On-Building Sign that is mounted at any angle other than parallel to the wall on which it is mounted, extending from the face of the wall.

(c) **Pedestrian Category.** A sign attached to the façade of a building and mounted just above sidewalk level, and which is oriented and sized for visibility to nearby pedestrians rather than to motorists.

1. **Suspended Sign.** A type of Pedestrian Sign that is mounted to the nearest wall, oriented to pedestrian traffic, and suspended from the underside of a horizontal plane surface, such as a covered porch, arcade, or canopy.

(d) **Changeable Copy Sign Category.** A sign typically used to advertise daily specials, daily menu items, or on-site events that change on a frequent basis and which usually includes changeable copy. This type of sign is often associated with restaurants, taverns, retail stores, music venues, and retail stores.

The following Changeable Copy Sign Types are addressed by this Chapter:

1. **Menu Board Sign.** A type of Changeable Copy Sign mounted flat against a wall containing changeable copy.
2. **Sandwich Board Sign**. A type of freestanding Changeable Copy Sign placed on the ground and constructed in such a manner as to form an "A"-like shape, hinged or not hinged at the top, with each angular face held together at an appropriate distance by a supporting element such as a folding bar, latch, or chain.
3. **Bulletin Board Sign.** A type of freestanding Changeable Copy Sign located on-site containing changeable copy and resting on or supported by a pedestal, post, or other form of base located on the ground.

4. **Drive Thru Sign.** A type of Changeable Copy Sign used only in conjunction with drive-through or drive-in establishments, as further defined in Section 550.03.10(9).

(2) **Business Sign--Other Group.** A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, offered, or manufactured upon the site where the sign is located. "Business Signs--Other" is a Sign Group which contains various Sign Categories and Sign Types that a business is eligible to use, which do not require a Sign Permit, and which are typically used to promote temporary activities. This Sign Group includes the following Sign Categories: Window Signs, Temporary Board & Banner Signs, Temporary Flag or Feather Signs, and Temporary Approved Development Signs. See Figure 550.09.11(2) for additional rules related to zoning districts.

(a) **Window Sign Category**. A type of sign that is either painted onto a window, attached to the inside face of an exterior window, or located inside a building within 3 feet of a window and intended to be viewed from the exterior of the building. Window Signs may face toward the outside, the inside, or both.

(b) **Temporary Board & Banner Sign Category**. A sign located outside of a building for a defined display time limit. Such signs are often used for the purpose of informing the public of a sale or special offer.

The following Temporary Board & Banner Sign Types are addressed by this Chapter:

1. **Board Sign.** A type of Temporary Board & Banner Sign that is temporarily placed on the ground and is made of rigid material such as plywood or corrugated plastic.
2. **Banner Sign.** A type of Temporary Board & Banner Sign that is made of flexible material such as cloth or vinyl and is supported along one or more sides or at two or more corners by wires, ropes, string, nails, or other removable fastening materials.

(c) **Temporary Flag & Feather Sign Category.** A sign located outside of a building. Such signs are often used for the purpose of informing the public of a sale or special offer.

1. **Flag Sign.** A type of Temporary Flag & Feather Sign that is located outside of a building. It's made of vinyl, fabric, or other similar lightweight all-weather flexible material which is mounted on a pole.
2. **Feather Sign.** A type of Temporary Flag & Feather Sign consisting of a piece of vertically elongated, flexible material such as cloth or vinyl which is affixed to a single pole driven in the ground. The pole may be rigid or flexible but is not permanent.

(d) **Temporary Approved Development Sign Category**. A sign which is limited to display only during the active development of a building or plat, but does not include construction site banners defined under Wis. Stats. §66.1102(5).

The following Temporary Approved Development Sign Types are addressed by this Chapter:

1. **Active Building Board Sign.** A type of Temporary Approved Development Sign that is made of a rigid material such as plywood or corrugated plastic, which may be displayed only on the site of a building under construction, and only during the time period in which the Building Permit is valid.
2. **Active Plat Board Sign.** A type of Temporary Approved Development Sign that is made of a rigid material such as plywood or corrugated plastic, which may be displayed only on the site of a subdivision plat under construction, and only during the time period when less than 80 percent of the lots in the plat phase have been sold.

(3) **Miscellaneous Sign Group.** "Miscellaneous Sign Group" is a Sign Group containing various Sign Categories and Sign Types that a site or business is eligible or required to use. This group includes the following Sign Categories: Site Guidance Signs, Placemaking Signs, and Yard Signs. See Figure 550.09.11(3) and 550.09.11(3.A.) for additional rules related to zoning districts.

(a) **Site Guidance Sign Category.** A Sign Category that includes signs that the City finds essential or highly desirable in order to protect the public health, safety, or welfare. Specifically, these signs are used to provide information essential to the following public purposes: to deliver mail; to identify property addresses for the provision of emergency services such as fire or rescue service; to identify the management of rental properties for the provision of emergency services; to provide information about parking limitations or warnings against trespass; and, to provide information about required traffic flow where a safe path to a destination is not evident.

The following Site Guidance Sign Types are addressed by this Chapter:

1. **On-Building Locational Sign.** A type of Site Guidance Sign located on-building that typically indicates addressing information or the name or address of the property owner, tenant, or manager of the property.
2. **Interior Site Navigational Sign**. A type of Site Guidance Sign that typically includes a directional arrow or symbol that directs people to a specific destination within a development or site or indicates a warning from the property owner related to conditions on-site or that cites a City, State, or Federal law, order, rule, or regulation. Examples may include signs listing parking hours or "No Trespassing," "No Loitering," or "Customer Parking Only" signs. This Sign Type may also include either the name, logo, or symbol of the destination, provided that the name, logo, or symbol is less than 1 square foot.

(b) **Placemaking Sign Category**. A Sign Category that conveys information which the City of Watertown finds desirable to encourage placemaking, particularly related to officially-recognized historic places, officially-designated neighborhoods, and conveying information for the general public. Signs in this Category are optional and are only permitted through official government action, including designation of historic places, creation of outlots in a Plat or Certified Survey Map, and the presence of an Institutional land use.

The following Placemaking Sign Types are addressed by this Chapter:

1. **Metal Plaque Sign**. A type of Placemaking Sign is available to officially-recognized historic properties, sites, or districts, typically denoting the name of the building onto which it is mounted, its date of erection, or historical information.
2. **Permanent Gateway Sign.** A type of Placemaking Sign typically indicating the name of a neighborhood, neighborhood association, or subdivision recognized by the City of Watertown.
3. **Community Sign.** A type of Placemaking Sign typically providing information to the community regarding scheduled public events, public activities, and public facilities.
4. **Community Interior-Oriented Sign.** A type of Placemaking Sign typically indicating or recognizing a business or other entity which sponsors or supports a particular sport, team, event, or other activity in which persons are or will be engaged at the location where the sign is displayed.

(c) **Yard Sign Category.** A Sign Category which is available to all land uses and is intended to accommodate a wide variety of sign purposes (e.g. garage sale signs, for sale signs, political signs, "slow down for kids" signs, on-premises advertising signs, etc.), often needed on a temporary basis. Such signs are freestanding and mounted on one or two stakes or posts and do not have footings. Yard Signs are not permitted in any street terrace or other portion of a right-of-way.

The following Yard Sign Types are addressed by this Chapter:

1. **Stake Sign.** A type of Yard Sign that consists of a sign face erected upon one or more metal wires or wood, metal, or plastic stakes of no more than 3 inches in width.
2. **Frame Sign.** A type of Yard Sign that consists of a frame into which a sign face can be inserted and erected upon two wood, metal, or plastic stakes or ground spikes.

3. **Arm & Post Sign.** A type of Yard Sign mounted on a post or posts, either with a bracket arm extending outward to support a hanging sign, with the sign attached directly to the side of the post, or with the sign mounted between two posts.

Sections 550.09.06: Street Banners

(1) Street banners displayed over a public street, alley, or highway shall be permitted only upon approval by the Engineering Division.

(a) Banners on City-owned bridges shall be permitted only upon approval by the Engineering Division.

(2) Street banners shall be displayed for limited period of time, as approved by the Engineering Division.

(3) Street banners shall be erected only in locations approved by the Engineering Division.

Section 550.09.07: Reserved

Section 550.09.08: Electronic Message Signs

(1) **Electronic Message Sign**. A type of sign that displays words, lines, logos, graphic images, or symbols, which may be changed electronically to provide different information, and which includes computer signs, electronic reader boards, video screens, LCD signs, electronic time and temperature signs, and other signs with electronically-controlled changing or moving displays.

(a) Electronic Message Signs shall be permitted only with nonresidential land uses. No more than one Electronic Message Sign shall be permitted per site.

(b) In addition to the setback requirements of this Chapter, no Electronic Message Sign shall be located within 100 feet of any residential zoning district property line.

(c) Electronic Message Signs may be integrated into the design of the following Sign Types: Freestanding Signs, Drive Thru Signs, or Community Signs. Electronic Message Signs shall count toward the site's maximum permitted sign area.

(d) Messages and non-text images shall not change appearance more than once every 10 seconds and transitions between messages shall be via instantaneous change. Use of Electronic Message Signs for images, text, or lighting that change appearance in a manner not permitted above shall be considered animated signs, which are prohibited per Section 550.09.30.

(e) Electronic Message Signs shall be equipped with photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illumination.

(f) Electronic Message Signs shall comply with the exterior lighting requirements of Section 550.06.20.

(g) Electronic Message Signs shall be maintained so as to display messages in a complete and legible manner.

Section 550.09.09: Fuel Price Signs

(1) **Fuel Price Signs.** A type of sign that lists the price of gasoline sold on-site, as required by Wis. Stat. section 100.18(8).

(a) Fuel Price Signs shall not be separate signs, but rather shall be integrated into the design of a permitted Freestanding Sign, described in Section 550.09.11.

(b) Fuel Price Signs shall list no more than one price per type of fuel. Such prices shall be displayed on a single structure.

(c) Fuel Price Signs may be illuminated, per the exterior lighting requirements of Section 550.06.20.

(d) Fuel Price Signs may contain changeable copy or Electronic Message Signs per the requirements of Section 550.09.08.

Section 550.09.10: Reserved

Section 550.09.11: Permitted Sign Rules

(1) Signs shall be allowed on private property in the City in accordance with Figures 550.09.11(1) through 550.09.11(3.A.), which address permitted signage as it relates to permits, quantity, area, location, lighting, and zoning districts. The requirements set forth in Figures 550.09.11(1) through 550.09.11(3.A.) shall be declared to be part of this Chapter.

(a) The rules for signs in the Business Signs--Permanent Group are located in Figure 550.09.11(1).

(b) Additional rules pertaining to the Freestanding Sign Category are located in Figure 550.09.11(1.A.).

(c) The rules for signs in the Business Signs—Other Group are located in Figure 550.09.11(2).

(d) The rules for signs in the Miscellaneous Sign Group are located in Figure 550.09.11(3) and Figure 550.09.11(3.A.).

(e) Signage for all uses in the Planned Development Overlay zoning district (See Section 550.02.29) shall be permitted per the underlying zoning district and may be granted flexibility through the Planned Development process.

(f) Signage for all uses in a designated historic district shall also be subject to the standards in Section 550.09.12.

Figure 550.09.11(1): Business Sign-Permanent Group [2]

Sign Categories & Sign Types	Sign Permit Required and Approver (see Section 550.09.27)	Number of Signs Allowed	Sign Locations Allowed	Sign Face Materials Allowed	Sign Lighting Allowed	Sign Area Formula	Sign Area & Height Maximums for Zoning Districts: 1 & 2 Family Residential SF-1, SF-2, SF-3, MR-1, MH-1, CC	Multi-Family Residential MR-2, MR-3	Non-Residential and Mixed-Use INST, NMU, CMU, DRR, LI, HI, PR, IOA, AG	Downtown DMU
A. Freestanding Sign Category [1, 2]										
1. Monument Sign [1, 2, 4, 10]	Yes: For each new sign. City staff approval.	1 sign per 330 feet of street frontage or 1 sign per each site entrance	Minimum of five feet from the right-of-way [10]	Durable, all-weather materials in all districts. [12]	Standard. [4,5]	1 sf of sign area per 1 ft of street frontage	Not allowed	50 sf area 6 ft height	100 sf area 15 ft height	Not allowed
2. Dual-Post Sign [1, 2, 4, 10]									100 sf area 6 ft height	Not allowed
3. Pylon Sign [18]								Not allowed	See Footnote 18	Not allowed
4. Freestanding Canopy Sign [16, 17]		1 per street frontage[17]	Placed on the canopy facia[17]			None. Use max area. [17]	Not allowed		See Footnote 17	Not allowed
B. On-Building Sign Category [1, 2] Choose 2 of the following Sign Types.										
1. Wall Sign [1, 2, 3, 6, 7, 9, 10]	Yes: For each new sign. City staff approval.	1 sign per business per street frontage, plus 1 additional sign on a side or rear façade visible from a public street or parking area	Sign shall not extend above parapet or facia. Minimum overhang rules. [6, 8, 9, 10]	Durable, all-weather materials in all districts.	Standard. [5]	1 sf of sign area per 1 ft of building façade length	Not allowed	Per formula.		
2. Awning Sign [1, 2, 3, 6, 8, 9, 10]					Ambient only.					
3. Canopy Sign [1, 2, 3, 6, 8, 9, 10]					Ambient and Internal.					
4. Marquee Sign [1, 2, 3, 6, 8, 9, 10]								Not allowed	Per formula. [19]	
5. Projecting Sign [1, 2, 3, 6, 9, 10]								Not allowed		
C. Pedestrian Sign Category [1, 2]										
1. Suspended Sign [1, 2, 6, 9, 10]	Yes: For each new sign. City staff approval.	1 for each business.	Minimum overhang rules. [6, 8, 9, 10]	Durable, all-weather materials in all districts.	Ambient only.	None. Use max area.	Not allowed		16 sf area	
D. Changeable Copy Sign Category [1, 2]										
1. Menu Board Sign [1, 2, 15]	Yes: For each new sign. City staff approval.	1 for each business.	Within 10 ft of customer entrance. [9, 12]	Durable, all-weather materials in all districts.	Ambient only.	None. Use max area.	Not allowed		8 sf area	
2. Sandwich Board Sign [1, 2, 13]		1 per sidewalk entrance					Not allowed		8 sf area/4 ft height/2.5 ft width	
3. Bulletin Board Sign [14]		1 for each business.	Minimum 5' from the right-of-way. [10]		Ambient and Internal.		Not allowed		32 sf area/6 ft height	
4. Drive Thru Sign [1, 2, 4, 11]		2 per drive thru lane	Drive-thru [11]		Standard. [4,5]		Not allowed		48 sf area/8 ft height	Not allowed

Footnotes Containing Additional Development Requirements:

1 See Section 550.09.05 for Sign Category (lettered) and Sign Type (numbered) definitions and standards.
2 Permitted only for land uses identified in Section 550.03.05.
3 Permited on-buidling signs may be transferred between walls, provided the receiving wall's total sign area does not exceed its allowable area based on wall length.
4 Electronic Message Signs are permitted for this Sign Type in nonresidential districts. See Section 550.09.08.
5 Standard lighting includes ambient, backlit, internal, and gooseneck lighting.
6 Within the DMU and DRR zoning districts, Awnings, Canopies, Marquees, and Suspended Signs may extend up to 5 feet into the right-of-way, provided a minimum 8-foot clearance above grade is maintained (Section 550.03.28(7)).
7 Each business is permitted a minimum of 50 square feet of Wall Sign area, regardless of actual façade length.
8 Sign copy shall be horizontally and vertically centered on the face of the awning, canopy, or marquee face. Copy shall not extend above or below an awning or marquee but may extend up to 12 inches above a canopy face.
9 Signs shall maintain a minimum vertical clearance of 14 feet above vehicular areas and 8 feet above pedestrian areas, and shall project no more than 3 feet from the building. Wall Signs shall not project more than 18 inches beyond the edge of the mounting surface.
10 Signs shall be set back at least 5 feet from the street right-of-way and shall not encroach into a vision triangle except as authorized by the Public Works Director/City Engineer. See exceptions in Footnotes 6 and 13.
11 Drive Thru Signs shall comply with Section 550.03.10(9), be located within 15 feet of the building, and meet applicable noise and lighting standards. Signs may be freestanding or wall-mounted, with a maximum combined area of 96 square feet per business.
12 Sign materials shall complement the building and site, and signs shall be integrated with site landscaping.
13 Signs shall be located only on sidewalks, maintain at least 5 feet of unobstructed pedestrian passage, and be displayed only during the operating hours of the on-site use.
14 Permitted only for institutional land uses (see Section 550.03.12).
15 Menu Board Signs shall be securely wall-mounted and project no more than 4 inches from the building wall.
16 In-Vehicle Sales and Service uses may display illuminated fuel prices through changeable copy or Electronic Message Signs. Such signage counts toward the site's maximum permitted sign area.
17 Permitted only for In-Vehicle Sales and Service uses. Canopy stripes may extend along all sides but shall not exceed 20% of the fascia height or 12 inches, whichever is less. Sign copy shall not exceed 24 square feet per fascia facing a public right-of-way.
18 See Section 550.09.13 for STH 26 Pylon Sign Allowance Areas.
19 See Section 550.09.12 for Marquee Sign standards within historic districts.

Abbreviations: ft = feet max = maximum min = minimum sf = square feet C.U.P. = Conditional Use Permit P.C. = Plan Commission

Example Sign Diagrams:

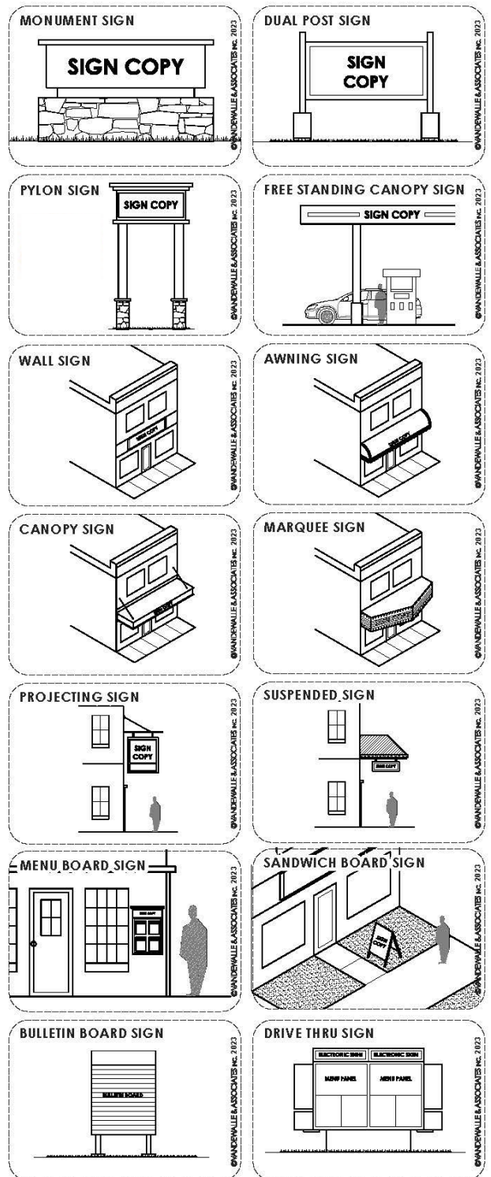


Figure 550.09.11(2): Business Sign--Other Group [2]

Sign Categories & Sign Types	Sign Permit Required and Approver (see Section 550.09.27)	Number of Signs Allowed	Sign Locations Allowed	Sign Face Materials Allowed	Sign Lighting Allowed	Sign Area Formula	Sign Area & Height Maximums for Zoning Districts: 1 & 2 Family Residential SF-1, SF-2, SF-3, MR-1, MH-1, CC	Multi-Family Residential MR-2, MR-3	Non-Residential and Mixed-Use INST, NMU, CMU, DRR, LI, HI, PR, IOA, AG	Downtown DMU
A. Window Sign Category [1, 2, 4] No time limit on the display of these signs.										
1. Window Sign [1, 2, 4]	Sign Permit not required.	No maximum [4]	Only allowed on the inside of the window.	Paper, vinyl, or similar lightweight material, paint, durable, all-weather material	Ambient only; up to 2 internally illuminated or neon sign per business	Based on the percent of window area covered. →	Not allowed.		No maximum. [4]	
B. Temporary Board or Banner Sign Category [1, 2, 3] Display limit is based on the footnotes below. [8]										
1. Board Sign [1, 2, 3, 8]	Sign Permit not required.	2 per site.	Sign setback shall be at least max. sign height [3]	Plywood or similar rigid, all-weather material.	Ambient only.	None; Use max sign area limit. →	Not allowed.		40 sf max area 6 ft max height	Not allowed.
2. Banner Sign [1, 2, 3, 8]				Vinyl, Fabric, or Lightweight all-weather material.						
C. Temporary Flag or Feather Sign Category [1, 2, 3] Display limit is based on the footnotes below. [9]										
1. Flag Sign [1, 2, 3, 7, 9]	Sign Permit not required.	2 per site.	Freestanding sign setback shall be at least max. sign height. Façade mounted Flags shall be a min. of 8 feet above grade [3]	Vinyl, Fabric, or Lightweight all-weather material.	Ambient Only	None; Use max sign area limit. →	30 sf max area, cannot exceed building height [3, 9]			
2. Feather Signs [1, 2, 3, 9]							Not allowed.		30 sf max area 10 ft max height [9]	Not allowed.
D. Temporary Approved Development Sign Category [1, 2, 3] Display limit is based on the period of active development. [5, 6]										
1. Active Building Sign [1, 2, 3, 5]	Sign Permit not required.	2 per site.	On-Building or Freestanding & sign setback shall be at least max. sign height	Any durable, all-weather material.	Ambient only.	None; Use max sign area limit. →	32 sf max area [5] 6 ft max height			
2. Active Plat Sign [1, 2, 3, 6]							32 sf max area for each sign [6] 6 ft max height			

E. Prohibited Other Sign Category [1] Display of the following signs is always prohibited in all zoning districts:

- Signs resembling any traffic control sign or located within a required vision triangle near a street intersection or driveway apron, as determined by the Public Works Director/City Engineer.
- Signs that project above the building parapet or eave.
- Signs that flutter, undulate, swing, rotate, or otherwise move, e.g. inflatable signs, wind socks/tubes, pennants, streamers, festoons, and pinwheels; except signs permitted in A.-D., above.
- Flashing, scrolling, or animated signs (including signs that change their appearance less than once per 60 seconds), beacon, search lights, and strobe lights.
- Signs mounted on platforms, with wheels or runners, such as trailer signs, sled signs, or other portable signs.

