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**Section 550.11.01: Definitions**

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**Section 550.11.01: Definitions**

The following words, terms and phrases, wherever they occur in this Chapter, shall have the meanings ascribed to them by this Section. If a term used in Chapter is not defined in this Section or elsewhere in this Chapter, the definition of said term will be provided by the Zoning Administrator, based on professional sources available including the American Planning Association and Urban Land Institute. For definitions of specific land uses, refer to **Article III**. For definitions of specific sign types, refer to **Article IX**. Definitions provided by this Section include:

**Access or driveway:** A means of providing vehicular or non-vehicular egress from or ingress to a property, public right-of-way, or private roadway.

**Accessory structure:** See **Article III**. A structure that: (1) is located on the same lot, tract, or development parcel as the principal structure; (2) is clearly incidental to and customarily found in connection with a principal structure or land use; and (3) is subordinate to and serving a principal structure or land use. Accessory structures may be attached or detached from the principal structure.

**Accessory structure, attached:** An accessory structure which is physically connected to the principal structure. Attached accessory structures shall be considered part of the principal structure and are subject to the setback standards for principal structures. Attached defines the relationship between another structure and a dwelling, meaning at least one of the following conditions are present:

- (1) There is a continuous, weatherproof roof between the two structures. Note: The sides are not required to be enclosed with walls.
- (2) There is a continuous, structural floor system between the two structures.
- (3) There is a continuous foundation system between the two structures.
- (4) There is less than three feet of separation between the principal structure and the accessory structure, including projections of either structure that are below roof overhangs or eaves.

**Accessory structure, detached:** An accessory structure which is not physically attached to the principal building. A minor connection between structures (outside of anything defined in Accessory structure, attached) does not render an accessory structure attached. Detached accessory structures are subject to setback standards for accessory structures.

**Accessory use:** A use subordinate to the principal use of a building or lot and serving a purpose customarily incidental to the principal land use. Accessory uses in residential districts shall not involve the conduct of any business, trade, or industry, except as defined as a Home Occupation, and shall not include the boarding of animals or the keeping of fowl or farm animals (except pets or as otherwise permitted by the Municipal Code).

**Addition:** Any construction that increases the size of a building or structure in terms of site coverage, height, length, width, or gross floor area.

**Address:** The number or other designation assigned in accordance to a housing unit, business establishment, or other structure or site for purposes of mail delivery, and emergency services.

**Agent of owner:** A person authorized in writing by the property owner to represent and act for a property owner in contacts with City employees, boards, committees, commissions, and the Common Council, regarding matters regulated by the Zoning Ordinance.

**Airport:** Any area of land designated, set aside, used, or intended for use, for the landing and take-off of aircraft, and any appurtenant areas designated, set aside, used, or intended for use, for airport buildings or other airport facilities, rights-of-way, or approach zones, together with all airport buildings and facilities located thereon.

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**Airport hazard:** Any structure, object, or natural growth, or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport or which is otherwise hazardous to such landing and taking off.

**Alley:** A minor right-of-way/street or thoroughfare, often public, providing secondary access to a property. Alley access does not constitute frontage for the purposes of minimum lot frontage. An alley is not considered as street.

**Alteration:** Any change, addition, or modification in construction (other than maintenance), or any change in the structural members of buildings such as load-bearing walls, columns, beams, girders, etc.

**Animal, pet:** Any living, vertebrate creature that is domesticated and sheltered by humans to include dogs, cats, small reptiles, fish, chickens, and other similar animals kept for pleasure rather than utility.

**Animal unit:** A measure which represents a common denominator for the purpose of defining a Husbandry or Intensive Agricultural land use that most often occurs within the Agricultural Zoning District. The animal unit measure relates to the maximum carrying capacity of one acre of land and is related to the amount of feed various species consume, and the amount of waste they produce. The following figure indicates the number of common farm species which comprise a single animal unit. Also see the figure source below for any other kind of animal unit specified.

**Figure 550.11.01a: Animal Units**

Type of Livestock	# of Animals/Animal Unit	Type of Livestock	# of Animals/Animal Unit	Type of Livestock	# of Animals/Animal Unit
Horse (>2 yrs)	1	Calves (<1 yr)	5	Lambs	14
Colt (<2 yrs)	2	Brood Sow or Boar	2	Chickens – Egg Layers	30
Cattle (>2 yrs)	1	Hogs (up to 220 lbs)	3	Chickens – Fryers	60
Cattle (<2 yrs)	2	Sheep	10	Turkeys	50

Source: The Stockman's Handbook

**Appeal:** A means for obtaining review of a decision, determination, order, or failure to act pursuant to the terms of this Chapter as expressly authorized by the provisions of [Section 550.10.52](#).

**Automobile:** A Type 1 or Type 2 motor vehicle as defined in Wis. Stats. § 340.01(4).

**Awning:** A shielding or decorative fixture attached to a structure and extending from the face of the structure that is permanent in nature, which may be fixed or retractable.

**Balcony:** An unclosed, open platform that is attached to and projects from the wall of a principal or accessory building and is surrounded by a railing or balustrade. This definition is different and separate from a porch, deck, fire escape, etc.

**Basement:** That portion of a building between the floor and ceiling, having at least one-half of its height below grade.

**Berm:** An earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise, or fulfill other such purposes.

**Block:** The property abutting the street between the two nearest intersecting or intercepting streets. A railroad right-of-way, the boundary line of un-subdivided acreage, or a body of water shall be regarded the same as an intersecting or intercepting street for the purpose of defining a "block."

**Boat:** A vehicle designed for operation as a watercraft propelled by oars, sails, or engine(s).

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**Boarding house living arrangement:** A residential land use where occupancy of a dwelling unit is shared by up to eight unrelated adult individuals (see Section 550.03.06).

**Boathouse:** A structure used for the storage of watercraft and associated materials which has one or more walls or sides.

