

Watertown Zoning Ordinance Update

An aerial photograph of Watertown, Massachusetts, with a yellow line tracing the path of the Charles River through the city. The map shows a dense urban grid with various building footprints and street patterns. The river flows from the upper left towards the lower right, with several meanders and islands.

City Council Worksession
August 8, 2022 @ 7:00pm

Agenda

- **Why Update Zoning?**
- **Watertown's Zoning Update Process**
- **Innovative Approaches to Zoning**
 - Existing and Proposed Map
 - Use Table
 - Form-Based Code
 - Updated Review Process
 - New Approach to Parking
- **Next Steps**

The Why?

NYS General Municipal Law

The comprehensive plan is insurance that the ordinance bears a “reasonable relation between the end sought to be achieved by the regulation and the means used to achieve that end.”

*James A. Coon Local Government Technical Series
Zoning and the Comprehensive Plan*

*Specifically, **General City Law** Section § 20(25) provides that “[s]uch regulations shall be designed to promote the public health, safety and general welfare . . . , in accord with a well considered plan” (emphasis added).*

What does zoning do?

“[Zoning] Codes that guide development are the DNA of human settlement.”

Anthony Flint, City Lab, August 12, 2014

- Outdated zoning can actually serve as a barrier to good urban development, contribute to rising costs, negatively impact residential uses, and prohibited a mix of uses that make cities vibrant and engaging
- Zoning CAN BE Economic Development
- Brings predictability – saves time and money
- Provides for a mix of uses in a style that ‘fits into Watertown’
- Zoning can help localities plan for and accommodate the housing they need
- Zoning can help achieve long-term sustainability – green infrastructure, parking requirements, landscaping, floodplain regulations, urban agriculture, energy systems, etc.

Why Update Zoning?

- Originally written in late 1950s
- Never had a full update – only piecemeal
- First Ever Comprehensive Plan (2019) and DRI Strategic Plan
- Changes in Terminologies and Techniques
- Court Rulings (State and Federal court rulings have impact on local laws)
- New Technology (alternative energy, digital signs)
- Changing Demographics (more diverse, aging population)
- Integrate Form Based Code Including Graphics
- Create a code that is user friendly

Zoning Update Process

Zoning Update Process

- Implement Watertown's first-ever Comprehensive Plan
- Two year process
- 3-Day Immersion
- 8 member Council Appointed Steering Committee
 - 20 meetings which totaling 40+ hours
- Stakeholder meetings
 - Focus on 'users' of the ordinance
 - Local developers, realtors, architects/engineers
- Public meeting
 - April 16 – May 17, 2021; 236 respondents
- Numerous hours of staff/consultant dialogue

