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TO: Plan Commission
DATE: October 14th, 2024
SUBJECT: Public Hearing Comment Review and Recommend to Council – Text Amendments to Chapter 550 Zoning

A request for text amendments to the City of Watertown Zoning Code - Chapter 550.

BACKGROUND DESCRIPTION:

Amendment #1:

The zoning code allows institutional land uses (churches, schools, assisted living, etc.) to be located within residential zoning districts. These institutional buildings are largely commercial in nature despite being located in residential zoning districts. Because these institutional land uses are located in residential and not commercial zoning districts, these institutional uses (churches, schools, assisted living, etc.) are not currently required to meet the same exterior storage requirements as similar commercial buildings located in commercial zoning districts. These exterior storage requirements include the need to obtain a conditional use permit when establishing or relocating a dumpster enclosure or a parking area on a parcel. The conditional use permit process allows for neighbors to be notified of the pending change and have an opportunity to provide input regarding the change. This text amendment will require that institutional land uses listed under § 550-51 and located in residential zoning districts abide by the same requirements for exterior storage as required in office and commercial zoning districts.

Amendment #2:

The zoning code sets requirements for exterior storage in non-residential zoning districts. The current non-residential exterior storage standards state that all storage in office, commercial, and industrial zoning districts must be conducted within a completely enclosed building. This requirement is in conflict with the permitted and conditional uses within the industrial zoning districts that allow for other types of exterior storage. In addition, the current non-residential exterior storage requirements contain confusing language as to the types of outdoor storage that require conditional use permit approval under this section. This text amendment clarifies that in industrial zoning districts, exterior storage must follow the requirements of the industrial zoning districts for the permitted and conditional uses within the districts and that storage in all office and commercial zoning districts must be conducted within an enclosed building. In addition, this text amendment clarifies the circumstances when certain outdoor storage uses (establishing/relocating a dumpster enclosure or a parking area) can be approved via a conditional use permit in all non-residential zoning districts (office, commercial, & industrial).

Amendment #3:

The zoning code requires that institutional land uses (churches, schools, assisted living, etc.) abide by the sign regulations for the zoning district in which the structure is located. Because institutional land uses can be located within residential zoning districts, these largely commercial structures (churches, schools, assisted living, etc.) can be significantly limited in the type, size, and placement of signage. For example, the maximum sign area for a monument sign in the Single-Family Residential (SR-4) Zoning District is 2 square feet per sign. In contrast, the maximum sign area for a monument sign in the General Business (GB) Zoning District is 100 square feet per sign. This text amendment would allow institutional land uses

listed under § 550-51 and located within a residential zoning district to follow the sign regulations for the General Business (GB) zoning district.

Amendment #4:

The zoning code contains a section providing regulations for 'detached residential garage, carport, utility shed, play structure, or lawn ornament' accessory land uses. This section contains confusing language that is often misinterpreted. This text amendment renames and rewrites this section of the zoning code to add clarity and to simplify the regulations for residential accessory structures. This text amendment also provides clarity regarding when a conditional use permit can be used to exceed the standards set in this section.

Amendment #5:

Current zoning code provides a description of the 'Convenient Cash Business' land use that includes a listing of the three zoning districts where these uses are conditionally allowed. However, the three zoning districts themselves do not list 'Convenient Cash Business' as conditional uses within each district's listing of conditional uses. This text amendment corrects this oversight and adds 'Convenient Cash Business' as a conditional use in the Planned Business (PB), General Business (GB), and Central Business (CB) zoning districts.

Amendment #6:

Current zoning code provides drainage standards that include the requirement that all parking lots 4,000 sq ft or larger must have inlets connected to the municipal storm sewer system. This requirement is not always desirable because some portions of the municipal storm sewer system do not have the capacity to accept storm water from private parking lots. This text amendment offers other stormwater management systems as an option to handling stormwater from private parking lots.

PROPOSED TEXT AMENDMENT LANGUAGE:

Amendment #1 - § 550-109B

§ 550-109B Requirements for exterior storage in residential zoning districts. (Proposed [Addition](#))

(6) Institutional Land Uses in Residential Zoning Districts. In residential zoning districts that contain Institutional Land Uses as specified in § 550-51, exterior storage shall abide by the requirements for exterior storage in office and commercial zoning districts as specified in § 550-109D.

