

AN ORDINANCE
TO AMEND CHAPTER 550: ZONING CODE, THROUGH THE AMENDMENTS OF
LANGUAGE TO SECTIONS §550-109B, §550-109D, §550-132, §550-56C; §550-32B(2),
§550-33B(2), and §550-34B(2), and §550-120C

SPONSOR: MAYOR MCFARLAND, CHAIR
FROM: PLAN COMMISSION WITH POSITIVE RECOMMENDATION

THE COMMON COUNCIL OF THE CITY OF WATERTOWN DOES ORDAIN AS
FOLLOWS:

SECTION 1. Section § 550-109B(6) is hereby created to read:

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§ 550-109B (6) Institutional Land Uses in Residential Zoning Districts. In residential zoning districts that contain Institutional Land Uses as specified in § 550-51, exterior storage that occurs after December 31st, 2024, shall abide by the requirements for exterior storage in office and commercial zoning districts as specified in § 550-109D.

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SECTION 2. Section § 550-109D is hereby amended to read:

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§ 550-109(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) Screened refuse containers not part of an approved site plan.
- b) Off-street parking not part of an approved site plan.

SECTION 3. Section § 550-132D is hereby created to read:

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§ 550-132 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. After December 31st 2024, new Institutional Land Uses signs shall not be cabinet illuminated signs.

SECTION 4. Section § 550-56C is hereby amended to read:

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§ 550-56C Detached residential garage, carport, utility shed, play structure, or lawn ornament.

- 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.~~

SECTION 5. Wherever in the following sections of the City of Watertown Ordinances the words “Detached residential garage, carport or shed.” are used, the words “Residential accessory structure.” are substituted: §§ 550-21C(1)(b), 550-22C(1)(b), 550-23C(1)(b), 550-24C(1)(b), 550-25C(1)(b), 550-26C(1)(b), 550-27C(1)(b), 550-28C(1)(b), 550-29C(1)(b), 550-30C(1)(b), 550-31C(1)(b), 550-32C(1)(b), 550-33C(1)(b), 550-34C(1)(b), 550-35C(1)(b), 550-36C(1)(b), 550-37C(1)(b).

SECTION 6. Section 550-32B(2)(m) is hereby created to read:

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§ 550-32B(2) (m) Convenient Cash Business

SECTION 7. Section 550-33B(2)(q) is hereby created to read:

* * *

§ 550-33B(2) (q) Convenient Cash Business

SECTION 8. Section 550-34B(2)(l) is hereby created to read:

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§ 550-34B(2) (l) Convenient Cash Business

SECTION 9. Section § 550-120C is hereby amended to read:

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§ 550-120C Drainage Standards

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.

SECTION 10. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 11.

This ordinance shall take effect and be in force the day after its passage and publication.

<i>DATE:</i>	<i>November 4, 2024</i>		<i>November 19, 2024</i>	
<i>READING:</i>	<i>1ST</i>		<i>2ND</i>	
	<i>YES</i>	<i>NO</i>	<i>YES</i>	<i>NO</i>
DAVIS				
LAMPE				
BOARD				
BARTZ				
BLANKE				
SMITH				
SCHMID				
WETZEL				
MOLDENHAUER				
MAYOR MCFARLAND				
<i>TOTAL</i>				

ADOPTED November 19, 2024

CITY CLERK

APPROVED November 19, 2024

MAYOR