

TOWN OF TISBURY ZONING BY-LAWS

TABLE OF CONTENTS

A1	TITLE PAGE
B1	TABLE OF CONTENTS
C1.00.01	INTRODUCTION
C1.02	HISTORY
C1.03.04	ZONING DEFINITIONS
D1.00.01	FORMAT, IDENTIFICATION
D1.02.03	SECTION NUMBERS
D1.04	NOTATION FORM
D1.05	HEADER
D1.06	EDITION
D1.07	UNOFFICIAL TEXT
D1.08	UNOFFICIAL NOTATION
D1.09	PERMIT - SPECIAL PERMIT
D1.10	SPECIAL PERMITS - ZBA v. PLANNING BOARD
D1.11	OTHER REFERENCES
01.00.01	PURPOSE
02.00.00	DEFINITIONS
02.01.00	Accessory Use
02.02.00	Accessory Use to Water Dependent Use
02.03.00	Apartment
02.04.00	Area of Special Flood Hazard
02.05.00	As-of-Right Siting
02.06.00	Awning
02.07.00	Bakery/Deli
02.08.00	Banner
02.09.00	Beacon
02.10.00	Boat Services
02.11.00	Commercial
02.12.00	Directory
02.13.00	Display Signs
02.14.00	Domicile
02.15.00	Dwelling Structure
02.16.00	Dwelling Unit
02.17.00	Exception
02.18.00	Family
02.19.00	Federal Emergency Management Agency (FEMA)
02.20.00	Flood Insurance Rate Map (FIRM)
02.21.00	Floor Area Ratio
02.22.00	Food Service Establishment
02.23.00	Frontage
02.24.00	Ground Mounted Signs
02.25.00	Guest House

TABLE OF CONTENTS, CONT.

02.26.00	Height of Structures
02.27.00	Home Occupation
02.28.00	Hotel
02.29.00	Large-Scale Mounted Solar Photovoltaic Installation
02.30.00	Lot Area
02.31.00	Lot Coverage
02.32.00	Map
02.33.00	Marina
02.34.00	Marine Transport Services
02.35.00	Mixed Use
02.36.00	Medical Marijuana Cultivation Area
02.37.00	Mixed Use
02.37.00	Motel
02.39.00	Multi-Family Dwelling
02.40.00	Multi-Unit Dwelling
02.41.00	Net Land Area
02.42.00	Non-Appurtenant Sign
02.43.00	Non-Commercial
02.44.00	Non-Water Dependent Uses
02.45.00	Off-Premise Sign
02.46.00	On-Site Solar Photovoltaic Installation
02.47.00	Outdoor Cafe
02.48.00	Parcel
02.49.00	Pennant
02.50.00	Permit
02.51.00	Permit Granting Authority
02.52.00	Plan
02.53.00	Plot
02.54.00	Pre-Application Conference
02.55.00	Projecting Signs
02.56.00	Rated Nameplate Capacity
02.57.00	Registered Medical Dispensary
02.58.00	Restaurant
02.59.00	Retail Trade
02.60.00	Road
02.61.00	Roof-Mounted Signs
02.62.00	Room, Rental
02.63.00	Rooming House and Boarding House
02.64.00	Self-Supporting Signs
02.65.00	Severable Use
02.66.00	Sign
02.67.00	Sign Size
02.68.00	Site Plan Review Board
02.69.00	Snack Bar
02.70.00	Solar Photovoltaic Array
02.71.00	Special Permit
02.72.00	Special Permit Granting Authority
02.73.00	Street

TABLE OF CONTENTS, CONT.

02.74.00	Structure
02.75.00	Subdivision
02.76.00	Use
02.77.00	Use Categories
02.78.00	Variance
02.79.00	Wall-Facade Mounted Sign
02.80.00	Warehouse
02.81.00	Water Dependent
03.00.00	ESTABLISHMENT OF DISTRICTS
03.01.00	Types of Districts
03.02.00	Location of Districts
04.00.01	RESIDENTIAL DISTRICTS
04.02.00	USES PERMITTED
04.02.01	One detached single family dwelling
04.02.02	Religious or educational use
04.02.03	Recreational or community use
04.02.04	Use of a room in a dwelling
04.02.05	Accessory uses
04.02.06	Removal of soil, sand, gravel or rock
04.02.07	Renting of rooms
04.02.08	Use of premises in connection w/trade
04.02.09	Unregistered vehicles
04.02.10	Non-permanent pool
04.02.11	Single, non-commercial tennis court
04.02.12	Horticulture, agriculture, roadside stands
04.03.00	USES REQUIRING PERMIT FROM BOARD OF APPEALS
04.03.01	Government or Public Utility structure
04.03.02	--
04.03.03	Private club building or golf course
04.03.04	Renting of rooms
04.03.05	Kennels
04.03.06	Gravel, loam, sand, and stone removal
04.03.07	Roadside stands in R10, R20, and R25
04.03.08	Detached guesthouse
04.03.09	Two unlighted, non-commercial tennis courts
04.03.10	One swimming pool
04.03.11	Mobile Home Parks in R10
04.03.12	Multiple Dwelling Units and Structures
04.03.13	Accessory Apartment
04.04.00	USES REQUIRING PERMIT FROM PLANNING BOARD
04.04.01	Cluster Developments
04.04.02	Multiple Dwelling Units and Structures
04.05.00	RESIDENTIAL DISTRICT 3A (R3A)
04.05.01	Minimum Lot Area and Dimensions