**Bufferyard:** Any permitted combination of distance, vegetation, fencing, and berthing which results in a reduction of visual, noise and other interaction with an adjoining property.

**Buildable area:** The area remaining on a lot after the minimum setback, drainage provisions, and other site constraint requirements of this ordinance have been met.

**Buildable width:** The width of the lot left to be built upon after the side yards are provided.

**Buildable depth:** The depth of the lot left to be built upon after the front and rear yards are provided.

**Building:** A structure with a permanent location on the land, having a roof that may provide shelter, support, protection, or enclosure of persons, animals, or property of any kind.

**Building coverage:** The percentage of a lot covered by principal and accessory buildings or structures.

**Building footprint:** The outline of the total area covered by a building's perimeter at the ground level.

**Building height:** The vertical distance as measured from the from the established grade immediately adjoining the front of the structure to (a) the highest point of a flat roof; (b) the deck line of a mansard roof; (c) the midpoint distance of the highest gable on a pitched or hip roof; (d) the uppermost point on a round or other arch type roof; or (e) a point on the roof directly above the highest wall of a shed roof. The average height of the façade most closely parallel to the front lot line may not exceed the maximum height permitted within the zoning district in which the site is located.

**Building, principal:** A building in which the main or principal use of the lot is conducted.

**Building separation:** The narrowest distance between two buildings (see minimum building separation).

**Bulk:** The size and setbacks of buildings or structures and the location of same with respect to one another, and includes the following:

- (1) Size and height of buildings;
- (2) Location of the perimeter of the building at all levels in relation to lot lines, streets, or to other buildings;
- (3) Gross floor area of buildings in relation to lot area (floor area ratio or FAR);
- (4) All open spaces allocated to buildings;
- (5) Amount of lot area provided per dwelling unit

**Caliper:** A measurement of the size of a tree equal to the diameter of its trunk measurement four foot above natural grade.

**Canopy:** A structure attached and extending from the face of a building, constructed as a permanent fixture.

**Capacity:** The maximum lawful level of designed use of any structure, or part thereof, as determined by the City's adopted building code and expressed in terms of occupants, seats, persons, employees, or other units specified by the building code.

**Civic use:** A publicly or quasi-publicly owned and managed facility for meetings, conventions, or exhibitions and other community, social, and multi-purpose uses. Typical uses include those listed under Institutional Land Uses (Section 550.03.12).

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**Club:** A structure and facility owned or operated by a corporation, association, person, or persons, for a social, educational, or recreational purpose, but not primarily for profit and not primarily to render a service which is customarily carried on as a business.

**Commercial vehicle:** Any motor vehicle meeting the definition of Wis. Stats. § 340.04(8) or that requires a commercial diver license in Wis. Stats. § 340.04(7m).

**Comprehensive plan:** The long-range vision for the desirable use and development of land in the City as officially adopted and as amended from time to time by the Plan Commission and certified to the Common Council.

**Conditional use:** A use which may be appropriate or desirable in a specific zone but requires special consideration and review prior to approval because if not carefully located or designed, said use may not be deemed compatible with neighborhood uses or may create special problems that impact neighboring lands, public facilities, or the environment or general welfare. All such uses are only allowed under a Conditional Use Permit. See Section [550.10.32](#) for applicable procedures.

**Condominium:** An estate in real property consisting of an undivided interest in common with other purchasers in a portion of a parcel of real property, together with separate interest in space. A condominium may include, in addition, separate interest in other portions of such property pursuant to Wis. Stats. § 703.

**Court:** An open space within one lot which is surrounded by structures on more than 50 percent of its perimeter.

**Covenant:** A contract between two or more parties which constitutes a restriction of a particular parcel of land.

**Day Care:** See "In-home daycare," [Section 550.06.02](#), or "group daycare center." [Section 550.06.02](#).

**Deck:** An uncovered and open platform built above grade, typically supported from the ground by pillars or posts, and accessible from the yard. A deck may be either attached to, or separated from, a principal or accessory building. Decks are considered to be part of a building or structure when they are physically attached to a principal structure and shall meet principal building setbacks. Any other type of deck shall meet accessory structure setbacks. Setbacks shall be measured from the outermost physical boundary of the deck.

**Dedication:** The transfer of property interest from private to public ownership for a public purpose. The transfer may be of fee simple interest or of a less than fee simple interest, including an easement.

**Density:** A term used to describe the number of dwelling units per acre. Density on a given lot is determined through the bulk dimensional standards such as lot size, height, and setbacks.

**Design standards:** A guideline/specification or set of guidelines/specifications regarding the architectural appearance of a building or improvement that governs the alteration, construction, demolition, or relocation of a building or improvement (see Article VII).

**Developed area:** That area which is made up of physical property improvements including but not limited to structures, parking, drives, signage and utility features that are either above or below ground.

**Development:** The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any buildings; the primary or principal use or change in primary or principal use of any buildings or land; any extension of any use of land; or any clearing, grading, or other movement of land, for which permission may be required pursuant to this Chapter.

**Dormer:** A structural element of a house that protrudes from the plane of a sloping roof surface. Dormers are used to create usable space in the roof of a building by adding headroom and usually also by enabling addition of windows.

**Dwelling:** A building or one or more portions thereof, containing one or more dwelling units, but not including habitations provided in nonresidential uses such as lodging uses and commercial campgrounds.

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**Dwelling, attached:** A dwelling joined to another dwelling at one or more sides by a shared wall or walls.

**Dwelling, detached:** A dwelling entirely surrounded by open space on the same lot.

**Dwelling unit:** A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

**Dwelling Unit Separation:** The narrowest distance between two dwelling units.

**Easement:** Written authorization, recorded in the Register of Deeds office, from a landowner authorizing another party to use any designated part of the land owner's property for a specified purpose.

