

## SECTION 4: ESTABLISHMENT OF DISTRICTS

### *Existing Bylaw Section: Section 2 – Establishment of Districts*

*Approach: This section was drafted to accomplish two primary objectives:*

- 1) Improve the format of each district starting with the most restrictive districts and listing each by the general category of use.*
- 2) Reference the specific location (i.e. Town Clerk) where each map can be reviewed by the public.*

*Commentary for specific provisions is provided throughout this document along with more specific references to those sections of the existing bylaw that are directly related to these revisions.*

### 1. Classes of Districts

- A. The Town of Walpole shall be divided into three classes of zoning districts. Residential and Commercial Districts are listed below in order from those that are most restrictive to those that are least restrictive for the purposes of regulating Split Boundary Lots as described in Section 4.5 of the Zoning Bylaw.

	<u>Symbol</u>	<u>Title</u>
Residential/Public Districts		
	R	Rural Resident District
	RA	Residence A District
	RB	Residence B District
	GR	General Residence District
	PSRC	Park, School, Recreation and Conservation District
Commercial Districts		
	B	Business District
	CBD	Central Business District
	HB	Highway Business District
	LM	Limited Manufacturing District
	IND	Industrial District
Overlay Districts		
	FPOD	Flood Plain Protection Overlay District
	WRPOD	Water Resource Protection Overlay District

- B. Each such zoning district may be designated in this Bylaw or on the Zoning Map by its symbol only.

## 2. Description, Purpose of Districts

- A. Residential/Public Districts. Each of the residential and public districts is intended to secure for residents a pleasant environment retaining as many natural features as possible and secure from the intrusion of incompatible and disruptive activities that belong in other zoning districts.
- (1) R - Rural Resident Districts: The primary purpose of this district is to provide an area for agriculture, open space, and lower density, single-family residential land use.
  - (2) RA - Residence A District: The primary purpose of this district is to provide an area for medium low density and single-family residential land use.
  - (3) RB - Residence B District: The primary purpose of this district is to provide an area for medium density and single-family residential land use.
  - (4) GR - General Residence District: The purpose of this district is to provide an area for high density, single and multifamily residential land use, public, semi-public, institutional and recreational uses and professional offices compatible with low density, residential land uses, and to provide a transition area between single family residential and commercial or industrial land uses.
  - (5) PSRC - Park, School, Recreation, and Conservation District. The purpose of this district is to provide for areas supporting low density municipal, educational, and recreational use.
- B. Commercial Districts. The following Commercial Districts are established to provide for a range of goods, services, and places of employment appropriate to support the needs of the inhabitants of the Town, and to provide for an economic base to share the cost of municipal services, all in a manner that protects and enhances the health, safety, and general welfare of the Town's inhabitants.
- (1) B - Business District: The purpose of this district is to accommodate a wide range of retail, office, and service uses.
  - (2) CBD - Central Business District: The purpose of this district is to provide for a center of business activity accessible by pedestrian travel, to provide a center for municipal and cultural activities, and to act as a landmark and symbol of the Town.
  - (3) HB - Highway Business District: The purpose of this district is to provide for retail, office, research and development, assembly, and manufacturing uses and all accessory uses related to said uses consistent with uses along a major regional highway, and all related accessory uses.

- (4) LM - Limited Manufacturing District: The purpose of this district is to provide an area for low-density wholesale and unobtrusive manufacturing uses.
- (5) IND - Industrial District: The purpose of this district is to provide an area for general manufacturing and wholesale uses.

C. Overlay Districts.

- (1) FPOD - Flood Plain Protection Overlay District: The purpose of this district is to prevent injury, loss of life and economic loss that may result from inland flooding, and to comply with the requirements of the National Flood Insurance Act of 1968.
- (2) WRPOD - Water Resource Protection Overlay District: The purpose of this district is to protect the quantity and quality of the Town's groundwater resources.

***COMMENT: Specific references to all maps and overlay districts have been included. The zoning map and overlay district maps shall also be required to be on file at the Town Clerk's office.***

### **3. Location of Districts**

- A. Residential/Public and Commercial Districts (PSRC, R, RA, RB, GR, B, CBD, HB, LM, and IND) are located as shown on the "Zoning District Map of the Town of Walpole, Mass." dated January 1997 and filed with the Town Clerk; which map, together with all explanatory matter thereon and subsequent amendments, shall be deemed to accompany, be, and is hereby made a part of this Bylaw.
- B. The locations, boundaries and zone designations of the Flood Plain District are shown on a map entitled "Flood Insurance Map (FIRM), panels 250254 0001-0010" dated November 18, 1988, on file with the Office of the Planning Board and the Town Clerk.
- C. The locations, boundaries, zone, and area designations of the Water Resource Protection Overlay District are shown on an overlay map entitled "Water Resource Overlay Protection District Map" for the Town of Walpole dated August 2000, on file with the Office of the Planning Board and the Town Clerk.

### **4. Rules for Interpretation of District Boundaries.**

The location of the boundary lines of the districts shown upon the aforesaid map shall be determined as follows:

- A. Where a boundary line is shown approximately on the location of a property or lot line and the exact location of the boundary line is not

indicated by means of a figure or otherwise, then the property or lot line shall be the boundary line.

- B. Where a boundary line is shown as following a street, railroad, or utility transmission line, the boundary shall be the centerline thereof unless otherwise indicated.
- C. Where a boundary line is shown outside of the lines of a street, railroad or utility transmission line and approximately parallel thereto, such boundary line shall be deemed parallel to the center line thereof, and where a figure is placed upon the map between such boundary line and the street, railroad, or utility transmission line, it indicates the distance in feet of such boundary line from such center line (measured at right angles thereto, unless otherwise designated).
- D. In any case not covered by the other provisions of this paragraph, the location of a boundary line shall be determined by the distance in feet, if given, from other lines upon the map, or, if distances are not given, then by the scale of the map.
- E. Flood Plain District boundaries shall be determined as set forth in Section 11.2.
- F. Water Resource Protection Overlay District boundaries shall be determined as set forth in Section 12.3.
- G. For lots that are divided by one or more District Zoning Boundary Lines, the provisions of Section 4.5 shall apply.

***COMMENT: The former Aquifer Protection District has been correctly identified in subsection F as the Water Resource Protection Overlay District.***

## **5. Split Boundary Lots**

For lots that are divided by one or more underlying District Zoning Boundary Lines (excluding overlay districts), the following shall apply:

- A. If that portion of the lot in the zoning district of highest restrictiveness contains at least eighty (80%) of the required minimum lot area for said zoning district, then uses permitted in said zoning district shall be allowed for the entire lot area upon Special Permit from the Board of Appeals. All applicable dimensional requirements shall be calculated as though the lot were entirely within said district.
- B. Uses permitted in the zoning district of lesser restrictiveness shall be permitted only upon that portion of the lot contained within such district. Such portion of the lot shall conform to all applicable dimensional requirements of said zoning district, and no other portion of the lot may be used to calculate such.