



Watertown Town Council

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6470

ELECTED OFFICIALS:

Mark S. Sideris,
Council President

Vincent J. Piccirilli, Jr.,
Vice President &
District C Councilor

Caroline Bays
Councilor At Large

Anthony J. Donato,
Councilor At Large

John G. Gannon
Councilor At Large

Anthony Palomba,
Councilor At Large

Angeline B. Kounelis,
District A Councilor

Lisa J. Feltner,
District B Councilor

Kenneth M. Woodland,
District D Councilor

ORDINANCE # [REDACTED]

2020 – O – [REDACTED]

WHEREAS: Pursuant to Massachusetts General Laws Chapter 40A, Section 5 and Article IX of the Watertown Zoning, the Zoning Ordinance may be amended from time to time; and

WHEREAS: On January 22, 2019, the Town Council of the City known as the Town of Watertown had a first reading on an amendment submitted by the Department of Community Development and Planning, at the request of the Honorable Town Council, in regard to clarifying language to better define residential accessory structure requirements; and

WHEREAS: On June 12, 2019 with five members present, the Planning Board recommended that further restrictions be included to address height near the property line. The Planning Board voted to recommend approval of the amendment with minor modifications and directed DCDP staff to submit the Planning Board's report and recommendations to the Town Council with respect to the proposed amendment; and

WHEREAS: On February 11, 2020 the Town Council conducted a duly advertised Public Hearing with respect to the proposed Amendment.

NOW THEREFORE BE IT ORDAINED by the Town Council of the City known as the Town of Watertown that Title XII of the Watertown Code of Ordinances, the Zoning Ordinance, is hereby amended, with struck-through language deleted and underlined language inserted, as follows:

Article IV General Use and Dimensional Regulations

SECTION 4.03 ACCESSORY USES

- (a) Permitted and required accessory uses shall be on the same lot of record as the principal use to which they are accessory and shall be such as not to alter the character of the premises on which it is located.
- (b) No accessory use or uses within a building other than an accessory garage shall occupy more than a combined total of twenty-five percent (25%) of the floor area of the principal building.
- (c) No residential accessory structure/building shall occupy part of the required Front Yard, but such building may occupy not more than thirty percent (30%) of any other minimum required yard setback or existing yard area, whichever is greater; in addition, no residential accessory building façade shall exceed thirty (30) feet in length.
- (d) No part of a residential accessory building shall be located nearer than five (5) feet to any side or rear lot line nor: ~~be more than one story or twelve (12) feet in height in the case of a flat roof, or eighteen (18) feet in height in the case of a pitched, gable, hip, gambrel or mansard roof.~~
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1. Be more than twelve (12) feet in height in the case of a flat roof, or eighteen (18) feet in height in the case of a pitched roof.
 2. Be more than one story. In the case of an attic floor, such attic floor shall not exceed the dimensional limitation of the half-story definition.
 3. Exceed twelve (12) feet in height, where the pitch of the roof shall begin at the top plate of the exterior wall (gable ends are not considered as part of the wall height).
 4. Extend above the plane created by using a 1:1 ratio (45 degrees), with the plane starting at a line located five feet from any property line and at a height of 12' extending up and into the property.
- (e) Commercial accessory parking structures shall comply with all other applicable sections of this code. In addition, Commercial accessory parking structures may occupy more than thirty percent (30%) of any other minimum required yard setback or existing yard area, provided that no more than thirty percent (30%) of said yard area is occupied by the parts of said parking structure extending above the finished grade of the lot.
- ~~(e)~~(f) No accessory use shall be permitted in any district except insofar as it is accessory to a principal use permitted in the district.
- ~~(f)~~(g) Swimming pools having a water depth of two (2) feet or more when full and ready for use shall be considered an accessory building for the purposes of interpreting this Zoning Ordinance. Swimming pools shall be screened by an opaque wall, barrier or uniform fence at least five (5) feet high and capable of prohibiting unauthorized use. In addition, swimming pools constructed below grade must be equipped with a permanently installed drainage system. Swimming pools with their associated walkways, aprons, raised decks, and their associated equipment shall not be located in a Front yard and shall be setback at least five (5) feet from any side or rear Lot Line, and subject to appropriate Screening as determined by the Board of Appeals. The above regulations shall not apply to those swimming pools that are portable in nature.
- ~~(e)~~(h) Accessory structures fronting on a public street or way shall be subject to the Front Yard Setback requirements of the district in which it is located.