**Electric Vehicle or EV:** Any motor vehicle that is licensed and registered for operation on public and private highways, roads, and streets, and that operates either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board via a battery for motive purpose. Electric Vehicle does not include an electric bicycle. Electric Vehicle include a battery electric vehicle or a plug-in hybrid electric vehicle.

**Electric Vehicle Charging Facility:** A facility where electricity is provided directly to the public on the premises for purposes of charging electric vehicles at one or more electric vehicle charging stations. An Electric Vehicle Charging Facility may not provide other types of vehicle fuel, such as gasoline.

**Electric Vehicle Charging Station:** A parking space, or parking spaces, that is, or are, equipped with and served by electric vehicle supply equipment for the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle. The terms Level 1, 2, and 3 charging stations are the most common electric vehicle charging levels, and include the following specifications:

- (1) Level 1 is considered slow charging and operates on a 15 to 20 ampere breaker on a 120 volt AC circuit.
- (2) Level 2 is considered medium charging and operates on a 40 to 100 ampere breaker on a 208 or 240 volt dedicated AC circuit.
- (3) Level 3 is considered "fast" or "rapid" charging and typically operates on a 60 amp or higher breaker on a 480 volt or higher three phase circuit with special grounding equipment. Level 3 stations are primarily for commercial and public applications and are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

**Electric Vehicle Supply Equipment or EVSE:** The conductors, including the ungrounded, grounded, and equipment grounding conductors, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

**Electric Vehicle Ready Parking Spaces:** A designated off-street parking space which is provided with electrical panel capacity and space to support a minimum 40-ampere, 208/240-volt branch circuit, and the installation of raceways, both underground and surface mounted, to support the future installation of EVSE to serve the parking space.

**Electric Vehicle Installed Parking Spaces:** A designated off-street parking space that is served by EVSE at a minimum Level 2 Electric Vehicle Charging Station.

**Elevation (building):** The view of any building or other structure from any one of four sides regardless of the configuration or orientation of a building. Each elevation will generally be identified as a north, south, east or west building elevation. Also see "facade."

**Essential Services:** Facilities that are:

- (1) Owned or maintained by public utility companies or public agencies;
- (2) Located in public ways or in easements provided for the purpose or on a customer's premises and not requiring a private right-of-way; and

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(3) Reasonably necessary for the furnishing of adequate water, sewer, gas, electric, communication or similar services to adjacent customers, not including any cross-country line on towers.

**Established grade:** The elevation established for the purpose of measuring the height of buildings. Grade shall be the average level of the ground immediately adjoining a façade exclusive of any filling, berming, mounding, or excavating. Where the finished grade is below the level of the established grade, the established grade shall be used for all purposes of this Ordinance.

**Extraterritorial jurisdiction:** The area outside of the City limits in which the City of Watertown may exercise extraterritorial powers of planning, land division, and/or zoning review.

**Extraterritorial zoning:** The area outside of the City limits in which the City of Watertown has exercised extraterritorial powers of zoning.

**Façade:** The wall planes of a building which are visible from one side or perspective (e.g. front, side, rear). See "elevation (building)."

**Family:** A person living as an individual or any combination of the following groups living together as a single nonprofit housekeeping unit and sharing common living, sleeping, cooking and eating facilities:

- (1) Any number of people related by blood, marriage, domestic partnership, legal adoption, guardianship or other duly-authorized custodial relationship. For the purpose of this Section, "children" means natural children, grandchildren, legally adopted children, stepchildren, or a ward as determined in a legal guardianship proceeding;
- (2) Up to four (4) unrelated adult individuals;
- (3) Up to four (4) unrelated persons who have disabilities/are disabled or handicapped under the Fair Housing Amendment Act (FHA) or the Americans with Disabilities Act (ADA), are living as a single household because of their disability, and require assistance from a caregiver.
  - (a) This definition does not include those persons currently illegally using or addicted to a "controlled substance" as defined in the Controlled Substances Act, 21 U.S.C. Section 802 (6).
- (4) Up to two (2) personal attendants who provide services for family members or individuals who are disabled or handicapped under the Fair Housing Amendment Act (FHA) or the Americans with Disabilities Act (ADA) and need assistance with the activities of daily living shall be considered part of a family. Such services may include personal care, housekeeping, meal preparation, laundry or companionship.
- (5) Exceptions: The definition of "family" does not include:
  - (a) Any society, club, fraternity/sorority, association, lodge, combine, commune, federation, or similar organization; and
  - (b) Any group of individuals whose association is temporary or seasonal in nature.

**Farm building:** Any building, other than a dwelling unit, used for storing agricultural equipment or farm produce or products, having livestock or poultry, or processing dairy products.

**Fence:** Any artificially constructed barrier erected to separate, enclose, or screen areas of land.

**Fence, picket:** A type of fence constructed of evenly-spaced vertical boards that are connected by two or more horizontal rails.

**Fence, solid:** A fence, including solid entrance and exit gates, that is least 90 percent opaque and that effectively conceals the materials stored and activities or operations conducted behind it from view, including privacy fences.

**Floor area:** The sum of the gross horizontal areas of the floors of a building, including interior balconies, mezzanines, basements, and attached accessory buildings, stairs, escalators, unenclosed and enclosed porches,

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heating and utility rooms, etc. Measurements shall be made from the outside of the exterior walls and to the center of interior walls dividing attached buildings.

**Foot-candle:** A unit of illumination produced on a surface, all points of which are 1 foot from a uniform point source of one candle.

**Foster family:** A group of individuals living together and sharing common living, sleeping, cooking and eating facilities in which 1-4 children are provided home-like care by licensed foster parents (individuals other than those defined in "Family" above with primary responsibility for the care and supervisions of one or more foster children placed in their foster home) and in whose name the foster home is licensed under Wis. Stats. § 48.62.

**Frontage:** See lot frontage.

**Garage:** An attached or detached accessory building or structure, or part thereof, used or designed to be used for the parking and storage of vehicles. Garages are also commonly used to store other items associated with the use of a lot such as yard maintenance and children's play equipment.

