

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, noise, air pollutions, 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

Commented [SK1]: A group development is a project with two or more principal buildings on a single lot. Instead of reviewing each building in isolation, the City reviews the entire site as one coordinated development.

Example site conditions: Internal roads, driveways, emergency access; Shared parking and pedestrian connections; Building placement and compatibility; Lighting, landscaping, storage and screening; The ability to divide the property into lots later

Requires CUP except for the districts listed. This is a more flexible version than current code.

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 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](#)).
 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

Commented [SK2]: This differs slightly compared to your existing code. I think the hierarchy here is more clear, but it is more restrictive stating that 1 access point is allowed unless under certain circumstances. Existing code says 2 points are allowed but "shall require approval by Zoning Administrator and the Public Works Director/City Engineer." We are still reviewing the exact wording with staff.

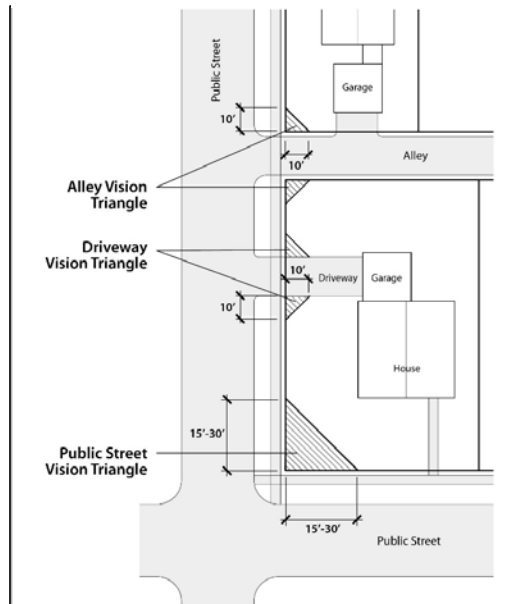
not be located and aligned solely based on the outline of a parking lot configuration unless such configuration allows for direct pedestrian access.

- (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:
 - 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. 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.
- All driveways shall follow the surfacing requirements of [Section 550.06.06\(7\)\(f\)](#).
 - 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.
 - Driveway Width.** Also see [Section 550.06.03\(4\)\(b\)](#) for driveway access standards.
 - Driveways shall be a minimum width of 12 feet and a maximum width of 24 feet at the property line.
 - If a 12-foot driveway width is unattainable, the Zoning Administrator may reduce the minimum required driveway width to that which is deemed functional.
 - 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.
 - 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

