

## ORDINANCE 15-08

### AN ORDINANCE AMENDING SECTION 21.6001 AND SECTION 21.6501 OF THE REVISED ORDINANCES OF THE CITY OF WATERTOWN.

**Also See Chart on Page 4**

**Background:** Each year the City receives a large number of phone calls with concerns and complaints about where boats, trailers, campers, and vehicles can be stored on private property. Over the past several months the Plan Commission has discussed possible revisions which have led them to recommend changes. The Plan Commission recommends the City Council make revisions effective on May 1<sup>st</sup>, 2015 to give citizens adequate time to come into compliance.

**BE IT ORDAINED** by the City of Watertown, South Dakota that Section 21.6001 of the Revised Ordinances of the City of Watertown be revised as follows:

#### **21.6001: RESTRICTIONS GOVERNING THE ALLOCATION AND DISPOSITION OF REQUIRED YARDS AND OPEN SPACE**

1. All required yards (setbacks) shall be open, unoccupied space, extending from the natural ground level to the sky with no obstructions whatever except those permitted below.
2. Permitted obstructions in required yards. The following obstructions and no others may be permitted in a required yard:
  - a. Obstructions permitted in all yards: awnings, shutters and canopies; chimneys projecting no more than twenty four (24) inches into a required yard; arbors and trellises; flag poles; steps necessary for access to a building or access to a building or lot from an adjoining street or alley; unroofed, open terraces; fences, walls or hedges, as provided in Chapter 21.61, Outdoor Storage/Off-Street Parking subject to the limitations and requirements of Chapter 21.65, and other customary yard accessories, ornaments, and furniture, subject to height limitations and requirements limiting obstruction of visibility. (Ord 04-04; Rev 03-26-04)

**BE IT FURTHER ORDAINED** by the City of Watertown, South Dakota, that Section 21.6501 of the Revised Ordinances of the City of Watertown be revised as follows:

#### **21.6501: OUTSIDE STORAGE/PARKING – RESIDENTIAL USES**

**Purpose:** This ordinance is intended to permit certain items to be parked or stored in required yards on any residentially zoned or used property. Nothing contained herein is intended to regulate or restrict the parking or storage of daily-use vehicles as allowed under §18.0101.

1. **Outside Storage:** ~~Outdoor storage of materials, supplies, junk and equipment shall not be permitted except for recreational vehicles, automobiles and trucks of not more than three quarter (3/4) ton capacity. All such materials, supplies, junk and equipment not so excepted shall be stored within a completely enclosed building. One (1) item or a combination of items may be stored in the side yard or rear yard as described herein if covered with a durable opaque cover. No storage is permitted in the front yard except as seasonally allowed herein.~~
2. **Off-Street Parking:** Off-street parking of vehicles shall include; recreational vehicles, automobiles and pickup trucks of not more than one (1) ton capacity; boats, enclosed trailers, utility trailers, snowmobiles,

jet skis, and ATVs, or items similar in nature is permitted. Off-street parking of buses, commercial vehicles, commercial trailers or commercial semi-tractor trailers is prohibited.