**Garage (Residential):** A detached accessory building or portion of the principal building, including a carport, which is used primarily for storing passenger vehicles, trailers or one truck of a rated capacity not in excess of 10,000 pounds.

**Grade, existing:** The surface elevation of the ground or pavement at a stated location as it exists prior to disturbance in preparation for a project regulated by the ordinance.

**Grade, finished:** The final elevation of the ground surface after human-made alteration, such as grading, grubbing, filling or excavating have been made and is part of an approved grading and drainage plan by the City of Watertown.

**Gross density:** The result of dividing the number of dwelling units located on a site by the gross site area.

**Gross floor area:** The total floor area inside the building envelope of all levels of a building.

**Gross site area:** The total area of a single lot or the sum of multiple lots in common use.

**Group development:** See [Section 550.06.02](#).

**Ground floor:** The floor of a structure that is at or nearest to the level of the site's base elevation around the structure. In most instances this is the floor that is level or almost level with the ground outside of and directly surrounding the structure that serves as the structure's accessible entry point for patrons or residents from the street or sidewalk.

**Habitable space:** Space in a structure used for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, or storage or utility spaces are not considered habitable space.

**Height:** The maximum height of the highest portion of any structure. See "building height."

**Historic building or site:** Any building or site that meets one or more of the following criteria: buildings or sites listed on the Wisconsin or National Register of Historic Places, either individually or as a contributing building or site to a historic district; buildings or sites with a State Historic Preservation Officer Opinion or Certification that the property is eligible to be listed on the State Register or National Register of Historic Places, either individually or as a contributing building or site to a historic district; or is locally designated as a Local Landmark.

**Impervious surface or area:** Areas designed and installed to prohibit infiltration of stormwater. Homes, buildings and other structures, as well as concrete, brick, asphalt and similar paved surfaces are considered impervious. Gravel areas and areas with landscaped pavers which are intended for vehicular traffic are considered to be impervious. Porous pavers or pavement shall be exempt from the impervious surface area calculation.

**Impervious surface ratio:** A measure of the intensity of land use, determined by dividing the total of all impervious areas.

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**Individual family living arrangement:** A residential land use in which occupancy of a dwelling unit is by no more than one family as defined above. See **Section 550.03.06**.

**Infill site:** Any vacant lot or parcel within developed areas of the City, where at least 80 percent of the land within a 300-foot radius of the site has been developed; and where water, sewer, streets, schools, and fire protection have already been developed and are provided. Annexed areas located on the periphery of the City limits shall not be considered infill sites.

**Intensity:** A term used to describe the amount of gross floor area or landscaped area on a lot or site compared to the gross site area.

**Invasive plants or species:** Nonindigenous species whose introduction causes or is likely to cause economic or environmental harm to human health as defined in Wis. Stats. § 23.22(1)(c).

**Landscaped area:** The area of a site which is planted and continually maintained in vegetation, including grasses, flowers, herbs, garden plants, native or introduced groundcovers, shrubs, bushes, and trees. The landscaped area also includes the area located within planted and continually maintained landscaped planters as well as subordinate accessory use of other landscape elements such as mulch, river rock, etc.

**Landscape Surface Area Ratio (LSR):** The percentage of the gross site area or lot area which is preserved as permanently protected landscaped area.

**Land Use:** The type of development and/or activity occurring on a piece of property.

**Loggia:** A roofed arcade or gallery with open sides stretching along the front or side of a building, often at an upper level.

**Lot:** A parcel of land not divided by a street nor including any land within the limits of a public right-of-way. The term “lot of record” shall mean land designated as a distinct and separate parcel on a legally recorded plat, subdivision, or other instrument permitted by law, in the Register of Deeds office.

**Lot area:** The computed area contained within the lot lines of a recorded lot, including land over which easements have been established.

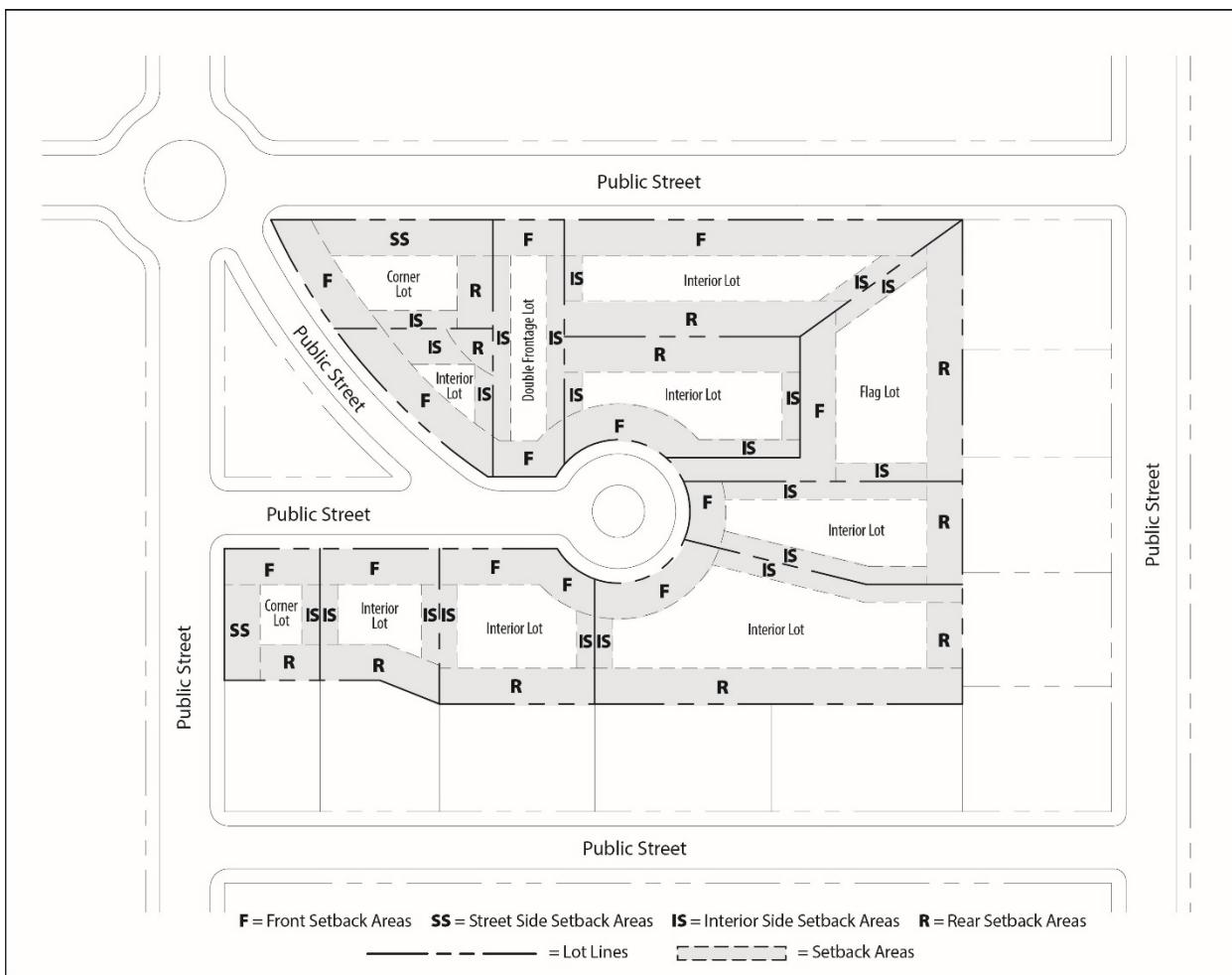
**Lot, corner:** A lot abutting upon two or more streets at their intersection or upon two parts of the same street, such streets or parts of the same street forming an interior angle of less than 135 degrees. The point of intersection of the street lines or their greatest angle is the “corner.”