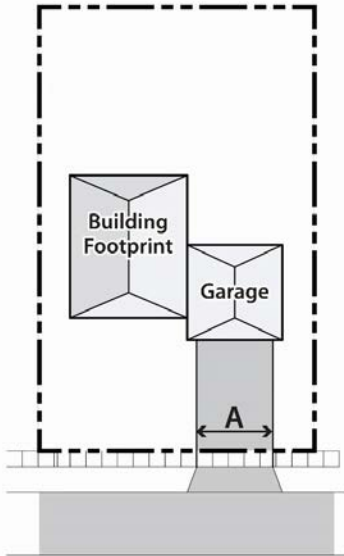


Figure 550.06.03c: Driveways Wider than 24 Feet

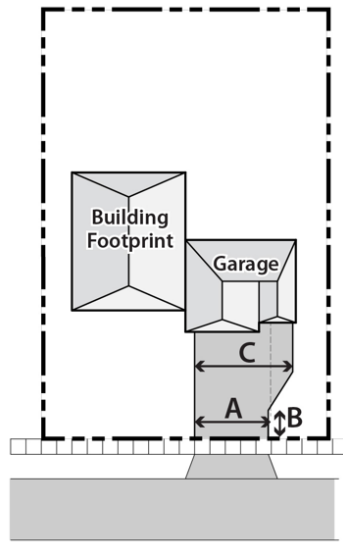


Figure 550.06.03d: Two Family Dwellings with Two Driveways

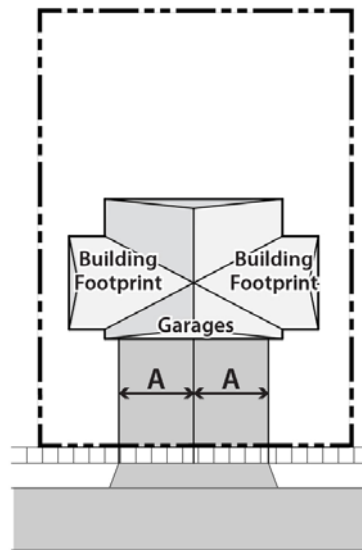
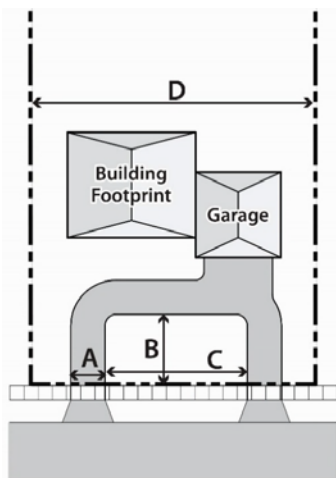


Figure 17-620.06.03e: Multiple Driveways On Single Street Frontage



- (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 ($\frac{1}{2}$) space shall be rounded down to the next whole number and greater than one-half ($\frac{1}{2}$) 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

Commented [SK3]: Parking quantities have already been reviewed in detail by the Plan Commission and staff. This table reflects those decisions.

	Land Use	Minimum Number of Off-Street Parking Spaces Required
	Large Scale Public Services and Utilities	1 per employee on the largest work shift
	Outdoor Open Space Institutional	None
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

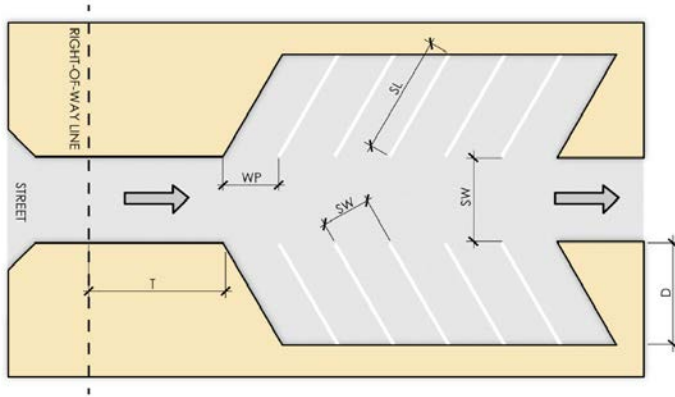
Minimum Permitted Dimensions	Parking Angle in Degrees				
	0°	45°	60°	75°	90°
Stall Width at Parking Angle (SW)	9'	9'	9'	9'	9'
Stall Width Parallel to Aisle (WP)	20'	12'	10'	9'	9'
Stall Depth to Wall (D) ¹	9'	18'	18'	18'	18'
Stall Length (SL)	18'	20'	20'	20'	18'
Cross Aisle Width for 1-way traffic flow (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:

¹Stall 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.

²In 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 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, 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. Paved pads surfaced with concrete or asphalt may be used for recreation equipment trailer storage or residential utility trailer storage in any provided interior side yard or rear yard.
 - b. Paved pads surfaced with concrete or asphalt are required for any motorized vehicles including passenger vehicles, light trucks, recreational vehicles (RVs), and any recreation equipment not on a trailer.
 2. The following shall be exempt from these surfacing requirements:
 - a. Driveways in the AG, and PR districts shall be exempt.
- (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.

Commented [SK4]: Existing Watertown code allows parking of recreational vehicles outside whether or not on a paved driveway. See Section 550-109(4). This section would be deleted if the City wishes to continue the existing policy.