TABLE OF CONTENTS, CONT.

04.05.02	Setbacks
04.05.03	Maximum Building Heights
04.05.04	Maximum Number and Type of Non-Farm Buildings
04.05.05	Well Site Reference Line
04.05.06	Wastewater Disposal Systems
04.05.07	Water Supply Wells
04.05.08	Waste Disposal and Other Collections
04.05.09	Hazardous Chemical Substances
04.05.10	Fuel Storage
04.05.11	Topsoil, Sand and Gravel
04.06.00	REGULATIONS
04.07.00	RATE-OF-DEVELOPMENT
04.07.01	Construction Schedule per calendar year
04.07.02	Effectivity (Five years preceding regulations adoption)
04.07.03	Restriction on Building Permits
04.07.04	Filing requirements for ROD Schedule
04.07.05	Exemptions
05.00.00	BUSINESS DISTRICTS 1 and 2
05.10.00	BUSINESS DISTRICT 1
05.11.00	USES PERMITTED
05.11.01	Wholesale, retail, service, office, etc.
05.11.02	Light Manufacturing
05.12.00	USES REQUIRING PERMIT FROM BOARD OF APPEALS
05.12.01	Private Dwelling Use and Apartments
05.12.02	Hotels, Motels, Rooms for Rent, etc. in B1
05.12.03	Other Retail Businesses
05.12.04	Place of Amusement, Assembly, or Club
05.12.05	Tennis Courts
05.12.06	One Swimming Pool
05.13.00	USES REQUIRING SPECIAL PERMIT FROM PLANNING BOARD
05.14.00	REGULATIONS
05.14.01	Lot Sizes, Setbacks and Heights
05.14.02	Commercial Laundries, Wholesale District Terminals
05.14.03	Permit and Special Permit required by Planning Board
05.20.00	BUSINESS DISTRICT 2
05.21.00	USES PERMITTED

TABLE OF CONTENTS, CONT.

05.21.01	Uses permitted in B1
05.21.02	Multiple Dwelling Units and/or Structures
05.21.03	Food Service Establishments
05.21.04	Light manufacturing
05.22.01	Lumber Yard, Wood Milling Shop
05.22.02	Welding, Spray Painting, Toxic Chemicals
05.22.03	Other Retail Businesses
05.22.00	USES REQUIRING SPECIAL PERMIT FROM BOARD OF APPEALS
05.22.01	Lumber Yard, Wood Milling Shop
05.22.02	Welding, Spray Painting, Toxic Chemicals
05.22.04	Other Retail Businesses
05.22.04	Place of Amusement, Assembly, or Club
05.22.05	Tennis Courts
05.22.06	One Swimming Pool
05.22.07	Automobile Dismantling, Used Parts Yard
05.22.08	Hotels, Motels, and Apartments
05.23.00	USES REQUIRING SPECIAL PERMIT FROM PLANNING BOARD
05.23.01	Non-appurtenant Signs: Business District 2
05.24.00	REGULATIONS
05.24.01	Lot Sizes, Setbacks and Heights
05.24.02	Industrial Activities and Heavy Manufacturing
05.24.03	Permit and Special Permit Required
06.00.00	WATERFRONT/COMMERCIAL DISTRICT
06.01.01	PURPOSE STATEMENT
06.02.01	BOUNDARIES
06.02.02	Zoning Map
06.03.00	APPLICABILITY
06.04.00	USES PERMITTED IN THE WATERSIDE MANAGEMENT AREA
06.04.01	Agricultural ... and other uses permitted by Chapter 40A of the General Laws
06.04.02	Parks, Esplanades, and other Pedestrian Facilities
06.04.03	Aquaculture Facilities
06.04.04	Wildlife Refuge, Bird Sanctuaries and other wildlife habitats
06.04.05	Commercial Fishing and Fishing Processing Facilities
06.04.06	Boatyards
06.04.07	Facilities For Tug Boats or Other Vessels Engaged in Port Operations or Marine Construction
06.04.08	Marine Terminals, Fuels Docks

TABLE OF CONTENTS, CONT.

