

Sample Uplands Protection Zoning Bylaw/Ordinance

An uplands bylaw/ordinance must be voted by town meeting/city council as an amendment to the zoning bylaws/ordinances, so that the planning board and building inspector will be bound by it. It may stand alone within a section of the zoning bylaw/ordinance called "General" or it may be added to an existing section listing areas (such as roadways and ponds) that do not count towards required lot size. The language below is the text to be inserted.

UPLANDS PROTECTION BYLAW/ORDINANCE

[Amendment to Zoning Bylaw/Ordinance]

Every building lot created after the effective date of this amendment shall contain the following amount of contiguous "upland": [one-half acre] if the lot is not to be sewerred and [one-third acre] if the lot will be sewerred.

For the purpose of this amendment, "upland" is defined as land which is not defined as "bordering vegetated wetland" or "vernal pools" under the Wetlands Protection Act [and the wetlands bylaw/ordinance of this town/city] [and which is not located within 100 feet of any such resource area].

No lot shall be filled so as to conform to the minimum upland requirement.