Commented [SK5]: Policy question

- 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 30 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 corner 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. Recreational equipment may be stored on a surface meeting the requirements of Section 550.06.06(7)(f) in the rear yard or the interior side yard areas. If the rear yard of a corner lot abuts the side yard of an adjacent residence, any recreational equipment stored in said rear yard shall not be closer to the street than the required front yard setback distance for said adjacent residence.
 - c. Recreational equipment longer than thirty (34) feet shall not be stored anywhere outdoors in any residential zoning district unless the piece of recreational equipment is being loaded, unloaded, cleaned or otherwise prepared for use or extended storage. The time period that recreational equipment longer than thirty (30) feet may be kept outdoors shall not exceed seven (7) days. For purposes of this subsection, the length of a piece of recreational equipment shall include any portion of a trailer that the equipment is loaded onto.

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

Commented [SK6]: Existing Watertown code allows parking of recreational vehicles outside whether or not on a paved driveway. See Section 550-109(4). This section would be deleted if the City wishes to continue the existing policy.

Instead, this language would be used in the new code (copied from existing Section 550-109(4)):

Outside parking of recreational vehicles, equipment and trailers is subject to the following provisions:

(a) No more than a total of two recreational vehicles or trailers may be parked or stored outside a fully enclosed structure in the rear or side yard, whether or not on a paved driveway.

(b) No more than one recreational vehicle or trailer may be parked or stored in a front yard paved driveway of a residence. Multiple recreational vehicles mounted on a single trailer under this subsection shall be counted as a single recreational vehicle.

(c) A recreational vehicle or trailer shall be located not closer than three feet to a side or rear lot line.

(d) The recreational vehicle shall be maintained and be in good condition and safe for effective performance for the function in which it was intended. The exterior of the vehicle shall be intact.

(e) Recreational vehicles and trailers shall be roadworthy. Vehicles and trailers that require a license shall be properly licensed with current registration.

(f) No recreational vehicles, equipment or trailers shall be parked or stored in any open space outside a building unless the property owner, who must reside on the property, wholly owns such equipment. If the property is rented, such storage shall be permitted to the tenant only, provided that the tenant owns such equipment.

(g) All equipment shall be parked or stored as inconspicuously as possible on the property. The area around the equipment or vehicle must be kept weed-free and free of accumulation of other storage material.

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 creation 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, correlated 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.

Commented [SK7]: Policy question on whether to also include Industrial Districts, or the Light Industrial District.

- (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.

Commented [SK8]: Roof-top mechanicals are handled in a separate Zoning Article on Building Design Standards.

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

Commented [SK9]: The sections on Vibration, Noise, Air Pollution, Odor, Glare and Heat, Fire and Explosions, Toxic, Hazardous Materials are all similar to existing code with some modernizations and clarifications added to the new version. These sections are mostly used in case of complaints/enforcement.

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
<u>On OR Beyond Any Adjacent Lot Line</u>		
Continuous	0.003	0.015
Impulsive	0.006	0.030
Less than 8 pulses per 24-hour period	0.015	0.075
<u>On OR Beyond Any Residential District Boundary Line</u>		
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) Requirements. All noise shall be muffled so as not be objectionable due to intermittence, frequency, or shrillness. In no event shall the sound-pressure level of noise continuously radiated from a facility exceed the values given in Figure 550.06.31a (as adjusted where applicable in Figure 550.06.31b) and as measured by a Type 2 sound meter that is in compliance with ANSI standard S1.4-1983. 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.
- (4) Nonconforming Noise. Noise that was in effect as of the effective date of this Chapter shall be considered legal nonconforming. The burden of proof to demonstrate that said noises were in effect prior to the effective date of this Chapter is the responsibility of the noise producer.