06.04.09	Mixed Use
06.05.00	USES PERMITTED IN THE COMMERCIAL MANAGEMENT AREA
06.05.01	All Uses Permitted in the Waterside Mgmt. Area
06.05.02	Consumer, Professional or Commercial Service
06.05.03	Professional, Business or Social Services
06.05.04	Retail Trade
06.05.05	Detached Single Family Dwelling
06.06.00	USES REQUIRING A SPECIAL PERMIT FROM THE PLANNING BOARD
06.06.01	Warehouses in the Waterside Mgmt. Area
06.06.02	Outdoor Storage of Bulk Materials in the Waterside Mgmt. Area
06.06.03	Any Change or Substantial Extension of a Non-Conforming Use
06.06.04	Marinas
06.06.05	Water-Based Recreational Activities
06.06.06	Land Based Waterborne Passenger Transportation
06.06.07	Research or Training Facilities
06.06.08	Food Establishments in the Commercial Mgmt. District
06.06.09	Accessory Uses to Water Dependent Uses
06.06.10	Permit and Special Permit Required
06.07.00	SPECIAL REQUIREMENTS
06.07.01	Site Plan Review Board
06.07.02	Site Plan Review Board's Duties
06.07.03	Failure to Act
06.08.00	DIMENSIONAL & OTHER LOT REQUIREMENTS
06.08.01	Open Space
06.08.02	Vehicular Access
06.09.00	SPECIAL PERMIT FINDINGS
06.09.01	Consistency of Proposed Use with By-Law
06.09.02	Consistency of Proposed Use with S. 06.06.00
06.09.03	Appropriateness of Proposed Use's Site Location
06.09.04	Proposed Use's Impact on Roads, Public Utilities, Etc.
06.09.05	Proposed Use's Impact on the District's Visual Character
06.10.00	SPECIAL PERMIT CONDITIONS
06.10.01	Screening
06.10.02	Modification of a Structure's Exterior Features
06.10.03	Limitation of Size, Number of Occupants, Operations

TABLE OF CONTENTS, CONT.

06.10.04	Location of Access Drives, Walks and other Pedestrian Features
06.10.05	Off-Street Parking
06.10.06	Performance Bonds and other Security
06.10.07	Underground Installation of Utilities
06.10.08	Installation and Certification of Mechanical or other Devices
07.00.00	GENERAL REGULATIONS
07.01.00	PRE-EXISTING NON-CONFORMING USES & STRUCTURES
07.01.01	Board of Appeals' Regulations
07.01.02	Change of a pre-existing, non-conforming Use
07.01.03	Expansion of a pre-existing, non-conforming Use
07.02.00	PRE-EXISTING NON-CONFORMING LOTS
07.03.00	WEDGES AND IRREGULAR SHAPED LOTS
07.03.01	Wedges
07.03.02	Irregular Shaped Lot
07.03.03	Minimum Frontage for Wedges & Irregular Lots
07.03.04	No More Than One Irregular Shaped Lot
07.04.00	DEEP LOT PROVISIONS
07.05.00	HEIGHT REGULATIONS
07.05.01	Principal Structure
07.05.02	Detached Structure
07.06.00	SIGN REGULATIONS
07.06.01	Non-Appurtenant
07.06.02	Residential Districts
07.06.03	Religious, Educational or Government Property
07.06.04	Business Districts 1 and 2
07.06.05	Open Land
07.06.06	Property Lines
07.06.07	Inside of Glass Windows
07.06.08	Neon, Flashing, Pennants
07.06.09	Non-Conforming Signs
07.07.00	PARKING REGULATIONS
07.07.01	General Requirements
07.07.02	Business District I & Waterfront/Commercial District
07.07.03	Business District II
07.07.04	Residential Districts
07.08.00	MOBILE HOMES, TRAILERS and CAMPERS
07.09.00	NOISE, ILLUMINATION and ODORS

TABLE OF CONTENTS, CONT.

- 07.10.00 SCIENTIFIC ACCESSORY USES**

- 07.11.00 MULTI-UNIT DWELLINGS - SPECIAL PERMIT DETERMINATION**

- 07.12.00 EXCAVATION AND TOPOGRAPHIC ALTERATION**

- 07.13.00 LAGOON HARBOR PARK**
 - 07.13.01 Uses Permitted
 - 07.13.02 Uses Prohibited

- 07.14.00 FENCING AND BARRIERS FOR HAZARDS**

- 07.15.00 MULTIPLE DWELLING UNITS AND STRUCTURES - CONVERSION**

- 07.16.0 WIRELESS COMMUNICATIONS FACILITIES (WCF)**
 - 07.16.01 Purpose
 - 07.16.02 Definition
 - 07.16.03 Special Permit Granting Authority
 - 07.16.04 Use Regulations
 - 07.16.05 Waivers