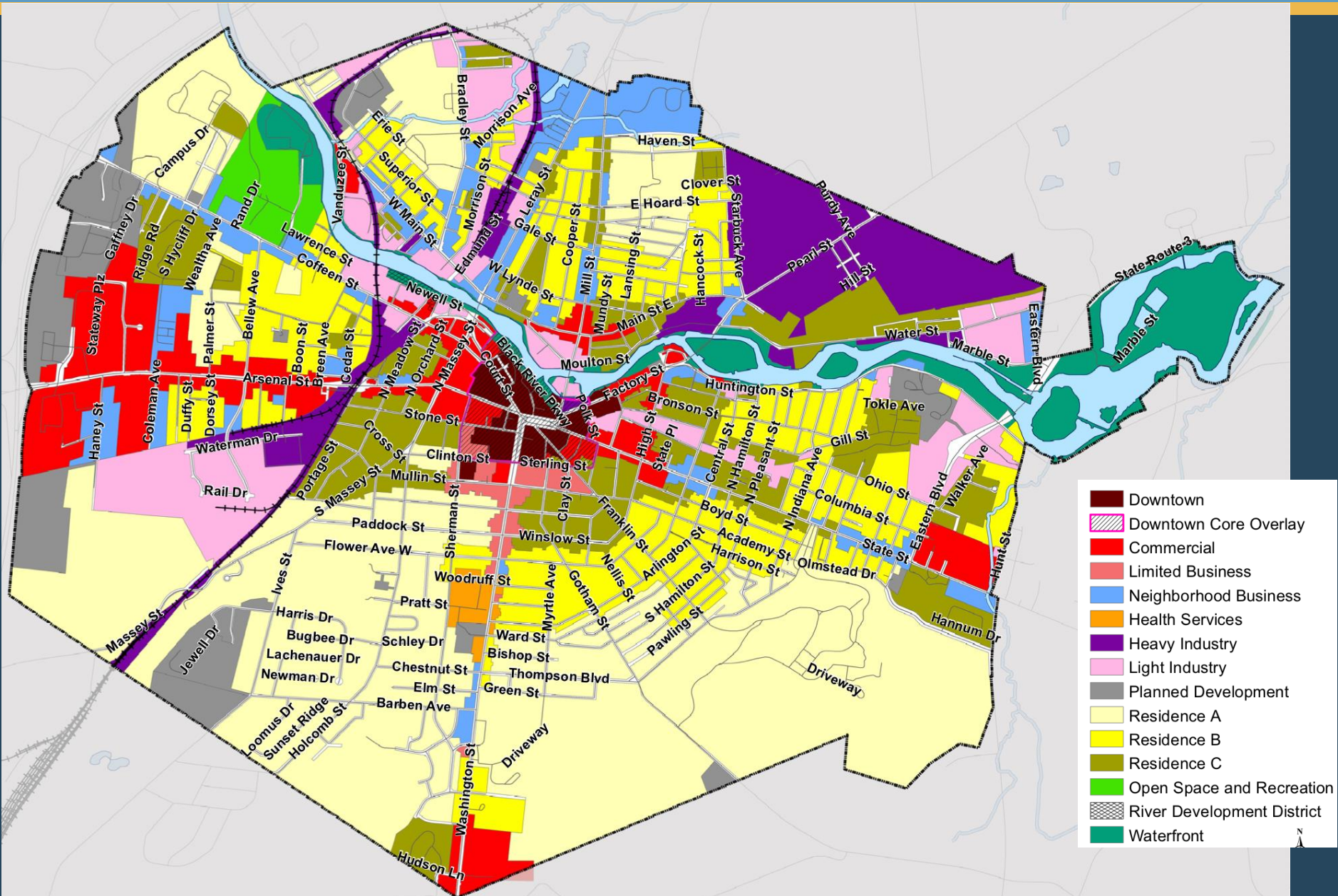
Watertown Zoning Diagnostic

Watertown Zoning Overview

Article	General Comment
I: Definitions	<ul style="list-style-type: none">• Outdated and not comprehensive
II: Districts	<ul style="list-style-type: none">• No clear discussion of district purposes
III: Uses	<ul style="list-style-type: none">• No use table• Cumulative to next district• No need to list every use nor accessory uses• Outdated uses (Snowmobile Vending Lot)
IV: Area and Yard Regulations	<ul style="list-style-type: none">• No table• Odd regulations – ‘Rear Dwellings’ and ‘Changes in Size and Shape’
V: Accessory Uses	<ul style="list-style-type: none">• Not needed• Address more simply in Supplemental Regulations
VI: Non-Conforming	<ul style="list-style-type: none">• Need to update: uses, structures, and lots
VII: Parking	<ul style="list-style-type: none">• Pkg Table needed• Add Green Infrastructure• Consider parking maximums
VIII: Misc. Prov.	<ul style="list-style-type: none">• Change to Supplemental Regulations and link to use table• Make Signs it’s own Article and update
IX: Site Plan Review	<ul style="list-style-type: none">• Outdated – incorporate NYS General City Law
X: Admin	<ul style="list-style-type: none">• Need to update• Change Special Use Permit to PB