Footnotes Containing Additional Development Requirements:

1 See Section 550.09.05 for Sign Category (lettered) and Sign Type (numbered) definitions and standards.

2 Permitted only for land uses identified in Section 550.03.05.

3 Signs shall be located on-site and outside public rights-of-way, including sidewalks and terraces, and vision triangles. In the DMU and DRR districts, Flag Signs may project up to 5 feet into the right-of-way, provided a minimum 8-foot vertical clearance above grade is maintained.

4 Electronic Message Signs are prohibited as Window Signs.

5 The active building development period extends from building permit issuance to issuance of the first occupancy permit. One additional Active Building Sign is permitted on lots exceeding 5 acres.

6 The active plat development period extends from final plat recording until building permits have been issued for 80% of the lots within each development phase. One additional Active Plat Sign is permitted for subdivisions exceeding 5 acres.

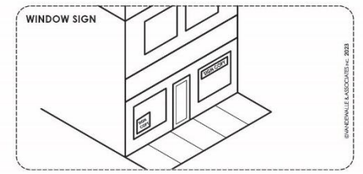
7 Flag Signs shall be mounted on rigid poles permanently installed in the ground or securely attached to a building. National, state, county, municipal, foreign country, and institutional flags, official government insignia, and historic plaques are exempt.

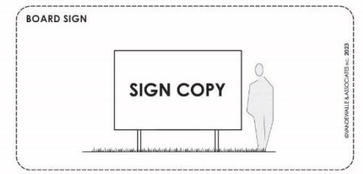
8 Banner Signs may be displayed for up to 30 consecutive days, twice per calendar year. Board Signs may be displayed only while the property is offered for sale, lease, or rent, including associated open houses, and shall be removed within 10 days following the sale, execution of a lease or rental agreement, or conclusion of the open house.

9 Flag and Feather Signs may be displayed only during business hours.

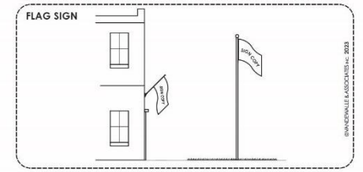
Abbreviations: ft = feet max = maximum min = minimum sf = square feet C.U.P. = Conditional Use Permit P.C. = Plan Commission

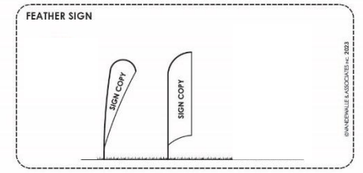
Example Sign Diagrams:

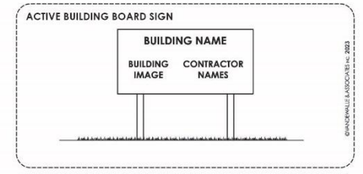












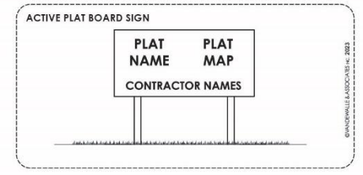


Figure 550.09.11(3): Miscellaneous Sign Group [2]

Sign Categories & Sign Types	Sign Permit Required and Approver (see Section 550.09.27)	Number of Signs Allowed	Sign Locations Allowed	Sign Face Materials Allowed	Sign Lighting Allowed	Sign Area Formula	Sign Area & Height Maximums for Zoning Districts: 1 & 2 Family Residential SF-1, SF-2, SF-3, MR-1, MH-1, CC	Multi-Family Residential MR-2, MR-3	Non-Residential and Mixed-Use INST, NMU, CMU, DRR, LI, HI, PR, IOA, AG	Downtown DMU
A. Site Guidance Sign Category [1, 2, 6]										
1. On-Building Locational Sign [1, 2, 6, 8, 9, 10]	Sign Permit not required.	1 required per address.	On-building, and visible from street. [8]	Any durable, all-weather material.	Ambient only.	None needed. Use max sign area limit. →	4 sf max area[10]			
2. Interior Site Navigational Sign [1, 2, 6, 8, 9]	Yes. For each new sign. Staff approval	As permitted by the Zoning Administrator	On-building or freestanding. [6, 8]				4 sf max area 6 ft max height			
B. Placemaking Sign Category [1, 2, 6]										
1. Metal Plaque Sign [1, 2]	Yes. For each new sign. H.P.C. approval	Up to 3 per historic building, property, or district.	On-building [8] or freestanding. [6]	Bronze, aluminum, or stainless steel.	Ambient only.	None Needed. Use max sign area limit. →	6 sf max area 8 ft max height			
2. Permanent Gateway Sign [1, 2, 3, 6]	Yes. For each new sign. Staff approval	As approved per the Final Plat or CSM.	Minimum height of sign = minimum distance from the right-of-way [6]	Any durable, all-weather material.	Standard. [7]		100 sf max area 8 ft max height			
3. Community Sign [1, 2, 4, 5, 6, 11]		See Monument Signs in Figure 550.09.11(1)			Standard. [5, 7]	1 sf of sign area per 1 ft of building façade length	See Monument Signs in Figure 550.09.11(1)			
4. Community Interior-Oriented Sign [1, 2, 4, 6]	Sign Permit not required.	No maximum	Affixed to fences facing the interior of a recreational field		Ambient only.	None Needed. Use max sign area limit. →	32 sf max area 15 ft max heights			

Footnotes Containing Additional Development Requirements:

1 See Section 550.09.05 for Sign Category (lettered) and Sign Type (numbered) definitions and standards.
2 Except for Community Signs and Community Interior-Oriented Signs, signs are permitted only for land uses identified in Section 550.03.05.
3 Permanent Gateway Signs shall be monument signs located within a platted outlot or permanent sign easement.
4 Community Signs shall be monument signs. Community Signs and Community Interior-Oriented Signs are permitted only for Institutional land uses, as determined by the Zoning Administrator (Section 550.03.12), and may be Off-Premises Advertising Signs.
5 Electronic Message Signs are permitted subject to Section 550.09.08.
6 Signs shall be located on-site and outside public rights-of-way, including sidewalks and terraces, and vision triangles.
7 Standard lighting includes ambient, backlit, internal, and gooseneck lighting.
8 On-Building Signs shall be located within 10 feet of the building's main entrance unless an alternative location is approved by the Zoning Administrator.
9 Signs may include the destination's name, logo, or symbol, not exceeding 1 square foot.
10 Home occupations are permitted one additional On-Building Locational Sign, not exceeding 2 square feet.
11 Water tower signs shall be approved by the Plan Commission through the Site Plan review process (see Section 550.10.43).

Abbreviations: ft = feet max = maximum min = minimum sf = square feet C.U.P. = Conditional Use Permit P.C. = Plan Commission H.P.C. = Historic Preservation Commission

Example Sign Diagrams:

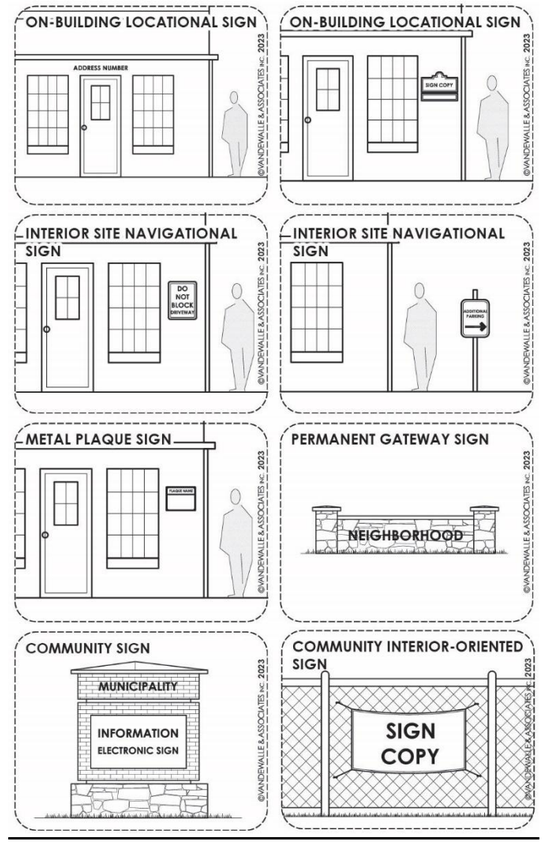


Figure 550.09.11(3.A.): Miscellaneous Sign Group

Sign Categories & Sign Types	Sign Permit Required (see Section 550.09.27)	Number of Signs Allowed	Sign Locations Allowed	Sign Face Materials Allowed	Sign Lighting Allowed	Sign Area Formula	Sign Area & Height Maximums for Zoning Districts: 1 & 2 Family Residential: SF-1, SF-2, SF-3, MR-1, MH-1, CC	Multi-Family Residential: MR-2, MR-3	Non-Residential and Mixed-Use: INST, NMU, CMU, DRR, LI, HI, PR, IOA, AG	Downtown: DMU
A. Yard Sign Category										
1. Stake Sign [1,2,4,5]	No. Sign Permit not required.	No Maximum	Minimum of 2 feet from any lot line[3]	Any material.	Ambient only.	None needed. Use max sign area limit. →	6 sf max area 4 ft max height			
2. Frame Sign [1,2,4,5]										
3. Arm & Post Sign [1,2,4,5,6]							10 sf max area [6] 6 ft max height			

Footnotes Containing Additional Development Requirements:

1 Refer to Section 550.09.05 for definitions and rules for each Sign Category (lettered), and each Sign Type (numbered).

2 Available to land uses identified in Section 550.03.05.

3 Yard Signs shall not be located within any street right-of-way (which includes the entire public sidewalk and street terrace area) or vision triangle.

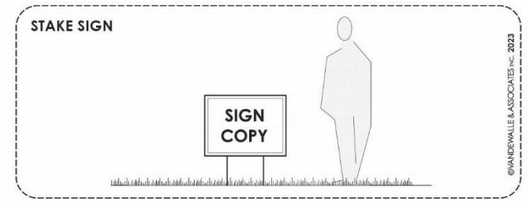
4 Yard Signs may be displayed permanently but typically are not.

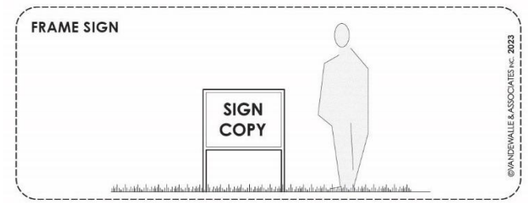
5 Off-premises Yard Signs are permitted.

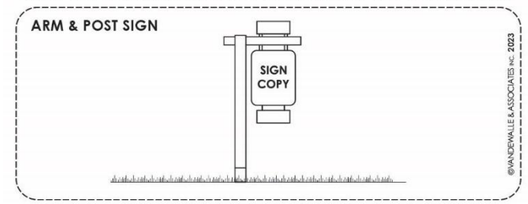
6 The area maximum for Arm & Post signs includes the sign face, as well as any additional placards that are attached to the sign.

Abbreviations: ft = feet max = maximum min = minimum sf = square feet C.U.P. = Conditional Use Permit P.C. = Plan Commission

Example Sign Diagrams:







Section 550.09.12: Signs In Historic Districts

(1) In designated historic districts and special districts, in addition to the sign regulations in this article, all signs within any historic district and special district shall be subject to the provisions of Chapter 325, Historic Preservation, of the City's Municipal Code.

(2) Prior to the issuance of a sign permit, the applicant shall have the design reviewed by the Historic Preservation and Downtown Design Commission prior to approval.

(3) All internally illuminated signs, plastic or otherwise, are strictly prohibited within a historic district.

- (a) Except marquee signs, defined under Section 550.09.05.

(4) Marquee signs.

- (a) Marquee signs shall be permitted on a historic site or a contributing property with evidence, historic photos and any other documentation of a prior marquee sign.
- (b) Marquee signs on a historic site or a contributing property shall be restored to their original appearance and dimensions based on historic photos and any other documentation.
  1. The City of Watertown Historic Preservation and Downtown Design Commission may, with the granting of a certificate of appropriateness, allow a marquee sign to deviate from the original appearance and dimension based on historic photos and any other documentation.
- (c) Marquee signs on a historic site or a contributing property may have lighting restored to their original appearance and dimensions based on historic photos and any other documentation.
- (d) Marquee signs on a noncontributing property may be allowed pending a certificate of appropriateness from the City of Watertown Historic Preservation and Downtown Design Commission.

(5) All Pedestrian Category Signs within an historic district or a special district shall be designed to enhance and complement the historic character of the buildings within the historic district or special district and shall be subject to the following guidelines:

- (a) No building may have more than one pedestrian category sign per customer entrance and no more than one pedestrian category sign per tenant for each street frontage where the building is built up to the sidewalk.
- (b) No pedestrian category sign shall be more than four feet in width, with a maximum total outward extension, including bracketry, of five feet from the building to which it is attached. The pedestrian category sign itself shall not be closer than six inches to the building to which it is attached.
- (c) Three-dimensional signs are allowed but may not exceed two feet at their largest cross section. The sign message shall be limited to the two surfaces perpendicular to the building.
- (d) All fasteners and bracketry shall be securely fastened to the building at both the top and bottom of the sign. All bracketry shall be part of the overall design and shall be made to enhance the sign. The fasteners shall be bolted to masonry joints wherever possible to avoid damage to brick or stonework.
- (e) Pedestrian category signs shall be positioned so they are an integral design feature of the building and should help to define and enhance architectural features. Signs shall only be placed in the horizontal lintels or "sign space" above the storefront windows or in other historically appropriate areas approved by the Historic Preservation and Downtown Design Commission.
- (f) No pedestrian category signs shall be placed, mounted or erected in such a manner as to interfere with any exit, fire escape, window or architectural ornamentation.
- (g) Pedestrian category signs may be externally illuminated only as follows:
  1. Gooseneck lighting from above the sign.
  2. Lighting shall be directed onto the sign and no other part of the building.

(h) Sign colors should blend with the building facade to which the sign is attached. No more than six colors shall be used. Colors shall be selected from the low-intensity colors on the color chart provided by the Historic Preservation and Downtown Design Commission.

(i) Allowable pedestrian category sign materials shall be made of a rigid standardized sign material (e.g., wood, wood laminate, metal, etc.).

Section 550.09.13: S.T.H 26 Pylon Sign Allowance Areas.

(1) Location. Pylon signs shall only be permitted within the S.T.H. 26 pylon sign allowance areas in Figure 550.09.13(1).

(2) Height. Pylon signs may not exceed 35 feet in height.

(a) The Plan Commission may grant a waiver to allow a pylon sign to exceed the maximum permitted height by up to 10 feet, for a maximum height of 45 feet, where additional height is warranted by site conditions, surrounding development, roadway characteristics, or visibility constraints, provided the increased height does not adversely affect surrounding properties or public safety.

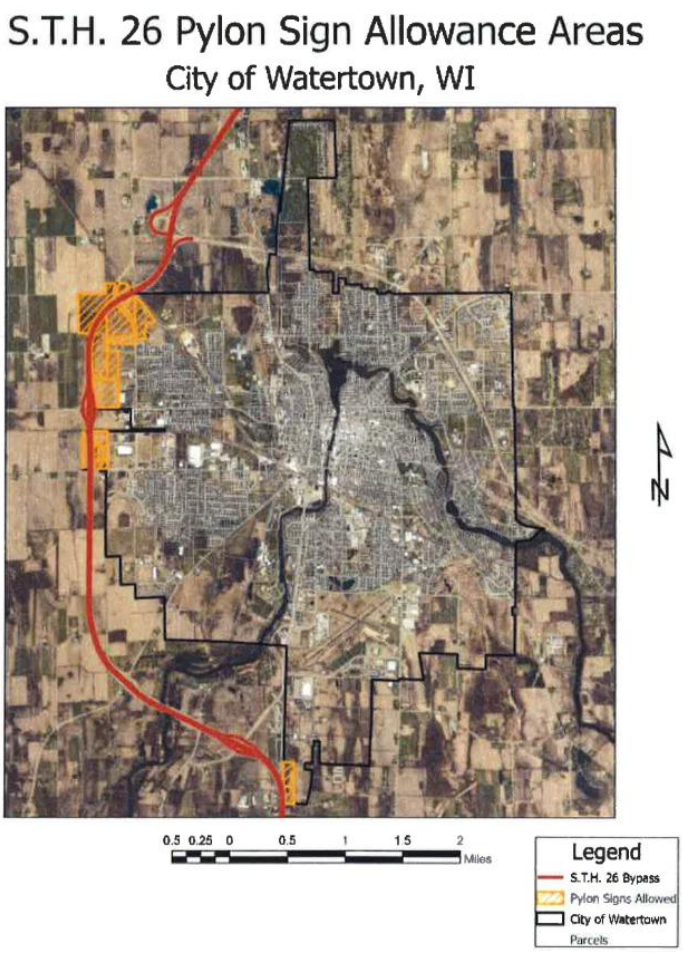
(b) In no instance shall a pylon sign extend into the Airport Approach Protection Zone or Height Limitation Zone identified in Chapter 211 of the City of Watertown Municipal Code.

(3) Size. Pylon signs shall have a maximum permitted sign area of one square foot of signage for every foot of the adjacent public street frontage for the lot, up to a maximum sign area of 150 square feet.

(4) Pylon signs shall have signage plans approved and stamped by a professional engineer registered in the State of Wisconsin and accompanied by a statement of compliance with state laws.

(5) Pylon signs shall meet all other requirements for the freestanding sign category in Figure 550.09.11(1).

Figure 550.09.13(1)


S.T.H. 26 Pylon Sign Allowance Areas
City of Watertown, WI
N
0.5 0.25 0 0.5 1 1.5 2
Miles
Legend
S.T.H. 26 Bypass
Pylon Signs Allowed
City of Watertown
Parcels

Section 550.09.14: Reserved

Section 550.09.15: Sign Setback, Height, Measurement, and Flexibility

(6) Sign Setbacks. Signs must be located on-site, outside of the vision triangle, and must not be located within any street right-of-way. Each sign type must be set back in a location consistent with Figure 550.09.11(1), Figure 550.09.11(2), Figure 550.09.11(3), and Figure 550.09.11(3.A.). Any sign to be placed within a public easement requires City approval.

(7) Sign Height.

(a) The height of a freestanding sign shall be measured from the average ground level adjacent to and at the base of the sign to the top of the highest attached component of the sign, or from the centerline grade of the nearest adjacent public road, if such information is supplied with the permit application and confirmed by the Zoning Administrator, whichever is higher.

(b) The average ground level is defined as the average elevation of the ground upon which the sign supports are placed, except when the sign supports rest upon a berm or other area elevated above the surrounding ground. In such cases, the average elevation of the base of such berm or other area shall be considered as the ground level.

(8) Minimum Ground Clearance. All On-Building and Pedestrian Signs shall have a minimum clearance of 14 feet above a drive, alley, or street and a minimum of 8 feet above a sidewalk, path, trail, or other ground-level surface.

(9) Measurement of Sign Area: The measurement of sign area is based on the arrangement of sign copy and sign background:

(a) In the case of a freestanding sign (including three-dimensional objects), sign area shall include the total sign area(s) that can be viewed from any single vantage point. i.e., for a typical freestanding sign that faces two directions, only the largest sign face visible from any single vantage point shall count toward the total permitted sign area. Sign area shall not include any elements of the sign structure designed solely for support of the sign structure and located below or to the side of the sign message. Examples of parts of a freestanding sign structure which are exempt from the sign area include the sign base and the supporting columns, posts, or poles.

(b) For signs comprised of individual letters and related copy which are attached to a background surface with one or more neutral surface colors, sign area shall be measured as the sum of the smallest rectangle enclosing each letter or related copy. See Example 1 in Figure 550.09.15(2).

(c) For signs comprised of individual letters and related copy surrounded by one or more sign background colors on individual panels, sign area shall be measured as the smallest single rectangle enclosing the entire sign message and any and all background color areas. See Example 2 in Figure 550.09.15(2).

(d) Groupings of related smaller signs may be counted as one sign. In such cases, sign area shall be measured as the smallest single rectangle enclosing the individual signs and any and all background color areas. See Example 3 in Figure 550.09.15(2).

(e) For signs comprised of one or more three-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture or statue-like trademarks), the sign area shall be measured as its maximum projection upon a vertical plane. See Figure 550.09.15(1).