**Lot depth:** The mean horizontal distance between the front and rear lot lines.

**Lot frontage:** The horizontal distance between the side lot lines measured at the point where the side lot lines intersect the right-of-way. All sides of a lot that abuts a street shall be considered lot frontage. On curvilinear streets, the distance of the arc between the side lot lines shall be considered the lot frontage.

**Lot, interior:** A lot other than a corner lot.

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**Figure 550.11.01b: Regular Lot Descriptions**

**Lot line:** A lot line is the legal property line (including the vertical plane established by the line and the ground) bounding a lot except that where any portion of a lot extends into the public right-of-way or a proposed public right-of-way, the line of such public right-of-way shall be the lot line for applying this Chapter.

**Lot line, front:** A lot line which abuts a public or private street right-of-way. In the case of a lot which has two or more street frontages, the lot line along the street with the shortest frontage distance shall be the front lot line. In the case of a lot which has two or more street frontages, the front lot line shall be the street line designed by the owner and filed in the office of the Zoning Administrator. (See also lot line, street side). See Figure 550.11.01b.

**Lot line, rear:** In the case of rectangular or most trapezoidal shaped lots, that lot line which is parallel to and most distant from the front lot line of the lot. In the case of an irregular, triangular, or gore-shaped lot, a line 20 feet in length, entirely within the lot, parallel to and at the maximum possible distance from the front line shall be considered to be the rear lot line. In the case of lots that have frontage on more than one road or street, the rear lot line shall be opposite the front lot line (shorter of the frontages) but shall not extend within the street side lot line. See Figure 550.11.01b.

**Lot line, side:** Any lot line other than a front or rear lot lines. A side lot line separating a lot from a street is called a side street lot line. A side lot line separating a lot from another lot is called an interior side lot line. An interior side lot line can be created with no side yard setback where a building envelope between two lots sharing a single structure is present. This is known as a zero lot line. See Figure 550.11.01b.

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**Lot line, street side:** Any lot line which abuts a public or private street right-of-way which is not the front lot line (see also lot line, front) and extends the full length of the lot fronting the right-of-way. See Figure 550.11.01b.

**Lot of record:** A platted lot or lot described in a plat, certified survey map, in a metes and bounds description, or other instrument permitted by law and has been approved by the City of Watertown and/or by Counties of Dodge and Jefferson, Wisconsin and has been recorded in the office of the Register of Deeds.

**Lot, through:** A lot having frontage on two parallel or approximately parallel streets (also known as a "double-frontage lot"). See Figure 550.11.01b.

**Lot width:** The maximum horizontal distance between the side lot lines of a lot, measured parallel to the front lot line(s) at the required front yard setback (see minimum lot width).

**Maintenance:** An activity that restores the character, scope, size, or design of a serviceable area, structure, or land use to its previously existing, undamaged condition. Activities that change the character, size, or scope of a project beyond the original design or otherwise alter a serviceable area, structure, or land use are not included in this definition.

**Manufactured home:** A type of dwelling unit as defined by Wis. Stats. §101.95(2) that is certified and labeled as a manufactured home under 42 USC 5401-5426 which when placed on the site is set on an enclosed foundation in accordance with Wis. Stats. §70.043(1) and Wis. Admin. Code § SPS 321 subchapters III, IV, and V, or a comparable foundation as approved by the local Building Inspector, is installed according to manufacturer's instructions, is properly connected to utilities, has asphalt shingles and a gable or hip roof, has insulated glass windows, and has vinyl, aluminum or other quality siding. A manufactured home may be considered a single-family dwelling unit under Section 550.03.06(7) or an Accessory Dwelling Unit under Section 550.03.28(1), only if the structure meets all Building Code requirements for permanent foundations and footings and the structure is permanently affixed to the permanent foundation with concrete anchors.

**Maximum building size (MBS):** The largest permitted total gross floor area a building may contain (see building size).