Figure 550.06.31a: Maximum Permitted Noise Level at Lot Line for Continuous Noise

Zoning District	Increase in Noise Level Over Ambient Level
SF-1, SF-2, SF-3, MR-1, MR-2, MR-3, MH-1, CC, AG, PR	Plus 3 dBA
INST, NMU, CMU, DMU	Plus 5 dBA
LI, HI, IOA	Plus 8 dBA

Figure 550.06.31b: Adjustment Factors for Maximum Noise Levels Measured at Lot Line

Type of Operation in Character of Noise	Correction in Decibels
Daytime Operation Only	Plus 5 dBA
Noise Source Operates Less Than 20% of Any 1-Hour Period	Plus 5 dBA
Noise Source Operates Less Than 5% of Any 1-Hour Period	Plus 10 dBA
Noise Source Operates Less Than 1% of Any 1-Hour Period	Plus 15 dBA
Noise of Impulsive Character (hammering, etc.)	Minus 5 dBA
Noise of Periodic Character (hum, speech, etc.)	Minus 5 dBA

- (5) Exceptions. Subsection 3 shall not apply to the following:
- (a) Chapter 428, Public Events.
 - (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.
- (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 is prohibited.
 - (b) Emission of smoke or particulate matter of a density 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 Ch. NR 431, 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 regulate the creation of odor 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 odors created during the construction of the principal use on the subject property, or by incidental fertilizer application, traffic, parking, loading, or maintenance operations. Public landfills and public wastewater treatment plants shall be exempted from the requirements of this Section as essential public services.
- (3) Standards.
 - (a) Except for food preparation and cooking odors emanating from residential land uses, and odors associated with property development and maintenance (such as construction, lawn care, and the painting and roofing of structures), no odor shall be created for periods exceeding a total of 15 minutes per any day which are detectable (by a healthy observer such as the Zoning Administrator or a designee who is unaffected by background odors such as tobacco or food) at the boundary of the subject property and within any other property zoned residential, office, mixed use, or institutional.
 - (b) No operation or activity shall emit any substance or combination of substances in such quantities that create an objectionable odor as defined in § NR 429.03, Wis. Adm. Code.

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

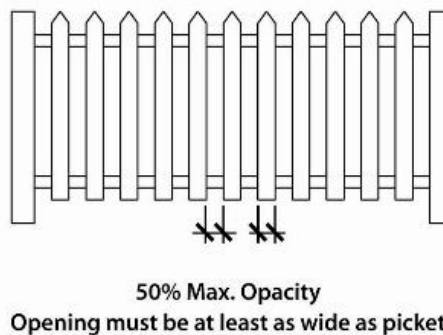
- (1) Purpose. The purpose of this Section is to regulate the materials, location, height, and maintenance of fencing, landscaping walls, retaining walls, and decorative posts in order to prevent the creation of nuisances and to promote the general welfare of the public.
- (2) Applicability. The requirements 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](#).

Commented [SK10]: Note this section is divided into residential vs. non-residential standards. This results in some repetition but may be easier to administer if the majority of fence requests are residential.

- (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. Wire mesh and 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.
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.

Figure 17.06.40a: Fencing Standards



Commented [SK11]: Policy decision on whether to continue allowing chain link fence. Some communities prohibit in residential districts, or prohibit only in front yards.

Commented [SK12]: Reviewing whether "or any other material of comparable quality" is sufficient language or if the list of materials should be further revised.

Commented [SK13]: Policy decision.

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](#)):

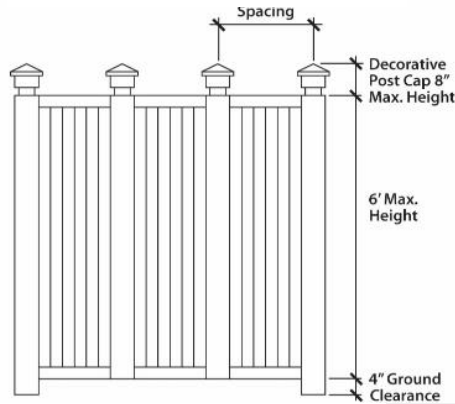
1. In the SF-1, SF-2, SF-3, MR-1, MR-2, MR-3, CC, or MH-1, zoning districts:
 - a. 4 feet when located within the front yard or street yard.
 - b. 6 feet within the side yard or rear yard, but not in the front yard or beyond the front façade of the principal building.