Amendment #2 - § 550-109D

§ 550-109D Requirements for exterior storage in nonresidential districts (Proposed [Additions](#) and [Deletions](#))

D. Requirements for exterior storage in nonresidential [zoning](#) districts.

(1) In all office, ~~and~~ commercial ~~and industrial~~ zoning districts (see § 550-17 for a listing of these districts), all materials, equipment, and trailers shall be stored within a completely enclosed building, except as specified in § 550-109D(2). ~~In all industrial zoning districts, outdoor storage shall conform to the regulations of the zoning district, except as specified in § 550-109D(2). except for the following, which shall not be located within any front yard or required street yard (except for vehicles and/or trailers in designated parking spaces) and shall be stored a minimum of five feet from any and all property lines: screened refuse containers; construction materials, landscape materials and related equipment associated with on-site construction; and off-street parking. Such exterior storage shall require a conditional use permit per § 550-142.~~

(2) In all office, commercial, and industrial zoning districts the following outside storage is subject to a conditional use permit approval per § 550-142. The following items shall not be located

within any front yard or street side yard (except for vehicles and/or trailers in designated parking spaces).

- a) Establishment or relocation of screened refuse containers not part of an approved site plan.
- b) Establishment or relocation of off-street parking not part of an approved site plan.

Amendment #3 - § 550-132

§ 550-132 Permitted Sign Rules (Proposed Addition)

D. Signs for Institutional Land Uses in Residential Zoning Districts.

- (1) In residential zoning districts that contain Institutional Land Uses as specified in § 550-51, such uses shall abide by the permitted sign rules for the General Business (GB) Zoning District as specified in Table 550-132A.

Amendment #4 - § 550-56C

§ 550-56C Detached residential garage, carport, utility shed, play structure, or lawn ornament. (Proposed Additions and Deletions)

- C. ~~Detached residential garage, carport, utility shed, play structure, or lawn ornament.~~ Residential Accessory Structure. Description: Attached or detached residential garages and carports; freestanding utility sheds, gazabos, and pergolas; children's play structures; or similar structures.

For the purposes of this section, a private residential garage, carport, or utility shed is a structure which primarily accommodates the sheltered parking of a passenger vehicle and/or the storage of residential maintenance equipment and/or personal possessions associated with ~~of~~ the subject property and shall count towards the total number of Residential Accessory Structures. ~~Walks, drives, paved terraces and purely decorative garden accessories such as ponds, fountains, statuary, sundials, flagpoles, etc., shall be permitted in setback areas but not closer than three feet to an abutting property line other than a street line. For the purposes of this section, children's play structures, including playhouses or elevated play structures and climbing gyms, shall be considered accessory structures and shall comply with the requirements of this section whether such play structures are placed on a foundation or not. Swing sets, slides and sandboxes are not considered children's play structures for purposes of this section. A building permit is not required for construction of a play structure. Play structures shall not be used for storage or be constructed out of materials that would constitute a nuisance. It may be located on the same lot as a residential unit or units or on a separate lot in conjunction with a residential land use. See § 550-85 for requirements applicable to legal nonconforming garages. Garages, carports and utility sheds in excess of 1,000 square feet of gross floor area, or which exceed 30% coverage of the rear yard area, or which exceed the lot coverage of the principal structure, are not permitted in residential districts except as conditional uses in the RH and ER-1 Districts. (Also, see the first paragraph of this section.) See § 550-85 for requirements applicable to legal nonconforming garages.~~

For the purposes of this section, gazabos, pergolas, and children's play structures, including playhouses or elevated play structures and climbing gyms, shall count towards the total number of Residential Accessory Structures and shall comply with the requirements of this section whether such structures are placed on a foundation or not. Individual swing sets, slides, and sandboxes are not considered children's play structures or Residential Accessory Structures for purposes of this section. A building permit is not required for construction of gazabos, pergolas, or play structures. A gazabo, pergola, or play structure shall not be used for storage or be constructed out of materials that would constitute a nuisance. A gazabo, pergola, or play structure may be located on the same

lot as a residential unit or units or on a separate adjacent lot in conjunction with a residential land use.