**Minimum building separation:** The narrowest permitted building separation.

**Minimum Landscape Surface Ratio (LSR):** The lowest permitted landscape surface ratio. See "landscape surface ratio."

**Minimum lot area:** The minimum size lot permitted within the specified zoning district.

**Minimum lot width:** The smallest permissible lot width for the applicable zoning district.

**Minimum setback:** The narrowest distance permitted from a street, side, or rear property line to a structure.

**Minimum Site Area (MSA):** The minimum gross site area in which the specified development option may occur. See "gross site area (GSA)."

**Mixed-use:** Some combination of residential, commercial, industrial, office, institutional, and/or other land uses within a district or development.

**Mobile home:** A type of dwelling unit suitable for year-round occupancy designed to be towed as a single unit or in sections, with a permanent foundation, with walls of rigid, un-collapsible construction, and with water supply, sewage disposal, and electrical convenience. A Mobile Home includes both a "mobile home" and a non-permanently affixed "manufactured home" as defined by Wis. Stats. §101.91(10) (also see the definition of Manufactured Home) A Mobile Home does not include a "modular home" as defined by this Chapter. Any similar dwelling unit which has its own motor and/or remains on wheels shall be considered a recreational vehicle.

**Modular home:** A dwelling unit meeting the Uniform Dwelling Code and Wis. Stats. §101.71(6) that is transported to the building site in sections, does not have a permanent chassis, and is permanently mounted

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on a permanent foundation. A modular home is regulated as a single-family dwelling unit under Section 550.03.06(7) or an Accessory Dwelling Unit under Section 550.03.28(1).

**Multi-family residential:** A building or structure designed for three or more separate dwelling units in which one dwelling unit may have a roof, wall, or floor in common with another dwelling unit.

**Native plants or species:** Plant types that existed in an area prior to European settlement that are well adapted to the climate, precipitation, soils, insects, and other local conditions and are consequently easier to grow than non-native plant types. See Figure 550.08.40a and the Wisconsin Department of Natural Resources for native planting species best suited for the City of Watertown.

**Navigable water:** All natural inland lakes, rivers, streams, ponds, sloughs, flowages, and other waters within the territorial limits of Wisconsin, including the Wisconsin portion of boundary waters. All bodies of water with a bed differentiated from adjacent uplands and with levels of flow sufficient to support navigation by a recreational craft of the shallowest draft on an annually recurring basis. For the purposes of this Chapter, rivers and streams will be presumed to be navigable if they are designated as either continuous or intermittent waterways on the United States Geological Survey quadrangle maps until such time that the Wisconsin Department of Natural Resources has made a determination that the waterway is not, in fact, navigable.

**Net developable area:** The area of a site which may be disturbed by development activity. Net developable area is the result of subtracting undevelopable area (comprised of surface water, wetlands, 100-year floodplains, floodways, drainageways, wetland buffers, environmental corridors, and steep slopes exceeding 12%) from the gross site area.

**Nonconforming Building or Structure, Development, or Use:** See Article V.

**Occupancy:** The use of land, buildings or structures. The residing of an individual or individuals overnight in a dwelling unit or the installation, storage, or use of equipment, merchandise, or machinery in any nonresidential structure. Change of occupancy is not intended to include change of tenants or proprietors.

**Occupancy, change of:** A discontinuance of an existing use and the substitution therefor of a use of a different kind or class. Change of occupancy is not intended to include a change of tenants or proprietors unless accompanied by a change in the type of use.

**Official map:** The map adopted pursuant to Wis. Stats. § 62.23 of the Wisconsin Statutes which shows existing and proposed streets, highways, parkways, parks and playgrounds, school sites, etc.

**Opacity:** The degree to which vision is blocked by bufferyard. Opacity is the proportion of a bufferyard's vertical plane which obstructs views into an adjoining property, i.e. the screening effectiveness of a bufferyard or fence expressed as the percentage of vision that the screen blocks.

**Open space:** Any area not covered by a structure.

## Section 550.11.01: Definitions

**Outdoor assembly area:** Any theatrical exhibition, public show, display, entertainment, amusement or other exhibition which is held outside of any permanent structure permitted for such use.

**Outdoor wood furnace:** An outdoor accessory structure designed to heat water through a wood fire and then transmit that heated water to the principal building for direct use and/or heating the principal building. Outdoor wood furnaces are prohibited.

**Overlay zoning district:** A zoning district which imposes uniform restrictions on all properties within its area which are in addition to the restrictions specific to the underlying or base zoning districts.

**Owner:** The person, persons, or entity having the right of legal title to a lot or parcel of land.

**Parapet:** The extension of a false front or wall above the roofline.

**Parcel:** Any area of land (lot or contiguous group of lots) in the City as shown on the last assessor's roll of the county or the records of the City, whichever is the most recent.

**Parking Space, Designated:** An area of a parking lot, or drive which has been designated for parking on a site plan and is located on a dust-free paved surface per the requirements of [Section 550.06.06](#).

**Patio:** An open, level-surfaced area which is typically impervious and has an elevation of no more than 12 inches, and without walls or a roof, intended for outdoor seating and recreation.

**Pavement Setback:** The area between the nearest right-of-way or lot line and any impervious surfaces on the lot. This setback does not apply to driveways, driveway entrances, public sidewalks, or sidewalks perpendicular to the street right-of-way on private property. See [Figure 550.11.01c](#).

**Performance standard:** Criterion established to control and limit the impacts generated by, or inherent in, uses of land or buildings.