- (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 over 4 feet in height shall require design details and/or engineered plans.

Figure 17.06.40b: Fence Measurements



Commented [SK14]: Added clarity on retaining wall safety.

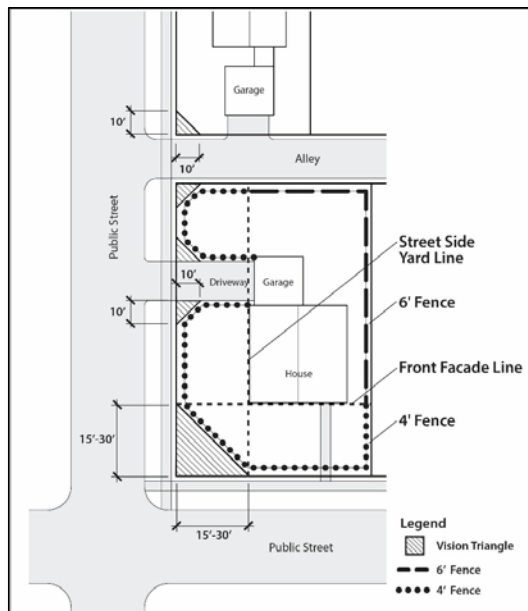
(7) Location.

- (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.

Commented [SK15]: Some communities prohibit connecting fences. This is an alternative more flexible option.

- (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

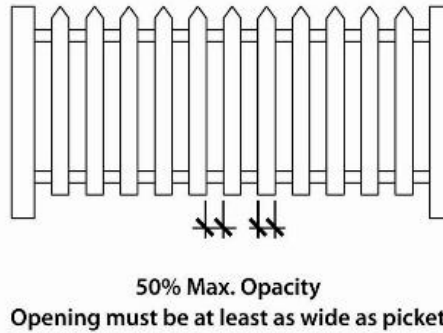


Section 550.06.41: Non-Residential Fencing Standards

- (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 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](#).
- (3) Review and Approval. Fences shall be reviewed and approved by the Zoning Administrator and the Electrical Superintendent. 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. 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.
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.

Figure 17.06.41a: Fencing Standards

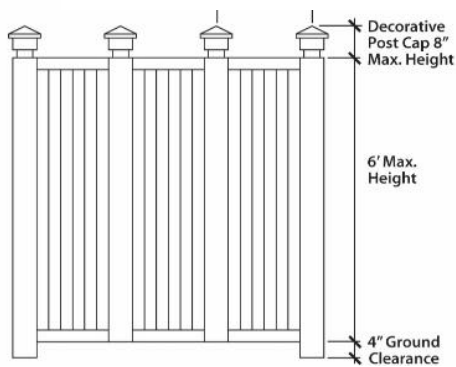


(6) Height.

- (a) Maximum Height. The maximum height of any fence panel, landscape wall, or decorative post shall be the following (also see Figure 550.06.41c.):

1. In the INST, NMU, CMU, DMU, DRR, and PR zoning districts:
 - a. 4 feet when located within the front yard or street yard.
 - b. 6 feet within the side yard or rear yard, but not in the front yard or beyond the front façade of the principal building.
2. In the LI, HI, AG, and IOA zoning districts:
 - a. 4 feet when located within the front yard or street yard.
 - i. Security fencing height can be increased to 10 feet provided the fence is decorative in style, as determined by the Zoning Administrator.
 - b. 10 feet within the side yard or rear yard, but not in the front yard or beyond the front façade of the principal building.