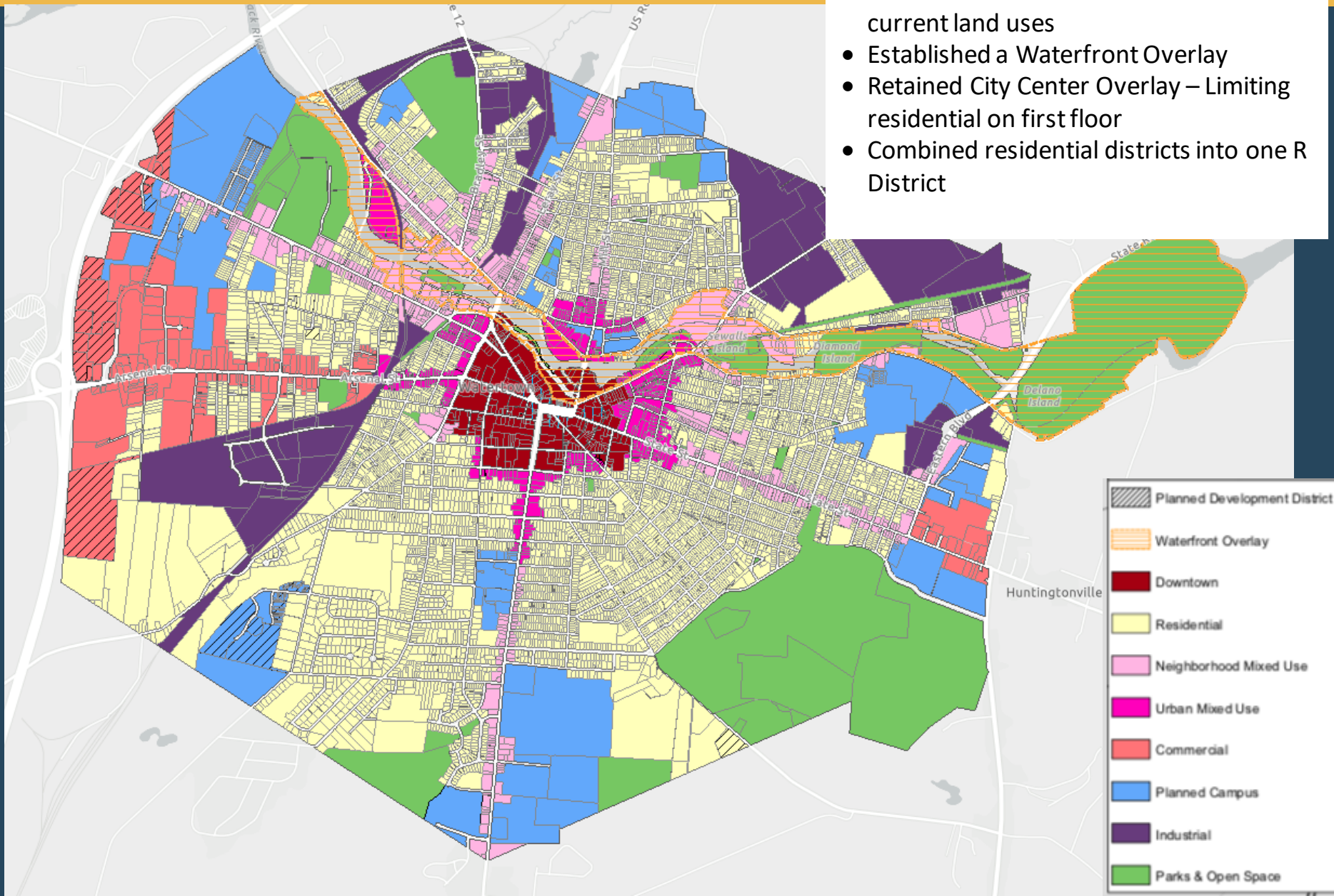
Zoning Map

Existing Zoning



Proposed Zoning Districts

- Simplified the Districts
 - Reduced from 12 to 8
- Created Mixed-Use Districts to reflect current land uses
- Established a Waterfront Overlay
- Retained City Center Overlay – Limiting residential on first floor
- Combined residential districts into one R District



Proposed Residential District

National Trends

- Zoning can be excessively restrictive (lot size, off-street parking, prohibitions on multi family housing) driving up housing costs
- Where supply cannot keep up with demand, housing prices rise
- With few exceptions the lot sizes within Watertown do not vary significantly
- There is a mix of single, two and three+ family households throughout the city
- However, many lots are already so small that they cannot accommodate 2+ dwellings per the dimensional requirements
- Use table for the R district does not allow a lot of density nor commercial uses
- Still protecting residential character through Form Based Code
- ‘Dimensionally’ really feels the same so can address with same criteria

Use Table

New Format: Use Table

- Easy to read table format
- Established Categories of uses
- Separate WFO Table
- Indicating Different Levels of Review:
 - Blank = not allowed
 - S = Site Plan Review
 - SUP = Special use Permit
 - DR = Departmental Review