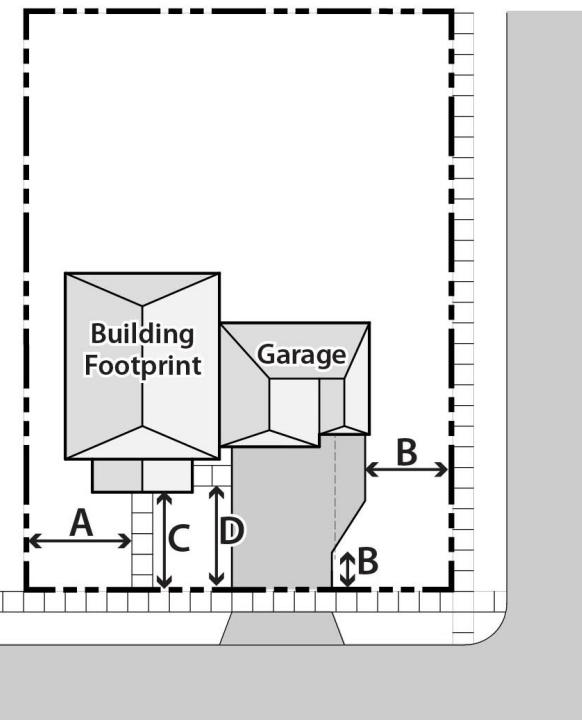
**Permanently protected green space:** Permanently protected green space areas that are protected from development such as wetlands, wetland buffers, floodplains, drainage ways, steep slopes, lakeshores, woodlands, native or restored habitat, environmental corridors, and stormwater facilities.

**Person.** Any individual, tenant, lessee, owner, operator, or any public, private, nonprofit, or commercial entity including, but not limited to, firm, business, partnership, joint venture, association, corporation, municipality, agency, or governmental agency.

**Pervious surface:** A surface which allows for precipitation from any source to infiltrate directly into the ground. Undisturbed ground is a pervious surface. Some disturbed ground can be pervious if designed as such.

**Place of worship:** A structure, together with its accessory structures and uses, where persons regularly assemble for religious worship and is maintained and controlled by an organized religious body organized to sustain public worship, which is exempt from federal income tax as regulated by the Internal Revenue Service Code.

**Figure 550.11.01c: Pavement Setbacks**



**Key to Figure 550.11.01c**

- A Pavement setback to side lot line
- B Pavement setback to right-of-way (driveway)
- C Pavement setback to right-of-way (porch, stoop, patio)
- D Pavement setback to right-of-way (sidewalk)

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**Section 550.11.01: Definitions**

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**Plat:** A map or drawing which graphically delineates the boundary of land lots/parcels for the purpose of identification and record title pursuant to Wis. Stats. § 236.

**Pole building:** A typically metal-clad structure most often utilizing wooden poles and trusses for support with unfinished, uninsulated interiors. Such structures are normally used for agricultural purposes, for construction trade storage, or for general storage, and are not intended for human occupancy.

**Porch:** A covered platform that is attached to the outside of a building, typically at an entrance. A porch is not heated or cooled, not fully enclosed and, not used for livable space. The post of the porch closest to a lot line is considered the wall for setback purposes.

**Principal structure:** The building containing the principal use, including the foundation, basement, and attic.

**Principal use:** The main use to which a parcel is devoted and the main purpose for which the premises exists.

**Protected Natural Resources:** Resources such as floodways, flood-fringes, floodplain conservancy areas, wetlands, drainageways, woodlands, steep slopes and lakeshores, which are protected by the provisions of this chapter. [See Section 550.02.21.](#)

**Public improvement:** Any improvement, facility, or service, together with customary improvements and appurtenances thereto, necessary to provide for public needs, such as: streets, roads, alleys, or pedestrian walks or paths; storm sewers; flood control improvements; water supply and distribution facilities; sanitary sewage disposal and treatment; and public utility and energy services.

**Recreational equipment:** Equipment used by residents of a principal building on-premise including but not limited to swimming pools, swings, slides, climbers, teeter-totters, play-forts, sandboxes, supports for basketball baskets and backboards, badminton nets and similar equipment, but not including recreational vehicles normally utilized off-premise, including but not limited to boats, trailers, campers, travel trailers and snowmobiles.

**Recreational vehicle:** A term encompassing any type of vehicle used primarily for recreational pleasure. Examples include but are not limited to travel trailers, motor homes, boats, all-terrain vehicles, snowmobiles, etc. Recreational vehicles shall include any mobile structure designed for temporary occupancy, but shall exclude manufactured homes.

from an analysis of floods on a particular stream and other streams in the same general region.

**Residential use:** The individual uses listed in [Section 550.03.06.](#)

**Scale (of development):** A term used to describe the gross floor area, height, or volume of a single structure or group of structures.

**Setback:** The shortest distance between the exterior of a building or structure and the nearest point on the referenced lot line, excluding permitted projections in accordance with [Section 550.04.40.](#)

**Sewage System, Private:** A privately owned sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure. This term also means an alternative sewage system approved by the state, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure, or a system located on a different parcel than the structure.

**Sewage System, Public:** A sewage treatment and disposal system approved by the State Department of Natural Resources and maintained by a public agency authorized to operate such systems. This includes the City of Watertown sewer system.

**Sign:** See [Section 550.09.03.](#)

**Sill:** A horizontal, lower member or bottom of a door or window casing.

**Section 550.11.01: Definitions**

**Single family dwelling unit:** A dwelling unit type that consists of a fully detached single family residence which is located on an individual lot. Single family dwelling units are designed for one family (see Family definition) and have no roof, wall, or floor in common with any other dwelling unit. A single family dwelling that contains an in-family suite (See Section 550.03.28 (14)) is still considered a single family dwelling.

**Site area:** See gross site area.

**Site plan:** See Section 550.10.43.

**Slope:** An incline from the horizontal expressed in an arithmetic ratio of horizontal magnitude to vertical magnitude. (Example: 3:1 slope is 3 feet horizontal and 1 foot vertical).