Figure 550.09.15(1): Measurement of a 3D Sign Area

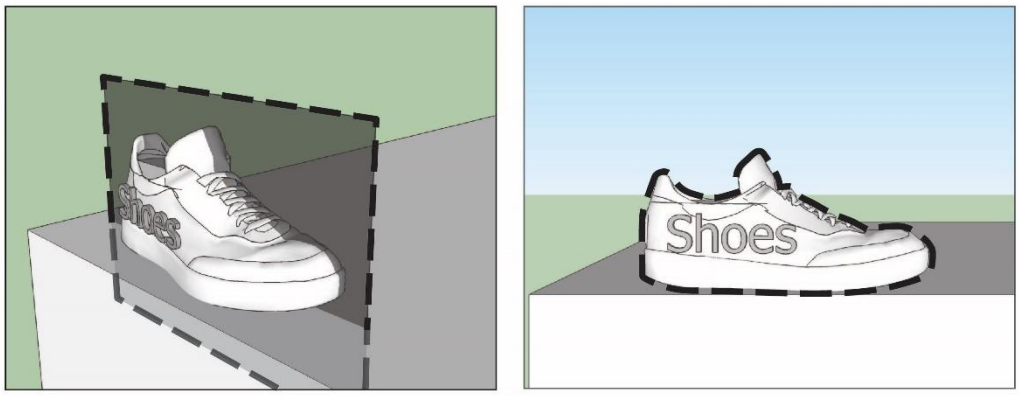
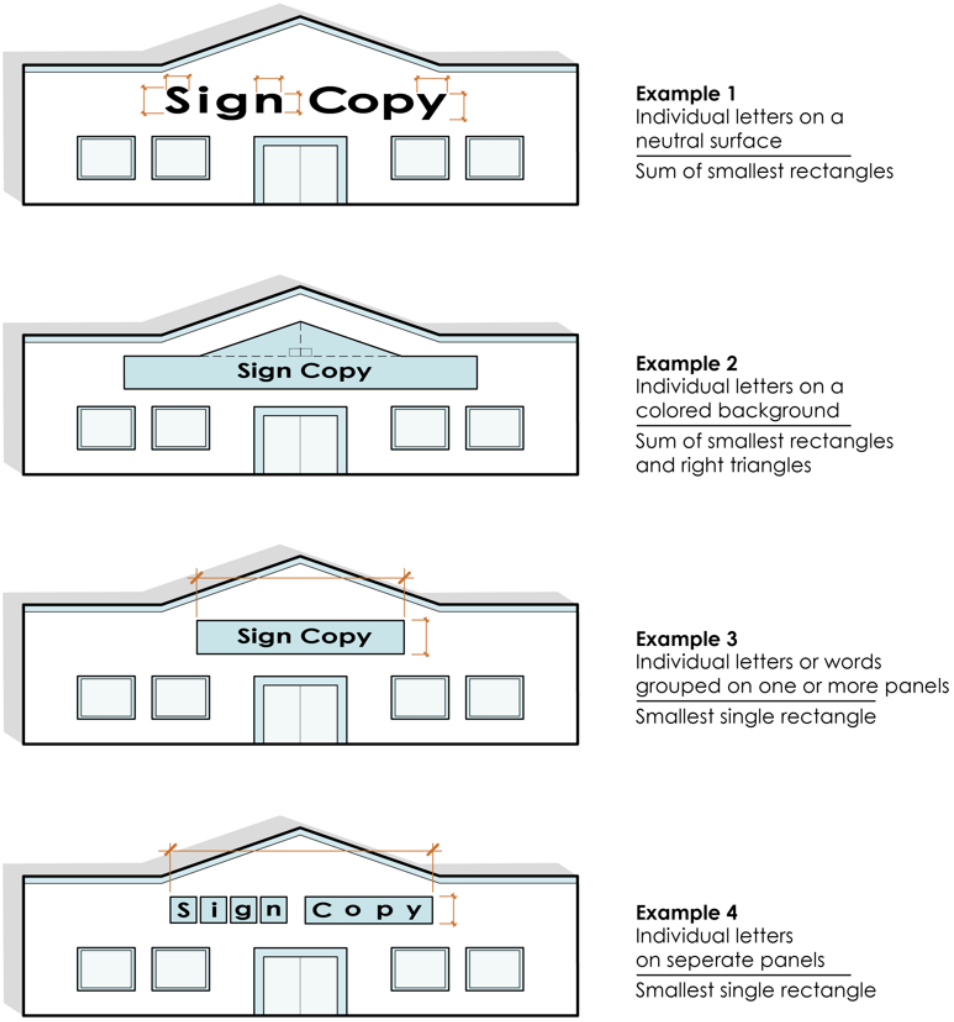


Figure 550.09.15(2): Measurement of Sign Area



Sections 550.09.16 to 550.09.26: Reserved

Section 550.09.27: Sign Approvals and Permits – Application, Enforcement, and Revocation

(1) Applicability.

(a) All of the following sign types shall not be erected, installed, or constructed without the granting of a permit from the Zoning Administrator in accordance with the provisions of this Section.

1. Freestanding
2. On-Building
3. Pedestrian
4. Changeable Copy
5. Interior Site Navigational
6. Permanent Gateway
7. Community Signs and Community Interior-Oriented Signs

(b) No Metal Plaque Sign or Signs within a historic district or site (See Section 550.09.12) shall be erected, installed, or constructed without the approval by the Historic Preservation Committee.

(c) For signs requiring a permit in Subsection (a), above, this Section shall apply and be construed to require a permit for a change of copy on any sign or for any conversions or changes in the sign structure.

(d) This Section shall not apply to repainting or re-facing with the same sign copy, cleaning, repair, or other normal maintenance of the sign or sign structure.

(e) No new permit is required for signs which are in place as of the effective date this Chapter, and such signs may remain as legal nonconforming signs if they do not comply with every provision of this Chapter. Any alteration or relocation of such signs shall conform to the requirements of this Chapter. Refer to Section 550.09.35 for rules pertaining to nonconforming signs.

(f) Any sign permit granted hereunder shall not be assigned or transferred to any other sign, including a modified sign face or modified sign structure.

(g) The owner or tenant may request the granting of one permit for all signs on a site that requires a sign permit.

(2) Review Authority.

(a) The Zoning Administrator shall review all signs per Section 550.09.27(1).

(3) Sign Permit Application. Each sign permit application shall include all required elements of the City of Watertown Sign Permit Application.

(4) Granting and Issuance.

(a) The Zoning Administrator shall review the application within 14 working days of submittal to ensure it is complete per the requirements of Subsection (3), above.

(b) In cases where no other review or approvals are required under this Chapter, the Zoning Administrator shall review said application for compliance with Subsection (5), below, and shall, in writing, either approve or deny said sign permit within 30 working days of the acceptance of the complete application and payment of the required fee. If the permit application is denied, the Zoning Administrator shall state the reasons therefor. Failure of the Zoning Administrator to act within this time frame shall not constitute automatic approval of the sign permit.

(c) When a proposed sign is associated with any development that requires a Site Plan, a sign permit shall not be granted prior to the approval of a Site Plan. In such cases, the Zoning Administrator shall review said application for compliance with Subsection (5), below, and shall place the item on the appropriate meeting agenda(s) within 30 working days of the acceptance of the complete application and payment of the required fee. Within 14 working days of recommendation or action by the body with recommending or approval authority, the Zoning Administrator shall approve or deny said sign permit based on such recommendation or action.

(d) A granted sign permit shall expire, and shall be null and void, if the sign is not attached or erected within 365 days after the issuance of the sign permit.

(5) Basis for Granting a Sign Permit. In deciding whether or not to grant a sign permit, the Zoning Administrator shall determine whether the proposed sign is in compliance with the provisions of this Chapter. In such review, the Zoning Administrator may also consider the following factors:

(a) Any signage affixed to a building shall be dimensioned and located in such a manner that it fits the building's architectural features and proportions.

(b) All signs shall be designed to fit the zoning and character of the surrounding area including compatibility with the building characteristics, adjacent uses, and adjacent signs. Special consideration should be made where proposed signage is located on or adjacent to locally identified historic structures or publicly owned recreation and conservancy areas. Signage in the Planned Development zoning district shall conform to the planned or existing dominant architectural theme of the area. Signage in or abutting residential properties should be designed and located so as not to create a nuisance.

(c) Signs illuminated by floodlights or spotlights shall be positioned in such a manner that none of the light spills over onto an adjoining property or glares or shines into the eyes of motorists or pedestrians.

(d) All signs must conform to the lighting standards in Section 550.06.20.

(e) Signs shall use colors and materials that complement the building façade, maintain legibility, and avoid visual clutter, as determined by the Zoning Administrator.

(f) Landscape features shall be incorporated around the base of all permanent freestanding signs. Landscape plantings or other landscape materials shall not be considered as part of the allowable signage.

(g) Whether the sign is designed, constructed, installed, or maintained in such a manner that it does not endanger public safety or traffic safety and minimizes conflict with vehicular or pedestrian circulation.

(h) Whether the sign is in compliance with all provisions of the City of Watertown Municipal Code and Building Code, including those related to traffic safety, traffic visibility, sign setbacks, and structural integrity.

(6) Enforcement and Revocation of Sign Permit.

(a) A sign permit may be revoked if the applicant has failed to comply with the provisions of this Chapter or any conditions that may have accompanied the permit at the time of issuance. Revocation requires written notice by either the Zoning Administrator for Chapter 550 violations or the Building Inspector for Building Code or other construction code violations.

(b) In the event that construction, installation, or manufacture of a sign for which a permit has been issued has not commenced within 365 days from the date of the issuance of such permit, said permit shall be null and void and automatically revoked. If work authorized by such permit is suspended or abandoned for a period of 180 days any time after the work is commenced, the original permit shall become null and void. In such cases, a new permit shall be obtained to complete the work and a new permit fee shall be required.

(c) Any sign subject to a revoked permit shall be removed by the licensee, sign owner, or property owner within 45 days of such revocation.

(7) Appeals, Interpretations, Exceptions, and Variances. Any applicant or sign permit holder affected by a decision of the Zoning Administrator may petition for a hearing before the Plan Commission in the same manner and subject to the same procedures as other appeals of decisions of administrative officers (Section 550.10.52), Variances (Section 550.10.51). The filing of such petition automatically stays removal of any sign involved and already legally erected until the Plan Commission decides whether to sustain, modify, or withdraw the notice.

(8) Removal of Signs in Violation of this Chapter.

(a) If the Zoning Administrator determines that any sign was established in violation of this Chapter following its adoption, the Zoning Administrator shall notify the sign permit holder or the owner of the property on which the sign is located. Said notification shall indicate that such violation shall be corrected within 60 days of receipt of said notice on penalty of automatic revocation of any sign permit, and that removal of the sign by the City may occur at the expense of the owner of the property.

(b) If notification is sent and the violation is not corrected within 60 days, the Zoning Administrator shall revoke the permit for any sign which is in violation of this Chapter. It shall be the duty of the Zoning Administrator to cause removal of such sign.

(c) The expense of removing such sign shall be charged to the owner of the property on which the sign is located. If the owner fails to pay such expense within one month of being billed therefore, or has not made arrangement for payment satisfactory to the City Attorney, then such expense shall become a lien on the property and shall be placed upon the tax roll in accordance with Wis. Stats. §66.0627.

(d) Any sign illegally placed in a public right-of-way shall be subject to immediate removal and confiscation without notice by the Zoning Administrator or Building Inspector.

(9) Adjustments to Approved Signs. The following adjustments may be approved administratively by City staff and no additional process is necessary.

(a) A proposed adjustment that does not alter the size, location, or placement of the approved sign.

(b) A proposed adjustment that would remove a sign component which is not required under the Chapter.

Sections 550.09.28 to 550.09.29: Reserved

Section 550.09.30: Sign Prohibitions and Limitations

The regulations contained in this Subsection apply to signs in all zoning districts.

(1) **Prohibited Signs**.

(a) **Abandoned Sign**. Any sign remaining in place on a site or a portion of a site (such as a single tenant in a multitenant building) that has been vacant, closed, or otherwise unoccupied for a period of 90 days.

(b) **Animated Sign**. A sign having lights or illumination which flashes, scrolls, moves, rotates, twinkles, blinks, flickers, varies in intensity of color, or uses intermittent electrical pulsations. Electronic Message Signs meeting the definition and requirements of Section 550.09.08 of this Chapter shall not be considered an animated sign.

(c) **Billboard Sign.** An Off-Premises Advertising Sign which is freestanding, constructed of durable materials, and permanently affixed to a structure used to display advertisements and other messages to vehicle travelers for a fee paid to the owner of the structure.

(d) **Beacon Sign**. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same site as the light source; also, any light with one or more beams that rotate or move.

(e) **Inflatable Sign.** A sign capable of being filled with and expanded by air or other gas, including "dancing" inflatable signs where air moves through the sign causing it to move.

(f) **Off-Premises Advertising Sign**. A sign which directs attention to a business, commodity, service, or entertainment that is conducted, sold, or offered elsewhere than upon the site where the sign is displayed. Off-Premises Advertising Signs include billboards.

1. Existing legal Off-Premises Advertising Signs made nonconforming by this Section shall be permitted to continue as legal, nonconforming signs, subject to the requirements of Section 550.09.35. These legal nonconforming signs include the following list:
   a. Highway 26 south (business), located at the approximate address of 38 Stimpson Street: one eight-foot-by-twenty-foot double-faced sign.
   b. Highway 19 west, located at the approximate address of 940 West Main Street: two ten-foot-by-eighteen-foot single-faced side-by-side signs.
2. Any advertising sign not considered an Off-Premises Advertising Sign is considered to be an On-Premises Advertising Sign.
3. The following Sign Types are permitted to have Off-Premises Advertising:
   a. Community Signs
   b. Community Interior-Oriented Signs
   c. Yard Signs

(g) **Portable Sign**. A sign not permanently attached to the ground that is designed to be moved from one location to another. Also, a sign mounted on a frame or chassis designed to be easily relocated, including unlicensed or inoperable vehicles or trailers whose principal commercial use is for signage. Licensed and operable business vehicles, trailers, or other pieces of equipment shall not be considered mobile or portable signs. Sandwich Board Signs meeting the definition and requirements of Section 550.09.05(1)(d)2. of this Chapter shall not be considered mobile or portable signs.

(h) **Projecting Sign**. A type of On-Building Sign that is mounted at any angle other than parallel to the wall on which it is mounted, extending from the face of the wall.

(i) **Roof Sign.** A sign displayed above the eaves or cornice of a building.

(j) **Vehicle Sign**. A vehicle, trailer, or other piece of equipment which contains any sign or advertising device, which is unlicensed or inoperable, or which is parked on a public right-of-way or in a location that is not an active worksite so as to be seen from a public right-of-way.

1. Business vehicles legally parked in any of the locations described below shall not be considered Vehicle Signs.
   a. A business vehicle parked on-site at the place of business in a parking space designated for company vehicle parking or storage on a site plan approved by the City; or
   b. A business vehicle legally parked on-site at the residence of an employee (including driveways and legal off-street parking spaces)

(2) **Sign Prohibitions.**

(a) No sign shall be erected at any location where it may, by reason of its position, shape, color or design, interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device, nor shall such sign make use of words such as "stop," "look," "danger," or any other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse users of streets or highways.

(b) No fluttering, undulating, swinging, rotating, or otherwise moving signs such as windsocks, balloons motorized signs, pennants, and streamers shall be permitted. This shall not apply to Banners Signs, Flag Signs, or Feather Signs as defined in Figure 550.09.11(2).

(c) No signs shall project above the building parapet or eave, or be mounted on or extend above the roof, if attached to the building.

(d) No flashing, scrolling, or animated signs shall be permitted. Flashing is defined as changing more than once within a 60-second time interval.

(e) No signs shall be mounted to an unlicensed trailer or other unlicensed vehicle.

(f) No beacon signs shall be permitted.

(g) No off-premises advertising signs shall be permitted, except for Community Signs and Community Interior-Oriented Signs.

(h) No abandoned signs shall be permitted. See Section 550.09.30(1)(a).

(i) No sign shall be located within a required bufferyard or within a permanently protected green space area.

(3) **Sign Limitations.**

(a) No sign shall be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window, or fire escape, and no sign shall be attached to a standpipe or fire escape.

(b) No sign shall be placed in a manner that would impede vehicular or pedestrian safety, or impede access or visibility. Signs shall meet the visibility requirements of Section 550.06.03.

(c) No private sign shall be attached to or painted on any natural feature (e.g. tree or rock), fence, fire hydrant, public utility pole, public light pole, or traffic regulatory structure, unless otherwise authorized by the Public Works Director/City Engineer.

(d) Unless otherwise allowed by this Chapter, no sign shall be permitted within or extend into a public right-of-way.

Sections 550.09.31 to 550.09.32: Reserved

Section 550.09.33: Appearance, Construction, and Maintenance of Signage

(1) All signs shall be constructed, mounted, and maintained so as to comply with the appropriate detailed provisions of the Building Code as adopted by the City relating to the design, structural members and connections. Signs shall also comply with the applicable provisions of the Electrical Code as adopted by the City.

(2) The base or support(s) of all ground-mounted signs shall be securely anchored to a concrete base or footing, and shall meet minimum wind load capabilities of 30 pounds per square foot.

(3) Freestanding Signs, Permanent Gateway Signs, and Community Signs shall:

(a) Conceal the footings and related supporting structure, including bolts, flanges, and brackets with landscaping using the formula of two landscaping points for every foot of sign's width as measured on the sign face or sign base – whichever is greater.

(b) Construct the base of the sign using durable, all-weather materials. The base of the sign may be smaller, equal to, or larger in width than the face of the sign.

(c) Follow the color scheme of the principal building and incorporate architectural features (such as sills, piers, reveals, capstones, medallions, etc.) which are part of the architectural makeup of the building shall be incorporated into the sign.

(4) Signs mounting hardware may be visible following installation and mounted to masonry surfaces either within the mortar joints or directly affixed to the brick and stone. Signs located on any historically-

designated property and falling under the review authority of the Historic Preservation Committee shall be applied to masonry surfaces using mechanical fasteners applied to the mortar joints only and not directly into brick or stone. Drilling to provide electrical service shall follow the same rule.

(5) No sign shall be suspended in a way that will allow the sign to swing due to wind action. Signs shall be anchored to minimize any lateral movement that would cause wear on the sign face or supporting members or connections.

(6) All permanent signs and their supporting members shall be constructed of standardized, durable, all-weather sign materials.

(7) Sign materials in the Business Sign—Permanent Group (Figure 550.09.11(1)) shall be compatible with the design of the face of the façade where they are placed and shall contribute to the legibility of the sign.

(8) No combustible materials other than approved plastics shall be used in the construction of electric signs.

(9) All signage within the jurisdiction of this Chapter shall remain in a state of proper maintenance. Proper maintenance shall be the absence of loose materials (including peeling paint, paper or other material), the lack of excessive rust, the lack of excessive vibration or shaking, and the presence of the original structural integrity of the sign, its frame and other supports, its mounting, and all components thereof.

(10) Every sign requiring either Plan Commission or Zoning Administrator approval hereafter erected shall have marked in a conspicuous place thereon the date of erection, the manufacturer's name, the permit number, and the voltage of any electrical apparatus used in connection therewith.

(11) The repainting of the same colors, changing of parts, and preventive maintenance of signs which completely conform to the requirements of this Chapter, and result in absolutely no change in the appearance of the sign from that originally approved, shall not be deemed alterations requiring a sign permit.

(12) Any signs which may be, or may hereafter become rotted, unsafe, or in a state which is not properly maintained shall be subject to the provisions of Section 550.10.60.

(13) If any sign or sign hardware is suspended or projects above a public right-of-way, the issuance and continuation of a sign permit shall be conditioned on the sign owner agreeing to hold the City harmless, and annually submitting and maintaining in force liability insurance for such a sign in such form and such amount as the City may reasonably from time to time determine, provided that the amount of such liability insurance shall be at least $1,000,000.00 per occurrence per sign and naming the City as certificate holder.

Section 550.09.34: Reserved

Section 550.09.35: Nonconforming Signs

(1) Nonconforming Signs. Permanent signs existing as of the effective date of this Chapter, which do not conform to the provisions of this Chapter but that conformed and met all applicable regulations of the ordinance on the effective date of this Chapter, shall be legal nonconforming signs.

(2) Continuation of a Legal Nonconforming Sign.

(a) Legal nonconforming signs may be maintained.

(b) Legal nonconforming signs shall not be altered or moved to a new location without being brought into compliance with the requirements of this Chapter. See Subsection (3)(a), below, for what would constitute an alteration of a sign.

(c) When the principal structure located on the site undergoes a change of land use per the lettered land use categories described in Article III of the Zoning Ordinance, all legal nonconforming signs shall be brought into conformance with the provisions of this Chapter or shall be removed.

(d) Whenever there is a change in the sign user (excluding off-premises signs), sign owner, or owner of the property on which the sign is located, the new sign user, sign owner, or new property owner shall forthwith notify the Zoning Administrator of the change. No new sign permit is required unless there is modification of the sign face, sign color, or sign structure. The sign will continue to be considered legal nonconforming.

(3) Alteration of Legal Nonconforming Signs.

(a) For the purpose of this Section, alteration of a sign is considered to be any change to the sign's frame, supporting structure, lighting, material, height, location, color, or any other alterations as determined by the Zoning Administrator.

(b) Altering a sign does not include maintaining the existing appearance of the sign; changing the appearance of the sign face; replacing the sign face or the supporting structure with identical materials, colors, and messages; changing the message of a Changeable Copy Sign; or changing the face of an Off-Premises Advertising Sign (as defined in Section 550.09.30(1)(f)).

(c) A tenant sign may be replaced to accommodate a new tenant sign without triggering the need to bring the entire project identification sign, or any of its parts, into compliance with the provisions of this Chapter. Tenant sign replacement requires a new Sign Permit under Section 550.09.27.

Section 550.09.36: Reserved

Section 550.09.37: Removal of Sign and Sign Structures Where Business Is No Longer In Operation

(1) A building, portion of a building, or site shall be determined to be vacated based on the following criteria: vacancy, cessation of some or all utilities, or lapse or termination of occupational permit or license. Vacation of a building, structure or site shall have the following effect:

(a) At 90 days, nonconforming signs shall lose their legal nonconforming status.