3. Outdoor storage/off-street parking may be allowed on any surface material or grass; provided the grass is maintained in accordance with Section 11.0714.
4. **Allowable Use:** Not more than three (3) unenclosed or unsheltered items may be parked or stored on any one property. Outside storage is not permitted in the front driveway.
  - A. Outside storage for properties with no adjacent alley:
    1. If one (1) vehicle is parked in the driveway, then one (1) item may be parked or stored in the side yard, and one (1) item may be parked or storage in the rear yard;
    2. If no vehicle is parked in the driveway, then up to two (2) items may be parked or storage in the side yard, and one (1) item may be parked or stored in the rear yard.
  - B. Outside storage for properties adjacent to an improved alley:
    1. If one (1) vehicle is parked in the driveway, then one (1) item may be parked or stored in the side yard, and one (1) item may be parked or stored in the rear yard;
    2. If no vehicles are parked in the driveway, then up to two (2) items may be parked or stored in the side yard, and/or up to three (3) items may be parked or stored in the rear yard. Under no circumstance shall more than three (3) items of outdoor storage or parked items be allowed on a single property.
6. **Side Yards:** Outdoor storage/off-street parking may be in the side yard next to a garage, provided any item stored does not protrude beyond the front of the adjacent structure. If the side yard is adjacent to an alley, then, any item stored or parked must be setback not less than four (4) feet from the alley. If the property does not have a garage the owner or occupant may choose a side yard for permitted outdoor storage/off-street parking.
7. **Rear Yards:** Outdoor storage/off-Street parking is permitted in the entire required rear yard however, if the rear yard is adjacent to an alley or other public right-of-way any item stored or parked must be setback not less than four (4) feet from the alley or public right-of-way.
8. **Front Yards:** Outdoor storage of item(s) is prohibited; however, from April 1<sup>st</sup> through November 1<sup>st</sup>, outdoor parking of vehicles may be allowed on a driveway or next to the primary structure when no garage exists. From November 2<sup>nd</sup> through March 31<sup>st</sup>, ice shacks, snowmobiles, quad vehicles, their trailers or similar items may be parked in the front yard on the driveway. On properties with two or more fronts, the primary frontage may not be used for outdoor storage. The secondary frontage may be used for outdoor storage or parking provided it is not closer than twelve (12) feet from the property line.
9. Off-street parking or storage shall not encroach a sidewalk, street or other public right-of-way.
10. A twenty five (25) foot clear view triangle, measured along property lines and connecting these two (2) points by a straight line is required at street intersections.
11. Any time outdoor storage/off-street parking poses a threat to public safety regardless of location, the Building Official may order it be removed. .
12. On street parking is prohibited except for daily use vehicles or other vehicles engaged in loading or unloading of items.
13. Nothing in this section shall be deemed to apply to any property adjacent to Lake Kampeska or property located directly on the opposite side of any roadway adjacent to Lake Kampeska.

The above and foregoing Ordinance was moved for adoption by Alderperson \_\_\_\_\_, seconded by Alderperson \_\_\_\_\_, and upon voice vote motion carried, whereupon the Mayor declared the Ordinance duly passed and adopted.

I certify that Ordinance 15-08 was published in the Watertown Public Opinion, the official newspaper of said City, on the \_\_\_\_ day of March, 2015.

First Reading: March 16, 2015  
Second Reading: April 6, 2015  
Published: April 11, 2015  
Effective: May 1, 2015

Rochelle M. Ebbers, CPA

City of Watertown

Attest:

\_\_\_\_\_  
Rochelle M. Ebbers, CPA  
Finance Officer

\_\_\_\_\_  
Steve Thorson  
Mayor

## Outside Storage/Parking Residential Uses - Comparison Chart

<u>Current</u>		<u>Proposed</u>		<u>Legend</u>			
Recreational Vehicles	yes	D/W or B/A	yes	D/W, S/Y, or R/Y SS		D/W	Driveway
automobiles	yes		yes	D/W, S/Y, or R/Y SS		S/Y	Side Yard
PU up to 3/4 ton	yes		yes	D/W, S/Y, or R/Y SS	PU up to 1 ton	R/Y	Rear Yard
boats	no		yes	D/W, S/Y, or R/Y SS		PU	Pickup
enclosed trailers	no		yes	D/W, S/Y, or R/Y SS		B/A	Buildable Area
utility trailer	no		yes	D/W, S/Y, or R/Y SS		S/W	Sidewalk
snow mobiles	no		yes	D/W, S/Y, or R/Y WS		F/Y	Front Yard
jet skis	no		yes	D/W, S/Y, or R/Y SS		WS	Winter Season**
ATVs	no		yes	D/W, S/Y, or R/Y SS		SS	Summer Season***
ice shack	no		yes	D/W, S/Y, or R/Y WS			
Quad vehicles	no		yes	D/W WS			
car trailer	no		yes	D/W, S/Y, or R/Y SS			
car in repair	no		yes	S/Y, or R/Y	with Durable Opaque Cover		
misc. materials	no		yes	S/Y, or R/Y	with Durable Opaque Cover		
on Street*	yes	moved every 24 hrs	no	*			
Clear View Triangle	No		yes				
Lake Kapeska	yes		no	being reviewed			

### Notes

Off-Street parking or storage shall not encroach a sidewalk, street or other public ROW

\* On Street parking is prohibited except for daily use vehicles or other vehicles engaged in loading or unloading of items

\*\* Winter Season is from November 2 through March 31

\*\*\* Summer Season is from April 1 through November 1

Maximum of 1 item parked on the driveway

Maximum of 2 items parked or stored in the side yard

Maximum of 3 items parked or stored in the rear yard

Never more than 3 total items may be parked or stored

for the purposes of this chart street means public right-of-way including roadway and boulevards