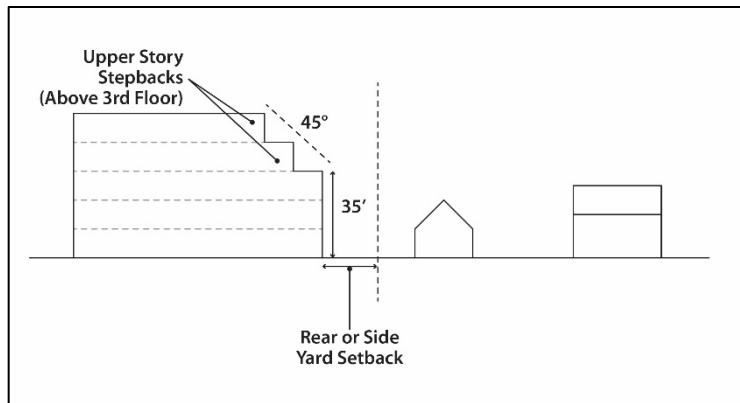
**Start of construction:** The date the building permit is issued, provided the actual start of activity was within 365 calendar days of the permit date. The actual start of activity means the first placement of permanent construction on the site. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of public streets and/or walkways; nor does it include excavation for basement, footings, piers, or foundations; nor does it include the erection of temporary forms.

**Steep slope:** Steep slopes are areas which contain a ratio of horizontal magnitude to vertical magnitude of 8:1 (gradient of 12 percent or greater).

**Figure 550.11.01d: Building Stepbacks**

**Stepback:** An architectural design element applied to the upper stories of buildings where any portion of the building above a certain height is moved inside the frame of the building façade toward the center of the property. See Figure 550.11.01d.

**Story:** That portion of a building included between the surface of any floor and the surface of the floor next above or, if there is no floor above, the space between the floor and the ceiling next above. Neither a basement nor a cellar shall be counted as a story.



**Street:** A right-of-way for vehicular and pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, or however otherwise designated and includes all of the area between the right-of-way lines. See Chapter 545 of the City of Watertown Municipal Code.

**Street, arterial:** Principal Arterials, Primary Arterials, and Standard Arterials as defined in Chapter 545 of the City of Watertown Municipal Code.

**Street, collector:** Collector Streets as defined in Chapter 545 of the City of Watertown Municipal Code.

**Street, local:** Local Streets as defined in Chapter 545 of the City of Watertown Municipal Code.

**Street terrace:** The space between the sidewalk and the curb, or the equivalent space where sidewalk or curb are not installed.

**Story:** That portion of a building, other than a basement, that is between the surface of any floor and the surface of the next floor above it or, if there is not a floor above, then the space between such floor and the ceiling next above it.

**Structure:** Anything constructed or erected, the use of which requires a more or less permanent location on the ground, or attached to something having a permanent location on the ground, excluding landscape features, fences, public utilities, and other minor site improvements.

**Structural alteration:** See alteration.

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**Section 550.11.01: Definitions**

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**Substandard lot:** A lot of record which lawfully existed prior to this Chapter, which would not conform to the applicable regulations if the lot were to be created under the current provisions of this Chapter.

**Substantial Evidence:** Means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a Conditional Use Permit and that reasonable persons would accept in support of a conclusion. [See Section 550.10.32.](#)

**Temporary use:** A land use which is present on a property for a limited and specified period of time. See [Section 550.03.30.](#)

**Terrace:** A horizontal, external, raised, open, flat area attached or detached to a structure or located on the roof of a structure.

**Transom:** A horizontal bar of stone, wood or glass across the upper opening of a door or window.

**Two family residential:** A building designed for two separate dwelling units in which one dwelling unit may have a roof, wall, footing, or floor in common with another dwelling unit. For the purposes of this Chapter, Duplex, Twin House, and Two Flat dwellings are considered to be two family residential. A single family dwelling with an attached accessory dwelling unit is not a two family dwelling.

**Unnecessary hardship:** The circumstance where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height, or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.

**Use:** The purpose for which land or a building or structure is arranged, designed, or intended, or for which it is, or may be, occupied or maintained.

**Variance:** A modification of the terms of this Chapter regulating land uses or bulk regulations where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the Chapter would result in unnecessary and undue hardship. Variances are further defined in Wis. Stat. § 62.23(7)(e)7.a.

**Vision triangle:** [See Section 550.06.03.](#)

**Wetland:** An area that is saturated by surface water or groundwater, with vegetation adapted for life under those soil conditions. See also Wis. Stats. § 23.32(1).

**Wharf/Pier:** Any structure in navigable waters extending along the shore and generally connected with the uplands throughout its width, built or maintained for the purpose of providing a berth for watercraft or for loading or unloading cargo or passengers onto or from watercraft. Such a structure may include a boat hoist or boat lift, and the hoist or lift may be permanent or may be removed seasonally.

**Wisconsin Wetland Inventory Map:** Maps prepared by the Wisconsin Department of Natural Resources.

**Woodland:** Areas of trees whose combined canopies cover a minimum of 80 percent of an area of one acre or more, as shown on USGS 7.5 minute topographic maps for the City and its environs.

**Yard:** An open space, other than a court, on a lot unoccupied and unobstructed from the ground upward except as otherwise provided in this Chapter.

**Yard, front:** A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest part of the nearest building or structure.

**Yard, rear:** A yard extending across the full width of the lot, the depth of which is the minimum distance between the rear lot line and the nearest part of the nearest building or structure.

**Yard, side:** A yard extending from the front yard to the rear yard, the width of which is the minimum horizontal distance between the side lot line and the nearest part of the nearest building or structure.

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**Section 550.11.01: Definitions**

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**Yard, street side:** For corner lots, the yard between the front and rear lot lines, extending from the street side lot line to the nearest part of the nearest building or structure extending along the entire street facing frontage.

**Yard, transitional:** That yard which must be provided along a zoning district boundary to provide for the required bufferyard on the more intensively zoned side of the lot line.

**Zero-lot line duplex:** A Twin House. See. 550.03.06(3).

**Zoning Administrator:** The person authorized and charged by the City with the administration of this chapter.

**Zoning map, official:** The map adopted and designated by the City as being the “Official Zoning Map.”