(b) Within 90 days, the owner of the property shall take action regarding any sign and sign structures associated with the vacant building, portion of a building, or site located on the property. At the property owner's option, the property owner shall do one of the following: remove all such signs and structures, or replace the face of such signs with a blank sign face. If the property owner is granted an extension under Subsection (b) below, the requirement shall not apply during the extension period.

(c) An extension allowing signs or sign structures associated with vacant buildings, portions of buildings, or sites to remain on the property for an additional six-month time period after the original 90 days have lapsed may be granted under the following conditions:

1. The property owner shall submit an application with the appropriate fee and allow staff to inspect the signs and sign structures on the vacated building, portion of a building, or site.
2. Staff shall review the application and sign to determine that the sign will not be a hazard, safety concern, or blight for the duration of the extended time period.
3. Signs shall be properly blanked out or covered, shall not be boarded up using wood or similar materials, and shall contain no commercial message.
4. If the sign has been damaged during the vacated period to the point it becomes a safety hazard or blight on the property, staff may have the structure removed.
5. Any additional applications for an extension, beyond the six-month extension period, shall be approved by the Plan Commission.

(2) Sign structures that have been left without a sign face, or where the permit holder no longer has any interest in the site as owner or tenant, any of which for a continuous period of 90 days, shall be

deemed abandoned and shall be removed by the owner of the sign structure or the City shall proceed to remove such sign structure pursuant to the terms of this Chapter if the owner has not been granted an extension.

(3) If the sign or sign structure(s) have not been removed, the City shall send written notification to the property owner of record or last known occupant, via certified mail, return receipt requested, indicating that said property owner or occupant remove the sign or sign structure or apply for and be granted an extension. If the sign or sign structure have not been removed within 30 days after the City sends notice, and an extension has not been granted, the City may have the sign or sign structure removed.

(4) Any and all costs incurred by the City in the removal of a sign or sign structure pursuant to the provisions of this Section, which authorized assessment of the cost, shall be collected as a special charge under Wis. Stats. §66.0627.

(5) Legacy Signs.

(a) Definition. Any wall-mounted sign that was constructed for a business that is no longer occupying the building in which it is located.

1. The sign must be found to have a provable, demonstrated historical relationship to a prior sign on the building that pre-dates 1940 or to a prior use of the building that pre-dates 1940. The Plan Commission shall find that there is direct historical relationship between the proposed sign and a pre-1940 use of the building.

(b) Legacy signs are exempt from the requirements of this section and may remain without an active business occupying the building, structure, or site.

(c) Legay signs may be modified, maintained, or altered without losing their nonconforming status or be subject to meeting the requirements of this Article if:

1. The Plan Commission approves the materials, design, size, and location of the sign and said sign matches the original, to the extent that any details of the original sign are known.
   a. The sign must blend appropriately with the historic nature of the building.
   b. The location and size of the sign must be found by the Plan Commission not to interfere with existing signage on the lot.
   c. If the appearance of a prior sign is known, the proposed sign shall match the prior sign completely and this will satisfy the criteria of this section.
2. This section shall not be used to approve an Off-Premises Sign as defined in this Article.

Sections 550.09.38 to 550.09.39: Reserved

Section 550.09.40: Violations, Penalties, and Fees

(1) The penalties of the City of Watertown Municipal Code may be applicable to violations of the provisions of this article under Section 550.10.60.

Sections 550.09.41 to 550.09.99: Reserved

ARTICLE X: ADMINISTRATION AND PROCEDURES

Section 550.10.01: Purpose

The purpose of this Article is to establish responsibilities for the administration of this Chapter, and the enforcement procedures and penalties for non-compliance with the provisions of this Zoning Ordinance. The purpose of this Article is also to establish procedural requirements for zoning text amendments, zoning map amendments, and various development approvals under this Chapter, including but not limited to conditional use permits, temporary use permits, variances, certificates of occupancy, and site plan review and approval.

Section 550.10.02: Exempt Activities

The following activities do not require review or approval by the City under this Chapter.

(1) Official public information installed by or at the direction of a governmental unit.

(2) The maintenance or improvement of a public road, sidewalk, or railroad track within the boundaries of the right-of-way.

(3) Work by any utility not involving substantial engineering redesign for the purpose of inspection, repair, renewal, or construction on established rights-of-way of any sewer and water mains and laterals, pipes, cables, utility tunnels, power lines, towers, poles, tracks, or the like.

Sections 550.10.03 to 550.10.09: Reserved

Section 550.10.10: Zoning Administrator

The Zoning Administrator is hereby designated as the administration and enforcement officer for the provisions of this Chapter. The general duty of the Zoning Administrator is to interpret and administer this Chapter. Examples of duties include:

(1) Maintain records of this Chapter, including, but not limited to, all maps, amendments, conditional uses, temporary uses, site plans, planned developments, occupancy permits, variances, appeals, interpretations, and applications thereof.

(2) Receive, review, analyze, and develop written reports on all applications for amendments to this Chapter, zoning map amendments, conditional use permits, temporary use permits, land use permits, site plans, special area design review, planned developments, interpretations, variances, appeals, violations and penalties, or other development matters.

(3) Serve as staff to the Plan Commission, Zoning Board of Appeals, and other boards and commissions as assigned.

(4) Issue land use permits when the requirements of the Chapter have been met, and make and maintain records thereof.

(5) Coordinate official development review processes among government offices to the extent feasible.

(6) Investigate all complaints made relating to the location of structures and the use of structures, lands, and waters.

(7) Conduct inspections to determine compliance with the terms of this Chapter and to take remedial action when required. Issue citations for the enforcement of this Chapter.

(8) Make interpretations regarding the provisions of this Chapter per Section 550.10.50.

Section 550.10.11: Plan Commission

(1) The Plan Commission, together with its other statutory duties, shall make recommendations relating to the planning and development of the City to the Common Council, other public officials, and other interested organizations and residents. The Plan Commission is established in Chapter 24 of the City of Watertown Municipal Code.

(2) General Duties and Responsibilities. The Plan Commission shall:

(a) Approve a recommended annual budget for the Plan Commission; when requested, review and comment on the budgets of agencies or functions that pertain to planning.

(b) Develop, adopt, and review the City Comprehensive Plan and elements thereof, including elements applicable to extraterritorial areas.

(c) Make reports and recommendations relative to the planning and development of the City and its environs to public officials and agencies; utility companies; civic, educational, professional, and other organizations; and residents and other community stakeholders.

(d) Receive referrals pursuant to Wis. Stats. § 62.23(5) and (6), or otherwise, and make reports upon the following matters: the location and architectural design of public buildings; the location of statues or memorials; the location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition of land for or lease of land for any street, alley or other public way, park, playground, airport, parking areas, or memorials or public grounds; the location, extension, abandonment or authorization for any public utility; plats of land or certified survey maps within the City limits or within the extraterritorial plat review jurisdiction; location, character and extent of acquisition, leasing or sale of lands for public or semi-public housing, redevelopment, and the amendment or repeal of any zoning or official map ordinance. Referrals and reports under this section are in addition to zoning/design reviews under other provisions of the Zoning Ordinance.

(e) Additional Duties and Responsibilities. The Plan Commission shall have such powers under Wisconsin Statutes, or City Ordinances as may be necessary to enable it to perform its functions and promote municipal planning.

(3) Except where they are the final step in the review process as established by this Chapter, the functions of the Plan Commission are recommendatory to the Common Council pursuant to guidelines set forth in this Chapter as to various matters, and always being mindful of the intent and purposes of this Chapter.

(4) See Figure 550.10.20a for a summary of the Plan Commission's role in administering this Chapter.

Section 550.10.12: Common Council

(1) The Common Council, the governing body of the City, subject to recommendations by the Plan Commission, has ultimate authority to adopt changes and amendments to this Zoning Ordinance and the Official Zoning Map and other functions as determined by this Chapter. The Common Council is established in Chapter 114 of the City of Watertown Municipal Code.

(2) See Figure 550.10.20a for a summary of the Common Council's role in administering this Chapter.

Section 550.10.13: Zoning Board of Appeals

A Zoning Board of Appeals is established to provide an appeal procedure for persons who deem themselves aggrieved by decisions of administrative officers in the enforcement of this Chapter.

(1) Appointments, Terms, Rules, and Procedures. The Zoning Board of Appeals shall be appointed and shall be governed as to terms, vacancies, removals, and as to rules and procedures by Wis. Stats. § 62.23(7)(e).

(2) Public Hearings. The Zoning Board of Appeals shall conduct a public hearing on all administrative appeals, variances and other decision matters before it and shall cause a Class 1 Notice under Wis. Stats. Chapter 985 to be published and shall give due notice of the hearing to all parties in interest.

(3) Procedure and Record. Any party may appear in person or by agent at such hearing. The Chair may administer oaths to parties testifying and may compel attendance of witnesses. All testimony before the Board by persons other than Board members and all documentary evidence or material pertaining to matters before the Board shall be received at hearings conducted by the Board, provided that the content of relevant ordinance or statutory materials shall be deemed to be before the Board in all cases and need not be entered into the record. All parties in interest shall be afforded reasonable opportunity to comment on all materials or information so received. Board members who are in possession of facts that may have a bearing on the matter before the Board shall enter the same into the record of the hearing and opportunity shall be allowed for comment on such entries.

(4) Deliberations and Decisions. The Board shall deliberate on matters before it. The concurring vote of a majority of the members of the Board present shall be necessary to approve any appeal, variance, or other decision by the Board. The vote on each matter decided by the Board shall be recorded in the minutes. If a member is absent or if a member fails to vote, such facts shall similarly be recorded. The minutes of the Board shall show the Board's decisions and votes of members thereon. Each decision of the Board shall be accompanied by written reasons in support of the decision. All decisions shall be made in strict accordance with the standards of the Ordinance and the Board shall decide all matters before it within a reasonable time.

(5) Powers. The Board of Appeals shall have the powers established in Wis. Stats. § 62.23(7)(e). Examples of such powers include:

(a) Hear Appeals. To hear and decide appeals where it is alleged there is an error in any order, ruling, requirement, decision, or determination made by the Zoning Administrator.

(b) Authorize Variances. To authorize upon appeal in specific cases such variance from the terms of this Chapter as will not be contrary to the public interest where, owning to special conditions, a literal enforcement of the provisions of this Chapter will results in practical difficulty or unnecessary hardship, so that the spirit of the Chapter shall be observed, public safety and welfare secured, and substantial justice done.

(c) Extend Districts. To permit the extension of a district where the boundary line of a district divides a lot held in single ownership at the time of adoption of this Chapter.

(d) Interpret Ordinances. Interpret the provisions of this Chapter in such a way as to carry out the intent and purpose of this Chapter as shown on the Official Zoning Map where the actual street layout on the ground varies from the street layout on the aforesaid map.

(e) Vary Height and Area Regulations. To vary height and area regulations where there is an exceptional or unusual physical condition of the lot, which condition is not generally prevalent in the neighborhood and which condition when related to the height and area regulations of this Chapter would present a reasonable or sensible arrangement of structures on the lot.

(f) Vary Parking Regulations. To vary the parking regulations where an applicant demonstrates conclusively that the specific use of a structure would make unnecessary the parking spaces required by this Chapter.

(6) See Figure 550.10.20a for a summary of the role of the Zoning Board of Appeals in administering this Chapter.

Section 550.10.14: Historic Preservation Commission

The purpose, powers, and duties of the Historic Preservation Commission are established in Chapter 325, Historic Preservation, of the City of Watertown Municipal Code. The Commission's role in reviewing exterior building design within the DMU Zoning District is further addressed in Section 550.07.50.

Section 550.10.15 to 550.10.19: Reserved

Section 550.10.20: Review and Approval Required

(1) Review procedures vary depending on the type of request; however, procedures within this Article generally adhere to three common elements:

(a) Submittal of a complete application, including fee payment and appropriate supplemental information.

(b) Review by appropriate City staff or officials.

(c) Action by appropriate City officials or staff to approve, conditionally approve, or deny the request.

(2) Figure 550.10.20a summarizes the procedures, agencies, and personnel involved in the various procedures authorized by this Chapter. Detailed zoning procedures are discussed in Section 550.10.30 through 550.10.53 of this Article. Figure 550.10.20a is provided as a convenience for the City and general public.

Figure 550.10.20a: Review and Approval Activities and Bodies

Application Process	Staff	Plan Commission	Common Council	Zoning Board of Appeals	Historic Preservation Commission
RE = Review and Evaluate, IP = Issues Permit, RR = Review and Recommend, PH = Public Hearing, PM = Public Meeting, A = Final Action					
Annexation (Wis. Stats. §66.0217)	**RE**	**RR**	**A**		
Appeal (§550.10.52)	**RR**			**PH, RE, A**	
Building Permit	**RE, IP**	See Chapter 253 of the Municipal Code			
Concept Plan Review (§550.10.23)	**RR**		**RE**		**See Section 550.07.50**
Conditional Use Permit (§550.10.32)	**PM*, RR**	**PH, RE, A**			**Appeal**
Design Standard Exception/Waiver (Article VII)	**RR**	**RE, A**			**See Section 550.07.50**
Easement Acceptance/Release (Wis. Stats. §62.23)	**RE, A**		**RE, A**		
Group Development (§550.06.02)	**PM*, RR**	**PH, RE, A**			**Appeal**
Land Division-CSM (Chapter 545)	**RE**	**RR**	**A**		
Land Division-Preliminary Plat (Chapter 545)	**RE**	**RR**	**A**		
Land Division-Final Plat (Chapter 545)	**RE**	**RR**	**A**		
Official Map (§Wis. Stats. §62.23(6))	**PM, RE**	**PH, RR**	**A**		
Planned Development (§550.10.45)	**PM*, RE**	**PH, RR**	**A**		
Sign Permit	Refer to Article IX				**See Section 550.07.50**
Site Plan – Administrative (§550.10.43)	**RE, A**				
Site Plan – Plan Commission (§550.10.43)	**RE, RR**	**A**			**See Section 550.07.50**
DMU Design Review (§550.07.50)	See Section 550.07.50				
Street Vacation/Discontinuance (Wis. Stats. §66.1003)	**RE**	**RR**	**PH, A**		
Temporary Use (§550.03.30)	**RE, IP**				
Variance (§550.10.51)	**RE**			**PH, A**	
Violations and Penalties (§550.10.60)	**RE, A**				
Zoning Map Amendment (§550.10.30)	**PM*, RE**	**PH, RR**	**A**		
Zoning Ordinance Amendment (§550.10.30)	**RE**	**PH, RR**	**A**		
Zoning Permit (§550.10.41)	**RE, IP**				

Note: This table is not exhaustive. Some procedures may not be covered within this table.
** If determined to be necessary or appropriate by the Zoning Administrator.*

Section 550.10.21: Notice of Public Hearings

In order to allow owners of property and other legitimately interested parties to have a fair opportunity to be heard, adequate notice shall be given of any public hearing required by the provisions of this Chapter.

(1) Notice of any public hearing which the Common Council, Plan Commission, or Zoning Board of Appeals is required to hold under the terms of this Chapter shall specify the date, time, and place of hearing, and the matter to be presented at the hearing.

(2) The notice for variances shall be published as a Class 1 notice. The notice for zoning ordinance amendments, zoning map amendments, and conditional use permits shall be published as a Class 2 notice.

(3) The notice of public hearing shall be published in a newspaper of general circulation in the City before the public hearing, as prescribed by Wis. Statutes or local ordinances.

(4) Notice of the public hearing shall be mailed to the last known address of all parties-in-interest at least ten (10) days before the hearing. Parties-in-interest shall be defined as the petitioner; the Clerk of any municipality whose boundaries are within 1,000 feet of any lands included in the petition; the owners of record of all lots or parcels adjacent extending 300 feet therefrom, or directly opposite thereto extending 300 feet from the street frontage of such; the owners of all lands included in the petition; and the owner or operator of an airport lying within 1 mile of lands included in the petition.

Section 550.10.22: Neighborhood Meetings

(1) For proposals that are likely to generate a lot of public interest, the Zoning Administrator has the discretion to require the applicant to hold a neighborhood meeting. Such meetings shall provide an opportunity for interested parties to examine the proposal and allows the applicant to provide a thorough explanation of the proposal, answer questions from the public and City, and potentially amend the proposal based on public input.

(2) Where a neighborhood meeting is required by the Zoning Administrator, within 90 days of filing of a complete application, the applicant shall hold a public meeting to introduce and inform property owners within 300 feet of the subject property of the proposal to solicit comments and address concerns. The City shall supply a list of property owners to the applicant upon request.

   (a) The neighborhood meeting shall be held at a time and location that an average member of the public can reasonably attend, as determined by the Zoning Administrator.

   (b) The Zoning Administrator shall be notified of and invited to the neighborhood meeting. Attendance by the Zoning Administrator or other City staff shall not be required. If in attendance, City staff may provide information regarding applicable City requirements and procedures.

   (c) The neighborhood meeting shall be noticed in a manner consistent with City requirements.

   (d) Meeting minutes and attendance shall be recorded. The meeting invitation list, meeting minutes, attendance records, documents distributed at the meeting, and presentation materials shall be provided to the City.

   (e) The neighborhood meeting shall be held prior to review and action by the Plan Commission.

   (f) Alternative to a Neighborhood Meeting. Instead of a neighborhood meeting, notification by mail introducing and informing property owners within 300 feet of the subject property of the proposal may substitute for a public meeting, if deemed appropriate by the Zoning Administrator.

Section 550.10.23: Concept Plan Review

(1) The Zoning Administrator has the discretion to require a concept plan review of the project by the Plan Commission or Historic Preservation Commission, or an applicant may request a concept plan review prior to submitting a formal application. Such a review is at the concept level and is not binding.

(2) The preferred procedure is for one or more iterations of Plan Commission or Historic Preservation Commission review of the concept plan to occur prior to introduction of a formal application. The purpose of this meeting, or meetings, is to allow the Plan Commission or Historic Preservation Commission to discuss the possible application; general statistics on the project; the environmental, economic, social and other benefits of design to be obtained from the proposal; and whether there is a need for planned development district zoning (why a standard zoning district will not suffice). No formal action will be taken by the Commission. After this meeting or meetings, the applicant may then submit a formal application pursuant to the procedures pertaining to applicable process in Article X.

(3) Application. An application for concept plan review shall include the following items, if applicable (digital files shall be submitted whenever possible).

(a) Contextual information such as a location map, photos of the site and surrounding properties, and topography.

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

1. General project themes and design.
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, landscaping surface ratio, and/or other appropriate measures of density and intensity.
4. General treatment of natural features.
5. Relationship to nearby properties and public streets.
6. Relationship of the project to the Comprehensive Plan.
7. Description of any potential exceptions/base standard modifications from the requirements of this Chapter. The purpose of this information shall be to provide the Plan Commission with information necessary to determine the relative merits of the project with respect to private versus public benefit, and to evaluate the potential adverse impacts created by potentially making exceptions to standard zoning district requirements.

(c) A conceptual drawing of the site plan layout, including the general locations of public streets and/or private drives.

(4) Without taking formal action, the Plan Commission or Historic Preservation Commission shall comment on the concept plan to help inform the applicant's decision whether to proceed with the project. The Commission may request that additional materials be submitted to assist in communicating the nature of the site and its context. If the proposed project relates to a property located within the Downtown Mixed Use Zoning District, the concept shall also be submitted for review to the Historic Preservation Commission.

(5) To facilitate their review of the concept plan, the Plan Commission may determine that there is a need for a public meeting following the procedures of Section 550.10.22.

Section 550.10.24 to 550.10.29: Reserved

Section 550.10.30: Zoning Ordinance or Zoning Map Amendment

(1) Purpose. The purpose of this Section is to provide regulations which govern the procedure and requirements for the review and approval, or denial, of proposed amendments to the provisions of this Chapter or the Official Zoning Map. Refer also to the requirements of Wis. Stats. § 62.23(7)(d).

(2) Initiation of Request for Amendment. Proceedings for an amendment of this Chapter or the Official Zoning Map may be initiated by one of the following methods:

- (a) An application by any member of the general public (only applicable to amendments of this Chapter).
- (b) An application of the owner(s) of the subject property or authorized agent of the owner(s) of the subject property (only applicable to amendments of the Official Zoning Map).
- (c) A recommendation by the Plan Commission to the Common Council.
- (d) Action of the Common Council.
- (e) A recommendation by City staff.

(3) Application Requirements. See the City of Watertown Zoning Amendment application.

(4) Review by the Zoning Administrator.

- (a) The Zoning Administrator shall determine whether the application is complete and fulfills the requirements of this Chapter. If the application is determined to be incomplete, the Zoning Administrator shall notify the applicant and the application will not be forwarded.
- (b) Findings of Fact. The Zoning Administrator shall review the complete application and evaluate whether the proposed amendment:
  1. Advances the purposes of this Chapter as outlined in Section 550.01.03.
  2. Advances the purposes of the general Article and specific Section in which the amendment is proposed to be located.
  3. Is consistent with the Comprehensive Plan. If the proposed amendment is not consistent, and amendment to the Comprehensive Plan is required prior to rezoning.
  4. Maintains the desired overall consistency of land uses, land use intensities, and land use impacts within the pertinent zoning districts.
  5. For Zoning Ordinance Amendments, addresses any of the following factors that may not be addressed in the current zoning text:
     a. A change in the land market, or other factors which require a new form of development, a new type of land use, or a new procedure to meet said change(s).
     b. New methods of development or types of infrastructure.
     c. Changing governmental finances to meet the needs of the government in terms of providing and affording public services.
     d. Any other factor deemed appropriate by the City.
  6. For Zoning Map Amendments, addresses any of the following factors that are not properly addressed on the current Official Zoning Map:
     a. The designations of the Official Zoning Map are not in conformance with the Comprehensive Plan.
     b. A mapping mistake was made, including the omission on the Official Zoning Map of an approved zoning map amendment.

c. Factors have changed (such as new data, infrastructure, market conditions, development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district.

d. Growth patterns or rates have changed, creating the need for an amendment to the Official Zoning Map.