a. RESIDENTIAL	D	UMU	NMU	C	R	PC	IND	P&OS	Supp Regs
Dwelling, Single Unit		DR	DR		P				
Dwelling, Two Unit		P	P		DR				
Dwelling, Multi-Units, pre-existing		P	P		P				
Dwelling- townhouse/rowhouse 3	S	S	S		SUP				X
Dwelling- townhouse/rowhouse 3+	S	S	S			S			
Dwelling, Multi-Unit	S	S	DR			S			
Residential Adaptive Reuse, pre-existing	S				SUP				
Dwelling, Apartment Buildings	S	S	S			S			X
Dwelling, Accessory Unit			DR		DR				X
Co-Housing	S	S	SUP		S	S			
Communal Housing	S	S	S			S			
Home Occupation, Minor	P	P	P		P				X
Home Occupation, Major	DR	DR	DR		DR				X
Community Residential Facility	P	P	P		P	P			
Assisted Living	S	S	S		S	S			
Skilled Nursing Facility		S	S			S			
Live-Work Unit	DR	DR	DR						X
Mobile Home Parks						S			X
b. LODGING	D	UMU	NMU	C	R	PC	IND	P&OS	Supp Regs
Bed and Breakfast		S	S		SUP	S			X
Inn	S	S		S		S			
Hotel/Motel/Hostel	S	S		S					
Short Term Rental	P	P	P		P				X
c. COMMERCIAL	D	UMU	NMU	C	R	PC	IND	P&OS	Supp Regs
Adult Use							SUP		X
Amusement, Recreation, or Entertainment (Indoor)	S	S		S		S	S		X
Amusement, Recreation, or Entertainment (Outdoor)				S		S	S	SUP	X
Bar, Restaurant, Café, Brewpub	DR	S	SUP	S		S	S		
Brewery/Distillery/Winery (Micro)	DR	S	SUP	S		SUP	P		
Brewery/Distillery/Winery		SUP		SUP		SUP	SUP		X
Day Care Center	S	S	S	S		S	S		
Day Care Center, Accessory	S	S	S	S		S	S		
Day Care, Adult		S	S			S			
Day Care, Family	P	P	P	P	P	P			

Form-Based Code

Form-Based Code

“FORM” means:

- Setbacks
- Lot coverage
- Stories
- Frontage type
- Build-to lines
- Parking location
- Street type

- Replaces area and bulk requirements with easy to read ‘two-pagers’
- Innovative means to ensure new development is in keeping with Watertown’s character

Residential - R

1. Purpose

Residential neighborhoods where the primary uses are single-unit and two-unit homes. Lot sizes vary from small to large with some multi-unit structures. New construction should not compromise the aesthetic value of existing historical homes. Streets are lined with sidewalks and ample street trees that provide walkable, human-scale neighborhoods.

2. Examples



3. Frontage Elements

Only the following frontage elements indicated in **BOLD** are allowed:

Stoop **Porch** Lightwell Awning

4. Lot Dimensions

A	Lot area (min)	1,000 sf
B	Lot width (min/max)	30ft - 100 ft
C	Lot coverage (max - corner)	70% - 90%
D	Accessory Structure max total footprint	900 sf

5. Building Setbacks

A	Front yard (min/max)	10 ft min/ max average of adjacent
B	Facade length (max)	n/a
C	Side yards (min)	5 ft
D	Rear yard (min)	10 ft
E	Parking Setback	Greater than primary facade*
F	Accessory Structure	5 ft side and rear

6. Building Height

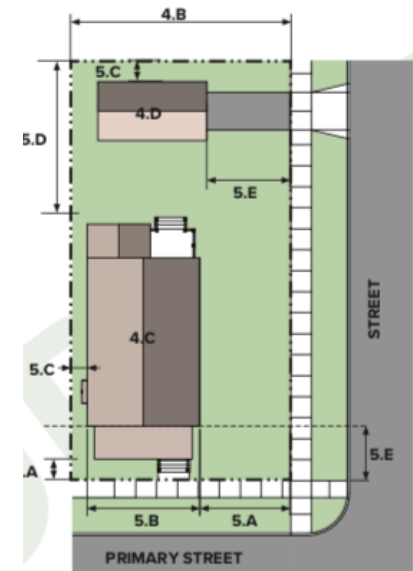
A	Building Height (max)	3 Stories
B	First Story Minimum Height	9 ft
C	Story Height (min)	9 ft
D	Accessory Structure Height	Less than primary building

7. Transparency

A	Ground floor transparency, front facade (min)	30%
B	Ground floor transparency, corner side facade (min)	30%
C	Upper floor transparency, front and corner side facades (min)	30%



*Refer to parking Article VI for parking in front yard exceptions.



Form-Based Code

Downtown - D

1. Purpose

Intended to encourage pedestrian activity, the intent of the Downtown District is to cultivate a vibrant public realm and function as a regional employment hub, the Downtown District has the highest density of development with the greatest variety of uses. New infill development should respect the historic character of downtown, reinforce the urban character and emphasize walkability. Buildings are taller than in other parts of the city and parking needs are generally met by off-site lots, whether public or private. On-site parking, where it exists, is behind the building to preserve the historic building pattern and reinforce the pedestrian-oriented nature of downtown.