Figure 17.06.41b: Fence Measurements

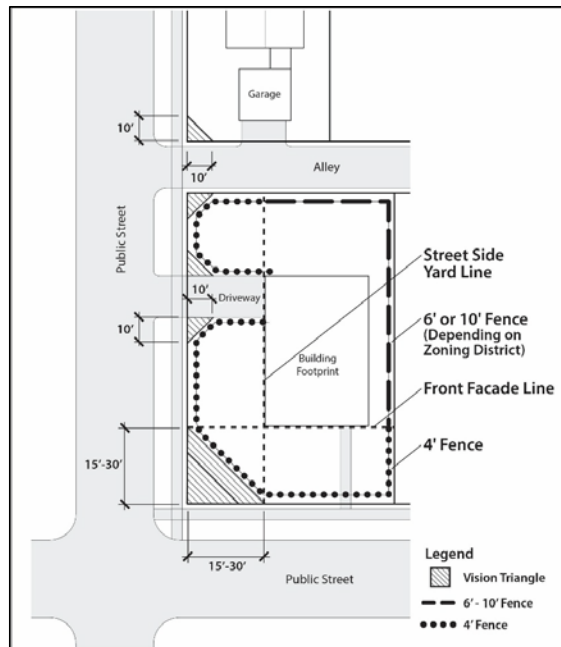


- (b) Height shall be measured from the ground immediately under the fence to the top rail of the fence.
- (c) Height Exceptions.
 - 1. Decorative posts at a minimum spacing of 24 inches may extend 8 inches above the maximum height. See Figure 550.06.41b.
 - 2. To accommodate slopes or lawn maintenance, 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 over 4 feet in height shall require design details and/or engineered plans.
- (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.

Commented [SK16]: Added clarity on retaining wall safety standards.

Commented [SK17]: Some communities prohibit connecting fences. This is an alternative more flexible option.

Figure 17.06.41c: Non-Residential Fencing Standards



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.
 - (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.

Commented [SK18]: Public Works Staff is reviewing

Commented [SK19]: Similar to existing code, provides options alternative to fence

Section 550.06.43: On-Site Recreational Space Requirements

- (1) On-Site Recreational Space Requirements for Multi-Family and Mixed-Use Land Uses.
- (a) Each multi-family or mixed-use development containing 3 or more dwelling units shall provide on-site recreational space suitable for inside or outside gathering space or recreation. This space could include a children’s play area, outdoor gazebo or sitting area, indoor gathering/community spaces, indoor fitness center, and/or shared outdoor porch, balcony, or rooftop terrace. On-site recreational space may be provided at ground level, in the building, or other areas including but not limited to communal porches/decks, balconies, and rooftops.

(b) Minimum Area. A minimum of 200 square feet per building plus 25 square feet per bedroom of usable recreation space shall be provided.

(c) Required on-site recreational space shall be for the private use of residents and need not be open to the public.
- (2) Required on-site recreational space may be divided into multiple distinct spaces, provided that no single space is smaller than 100 square feet or narrower than 10 feet in any direction.
- (3) The following will not count towards meeting the on-site recreational requirement:

(a) Outdoor areas in the required front yard or street side yard setbacks.

(b) Outdoor areas used for on-site parking or traffic circulation.

(c) Outdoor or indoor areas used for landscaping, stormwater infiltration, bicycle parking, trash and recycling storage, or mechanical equipment.
- (4) Required on-site recreational space shall not count toward land dedication or fee in lieu of land dedication requirements of City of Watertown Ordinance Fee Schedule.

Commented [SK20]: There are similar provisions in Watertown’s existing code. This is a more flexible model that allows for a variety of indoor or outdoor spaces to fulfill the requirement.

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:

Commented [SK21]: Note Watertown has some regulations pertaining to [vacant and foreclosing residential properties](#) within Chapter 332 for housing. This section could be limited to apply only to non-residential properties if desired. Perpetually vacant properties can have a blight effect on surrounding areas. Many communities have similar vacant building regulations to encourage active and contributing use of properties and to avoid safety issues.

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 .
5 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.

10 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.
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- (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