(c) The Zoning Administrator shall prepare a written report addressing items in Subsection (4)(b), above, and forward said report to the Plan Commission for the Commission's review and use in making its recommendation to the Common Council. If the Zoning Administrator determines that the proposal may be in conflict with the provisions of this Chapter or the Comprehensive Plan, the Zoning Administrator shall note this determination in the report.

(d) The findings of fact required by this section are directory to the Zoning Administrator. No deficiency in the findings or failure to make any or all findings shall affect the power of the Plan Commission to make a recommendation or the Common Council to adopt or reject the proposed amendment.

(5) Neighborhood Meeting. If proposed amendment to the Official Zoning Map is expected to have significant impact on other properties, the Zoning Administrator, may require a meeting in compliance with Section 550.10.22.

(6) Public Hearing. Within 90 days of filing of a complete application, the Plan Commission shall hold a public hearing in compliance with Section 550.10.21 to consider the request. A public hearing may be held more than 90 days from the filing of the complete application when requested by the applicant in writing.

(7) Review and Recommendation by the Plan Commission.

(a) Within 60 days after the public hearing, the Plan Commission shall make its recommendations regarding the application. Said recommendation shall include issuance of formal finding of facts developed and approved by the Plan Commission concerning the requirements of Subsection (4)(b), above, and whether the public benefits outweigh the potential adverse impacts of the proposed amendment.

(b) If the Plan Commission fails to make a recommendation within 60 days of the public hearing, the Common Council may hold a public hearing within 30 days after the expiration of said 60-day period. Failure to receive said recommendation from the Plan Commission shall not preclude the Common Council from taking final action nor shall any deficiency in the findings of fact or failure to make any findings affect the power of the Common Council to adopt or reject the amendment. If a public hearing is necessary, the Common Council shall provide notice in compliance with the requirements of Section 550.10.21.

(8) Review and Action by the Common Council.

(a) The Common Council shall consider the recommendation of the Plan Commission regarding the proposed amendment. The Common Council may request further information and/or additional reports from the Plan Commission, Zoning Administrator, the applicant, and/or any other entity as it sees fit.

(b) The Common Council may refer the matter back to the Plan Commission. In such cases, the Common Council shall specify the issue(s) to be addressed in further detail.

(c) The Common Council may take final action (by ordinance) on the application at the time of its initial meeting or may continue the proceedings by its own decision or the applicant's request. The Common Council may approve the amendment as originally proposed, may approve the proposed amendment with modifications, or may deny approval of the proposed amendment.

(d) If the Common Council wishes to make significant changes to the proposed amendment, as recommended by the Plan Commission, the procedure set forth in Wis. Stats. § 62.23(7)(d) shall be followed prior to Common Council action.

Section 550.10.31: Reserved

Section 550.10.32: Conditional Use Permit Procedures

(1) Purpose. The purpose of this Section is to provide regulations which govern the procedure and requirements for the review and approval, or denial, of proposed conditional uses.

(2) Applicability. There are certain uses, which because of their unique characteristics, may have specific standards, regulations, or conditions established.

(3) Initiation of Request. Proceedings for approval of a conditional use may be initiated by an application of the owner(s) or authorized agent of the owner(s) of the subject property.

(4) Application. See the City of Watertown Conditional Use Permit application.

(5) Review by Zoning Administrator.

(a) The Zoning Administrator shall determine whether the application is complete. If the application is determined to be incomplete, the Zoning Administrator shall return the application to the applicant for submission of a complete application.

(b) The Zoning Administrator may coordinate review with other City Departments.

(c) The Zoning Administrator shall review the complete application and evaluate the proposed conditional use against the findings listed in Subsection (8), below.

(d) The Zoning Administrator shall prepare a written report addressing the items under Subsection (8), below, to be forwarded to the Plan Commission for the Commission's review. If the Zoning Administrator determines that the proposal may be in conflict with the provisions of the Comprehensive Plan, the Zoning Administrator shall note this determination in the report.

(6) Public Hearing. Within 60 days of filing of a complete application, the Plan Commission shall hold a public hearing in compliance with Section 550.10.21 to consider the request. A public hearing may be held more than 60 days from the filing of the complete application when requested by the applicant in writing.

(a) Statements of personal preferences or speculation not based on substantial evidence (see definition in Section 550.11.01) shall be disregarded by the Plan Commission.

(7) Review and Action by the Plan Commission.

(a) The Plan Commission may request further information or additional reports from the Zoning Administrator, applicant, or from any other source.

1. Third Party Consultation. If necessary, expertise is not available from City Staff, public academic institutions, or from appropriate regional, state, or federal agencies, the Plan Commission may consult with a third party to effectively evaluate a conditional use permit application. The Zoning Administrator, or his/her designee, will select the consultant. The applicant for the conditional use permit shall bear all reasonable costs and expenses associated with such consultation. Applicants retain the right to withdraw a pending conditional use permit application if they choose not to pay consultant fees.

(b) Final Action on Conditional Use Permits.

1. The Plan Commission shall hear all substantial evidence per Subsection (6) above.

2. Following the public hearing, staff shall compile all materials presented to be documented in a Report of Preliminary Recommended Findings. The report shall contain, at a minimum, all substantial evidence presented in the public hearing, the recommended findings, and the recommended motion to either approve the use as originally proposed, approve the proposed conditional use with modifications or conditions, or deny approval of the proposed conditional use.
3. In the same or a subsequent meeting, the Plan Commission shall discuss The Report of Preliminary Recommended Findings and any conditions or changes with the applicant. At that time, the Plan Commission may take final action by resolution on the application to either approve the conditional use as originally proposed, approve the proposed conditional use with modifications or conditions, or deny approval of the proposed conditional use. See Subsection (7)(b)8. below.
4. The Plan Commission's decision to approve or deny the permit shall be supported by substantial evidence. Any condition imposed by the City shall be related to the purpose of the ordinance and be based on substantial evidence as defined in Wis. Stats. §62.23(7)(de)1.b.
5. The conditions described under Subsection (9), shall be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal.
6. The applicant shall demonstrate whether the application and all requirements and conditions established by the Plan Commission relating to the conditional use are or will be satisfied, both of which shall be supported by substantial evidence.
    a. All other statements pertaining to the review of the Condition Use Permit shall be based on substantial evidence.
7. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in this Chapter or those imposed by the Plan Commission, the Plan Commission shall grant the conditional use permit.
8. Final action by the Plan Commission shall consist of all of the following:
    a. The formal finding of facts related to the findings listed in Subsection (8), below, approved by the Plan Commission concerning the request.
    b. Description(s) of the substantial evidence that supports the Plan Commission's overall decision to approve, approve with conditions, or deny the request.
    c. Description(s) of the substantial evidence that supports all of the condition(s) imposed by the City.
    d. The City shall document these proceedings by any of the following means: written minutes, video or audio recordings, or written reports.

(8) Findings of Fact. In reviewing and taking final action on a proposed conditional use permit, the Plan Commission shall consider whether the proposed conditional use:

(a) Is consistent with the Comprehensive Plan.

(b) Would not result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare.

(c) Maintains the desired consistency of land uses, land use densities and intensities, and land use impacts as related to the environs of the subject property.

(d) Is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public or private agencies serving the subject property.

(e) Complies with all other regulations or standards in this Chapter applicable to the use.

(9) Conditions. The Plan Commission shall impose, at a minimum, the following conditions on any conditional use permit:

(a) Any conditions required for specific uses listed under Article III.

(b) The physical development and operation of the conditional use shall conform, in all respects, to the approved site plan, operational plan and phasing plan.

(c) All vehicles and equipment shall access the site only at approved locations identified in the site plan and operations plan.

(d) Other Conditions. In addition to the conditions listed above, the Plan Commission may, at their discretion, impose any other conditions as necessary to meet the findings above:

1. Expiration dates on conditional use permits, except for permits for communication towers under Section 550.03.20. Continuation or extension of an expired conditional use requires re-application and approval by the Plan Commission.
2. Limits on hours and days of operation, or number of events each year.
3. Limits on numbers of employees.
4. Limits on numbers of total people, vehicles or animals on the premises at any one time.
5. Limits on total quantity or volume of product on the premises at any one time.
6. Limits on square footage of buildings or outdoor areas devoted to the proposed use.

(e) If the County Highway Department, City Public Works Department, or Public Works Director/City Engineer determines that road intersection improvements and any recommended improvements of a Traffic Impact Analysis report are necessary to safely accommodate the conditional use, the cost of such improvements shall be borne by the landowner.

(f) If the Public Works Department or Public Works Director/City Engineer determine that off-site improvements to the sanitary sewer, storm sewer, and/or water infrastructure are necessary to accommodate the conditional use, the cost of such improvements shall be borne by the landowner.

(g) The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.

(h) Failure to comply with any imposed conditions, or to pay reasonable City costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit. The holder of a conditional use permit shall be given a reasonable opportunity to correct any violations prior to revocation.

(10) Limited Effect of Approval. A ruling by the Plan Commission finding a particular land use to be conditionally permitted in a specified zoning district shall be deemed to authorize only that particular use at that particular location for the period of time for which the ruling was issued. The ruling shall not be deemed to authorize any allegedly similar use for which a separate ruling has not been issued. A favorable ruling shall automatically expire and cease to be of any force or effect if the particular use for which it was issued shall, for any reason, be discontinued for a period of 365 consecutive days or more.

(a) If the Plan Commission wishes to approve significant changes to the proposed conditional use, then the procedure set forth in Wis. Stats. § 62.23(7)(d) shall be followed prior to Plan Commission action.

(11) Effects of Denial. No application which has been denied (either wholly or in part) shall be resubmitted for a period of 365 days from the date of said order of denial, except on grounds of new evidence or material change of circumstances. A change is "material" if it could reasonably be expected to lead to a different conclusion in light of the reasons for denial of the prior application.

(12) Appeals of a Plan Commission Decision.

(a) Initiation of Request for Appeal. Proceedings for an appeal to the Common Council of a Plan Commission denial of a conditional use permit, modification of a conditional use permit, or conditions added to a conditional use permit may be initiated by any person or by any officer, department, or board of the City affected by said Plan Commission decision.

(b) Enforcement Actions. All enforcement actions related to the subject property shall be held in abeyance upon appeal action.

(c) Time Limit for Filing an Appeal. Any appeal under the provisions of this Section shall be made per the requirements of Subsection (12)(d), below, within a period not exceeding 45 days from the date of issuance of Plan Commission's decision regarding the conditional use permit. Failure to initiate this appeal procedure within this 45-day period shall constitute a final and binding waiver of the right to appeal the Plan Commission's decision.

(d) Application Requirements. An application for an appeal of a Plan Commission decision shall contain the following (digital files should be submitted whenever possible):

1. A written statement from the applicant indicating the reasons why an appeal is justified, with specific reference to the findings of the Plan Commission. This statement shall be dated and signed by the applicant.
2. All information that was supplied in the complete application described in Subsection (4), above.
3. Application filed with the City Clerk.

(e) Review and Action by the Common Council.

1. Within 60 days after the filing of the appeal, the Common Council shall make its findings. Such findings shall be based on the findings of Subsection (8), above, and shall be based on substantial evidence. The Common Council may request further information and/or additional reports from the Plan Commission, Zoning Administrator, the applicant, and/or any other entity as it sees fit.
2. If the Common Council fails to make a determination within 60 days after the appeal, then the request for the appeal shall be deemed denied.

(f) Effects of Denial. No application for an appeal which has been denied (either wholly or in part) shall be resubmitted for a period of 365 days from the date of said order of denial, except on grounds of new evidence or material change of circumstances. A change is "material" if it could reasonably be expected to lead to a different conclusion in light of the reasons for denial of the prior application. Denial decisions may be appealed to the circuit court under Wis. Stats. § 62.23(7)(e)10.

(g) Limited Effect on a Favorable Ruling on an Appeal.

1. No appeal ruling finding a particular land use to be conditionally permitted in a specified zoning district shall be valid for a period of more than 365 days from the date of issuance of the ruling on the appeal, unless a building permit is issued and development commenced within that period, and is thereafter diligently pursued to completion, or a certificate of occupancy is obtained and a use commenced within that period.
2. An appeal ruling finding a particular land use to be conditionally permitted in a specified zoning district shall be deemed to authorize only that particular use at that particular location

for which the ruling was issued. The ruling shall not be deemed to authorize any allegedly similar use for which a separate ruling has not been issued. A favorable ruling shall automatically expire and cease to be of any force or effect if the time limits in (h)(1) above lapse or the particular use for which it was issued shall, for any reason, be discontinued for a period of 365 consecutive days or more per Section (15) of this Chapter. The burden of proof shall be on the property owner to conclusively demonstrate that the subject conditional use was operational during this 365 day period of time.

(13) Revocation of an Approved Conditional Use.

(a) Upon approval, the applicant shall demonstrate that the proposed conditional use meets all general and specific conditional use requirements in the site plan required for initiation of development activity on the subject property per Section 550.10.43. Once a conditional use is granted, no erosion control permit, site plan, certificate of occupancy, or building permit shall be issued for any development which does not comply with all requirements of this Title.

(b) Any conditional use found not to be in compliance with the terms of this shall be considered in violation of this Title and shall be subject to all applicable procedures and penalties. A conditional use may be revoked for such a violation by majority vote of the Plan Commission, following the procedures outlined in Subsections (4) through (9), above. The City shall provide the property owner with appropriately served notice to consider revocation. City staff shall provide written findings of fact in relation to the factors listed in Subsection (8).

(14) Time Limits on the Development of Conditional Use.

(a) Unless extended as a condition of approval, the start of construction of any and all conditional uses shall be initiated within 365 days of their approval by the Plan Commission and shall be operational within 730 days of said approval. For the purposes of this Section, "operational" shall be defined as the granting of a certificate of occupancy for the conditional use.

(b) Failure to initiate development within this period shall automatically constitute a revocation of the conditional use.

(c) Prior to such a revocation, the applicant may request an extension of this period. Said request shall require formal approval by the Zoning Administrator and shall be based upon a showing of acceptable justification, as determined by the Plan Commission. However, as a condition of approval, the 365-day or 730-day time limits may be extended for any specific period to accommodate phased or multi-stage development.

(15) Discontinuing an Approved Conditional Use. Any and all conditional uses which have been discontinued for a period exceeding 365 days shall have their conditional use invalidated automatically. The burden of proof shall be on the property owner to conclusively demonstrate that the subject conditional use was operational during this period.

(16) Change of Ownership. All requirements and conditions of the approved regular conditional use shall be continued regardless of ownership of the subject property.

(17) Modification, Alteration, or Expansion. Modification, alteration, or expansion of any conditional use without approval per the process in this subsection shall be considered in violation of this Title and shall be grounds for revocation of said conditional use approval in accordance with Subsection (13), above.

(18) Recording of Conditional Use Requirements. A certified copy of the authorizing resolution, containing identifiable description and any specific requirements of approval, shall be recorded by the City.

(19) Formerly Approved Conditional Uses. A use now regulated as a conditional use which was approved as a permitted land use, either permitted by right or as a conditional use, prior to the effective date of this Chapter, shall be considered as a legal, conforming land use so long as the previously approved

conditions of use and previously approved site plan are followed. Any modification of the previously approved conditions of use or site plan shall require application and City consideration under this Section.

Sections 550.10.33 to 550.10.40: Reserved

Section 550.10.41: Zoning Permit Review and Approval Procedures

(1) Purpose. The purpose of this Section is to determine compliance with this Chapter for any new land use, any change in land use, and any development or land disturbing activity (e.g., structure, paving, grading). The purpose of this Section is also to determine if other procedures are needed per the requirements of this Article. A Zoning Permit may be waived if other application processes are necessary, including some instances of building permits, site plans, and conditional use permits.

(2) Applicability. A Zoning Permit shall be required for any of the following activities:

(a) The establishment of a new principal use of a structure or land.

(b) A change in type of principal use of a structure or land.

(c) A material increase in the intensity of use of land, such as an increase in the number of businesses, manufacturing establishments, offices or dwelling units (including accessory dwelling units) in a structure or on land.

(d) The addition of a new structure that increases impervious surface area.

(e) Any site alteration that alters grades or site drainage patterns within 5 feet of the lot line.

(f) Installation of a new or replacement fence.

(g) Commencement of mining or excavation on a parcel of land.

(3) Application. See the City of Watertown Zoning Permit application.

(4) Action by Zoning Administrator or Building Inspector. A Zoning Permit shall be granted or denied by the Zoning Administrator or Building Inspector, in writing within 30 days of the application, unless other approvals are required by this Chapter, and the applicant shall post such permit in a conspicuous place at the site. Any permit issued in conflict with the provisions of the Chapter shall be null and void.

(5) Time Limits on Zoning Permits. The work shall begin within 365 days of approval and be completed within 730 days. Time limits for Conditional Use Permits and Variances may be established at the time of approval. All other permits shall meet the timelines required at the time of issuance as listed elsewhere in this Chapter.

Section 550.10.42: Certificate of Occupancy

(2) Purpose: A written statement issued by the Building/Zoning Inspector which permits the use of a building or lot or a portion of a building or lot and which certifies compliance with the provisions of this chapter for the specified use and occupancy.

(3) No vacant land shall be occupied or used, except for agricultural purposes, and no buildings hereafter erected or structurally altered shall be occupied or used until a certificate of occupancy shall have been issued by the Building/Zoning Inspector. A certificate of occupancy is required for a change of type of occupancy or use of any building or land.

(4) Application for a certificate of occupancy. Application for a certificate of occupancy shall be made coincident with the application for a zoning permit. The application shall state the intended use of the land or building.

(5) Issuance. A certificate of occupancy shall be granted within 10 days after notification by the owner of completion of buildings or structural alterations indicated in the land use permit, in accordance with the plans submitted with the permit application and applicable provisions of this chapter and the health and building laws and ordinances.

(6) No fees shall be charged for a certificate of occupancy.

Section 550.10.43: Site Plan Review and Approval Procedures

(1) Purpose. The purpose of this Section is to specify the requirements and procedures for the review and approval of site plan applications. The provisions of this Section are designed to ensure that proposed land uses and development activity complies with the requirements of this Chapter.

(2) Applicability. Site plan review and approval shall be required for changes to site characteristics in Subsections (5)(c) through (i), below, including redevelopment, expansion, and new nonresidential development, and residential development containing 3 or more units, except for the following:

(a) Accessory buildings, decks, fences, and landscape features that do not affect site drainage patterns.

(b) Signage, unless otherwise specified in Article IX.

(c) Otherwise specified as not required within this Chapter.

(3) Approval Authority. Site plans shall be reviewed and approved by the Plan Commission, except for the following, which shall be approved by the Zoning Administrator:

(a) Nonresidential development involving 1,500 square feet or less of new building area on the parcel.

(4) For reference purposes, the following table includes various standards that may be applicable within the Site Plan review. This list is not exhaustive and there may be other standards applied to Site Plan review beyond those listed below in reflection of other standards listed within this Chapter.

Figure 550.10.43a: Site Plan Review References

Review Element/Standard Type	Zoning Ordinance Reference
Site Plan Review Required	Section 550.10.43(2)
Administration	Section 550.10.43(2)
Approval Sunset Clause	Section 550.10.43(9)
Site Grading	Section 550.10.43(4)
Existing Site Vegetation	Section 550.08.30
Building Setbacks	Sections 550.04.11-550.04.14 Sections 550.06.06
Building Height	Sections 550.04.11-550.04.14 Section 550.07.02
Building Mass	Article VII
Building Facade	Article VII
Exterior Materials	Article VII
Exterior Building Colors	Article VII
Exterior Doors	Article VII
Windows	Article VII
Roofs	Article VII
Exterior Building Apparatus	Article VII
Awning/Canopy	Section 550.03.28(7) Article VII

Review Element/Standard Type	Zoning Ordinance Reference
Trash Containment Structure	Section 550.06.21
Exterior Lighting	Section 550.06.20
Signage	Article IX
Outdoor Display and Storage	Section 550.03.10(19)
Pavement Materials	Section 550.06.06
Pedestrian Facilities	Section 550.06.06
Traffic Circulation	Section 550.06.06
Parking	Section 550.06.06
Landscaping	Section 550.08.30

(5) Site restrictions.

(a) Establishment of grades. Every building hereafter erected, structurally altered, or relocated shall be at a grade demonstrated by the applicant to be in satisfactory relationship with the established grades, or with the existing street grades where none are established, with particular consideration for proper drainage and safe access.

(b) Preservation of topography.

1. In order to protect any property owner from possible damage due to change in the existing grade of adjoining lands, and to aid in preserving and protecting the natural beauty and character of the landscape, no change in the existing topography of any land shall be made which would:

a. Alter the existing drainage or topography in any way as to adversely affect the adjoining property.

b. Except as authorized by City staff, the topography within five feet of any property line at the commencement of any development shall remain unchanged.

i. When land disturbing activities associated with development occur within five feet of any property line, finished grades in that area shall be restored to the topography in existence before the land disturbing activity began. A positive slope of one half inch per one foot horizontal within five feet of the property line is allowed to provide proper drainage away from a one or two family residence.

ii. The established grade of the adjoining property shall determine the finished grade at the property line for any development. The owner of the property under development bears the burden of proof as to the established grade at the property line and the topography within five feet of the property line.

iii. The Public Works Director/City Engineer shall be consulted prior to the approval of plans that result in changes to the existing topography at and within five feet of any property line if that plan would promote the purposes of this Chapter.