2. Examples



3. Frontage Elements

Only the following frontage elements indicated in BOLD are allowed:

Stoop Porch Lightwell **Awning**

4. Lot Dimensions

A	Lot area (min)	NO MIN
B	Lot width (min)	15 ft
C	Lot coverage (max)	100%
D	Accessory Structure max total footprint	n/a

5. Building Setbacks

A	Front yard (min/max)	0 ft / 10 ft
B	Facade length (max)*	n/a
C	Side yards (min total)	n/a
D	Rear yard (min)**	n/a
E	Parking & Loading Setback	5 ft
F	Accessory Structure	n/a

6. Building Height

A	Building Height (max)	10 Stories
B	First Story Minimum Height	12 ft
C	Story Height (min)	9 ft
D	Accessory Structure Height	n/a

7. Transparency

A	Ground floor transparency, front facade (min)	75%
B	Ground floor transparency, corner side facade (min)	50%
C	Upper floor transparency, front and corner side facades (min)	30%

8. Pedestrian Access

A	Main entrance location (required)	Facing Sidewalk
B	Functional entry spacing	30 ft max

9. Building Articulation

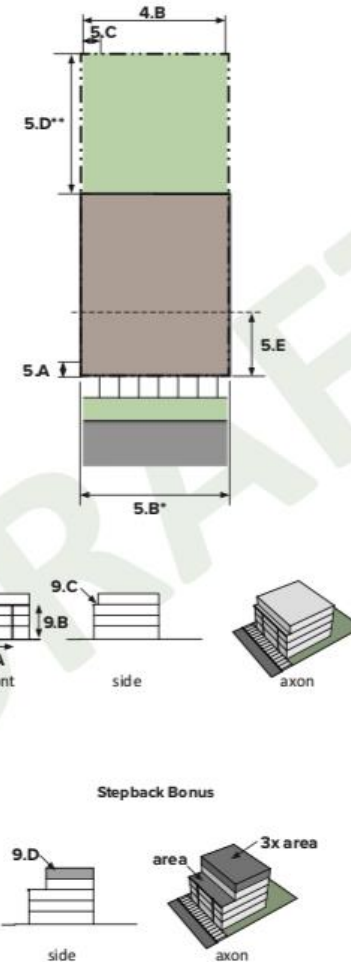
A	Vertically oriented projection or recess no greater than 30 ft apart. Exceptions: not required above 5th story or where windows are consistently recessed 4 in. or more.
B	A horizontal projection is required between the first and third stories.
C	Any building taller than 50 ft must have a 4 ft minimum front facade stepback between 20 ft minimum and 60 ft maximum above grade.
D	Stepback Bonus: Stepbacks greater than 8 ft allow for additional stories with a floor area no more than 3 times the total area of the stepback.

10. Other Standards

max 12 ft frontage unbuild

*Lots abutting the river shall have a front (street facing) facade length of no more than 75 percent of the total lot width.

**In lots adjoining the river the rear yard shall be measured from top of bank and shall be 50 ft. Rear yard may be reduced to no less than 10 feet when providing public access.



Updated Processes

New Review Process

- How is zoning typically administered?
 - Legislative body – approves/adopts zoning and authorizes changes
 - Planning Department Staff – Accept applications and administers the code
 - Bureau of Code Enforcement – Ensures compliance/issues building permit
 - Planning Commission – Review of projects with staff to reduce workload on legislators
 - ZBA – variances and appeals (quasi-judicial)
- Proposed: SPR and SUP handled by Planning Commission
 - Pro-economic development
 - Brings predictability to development process
 - Reduces time ('time is money')
 - PC is equipped and trained to review projects
 - Site Plan and SUP go hand-in-hand; keeping it with one board allows a thorough and predictable review
 - Allows Legislative body to legislate

New Parking Approach

- State-of-the-Art approach
- Each project is treated individually
- Eliminates unnecessary parking
- Parking is 'right-sized' based on need
- Encourage shared use parking
- Environmentally sensitive design
→ groundwater and landscaping
- Considers bicycles and EV chargers

The purpose of following parking regulations is to promote good urban design by limiting surface parking lots. Provide appropriate site design standards to mitigate the impacts of surface parking lots on adjacent land uses, neighborhoods, protect groundwater resources, and encourage alternate modes of travel that will reduce dependence upon the single occupancy automobile.

Next Steps

Next Steps

1. Public Input (Open House)
 1. August 9th: 11-1pm @ Flower Memorial Library and 4-6pm @ City Hall Lobby
 2. Drop-in Style Event
 3. Ask the Experts
2. 8/10 – 8/31: Public Review of Documents via city's website
3. 9/12: Council Work Session to discuss public input
4. Formal Adoption Process (Target = October and November, 2022)
 1. County 239-m review
 2. Formal Public Hearings
 3. SEQR
 4. Adoption
5. Training for staff, PC and ZBA