

**ANNUAL TOWN MEETING WARRANT
TOWN OF DRACUT
NOVEMBER 13, 2023**

**ARTICLE #12
ZONING BY-LAW
SECTION 3.2.3 SPLIT LOT ZONING**

Summary:

The current Zoning Bylaw does not speak to how parcels split by zoning district dividing lines can be developed.

Current practice requires owners to get approval at Town Meeting to move the zoning district boundaries to align with property lines to have certainty over their development options. Going before Town Meeting can be time consuming and costly.

What will a “YES” vote mean?

A “YES” vote will allow an owner to get a Special Permit from the Planning Board to extend the zoning district along their lot frontage to part or all of the remainder of their lot. The option to alter the district boundary with approval of Town Meeting remains.

What will a “NO” vote mean?

A “NO” vote will leave the current language, delaying owner decisions regarding development until after a future town meeting decision.

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To see if the Town will Vote to Amend the Zoning Bylaw as follows:

1. Amend **Section 3.2 Regulation of Uses** by inserting a new Section 3.2.3 to read as follows:

1.2.3 Split Lot Zoning

- A. Special Permit. Where a zoning district boundary line divides any lot existing at the time such line was adopted and in single or joint ownership, the regulations in effect for the zoning district with frontage (See Section 4.3.2 Frontage) may be extended in whole or in part to the portion of the lot that lies in the other district(s) by a special permit issued by the Planning Board. The Planning Board shall not issue a special permit unless it finds the applicant has demonstrated compliance with Section 2.3.7 Mandatory Finding by Special Permit Granting Authority and may impose conditions consistent with Section 2.3.7 Special Permit Conditions.
- B. As of Right. Absent the issuance of a special permit pursuant to Section 3.2.3.A, any lot, where a zoning district boundary line divides such lot shall be governed by the district regulations applicable to that portion of the lot. Where the use of land is permitted in one of the districts but not the other(s), the uses permitted in the more restrictive district are limited to dimensional requirements such as yard setback, lot size, and/or similar. The use of the land in the more restrictive zoning district for uses such as access ways, driveways, other physical appurtenances, or for other uses not permitted in the more restrictive district are prohibited, unless a special permit is issued pursuant to Section 3.2.3A.

or take any action relative thereto.

Submitted by: Alison Manugian, Community Development Director
Recommendations: Approval Recommended (Planning Board)