(c) Unsuitable land. No land shall be used for structures erected where the land is held by the Plan Commission to be unsuitable for such use or structure by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, unfavorable topography, low percolation rate or bearing strength, erosion susceptibility or any other feature likely to be harmful to the health, safety, prosperity, aesthetics and general welfare of the community. The Plan Commission, in applying the provisions of this section, shall, in writing, recite the particular facts upon which it bases its conclusion that the land is not suitable for certain uses. The applicant shall have an opportunity to present evidence at a Plan Commission meeting contesting

such unsuitability if the applicant so desires. Thereafter, the Plan Commission may affirm, modify or withdraw its determination of unsuitability.

(d) Lot regulations.

1. All lots shall abut upon a public street, and each lot shall have a minimum frontage and area as set forth in Article II.

(6) Pre-Application Conference. Prior to formal submittal of a site plan application, the applicant shall confer with the Zoning Administrator, in order to establish mutual understanding as to the basic concept proposed and to ensure proper compliance with the technical requirements and procedures for processing the site plan application. A timetable for project review may also be discussed.

(7) Application. See the City of Watertown Site Plan application.

(8) Review and Approval.

(a) The Zoning Administrator shall determine whether the site plan application is complete and fulfills the requirements of this Chapter. If the application is determined to be incomplete, the Zoning Administrator shall notify the applicant.

(b) The Zoning Administrator or designee shall coordinate review of completed applications with City Departments.

(c) The Zoning Administrator shall review and recommend the site plan to the Plan Commission. For any adjustment to an approved Site Plan, see Subsection (7), below.

(9) Adjustments to Approved Site Plans.

(a) The following adjustments may be approved administratively by City staff and no additional process is necessary:

1. A proposed adjustment that would add to or relocate amenity site elements which are not required such as additional non-required landscaping.

2. A proposed adjustment that would erase approved site development components which are not required such as a building, a portion of a building, an area of non-required landscaping, or a non-required paved area.

(b) The following adjustments that alter the required components of the approved site plan require a full site plan review process before the Plan Commission:

1. A proposed adjustment that would erase or relocate approved site development components which are required such as a stormwater management feature, required landscaping, or required paved areas.

2. A proposed adjustment that would expand or add building area, paved areas, or other site improvements requiring Site Plan Review under this Section.

(c) If a new site plan is required, and the site plan is a required component of a Conditional Use Permit or a Specific Implementation Plan, an amended (in essence, a new) Conditional Use Permit or Specific Implementation Plan is required.

(d) If the proposed development involves adding one or more land use categories which are not permitted by right in the zoning district or under the list of permitted by right uses in a Conditional Use Permit or General Development Plan, a new Conditional Use Permit or General Development Plan is required.

(10) An approved site plan application shall be valid for a period of one year from the date of approval. Prior to expiration, the Zoning Administrator may grant one extension of up to one additional year upon a showing by the applicant of good cause and reasonable progress toward implementation of the

approved site plan. If the approval expires without an extension, the applicant shall submit a new application and obtain approval in accordance with this Article.

Section 550.10.44: Reserved.

Section 550.10.45: Planned Development Review and Approval Procedures

(1) Purpose. The purpose of this Section is to provide regulations which govern the procedures for the review and approval or denial of proposed Planned Developments.

(2) Initiation of Request. Proceedings for approval of a Planned Development may be initiated by any of the following:

(a) An application by the owner(s) of the subject property or authorized agent of the owner(s) of the subject property;

(b) A recommendation of the Plan Commission and action by the Common Council, relative to City-owned property.

(3) Procedure for Planned Development Review. The procedure for zoning to a Planned Development (PD) district shall follow the Zoning Map Amendment procedure included in Section 550.10.30, except that the Planned Development procedure shall be subject to the following additional requirements.

(a) Pre-Application Conference. Prior to formal petition for zoning to a PD district, the applicant shall confer with appropriate City staff in order to establish mutual understanding as to the basic concept proposed and to ensure proper compliance with the requirements for processing. 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, non-binding basis for proceeding to the next step.

(b) Optional Concept Plan Review. Upon completion of the pre-application conference, described above, the applicant shall prepare a conceptual plan for review with the Plan Commission, pursuant to Section 550.10.23. Points of discussion and conclusions reached at this stage of the process shall be in no way binding upon the applicant or the City, but should be considered as the informal, non-binding 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 application for rezoning, which accompanies the General Development Plan application (see Subsection (3)(c), below). The Concept Plan submittal shall include the following items (digital files should be submitted whenever possible):

1. General project themes and images;

Figure 550.10.45a: Procedure for Planned Development Review*



**Concept Plan Review and Public Meeting may be required by the Zoning Administrator.*

2. The general mix of dwelling unit types and/or land uses;
3. An initial draft of zoning standards which will not be met by the proposed Planned Development. The purpose of this listing shall be to provide the Plan Commission with information necessary to determine the relative merits of the project.

(c) General Development Plan Review. The applicant shall submit a General Development Plan (GDP) to the Zoning Administrator, for determination of completeness. Upon determination of completeness by the Zoning Administrator, the GDP shall be placed on the Plan Commission agenda for review. Adoption of the GDP establishes the new zoning classification for the property.

1. The GDP submittal shall include the following items (digital files should be submitted whenever possible):
    a. General location map of the subject site depicting:
        i. All lands for which the Planned Development is proposed and all other lands within 100 feet of the boundaries of the subject site.
        ii. Current zoning of the subject site and abutting properties, and the jurisdiction(s) in which the properties are located.
        iii. A graphic scale and a north arrow.
    b. Generalized site plan showing the pattern or proposed land uses, including:
        i. General size, shape, and arrangement of lots and specific use areas.
        ii. Basic street pattern and pattern of internal drives.
        iii. General site grading plan showing preliminary road grades.
        iv. Basic storm drainage pattern, including proposed on-site stormwater detention.
        v. General location of recreational and open space areas, including designation of any such areas to be classified as common or public open space.
    c. Statistical data, including:
        i. Minimum lot sizes in the development.
        ii. Approximate areas of all lots.
        iii. Density/intensity of various parts of the development.
        iv. Building coverage.
        v. Landscaping surface area ratio of all land uses.
        vi. Expected staging.
    d. Conceptual landscaping plan, noting approximate locations of foundation, street, yard, and paving landscaping, and comparing the proposed landscaping plan to the standard landscaping requirements in Article VIII of this ordinance.
    e. General signage plan, including all project identification signs and concepts for public fixtures and signs (such as street light fixtures and/or poles or street sign faces and/or poles) which may or may not be proposed to vary from City standards.
    f. General outline of property owner's association, covenants, easements, and deed restrictions.
    g. A written description of the proposed Planned Development, including:
        i. General project themes and images.

ii. The general mix of dwelling unit types and/or land uses.

iii. Approximate residential densities and nonresidential intensities as described by dwelling units per acre and/or landscaping surface area ratio.

iv. General treatment of natural features.

v. General relationship to nearby properties and public streets.

vi. General relationship of the project to the Comprehensive Plan and any applicable neighborhood or corridor plans.

vii. A statement of rationale as to why PD zoning is proposed. This statement shall list the standard zoning requirements that, in the applicant's opinion, would inhibit the development project and the opportunities for community betterment that are available through the proposed PD project.

viii. A complete list of zoning standards that would not be met by the proposed GDP or PIP and the location(s) in which such exceptions/base standard modifications would occur.

ix. Proposed exceptions from the requirements of this Chapter.

h. Traffic Impact Analysis. The City may require that a traffic impact analysis (TIA) be completed.

i. A utility study to determine adequacy of water and sewer services.

2. The Plan Commission may waive submittal information listed above, or may likewise require additional information beyond that listed above.

3. If all required application materials are provided, the GDP and PIP may be submitted and reviewed concurrently.

4. The process for review and approval of the GDP shall be identical to that for a Zoning Map Amendment per Section 550.10.30.

5. Review and Approval; Findings of Fact: In its review and action on an application for a Planned Development district, the Plan Commission shall make findings of fact with respect to the following criteria:

a. The proposed Planned Development project advances the purposes of this Chapter as outlined in Section 550.01.03.

b. The proposed Planned Development project is consistent with the City's Comprehensive Plan and other area plans.

c. The proposed Planned Development project will maintain the desired relationships between land uses, land use densities and intensities, and land use impacts in the environs of the subject site.

d. Adequate public infrastructure is or will be available to accommodate the range of uses being proposed for the Planned Development project, including but not limited to public sewer and water and public roads.

e. The proposed Planned Development project will incorporate appropriate and adequate buffers and transitions between areas of difference land uses and development densities/intensities.

f. The proposed Planned Development project design does not detract from areas of natural beauty surrounding the site.

g. The proposed architecture and character of the proposed Planned Development project is compatible with adjacent/nearby development.

h. The proposed Planned Development project will positively contribute to and not detract from the physical appearance and functional arrangement of development in the area.

i. The proposed Planned Development project will produce significant benefits in terms of environmental design and significant alternative approaches to addressing development performance that relate to and more than compensate for any requested exceptions/base standard modifications variation of any standard or regulation of this Chapter.

j. For Planned Development projects that are proposed to be developed in phases, the applicant shall provide a timeline for development and shall demonstrate that the project would be successful even if all phases were not or could not be completed.

6. All portions of an approved GDP not fully developed within five years of final Common Council approval shall lapse, and no additional PD-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.

(d) Precise Implementation Plan. Upon completion of the GDP review process, described above, the applicant shall submit a Precise Implementation Plan (PIP) to the Zoning Administrator, for determination of completeness. Upon determination of completeness by the Zoning Administrator, the PIP shall be placed on the Plan Commission agenda for review. The PIP is the detailed development review step of the Planned Development process. Any subsequent proposal to vary from an approved PIP requires the approval of an amended PIP in accordance with all of the requirements of this Subsection (3)(d) and (3)(f) below.

1. The PIP submittal shall include the following items. Note that the area included in a PIP may be only a portion of the area included in a previously approved GDP (digital files should be submitted whenever possible).

a. An existing conditions map of the subject site depicting the following:

i. All lands for which the Planned Development is proposed and all other lands within 100 feet of the boundaries of the subject site.

ii. Current zoning of the subject property and all abutting properties, and the jurisdiction(s) that maintains that control.

iii. Existing utilities and recorded easements.

iv. All lot dimensions of the subject site.

v. A graphic scale and a north arrow.

b. A PIP map of the proposed site showing at least the following:

i. Lot layout and the arrangements of buildings.

ii. Public and private roads, driveways, walkways, and parking facilities.

iii. Specific treatment and location of recreational and open space areas, including designation of any such areas to be classified as common or public open space.

c. Proposed grading plan.

d. Specific landscaping plan for the subject site, specifying the location, species, and installation size of all plantings. The landscaping plans shall include a table summarizing all proposed species.

e. Architectural plans for any nonresidential buildings, multi-family structures, or group development, other than conventional single-family or two-family homes on individual lots, in sufficient detail to indicate the floor area, bulk, and visual character of such buildings.

f. Engineering plans for all water and sewer systems, stormwater systems, roads, parking areas, and walkways.

   i. Traffic Impact Analysis. The City may require that a traffic impact analysis (TIA) be completed.

   ii. The City may require a utility study to determine adequacy of water and sewer services.

g. Signage plan for the project, including all project identification signs and concepts for public fixtures and signs (such as street light fixtures or poles or street sign faces or poles) that may vary from City standards or common practices.

h. Specific written description of the proposed PIP including:

   i. Specific project themes and images.

   ii. Specific mix of dwelling unit types and/or land uses.

   iii. Specific residential densities and nonresidential intensities as described by dwelling units per acre, and landscaping surface area ratio and/or other appropriate measures of density and intensity.

   iv. Specific treatment of natural features, including parkland.

   v. Specific relationship to nearby properties and public streets.

   vi. 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; building coverage, and landscaping surface area ratio of all land uses; proposed staging; and any other plans required by the Plan Commission.

   vii. Phasing schedule, if more than one development phase is intended.

i. Agreements, bylaws, covenants, and other documents relative to the operational regulations of the development and particularly providing for the permanent preservation and maintenance of common open areas and amenities.

j. A written description that demonstrates how the PIP is consistent with the approved GDP and any and all differences between the requirements of the approved GDP and the proposed PIP.

2. The Zoning Administrator or by majority vote of the Plan Commission may waive submittal information listed above, or may likewise require additional information beyond that listed above.

3. The process for review and approval of the PIP shall be identical to that for a Zoning Map Amendment per Section 550.10.30.

4. All portions of an approved PIP not fully developed within five years of final Common Council approval shall lapse, and no additional PD-based development shall be permitted. The Common Council may extend this period up to five additional years via a majority vote. 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.

(e) Changes or Alterations. Any change of the PD plans subsequent to approval of the PIP shall be submitted to the Zoning Administrator.

1. If the Zoning Administrator, determines that the change constitutes a substantial modification, the developer will be required to amend the PIP, and if necessary, the GDP, following the procedures set forth in this Section for review and approvals. A substantial modification includes but may not be limited to an increase in the site's impervious surface ratio, a change to the building elevation that is distinctly noticeable from surrounding properties, or a deviation from standards applicable to the most equivalent zoning district pertaining to the land use.
2. If, in the opinion of the Zoning Administrator, such changes do not constitute a substantial alteration of either the GDP or PIP, the change may be accomplished by approval of the Zoning Administrator. Such approved changes or modifications shall be documented and recorded in the official file of the City on the PD.

Sections 550.10.46 to 550.10.50: Reserved

Section 550.10.51: Variances

(1) Purpose. The purpose of this Section is to provide regulations which enable the City to hear and decide requests for permitted variation from the terms of this Chapter as will not be contrary to the public interest; where owing to special factors, a literal enforcement of the provisions of this Chapter would result in practical difficulty or unnecessary hardship, so that the spirit of this Chapter shall be observed, public safety and welfare secured, and substantial justice done; as provided for by Wis. Stats. § 62.23(7)(e)(7).

(2) Variance Types. Variances from the regulations of this title shall be granted by the Board of Zoning Appeals only in accordance with the standards established in this section. Variances may be granted only if the existing use of the building or property is a permitted use in the district where the requested variance is located or a conditional use for the activity has been approved by the Plan Commission or Common Council. Variances may be granted only in the following instances and in no others:

(a) Area Variances: For an area variance, that strict compliance with a zoning ordinance would unreasonably prevent the property owner from using the property owner's property for a permitted purpose, or that strict compliance would render conformity with the zoning ordinance unnecessarily burdensome.

(b) Use Variance: For a use variance, that strict compliance with a zoning ordinance would leave the property owner with no reasonable use of the property in absence of a variance.

1. To allow a principal land use not listed within the Zoning District for the subject property where none of the allowed principal land uses can be reasonably established.

(3) Initiation of Request for Approval of a Variance. Proceedings for approval of a requested variance shall be initiated by an application of the owner(s) of the subject property or authorized agent of the owner(s) of the subject property.

(4) Application Requirements. Variance applications shall contain the following (digital files should be submitted whenever possible, if applicable):

(a) A map of the subject property depicting:

1. All lands for which the variance is proposed and all other lands within 100 feet of the boundaries of the subject property.

2. Current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control.
3. All lot dimensions of the subject property.
4. A graphic scale and a north arrow.

(b) A site plan of the subject property as proposed for development. Said site plan shall conform to the requirements of Section 550.10.43.

(c) Written description of the proposed variance, including evidence that the application is consistent with the Comprehensive Plan.

(5) Review by the Zoning Administrator.

(a) The Zoning Administrator shall determine whether the application is complete and fulfills the requirements of this Chapter. If the application is determined to be incomplete, the Zoning Administrator shall notify the applicant.

(6) Public Hearing. Within 60 days of filing of a complete application, the Board of Zoning Appeals shall hold a public hearing in compliance with Section 550.10.21 consider the request.

(7) Review and Action by the Board of Zoning Appeals.

(a) Within 60 days after the holding of the public hearing, the Zoning Board of Appeals shall make its findings in accordance with the following based on Wis. Stats. § 62.23(7)(e)7:

1. The variance will not be contrary to the public interest.
2. Substantial justice will be done by granting the variance.
3. The variance is needed so that the spirit of the ordinance is observed.
4. Due to special conditions, literal enforcement of the provisions of the Zoning Ordinance will result in unnecessary hardship.
5. The variance will not allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.
6. Additional standards:
    a. Parcel-as-a-whole. The entire parcel, not just a portion of the parcel, must be considered when applying the unnecessary hardship test.
    b. Self-imposed hardship. An applicant may not claim hardship because of conditions which are self-imposed.
    c. Circumstances of applicant. Circumstances of an applicant such as growing family or desire for a larger garage are not a factor is deciding variances.
    d. Financial hardship. Economic loss or financial hardship do not justify a variance.
    e. Nearby violations. Nearby ordinance violations, even if similar to the requested variance, do not provide grounds for granting a variance.
    f. Objections from neighbors. A lack of objections from neighbors does not provide a basis for granting a variance.

(b) The Board of Zoning Appeals may request further information or additional reports from the Zoning Administrator, or the applicant. The Board of Zoning Appeals may take final action on said request for approval of the requested variance at time of its initial meeting, or said proceedings may be continued from time-to-time for further consideration.

(c) If the Board of Zoning Appeals fails to make a determination within 60 days after said public hearing, then the request for the variance shall be considered denied.

(8) Effect of Denial. No application for a variance which has been denied (either wholly or in part) shall be resubmitted for a period of 365 days from the date of said order of denial, except on grounds of new evidence or material change of circumstances found valid by the Zoning Administrator.

(9) Limited Effect of a Variance. Where the Zoning Board of Appeals has granted a variance, such approval shall neither change the use classification of the building or premises, nor give it any status as a nonconforming use other than that which it has as a result of the variance. Granting of a variance shall be considered as unique to the variance granted, and shall not be construed as precedent for any other proposed variance. Once granted, variances shall run in perpetuity, and shall remain in effect regardless of any future amendments to the Zoning Ordinance or Official Zoning Map.

(10) Stay of Proceedings. See Wis. Stats. § 62.23(7)(e)5.

(11) See Sections 550.02.21-550.02.22 for variance requirements applicable to Overlay Zoning Districts.

Section 550.10.52: Appeals of Zoning Interpretations

(1) Purpose. The purpose of this Section is to provide regulations which enable the City to hear and decide requests for appeals from the interpretations of the Zoning Administrator, per Section 550.10.50 as provided for by Wis. Stats. § 62.23(7)(e)(7).

(2) Any person aggrieved by a decision of the Zoning Administrator shall be entitled to an appeal in accordance with the process as described in Section 550.10.52.

Section 550.10.53: Administration and Enforcement of Performance Standards

(1) Determinations necessary for administration and enforcement of performance standards set forth in this Article range from those which can be made with satisfactory accuracy by a reasonable person using normal senses and no mechanical equipment, to those requiring great technical competence and complex equipment for precise measurement. It is the intent of this Chapter that:

(a) Where determinations can be made by the Zoning Administrator, using equipment available to the City, such determinations shall be so made before notice of violations is issued (see Article VI for technical standards).

Sections 550.10.54 to 550.10.59: Reserved

Section 550.10.60: Violations and Penalties

(1) Declarations of Unlawful Conduct, Activities, and Conditions.

(a) It shall be unlawful for any building or structure to be erected, construction, placed, moved, or structurally altered, or for any use of land, premises, building or structure to be established or changed in violation of the provisions of this Ordinance.

(b) It shall be unlawful to fail to comply with any standard of this Ordinance or with any condition or qualification placed upon the issuance of a permit or approval or variance granted in due course under this Ordinance.

(2) Liability.

(a) Owners of lands or properties are responsible for compliance with all provisions of this Ordinance which bear upon their area of competency and responsibility.

(b) Any such party who violates or aids or abets in a violation shall be liable to prosecution or remedial action.

(c) This Chapter applies fully to all lands, developments, and activities unless specifically exempted by state or federal law.

(3) Investigation of Compliance, Notice of Violations.

(a) The Zoning Administrator is responsible for inspecting and investigating compliance of land use activities with the terms of this Ordinance.

(b) If, upon such inspection or investigation, the Zoning Administrator becomes aware of a condition which he or she concludes is or is likely to become unlawful, the Zoning Administrator shall immediately notify the parties to the situation whom he or she deems to be responsible and potentially liable. Such notice shall include:

1. A demand that the condition that is alleged to constitute the present or potential violation be halted, prevented from occurring or remedied; or

2. A statement that a complaint on the condition and request for prosecution has been or will be transmitted to the City Attorney and/or to enforcement officials, state agencies, or both.

(c) If an enforcement demand is issued and is not complied with, the Zoning Administrator may file a request for prosecution with the City Attorney, unless an administrative appeal has been commenced and a stay order has been issued. See Section 550.10.60(4)(d) below.

(4) Prosecutions, Injunctions, and Penalties in Court Proceedings.

(a) The City Attorney has the responsibility to prosecute violations of this Ordinance on behalf of the City.

(b) Nothing in this section shall be deemed to prevent private prosecutions of violations of this Chapter pursuant to Wis. Stat. § 62.23(7) and (8) or of other sections of the Wisconsin Statutes or common law.

(c) Forfeitures and penalties for violation of the provisions contained within this Ordinance are found in Chapter 38 of the Municipal Code, which is adopted herein by reference and made a part of this Ordinance.

(d) As a substitute for, or an addition to, forfeiture actions, the City Attorney may, on behalf of the City, seek enforcement of any and all parts of his Ordinance by court actions seeking injunction or restraining orders.

(e) City officials designated in this City of Watertown Citation Enforcement Ordinance (see Chapter 38 of the Municipal Code), may issue citations, as provided therein, for violations of portions of this Ordinance.

(5) Other Enforcement Provisions.