For the purposes of this section, detached accessory dwelling units under Section § 550-56AA(9) and chicken coops and runs under Section § 550-56X(1)(e) shall count towards the total number of Residential Accessory Structures.

For the purposes of this section, walks, drives, paved terraces, and purely decorative garden accessories such as ponds, fountains, statuary, sundials, flagpoles, or similar items do not count toward the total number of Residential Accessory Structures and do not require a building permit. Placement of these items is permitted within setback areas but not closer than three feet to an abutting lot line.

For the purposes of this section, deck boxes and similar structures with 32 square feet of gross floor area or less do not count toward the total number of Residential Accessory Structures and do not require a building permit. Placement of deck boxes is permitted within side and rear yard setback areas but not front or street side yard setback areas and not closer than three feet to an abutting lot line. Limit of one deck box or similar structure per residential unit.

(Also, see the first paragraph of this section § 550-56.)

(1) Regulations.

(a) ~~One attached or detached garage and two~~ A total of three (3) Residential Accessory Structures shall be permitted by right.

(b) A conditional use permit is required for any combination of Residential Accessory Structures that exceeds any of the following:

[1] 1,000 square feet of gross floor area.

~~[2] 30% coverage of the rear yard area.~~

~~[3] The lot coverage of the principal structure.~~

~~[4]~~ [2] The maximum accessory building coverage of the zoning district.

~~[5]~~ [3] Three (3) Residential Accessory Structures.

Repeal and recreate the following to read as:

§ 550-21C(1)(b) Rural Holding (RH) District

§ 550-22C(1)(b) Countryside Residential (CR-10ac) District

§ 550-23C(1)(b) Exurban Residential-1 (ER-1) District

§ 550-24C(1)(b) Single-Family Residential-4 (SR-4) District

§ 550-25C(1)(b) Two-Family Residential-6 (TR-6) District

§ 550-26C(1)(b) Multifamily Residential-8 (MR-8) District

§ 550-27C(1)(b) Multifamily Residential-10 (MR-10) District

§ 550-28C(1)(b) Senior Residential (SNR) District

§ 550-29C(1)(b) Neighborhood Office (NO) District

§ 550-30C(1)(b) Planned Office and Institutional (PO) District

§ 550-31C(1)(b) Neighborhood Business (NB) District

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Opportunity Runs Through It

§ 550-32C(1)(b) Planned Business (PB) District

§ 550-33C(1)(b) General Business (GB) District

§ 550-34C(1)(b) Central Business (CB) District

§ 550-35C(1)(b) Planned Industrial (PI) District

§ 550-36C(1)(b) General Industrial (GI) District

§ 550-37C(1)(b) Heavy Industrial (HI) District

(b) [Residential accessory structure.](#)

Amendment #5 - § 550-32B(2), § 550-33B(2), and § 550-34B(2)

§ 550-32B(2), § 550-33B(2), and § 550-34B(2) Convenient Cash Business (Proposed [Additions](#))

§ 550-32B(2) Planned Business (PB) District

[\(m\) Convenient Cash Business](#)

§ 550-33B(2) General Business (GB) District

[\(q\) Convenient Cash Business](#)

§ 550-34B(2) Central Business (CB) District

[\(l\) Convenient Cash Business](#)

Amendment #6 - § 550-120C

§ 550-120C Drainage Standards (Proposed [Additions](#))

C. Standards. No land shall be developed and no use shall be permitted that results in water runoff which causes property damage, a nuisance and/or erosion on adjacent properties. Such runoff shall be properly conveyed to a public storm drain, drainageway or other such public drainage facility per the approval of the Public Works Director/City Engineer. All parking lots 4,000 square feet or larger shall be internally drained with catch basins connected to a municipal storm sewer [or other on-site stormwater management system in accordance with Article III, Stormwater Maintenance, of Ch. 453, Municipal Code.](#)

PUBLIC HEARING COMMENTS:

No comments at the public hearing on October 1st, 2024.

PLAN COMMISSION OPTIONS:

The following are possible options for the Plan Commission:

1. Negative recommendation of the Chapter 550 Text Amendments to Common Council.
2. Positive recommendation of the Chapter 550 Text Amendments to Common Council.
3. Positive recommendation of the Chapter 550 Text Amendments to Common Council, with conditions identified by the Plan Commission: