



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 # 15

2020 – O - 15

AN ORDINANCE AMENDING THE TOWN'S ZONING ORDINANCE TO AMEND THE ZONING ORDINANCE REGARDING ACCESSORY USES AND OTHER CHANGES AS NEEDED SO AS TO CLARIFY THE DIMENSIONAL AND OTHER REQUIREMENTS FOR ACCESSORY BUILDINGS/STRUCTURES

WHEREAS, pursuant to Massachusetts General Laws Chapter 40A, Section 5 and Article IX of the Watertown Zoning Ordinance, 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 conducted a First Reading of a petition of Zoning Ordinance Amendment, and referred the Amendment to the Planning Board for Public Hearing; and

WHEREAS, the Planning Board held a duly advertised Public Hearing on June 12, 2019 in accordance with the requirements of M.G.L. c. 40A, Section 5 to discuss the Amendment language as recommended by Department of Community Development & Planning ("DCDP") staff, and where public comment was received; and

WHEREAS, the Planning Board, with five members present, the Planning Board voted unanimously to recommend approval with modifications of the request to amend Section 4.03 Accessory Uses of the Zoning Ordinance to make other changes to the WZO as needed to clarify the dimensional and other requirements for accessory buildings/structures.

WHEREAS, on February 11, 2020, the Town Council conducted a duly advertised Public Hearing with respect to the proposed Amendment where the Amendment was discussed and the report and recommendations of the Planning Board were received and considered.

NOW THEREFORE BE IT ORDAINED by the Town Council of the City known as the Town of Watertown that Title XV of the Watertown Code of Ordinances, Chapter 155, Zoning Ordinance, is hereby amended 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.
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.

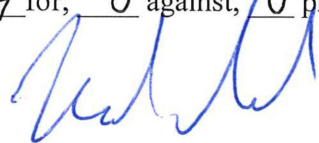


Council Member

I hereby certify that at a Meeting of the Town Council for which a quorum was present, the above Ordinance was adopted by a roll call vote of 9 for, 0 against, 0 present on February 11, 2020



Marilyn W. Pronovost, Council Clerk



Mark S. Sideris, Council President