(a) Where an approval has been made subject to specified conditions, and where such conditions are not complied with, the Board of Zoning Appeals may conduct a hearing pursuant to this Chapter upon a petition submitted by any interested party or by the Zoning Administrator to revoke the approval. A finding of non-compliance with the conditions imposed shall be grounds for revocation.

(b) Relationship to Nuisance Actions. No provision of this Ordinance shall be construed to bar an action to enjoin or abate the use or occupancy of any land or structure as a nuisance upon the laws of the State of Wisconsin.

(c) Conditions placed on rezonings, approvals or permits may include requirements of bonds or similar surety arrangements to assure performance of required obligations.

(d) Liens. In addition to all other remedies available at law, judgment on convictions of violations of the terms of this chapter wherein a forfeiture or penalty is imposed shall be filed with the County

Register of Deeds Office and shall constitute a lien on the property and running with the property wherein the violation occurred and shall be removed only upon payment of said penalty or forfeiture. Notice of the imposition of such a lien shall be given to the defendant and, prior to the filing of the lien, the defendant shall be given 10 days to appeal to the court of the county imposing such a lien on the property wherein the violation occurred. Any judgment so filed with the Register of Deeds shall note thereon the imposition of a lien and a legal description of the property so affected. Upon satisfaction or partial satisfaction of such judgment, notice of satisfaction or partial satisfaction shall be filed with the Register of Deeds.

(6) Promulgated Correction of Violation. In addition to any other penalty imposed for a violation of the provisions of this Chapter, the City reserves and maintains the continued right to abate violations of this Chapter. Costs associated with said abatement shall be charged to the owner of the property on which said violation has occurred.

Section 550.10.61: Fees

(1) Fees. Fees for all approvals, appeals or permits under this Chapter, unless otherwise specified, shall be as set forth in the City of Watertown Fee Schedule.

(a) Professional fees. Each applicant under this Chapter shall reimburse the City for all professional fees, including reasonable engineering, planning consultant, and legal review fees, incurred by the City in connection with such application.

(b) Reimbursement agreement. The City may require a reimbursement agreement of any amount deemed appropriate by City staff prior to consideration of any application.

Sections 550.10.62 to 550.10.99: Reserved

ARTICLE XI: DEFINITIONS

Section 550.11.01: Definitions

The following words, terms and phrases, wherever they occur in this Chapter, shall have the meanings ascribed to them by this Section. If a term used in Chapter is not defined in this Section or elsewhere in this Chapter, the definition of said term will be provided by the Zoning Administrator, based on professional sources available including the American Planning Association and Urban Land Institute. For definitions of specific land uses, refer to Article III. For definitions of specific sign types, refer to Article IX. Definitions provided by this Section include:

Access or driveway: A means of providing vehicular or non-vehicular egress from or ingress to a property, public right-of-way, or private roadway.

Accessory structure: See Article III. A structure that: (1) is located on the same lot, tract, or development parcel as the principal structure; (2) is clearly incidental to and customarily found in connection with a principal structure or land use; and (3) is subordinate to and serving a principal structure or land use. Accessory structures may be attached or detached from the principal structure.

Accessory structure, attached: An accessory structure which is physically connected to the principal structure. Attached accessory structures shall be considered part of the principal structure and are subject to the setback standards for principal structures. Attached defines the relationship between another structure and a dwelling, meaning at least one of the following conditions are present:

(1) There is a continuous, weatherproof roof between the two structures. Note: The sides are not required to be enclosed with walls.

(2) There is a continuous, structural floor system between the two structures.

(3) There is a continuous foundation system between the two structures.

(4) There is less than three feet of separation between the principal structure and the accessory structure, including projections of either structure that are below roof overhangs or eaves.

Accessory structure, detached: An accessory structure which is not physically attached to the principal building. A minor connection between structures (outside of anything defined in Accessory structure, attached) does not render an accessory structure attached. Detached accessory structures are subject to setback standards for accessory structures.

Accessory use: A use subordinate to the principal use of a building or lot and serving a purpose customarily incidental to the principal land use. Accessory uses in residential districts shall not involve the conduct of any business, trade, or industry, except as defined as a Home Occupation, and shall not include the boarding of animals or the keeping of fowl or farm animals (except pets or as otherwise permitted by the Municipal Code).

Addition: Any construction that increases the size of a building or structure in terms of site coverage, height, length, width, or gross floor area.

Address: The number or other designation assigned in accordance to a housing unit, business establishment, or other structure or site for purposes of mail delivery, and emergency services.

Agent of owner: A person authorized in writing by the property owner to represent and act for a property owner in contacts with City employees, boards, committees, commissions, and the Common Council, regarding matters regulated by the Zoning Ordinance.

Airport: Any area of land designated, set aside, used, or intended for use, for the landing and take-off of aircraft, and any appurtenant areas designated, set aside, used, or intended for use, for airport buildings or other airport facilities, rights-of-way, or approach zones, together with all airport buildings and facilities located thereon.

Airport hazard: Any structure, object, or natural growth, or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport or which is otherwise hazardous to such landing and taking off.

Alley: A minor right-of-way/street or thoroughfare, often public, providing secondary access to a property. Alley access does not constitute frontage for the purposes of minimum lot frontage. An alley is not considered as street.

Alteration: Any change, addition, or modification in construction (other than maintenance), or any change in the structural members of buildings such as load-bearing walls, columns, beams, girders, etc.

Animal, pet: Any living, vertebrate creature that is domesticated and sheltered by humans to include dogs, cats, small reptiles, fish, chickens, and other similar animals kept for pleasure rather than utility.

Animal unit: A measure which represents a common denominator for the purpose of defining a Husbandry or Intensive Agricultural land use that most often occurs within the Agricultural Zoning District. The animal unit measure relates to the maximum carrying capacity of one acre of land and is related to the amount of feed various species consume, and the amount of waste they produce. The following figure indicates the number of common farm species which comprise a single animal unit. Also see the figure source below for any other kind of animal unit specified.

Figure 550.11.01a: Animal Units

Type of Livestock	# of Animals/ Animal Unit	Type of Livestock	# of Animals/ Animal Unit	Type of Livestock	# of Animals/ Animal Unit
Horse (>2 yrs)	1	Calves (<1 yr)	5	Lambs	14
Colt (<2 yrs)	2	Brood Sow or Boar	2	Chickens – Egg Layers	30
Cattle (>2 yrs)	1	Hogs (up to 220 lbs)	3	Chickens – Fryers	60
Cattle (<2 yrs)	2	Sheep	10	Turkeys	50
Source: The Stockman's Handbook					

Appeal: A means for obtaining review of a decision, determination, order, or failure to act pursuant to the terms of this Chapter as expressly authorized by the provisions of Section 550.10.52.

Automobile: A Type 1 or Type 2 motor vehicle as defined in Wis. Stats. § 340.01(4).

Awning: A shielding or decorative fixture attached to a structure and extending from the face of the structure that is permanent in nature, which may be fixed or retractable.

Balcony: An unclosed, open platform that is attached to and projects from the wall of a principal or accessory building and is surrounded by a railing or balustrade. This definition is different and separate from a porch, deck, fire escape, etc.

Basement: That portion of a building between the floor and ceiling, having at least one-half of its height below grade.

Berm: An earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise, or fulfill other such purposes.

Block: The property abutting the street between the two nearest intersecting or intercepting streets. A railroad right-of-way, the boundary line of un-subdivided acreage, or a body of water shall be regarded the same as an intersecting or intercepting street for the purpose of defining a "block."

Boat: A vehicle designed for operation as a watercraft propelled by oars, sails, or engine(s).

Boarding house living arrangement: A residential land use where occupancy of a dwelling unit is shared by up to eight unrelated adult individuals (see Section 550.03.06).

Boathouse: A structure used for the storage of watercraft and associated materials which has one or more walls or sides.

Bufferyard: Any permitted combination of distance, vegetation, fencing, and berming which results in a reduction of visual, noise and other interaction with an adjoining property.

Buildable area: The area remaining on a lot after the minimum setback, drainage provisions, and other site constraint requirements of this ordinance have been met.

Buildable width: The width of the lot left to be built upon after the side yards are provided.

Buildable depth: The depth of the lot left to be built upon after the front and rear yards are provided.

Building: A structure with a permanent location on the land, having a roof that may provide shelter, support, protection, or enclosure of persons, animals, or property of any kind.

Building coverage: The percentage of a lot covered by principal and accessory buildings or structures.

Building footprint: The outline of the total area covered by a building's perimeter at the ground level.

Building height: The vertical distance measured from the average finished grade along the front of the building to the highest point of a flat roof or the midpoint between the eave and ridge of a pitched roof. The average height of the façade most closely parallel to the front lot line may not exceed the maximum height permitted within the zoning district in which the site is located.

Building, principal: A building in which the main or principal use of the lot is conducted.

Building separation: The narrowest distance between two buildings (see minimum building separation).

Bulk: The size and setbacks of buildings or structures and the location of same with respect to one another, and includes the following:

(1) Size and height of buildings;

(2) Location of the perimeter of the building at all levels in relation to lot lines, streets, or to other buildings;

(3) Gross floor area of buildings in relation to lot area (floor area ratio or FAR);

(4) All open spaces allocated to buildings;

(5) Amount of lot area provided per dwelling unit

Caliper: A measurement of the size of a tree equal to the diameter of its trunk measurement four foot above natural grade.

Canopy: A structure attached and extending from the face of a building, constructed as a permanent fixture.

Capacity: The maximum lawful level of designed use of any structure, or part thereof, as determined by the City's adopted building code and expressed in terms of occupants, seats, persons, employees, or other units specified by the building code.

Civic use: A publicly or quasi-publicly owned and managed facility for meetings, conventions, or exhibitions and other community, social, and multi-purpose uses. Typical uses include those listed under Institutional Land Uses (Section 550.03.12).

Club: A structure and facility owned or operated by a corporation, association, person, or persons, for a social, educational, or recreational purpose, but not primarily for profit and not primarily to render a service which is customarily carried on as a business.

Commercial vehicle: Any motor vehicle meeting the definition of Wis. Stats. § 340.01(8) or that requires a commercial driver license in Wis. Stats. § 340.01(7m).

Comprehensive plan: The long-range vision for the desirable use and development of land in the City as officially adopted and as amended from time to time by the Plan Commission and certified to the Common Council.

Conditional use: A use which may be appropriate or desirable in a specific zone but requires special consideration and review prior to approval because if not carefully located or designed, said use may not be deemed compatible with neighborhood uses or may create special problems that impact neighboring lands, public facilities, or the environment or general welfare. All such uses are only allowed under a Conditional Use Permit. See Section 550.10.32 for applicable procedures.

Condominium: An estate in real property consisting of an undivided interest in common with other purchasers in a portion of a parcel of real property, together with separate interest in space. A condominium may include, in addition, separate interest in other portions of such property pursuant to Wis. Stats. § 703.

Court: An open space within one lot which is surrounded by structures on more than 50 percent of its perimeter.

Covenant: A contract between two or more parties which constitutes a restriction of a particular parcel of land.

Day Care: See "In-home daycare," Section 550.06.02. or "group daycare center." Section 550.06.02.

Deck: An uncovered and open platform built above grade, typically supported from the ground by pillars or posts, and accessible from the yard. A deck may be either attached to, or separated from, a principal or accessory building. Decks are considered to be part of a building or structure when they are physically attached to a principal structure and shall meet principal building setbacks. Any other type of deck shall meet accessory structure setbacks. Setbacks shall be measured from the outermost physical boundary of the deck.

Dedication: The transfer of property interest from private to public ownership for a public purpose. The transfer may be of fee simple interest or of a less than fee simple interest, including an easement.

Density: A term used to describe the number of dwelling units per acre. Density on a given lot is determined through the bulk dimensional standards such as lot size, height, and setbacks.

Design standards: A guideline/specification or set of guidelines/specifications regarding the architectural appearance of a building or improvement that governs the alteration, construction, demolition, or relocation of a building or improvement (see Article VII).

Developed area: That area which is made up of physical property improvements including but not limited to structures, parking, drives, signage and utility features that are either above or below ground.

Development: The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any buildings; the primary or principal use or change in primary or principal use of any buildings or land; any extension of any use of land; or any clearing, grading, or other movement of land, for which permission may be required pursuant to this Chapter.

Dormer: A structural element of a house that protrudes from the plane of a sloping roof surface. Dormers are used to create usable space in the roof of a building by adding headroom and usually also by enabling addition of windows.

Dwelling: A building or one or more portions thereof, containing one or more dwelling units, but not including habitations provided in nonresidential uses such as lodging uses and commercial campgrounds.

Dwelling, attached: A dwelling joined to another dwelling at one or more sides by a shared wall or walls.

Dwelling, detached: A dwelling entirely surrounded by open space on the same lot.

Dwelling unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Dwelling Unit Separation: The narrowest distance between two dwelling units.

Easement: Written authorization, recorded in the Register of Deeds office, from a landowner authorizing another party to use any designated part of the land owner's property for a specified purpose.

Electric Vehicle or EV: Any motor vehicle that is licensed and registered for operation on public and private highways, roads, and streets, and that operates either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board via a battery for motive purpose. Electric Vehicle does not include an electric bicycle. Electric Vehicle include a battery electric vehicle or a plug-in hybrid electric vehicle.

Electric Vehicle Charging Facility: A facility where electricity is provided directly to the public on the premises for purposes of charging electric vehicles at one or more electric vehicle charging stations. An Electric Vehicle Charging Facility may not provide other types of vehicle fuel, such as gasoline.

Electric Vehicle Charging Station: A parking space, or parking spaces, that is, or are, equipped with and served by electric vehicle supply equipment for the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle. The terms Level l, 2, and 3 charging stations are the most common electric vehicle charging levels, and include the following specifications:

(1) Level l is considered slow charging and operates on a 15 to 20 ampere breaker on a 120 volt AC circuit.

(2) Level 2 is considered medium charging and operates on a 40 to 100 ampere breaker on a 208 or 240 volt dedicated AC circuit.

(3) Level 3 is considered "fast" or "rapid" charging and typically operates on a 60 amp or higher breaker on a 480 volt or higher three phase circuit with special grounding equipment. Level 3 stations are primarily for commercial and public applications and are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

Electric Vehicle Supply Equipment or EVSE: The conductors, including the ungrounded, grounded, and equipment grounding conductors, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

Elevation (building): The view of any building or other structure from any one of four sides regardless of the configuration or orientation of a building. Each elevation will generally be identified as a north, south, east or west building elevation. Also see "facade."

Essential Services: Facilities that are:

(1) Owned or maintained by public utility companies or public agencies;
(2) Located in public ways or in easements provided for the purpose or on a customer's premises and not requiring a private right-of-way; and
(3) Reasonably necessary for the furnishing of adequate water, sewer, gas, electric, communication or similar services to adjacent customers, not including any cross-country line on towers.

Established grade: The elevation established for the purpose of measuring the height of buildings. Grade shall be the average level of the ground immediately adjoining a façade exclusive of any filling, berming, mounding, or excavating. Where the finished grade is below the level of the established grade, the established grade shall be used for all purposes of this Ordinance.

Extraterritorial jurisdiction: The area outside of the City limits in which the City of Watertown may exercise extraterritorial powers of planning, land division, and/or zoning review.

Extraterritorial zoning: The area outside of the City limits in which the City of Watertown has exercised extraterritorial powers of zoning.

Façade: The wall planes of a building which are visible from one side or perspective (e.g. front, side, rear). See "elevation (building)."

Family: A person living as an individual or any combination of the following groups living together as a single nonprofit housekeeping unit and sharing common living, sleeping, cooking and eating facilities:

(1) Any number of people related by blood, marriage, domestic partnership, legal adoption, guardianship or other duly-authorized custodial relationship. For the purpose of this Section, "children" means natural children, grandchildren, legally adopted children, stepchildren, or a ward as determined in a legal guardianship proceeding;

(2) Up to four (4) unrelated adult individuals;

(3) Up to four (4) unrelated persons who have disabilities/are disabled or handicapped under the Fair Housing Amendment Act (FHAA) or the Americans with Disabilities Act (ADA), are living as a single household because of their disability, and require assistance from a caregiver.

  (a) This definition does not include those persons currently illegally using or addicted to a "controlled substance" as defined in the Controlled Substances Act, 21 U.S.C. Section 802 (6).

(4) Up to two (2) personal attendants who provide services for family members or individuals who are disabled or handicapped under the Fair Housing Amendment Act (FHAA) or the Americans with Disabilities Act (ADA) and need assistance with the activities of daily living shall be considered part of a family. Such services may include personal care, housekeeping, meal preparation, laundry or companionship.

(5) Exceptions: The definition of "family" does not include:

  (a) Any society, club, fraternity/sorority, association, lodge, combine, commune, federation, or similar organization; and

  (b) Any group of individuals whose association is temporary or seasonal in nature.

Farm building: Any building, other than a dwelling unit, used for storing agricultural equipment or farm produce or products, having livestock or poultry, or processing dairy products.

Fence: Any artificially constructed barrier erected to separate, enclose, or screen areas of land.

Fence, picket: A type of fence constructed of evenly-spaced vertical boards that are connected by two or more horizontal rails.

Fence, solid: A fence, including solid entrance and exit gates, that is least 90 percent opaque and that effectively conceals the materials stored and activities or operations conducted behind it from view, including privacy fences.

Floor area: The sum of the gross horizontal areas of the floors of a building, including interior balconies, mezzanines, basements, and attached accessory buildings, stairs, escalators, unenclosed and enclosed porches, heating and utility rooms, etc. Measurements shall be made from the outside of the exterior walls and to the center of interior walls dividing attached buildings.

Foot-candle: A unit of illumination produced on a surface, all points of which are 1 foot from a uniform point source of one candle.

Foster family: A group of individuals living together and sharing common living, sleeping, cooking and eating facilities in which 1-4 children are provided home-like care by licensed foster parents (individuals other than those defined in "Family" above with primary responsibility for the care and supervisions of one or more foster children placed in their foster home) and in whose name the foster home is licensed under Wis. Stats. § 48.62.

Frontage: See lot frontage.

Garage: An attached or detached accessory building or structure, or part thereof, used or designed to be used for the parking and storage of vehicles. Garages are also commonly used to store other items associated with the use of a lot such as yard maintenance and children's play equipment.

Garage (Residential): A detached accessory building or portion of the principal building, including a carport, which is used primarily for storing passenger vehicles, trailers or one truck of a rated capacity not in excess of 10,000 pounds.

Grade, existing: The surface elevation of the ground or pavement at a stated location as it exists prior to disturbance in preparation for a project regulated by the ordinance.

Grade, finished: The final elevation of the ground surface after human-made alteration, such as grading, grubbing, filling or excavating have been made and is part of an approved grading and drainage plan by the City of Watertown.

Gross density: The result of dividing the number of dwelling units located on a site by the gross site area.

Gross floor area: The total floor area inside the building envelope of all levels of a building.

Gross site area: The total area of a single lot or the sum of multiple lots in common use.

Group development: See Section 550.06.02.

Ground floor: The floor of a structure that is at or nearest to the level of the site's base elevation around the structure. In most instances this is the floor that is level or almost level with the ground outside of and directly surrounding the structure that serves as the structure's accessible entry point for patrons or residents from the street or sidewalk.

Habitable space: Space in a structure used for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, or storage or utility spaces are not considered habitable space.

Height: The maximum height of the highest portion of any structure. See "building height."

Historic building or site: Any building or site that meets one or more of the following criteria: buildings or sites listed on the Wisconsin or National Register of Historic Places, either individually or as a contributing building or site to a historic district; buildings or sites with a State Historic Preservation Officer Opinion or Certification that the property is eligible to be listed on the State Register or National Register of Historic Places, either individually or as a contributing building or site to a historic district; or is locally designated as a Local Landmark.

Impervious surface or area: Areas designed and installed to prohibit infiltration of stormwater. Homes, buildings and other structures, as well as concrete, brick, asphalt and similar paved surfaces are considered impervious. Gravel areas and areas with landscaped pavers which are intended for vehicular traffic are considered to be impervious. Porous pavers or pavement shall be exempt from the impervious surface area calculation.

Impervious surface ratio: A measure of the intensity of land use, determined by dividing the total of all impervious areas.

Individual family living arrangement: A residential land use in which occupancy of a dwelling unit is by no more than one family as defined above. See Section 550.03.06.

Infill site: Any vacant lot or parcel within developed areas of the City, where at least 80 percent of the land within a 300-foot radius of the site has been developed; and where water, sewer, streets, schools, and fire protection have already been developed and are provided. Annexed areas located on the periphery of the City limits shall not be considered infill sites.

Intensity: A term used to describe the amount of gross floor area or landscaped area on a lot or site compared to the gross site area.

Invasive plants or species: Nonindigenous species whose introduction causes or is likely to cause economic or environmental harm to human health as defined in Wis. Stats. § 23.22(1)(c).

Landscaped area: The area of a site which is planted and continually maintained in vegetation, including grasses, flowers, herbs, garden plants, native or introduced groundcovers, shrubs, bushes, and trees. The landscaped area also includes the area located within planted and continually maintained landscaped planters as well as subordinate accessory use of other landscape elements such as mulch, river rock, etc.

Landscape Surface Area Ratio (LSR): The percentage of the gross site area or lot area which is preserved as permanently protected landscaped area.

Land Use: The type of development and/or activity occurring on a piece of property.

Lot: A parcel of land not divided by a street nor including any land within the limits of a public right-of-way. The term "lot of record" shall mean land designated as a distinct and separate parcel on a legally recorded plat, subdivision, or other instrument permitted by law, in the Register of Deeds office.

Lot area: The computed area contained within the lot lines of a recorded lot, including land over which easements have been established.

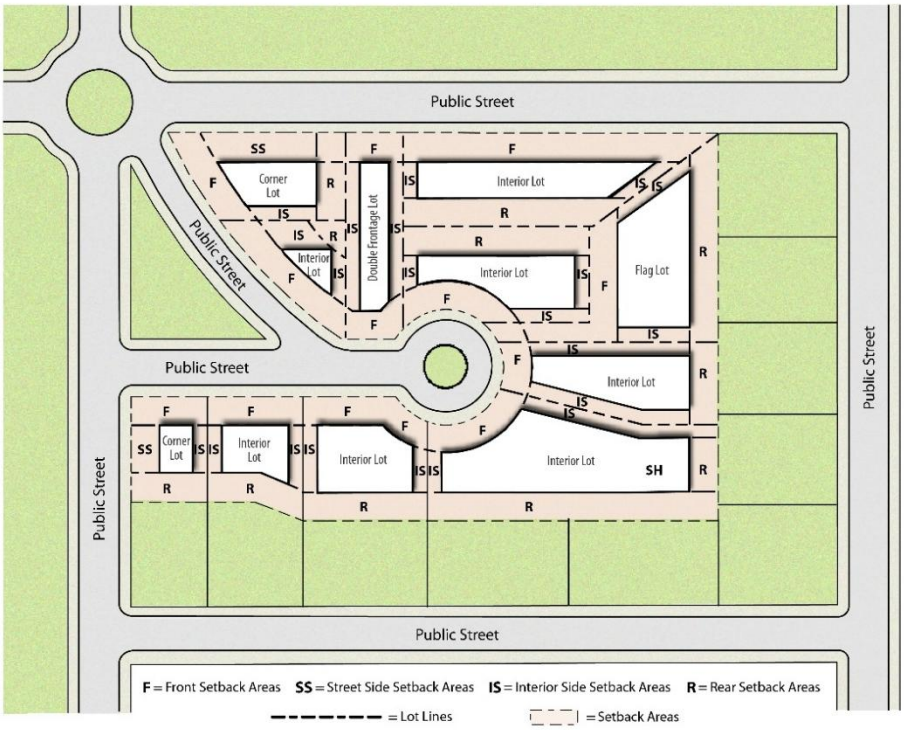
Lot, corner: A lot abutting upon two or more streets at their intersection or upon two parts of the same street, such streets or parts of the same street forming an interior angle of less than 135 degrees. The point of intersection of the street lines or their greatest angle is the "corner."

Lot depth: The mean horizontal distance between the front and rear lot lines.

Lot frontage: The horizontal distance between the side lot lines measured at the point where the side lot lines intersect the right-of-way. All sides of a lot that abuts a street shall be considered lot frontage. On curvilinear streets, the distance of the arc between the side lot lines shall be considered the lot frontage.

Lot, interior: A lot other than a corner lot.

Figure 550.11.01b: Regular Lot Descriptions



Lot line: A lot line is the legal property line (including the vertical plane established by the line and the ground) bounding a lot except that where any portion of a lot extends into the public right-of-way or a proposed public right-of-way, the line of such public right-of-way shall be the lot line for applying this Chapter.

Lot line, front: A lot line which abuts a public or private street right-of-way. In the case of a lot which has two of more street frontages, the lot line along the street with the shortest frontage distance shall be the front lot line. In the case of a lot which has two or more street frontages, the front lot line shall be the street line designed by the owner and filed in the office of the Zoning Administrator. (See also lot line, street side). See Figure 550.11.01b.

Lot line, rear: In the case of rectangular or most trapezoidal shaped lots, that lot line which is parallel to and most distant from the front lot line of the lot. In the case of an irregular, triangular, or gore-shaped lot, a line 20 feet in length, entirely within the lot, parallel to and at the maximum possible distance from the front line shall be considered to be the rear lot line. In the case of lots that have frontage on more than one road or street, the rear lot line shall be opposite the front lot line (shorter of the frontages) but shall not extend within the street side lot line. See Figure 550.11.01b.

Lot line, side: Any lot line other than a front or rear lot lines. A side lot line separating a lot from a street is called a side street lot line. A side lot line separating a lot from another lot is called an interior side lot line. An interior side lot line can be created with no side yard setback where a building envelope between two lots sharing a single structure is present. This is known as a zero lot line. See Figure 550.11.01.b.

Lot line, street side: Any lot line which abuts a public or private street right-of-way which is not the front lot line (see also lot line, front) and extends the full length of the lot fronting the right-of-way. See Figure 550.11.01b.

Lot of record: A platted lot or lot described in a plat, certified survey map, in a metes and bounds description, or other instrument permitted by law and has been approved by the City of Watertown and/or by Counties of Dodge and Jefferson, Wisconsin and has been recorded in the office of the Register of Deeds.

Lot, through: A lot having frontage on two parallel or approximately parallel streets (also known as a "double-frontage lot"). See Figure 550.11.01b.

Lot width: The maximum horizontal distance between the side lot lines of a lot, measured parallel to the front lot line(s) at the required front yard setback (see minimum lot width).

Maintenance: An activity that restores the character, scope, size, or design of a serviceable area, structure, or land use to its previously existing, undamaged condition. Activities that change the character, size, or scope of a project beyond the original design or otherwise alter a serviceable area, structure, or land use are not included in this definition.

Manufactured home: A type of dwelling unit as defined by Wis. Stats. §101.95(2) that is certified and labeled as a manufactured home under 42 USC 5401-5426 which when placed on the site is set on an enclosed foundation in accordance with Wis. Stats. §70.043(1) and Wis. Admin. Code § SPS 321 subchapters III, IV, and V, or a comparable foundation as approved by the local Building Inspector, is installed according to manufacturer's instructions, is properly connected to utilities, has asphalt shingles and a gable or hip roof, has insulated glass windows, and has vinyl, aluminum or other quality siding. A manufactured home may be considered a single-family dwelling unit under Section 550.03.06(7) or an Accessory Dwelling Unit under Section 550.03.28(1). only if the structure meets all Building Code requirements for permanent foundations and footings and the structure is permanently affixed to the permanent foundation with concrete anchors.

Maximum building size (MBS): The largest permitted total gross floor area a building may contain (see building size).

Minimum building separation: The narrowest permitted building separation.

Minimum Landscape Surface Ratio (LSR): The lowest permitted landscape surface ratio. See "landscape surface ratio."

Minimum lot area: The minimum size lot permitted within the specified zoning district.

Minimum lot width: The smallest permissible lot width for the applicable zoning district.

Minimum setback: The narrowest distance permitted from a street, side, or rear property line to a structure.

Mixed-use: Some combination of residential, commercial, industrial, office, institutional, and/or other land uses within a district or development.

Mobile home: A type of dwelling unit suitable for year-round occupancy designed to be towed as a single unit or in sections, with a permanent foundation, with walls of rigid, un-collapsible construction, and with water supply, sewage disposal, and electrical convenience. A Mobile Home includes both a "mobile home" and a non-permanently affixed "manufactured home" as defined by Wis. Stats. §101.91(10) (also see the definition of Manufactured Home) A Mobile Home does not include a "modular home" as defined by this Chapter. Any similar dwelling unit which has its own motor and/or remains on wheels shall be considered a recreational vehicle.

Modular home: A dwelling unit meeting the Uniform Dwelling Code and Wis. Stats. §101.71(6) that is transported to the building site in sections, does not have a permanent chassis, and is permanently mounted on a permanent foundation. A modular home is regulated as a single-family dwelling unit under Section 550.03.06(7) or an Accessory Dwelling Unit under Section 550.03.28(1).

Multi-family residential: A building or structure designed for three or more separate dwelling units in which one dwelling unit may have a roof, wall, or floor in common with another dwelling unit.

Native plants or species: Plant types that existed in an area prior to European settlement that are well adapted to the climate, precipitation, soils, insects, and other local conditions and are consequently easier to grow than non-native plant types. See Figure 550.08.40a and the Wisconsin Department of Natural Resources for native planting species best suited for the City of Watertown.

Navigable water: All natural inland lakes, rivers, streams, ponds, sloughs, flowages, and other waters within the territorial limits of Wisconsin, including the Wisconsin portion of boundary waters. All bodies of water with a bed differentiated from adjacent uplands and with levels of flow sufficient to support navigation by a recreational craft of the shallowest draft on an annually recurring basis. For the purposes of this Chapter, rivers and streams will be presumed to be navigable if they are designated as either continuous or intermittent waterways on the United States Geological Survey quadrangle maps until such time that the Wisconsin Department of Natural Resources has made a determination that the waterway is not, in fact, navigable.

Net developable area: The area of a site which may be disturbed by development activity. Net developable area is the result of subtracting undevelopable area (comprised of surface water, wetlands, 100-year floodplains, floodways, drainageways, wetland buffers, environmental corridors, and steep slopes exceeding 12%) from the gross site area.

Nonconforming Building or Structure, Development, or Use: See Article V.

Occupancy: The use of land, buildings or structures. The residing of an individual or individuals overnight in a dwelling unit or the installation, storage, or use of equipment, merchandise, or machinery in any nonresidential structure. Change of occupancy is not intended to include change of tenants or proprietors.

Occupancy, change of: A discontinuance of an existing use and the substitution therefor of a use of a different kind or class. Change of occupancy is not intended to include a change of tenants or proprietors unless accompanied by a change in the type of use.

Official map: The map adopted pursuant to Wis. Stats. § 62.23 of the Wisconsin Statutes which shows existing and proposed streets, highways, parkways, parks and playgrounds, school sites, etc.

Opacity: The degree to which vision is blocked by bufferyard. Opacity is the proportion of a bufferyard's vertical plane which obstructs views into an adjoining property, i.e. the screening effectiveness of a bufferyard or fence expressed as the percentage of vision that the screen blocks.

Open space: Any area not covered by a structure.

Outdoor assembly area: Any theatrical exhibition, public show, display, entertainment, amusement or other exhibition which is held outside of any permanent structure permitted for such use.

Overlay zoning district: A zoning district which imposes uniform restrictions on all properties within its area which are in addition to the restrictions specific to the underlying or base zoning districts.

Owner: The person, persons, or entity having the right of legal title to a lot or parcel of land.

Parapet: The extension of a false front or wall above the roofline.

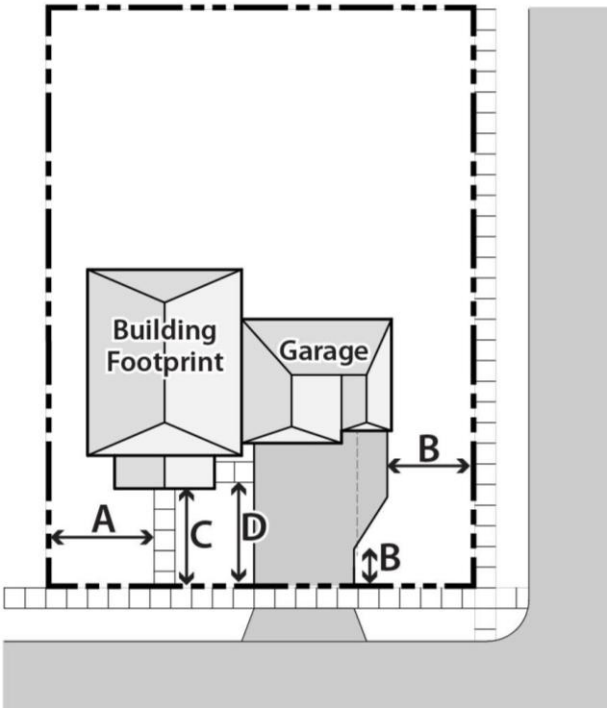
Parcel: Any area of land (lot or contiguous group of lots) in the City as shown on the last assessor's roll of the county or the records of the City, whichever is the most recent.

Parking Space, Designated: An area of a parking lot, or drive which has been designated for parking on a site plan and is located on a dust-free paved surface per the requirements of Section 550.06.06, unless otherwise exempt.

Patio: An open, level-surfaced area which is typically impervious and has an elevation of no more than 12 inches, and without walls or a roof, intended for outdoor seating and recreation.

Pavement Setback: The area between the nearest right-of-way or lot line and any impervious surfaces on the lot. This setback does not apply to driveways, driveway entrances, public sidewalks, or sidewalks perpendicular to the street right-of-way on private property. See Figure 550.11.01c.

Figure 550.11.01c: Pavement Setbacks



Performance standard: Criterion established to control and limit the impacts generated by, or inherent in, uses of land or buildings.

Permanently protected green space: Permanently protected green space areas that are protected from development such as wetlands, wetland buffers, floodplains, drainage ways, steep slopes, lakeshores, woodlands, native or restored habitat, environmental corridors, and stormwater facilities.

Person. Any individual, tenant, lessee, owner, operator, or any public, private, nonprofit, or commercial entity including, but not limited to, firm, business, partnership, joint venture, association, corporation, municipality, agency, or governmental agency.

Pervious surface: A surface which allows for precipitation from any source to infiltrate directly into the ground. Undisturbed ground is a pervious surface. Some disturbed ground can be pervious if designed as such.

Place of worship: A structure, together with its accessory structures and uses, where persons regularly assemble for religious worship and is maintained and controlled by an organized religious body organized to sustain public worship, which is exempt from federal income tax as regulated by the Internal Revenue Service Code.

Plat: A map or drawing which graphically delineates the boundary of land lots/parcels for the purpose of identification and record title pursuant to Wis. Stats. § 236.

Pole building: A typically metal-clad structure most often utilizing wooden poles and trusses for support with unfinished, uninsulated interiors. Such structures are normally used for agricultural purposes, for construction trade storage, or for general storage, and are not intended for human occupancy.

Porch: A covered platform that is attached to the outside of a building, typically at an entrance. A porch is not heated or cooled and not used for livable space. A porch shall not be enclosed with walls, windows, doors, or similar materials. Screening or railing not exceeding normal guard height may be permitted. The post of the porch closest to a lot line is considered the wall for setback purposes. Any porch that becomes enclosed shall be considered part of the principal structure for purposes of setbacks and other dimensional requirements.

Principal structure: The building containing the principal use, including the foundation, basement, and attic.

Principal use: The main use to which a parcel is devoted and the main purpose for which the premises exists.

Protected Natural Resources: Resources such as floodways, flood-fringes, floodplain conservancy areas, wetlands, drainageways, woodlands, steep slopes and lakeshores, which are protected by the provisions of this chapter. See Section 550.02.21.

Public improvement: Any improvement, facility, or service, together with customary improvements and appurtenances thereto, necessary to provide for public needs, such as: streets, roads, alleys, or pedestrian walks or paths; storm sewers; flood control improvements; water supply and distribution facilities; sanitary sewage disposal and treatment; and public utility and energy services.

Recreational equipment: Equipment used by residents of a principal building on-premise including but not limited to swimming pools, swings, slides, climbers, teeter-totters, play-forts, sandboxes, supports for basketball baskets and backboards, badminton nets and similar equipment, but not including recreational vehicles normally utilized off-premise, including but not limited to boats, trailers, campers, travel trailers and snowmobiles.

Recreational vehicle: A term encompassing any type of vehicle used primarily for recreational pleasure. Examples include but are not limited to travel trailers, motor homes, boats, all-terrain vehicles, snowmobiles, etc. Recreational vehicles shall include any mobile structure designed for temporary occupancy, but shall exclude manufactured homes.

from an analysis of floods on a particular stream and other streams in the same general region.

Residential use: The individual uses listed in Section 550.03.06.

Scale (of development): A term used to describe the gross floor area, height, or volume of a single structure or group of structures.

Setback: The shortest distance between the exterior of a building or structure and the nearest point on the referenced lot line, excluding permitted projections in accordance with Section 550.04.40.

Sewage System, Private: A privately owned sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure. This term also means an alternative sewage system approved by the state, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure, or a system located on a different parcel than the structure.

Sewage System, Public: A sewage treatment and disposal system approved by the State Department of Natural Resources and maintained by a public agency authorized to operate such systems. This includes the City of Watertown sewer system.

Sign: See Section 550.09.03.

Sill: A horizontal, lower member or bottom of a door or window casing.

Single family dwelling unit: A dwelling unit type that consists of a fully detached single family residence which is located on an individual lot. Single family dwelling units are designed for one family (see Family definition) and have no roof, wall, or floor in common with any other dwelling unit. A single family dwelling that contains an in-family suite (See Section 550.03.28 (14)) is still considered a single family dwelling.

Site area: See gross site area.

Site plan: See Section 550.10.43.

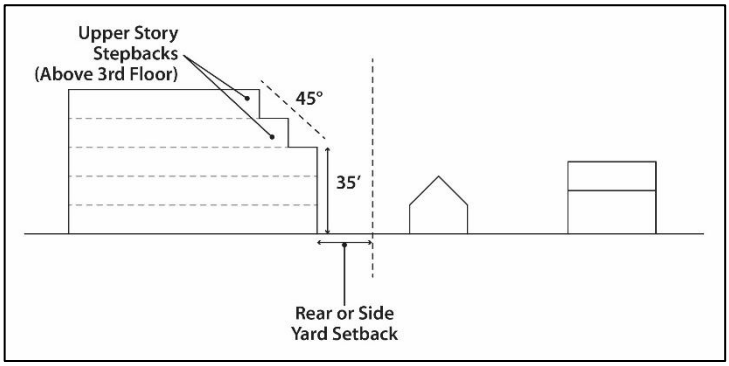
Slope: An incline from the horizontal expressed in an arithmetic ratio of horizontal magnitude to vertical magnitude. (Example: 3:1 slope is 3 feet horizontal and 1 foot vertical).

Start of construction: The date the building permit is issued, provided the actual start of activity was within 365 calendar days of the permit date. The actual start of activity means the first placement of permanent construction on the site. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of public streets and/or walkways; nor does it include excavation for basement, footings, piers, or foundations; nor does it include the erection of temporary forms.

Steep slope: Steep slopes are areas which contain a ratio of horizontal magnitude to vertical magnitude of 8:1 (gradient of 12 percent or greater).

Stepback: An architectural design element applied to the upper stories of buildings where any portion of the building above a certain height is moved inside the frame of the building façade toward the center of the property. See Figure 550.11.01d.

Figure 550.11.01d: Building Stepbacks



Story: That portion of a building included between the surface of any floor and the surface of the floor next above or, if there is no floor above, the space between the floor and the ceiling next above. Neither a basement nor a cellar shall be counted as a story.

Street: A right-of-way for vehicular and pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, or however otherwise designated and includes all of the area between the right-of-way lines. See Chapter 545 of the City of Watertown Municipal Code.

Street, arterial: Principal Arterials, Primary Arterials, and Standard Arterials as defined in Chapter 545 of the City of Watertown Municipal Code.

Street, collector: Collector Streets as defined in Chapter 545 of the City of Watertown Municipal Code.

Street, local: Local Streets as defined in Chapter 545 of the City of Watertown Municipal Code.

Street terrace: The space between the sidewalk and the curb, or the equivalent space where sidewalk or curb are not installed.

Story: That portion of a building, other than a basement, that is between the surface of any floor and the surface of the next floor above it or, if there is not a floor above, then the space between such floor and the ceiling next above it.

Structure: Anything constructed or erected, the use of which requires a more or less permanent location on the ground, or attached to something having a permanent location on the ground, excluding landscape features, fences, public utilities, and other minor site improvements.

Structural alteration: See alteration.

Substandard lot: A lot of record which lawfully existed prior to this Chapter, which would not conform to the applicable regulations if the lot were to be created under the current provisions of this Chapter.

Substantial Evidence: Means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a Conditional Use Permit and that reasonable persons would accept in support of a conclusion. See Section 550.10.32.

Temporary use: A land use which is present on a property for a limited and specified period of time. See Section 550.03.30.

Terrace: A horizontal, external, raised, open, flat area attached or detached to a structure or located on the roof of a structure.

Transom: A horizontal bar of stone, wood or glass across the upper opening of a door or window.

Two family residential: A building designed for two separate dwelling units in which one dwelling unit may have a roof, wall, footing, or floor in common with another dwelling unit. For the purposes of this Chapter, Duplex, Twin House, and Two Flat dwellings are considered to be two family residential. A single family dwelling with an attached accessory dwelling unit is not a two family dwelling.

Unnecessary hardship: The circumstance where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height, or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.

Use: The purpose for which land or a building or structure is arranged, designed, or intended, or for which it is, or may be, occupied or maintained.

Variance: A modification of the terms of this Chapter regulating land uses or bulk regulations where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the Chapter would result in unnecessary and undue hardship. Variances are further defined in Wis. Stat. § 62.23(7)(e)7.a.

Vision triangle: See Section 550.06.03.

Wetland: An area that is saturated by surface water or groundwater, with vegetation adapted for life under those soil conditions. See also Wis. Stats. § 23.32(1).

Wisconsin Wetland Inventory Map: Maps prepared by the Wisconsin Department of Natural Resources.

Woodland: Areas of trees whose combined canopies cover a minimum of 80 percent of an area of one acre or more, as shown on USGS 7.5 minute topographic maps for the City and its environs.

Yard: An open space, other than a court, on a lot unoccupied and unobstructed from the ground upward except as otherwise provided in this Chapter.

Yard, front: A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest part of the nearest building or structure.

Yard, rear: A yard extending across the full width of the lot, the depth of which is the minimum distance between the rear lot line and the nearest part of the nearest building or structure.

Yard, side: A yard extending from the front yard to the rear yard, the width of which is the minimum horizontal distance between the side lot line and the nearest part of the nearest building or structure.

Yard, street side: For corner lots, the yard between the front and rear lot lines, extending from the street side lot line to the nearest part of the nearest building or structure extending along the entire street facing frontage.

Yard, transitional: That yard which must be provided along a zoning district boundary to provide for the required bufferyard on the more intensively zoned side of the lot line.

Zero-lot line duplex: A Twin House. See. 550.03.06(3).

Zoning Administrator: The person authorized and charged by the City with the administration of this chapter.

Zoning map, official: The map adopted and designated by the City as being the "Official Zoning Map."