- 08.00.00 CLUSTER DEVELOPMENT and PLANNED UNIT DEVELOPMENT**

- 08.01.00 CLUSTER DEVELOPMENT**
 - 08.01.01 Development Containing Ten Acres
 - 08.01.02 Number of Dwelling Units
 - 08.01.03 Individual Lots
 - 08.01.04 Parking Lots
 - 08.01.05 Reserved Open Land
 - 08.01.06 Application for Consideration
 - 08.01.07 Approval for Cluster Development
 - 08.01.08 Special Permit

- 08.02.0 PLANNED UNIT DEVELOPMENT**

- 09.00.00 SPECIAL OVERLAY DISTRICT**

- 09.01.00 COASTAL DISTRICTS**
 - 09.01.01 Purpose
 - 09.01.02 Definition
 - 09.01.03 Establishment of Zones
 - 09.01.04 Uses Permitted
 - 09.01.05 Use Requiring Permit from Board of Appeals
 - 09.01.06 Regulations and Restrictions
 - 09.01.07 Administration

TABLE OF CONTENTS, CONT.

09.02.00	TISBURY ISLAND ROAD DISTRICT
09.02.01	Purpose
09.02.02	Definition
09.02.03	Uses Permitted
09.02.04	Regulations and Restrictions
09.02.05	Administration
09.03.00	SPECIAL WAYS DISTRICTS
09.04.00	SCENIC ROADS
09.04.01	Designated Scenic Roads
09.04.02	Regulations and Restrictions
09.05.00	FLOOD/STORM DISTRICTS
09.05.01	Purpose
09.05.02	Definition
09.05.03	Basis
09.05.04	Rules and Regulations
09.05.05	Exceptions, Waivers and Appeals
09.05.06	Compliance
09.05.07	Enforcement
09.05.08	Interpretation
09.05.09	Penalties
09.06.00	DELETED
09.07.00	HISTORIC DISTRICTS
09.08.00	WETLANDS RESTRICTIVE ACT
09.09.00	WETLANDS PROTECTION ACT
09.10.00	MARINE DISTRICTS AND DESIGNATED CHANNELS
09.10.01	Marine Districts
09.10.02	Designated Channels
09.10.03	Interpretation
09.11.00	GROUNDWATER PROTECTION DISTRICT
09.11.01	Purpose of District
09.11.02	Scope of Authority
09.11.03	Definitions
09.11.04	Establishment and Delineation
09.11.05	District Boundary Disputes
09.11.06	Use Regulations
.06.01	Permitted Uses
.06.02	Prohibited Uses
.06.03	Uses requiring a Special Permit
.06.04	Procedures for Issuance of a Special Permit
09.12.00	WILD AND SCENIC NORTH SHORE DISTRICT

TABLE OF CONTENTS, CONT.

- 09.12.01 Purpose
- 09.12.02 Definition
- 09.12.03 Permitted Uses
- 09.12.04 Uses by Special Permit
- 09.12.05 Prohibited Uses

10.00.00 ADMINISTRATION

10.01.00 ENFORCEMENT

- 10.01.01 By-Law Administered by Board of Selectmen
- 10.01.02 Building Permit Within a Subdivision
- 10.01.03 Enforcement by Building Inspector
- 10.01.04 Violation of Provisions

10.02.00 BOARD OF APPEALS

- 10.02.01 Members
- 10.02.02 Powers
- 10.02.03 Requirement of Pertinent Information
- 10.02.04 Application for Two or More Lots
- 10.02.05 Plan Review Committee
- 10.02.06 Coastal and Island Road Districts

10.03.00 PERMITS, SPECIAL PERMITS AND VARIANCES

- 10.03.01 Privileges Granted
- 10.03.02 Permits Issued After Public Hearing
- 10.03.03 Validity Periods
- 10.03.04 Extensions and Renewals

10.04.00 STANDARDS

- 10.04.01 Submittal Plans
- 10.04.02 Definitions Regulating
- 10.04.03 Interpretation
- 10.04.04 Application and Substantial Compliance
- 10.04.05 Non-Conforming and Subsequent Compliance

10.05.00 PLANNING BOARD

- 10.05.01 Planning Board Associate Member

11.00.00 ADOPTION - EFFECTIVITY - AMENDMENT

- 11.00.01 Provision or Amendment to By-Law
- 11.00.02 Effectiveness of Amendment
- 11.00.03 Annual of Special Town Meeting

12.00.00 VALIDITY

13.00.00 APPENDICES - SCHEDULE A

13.01.00 WITHIN RESIDENTIAL DISTRICTS

- 13.01.01 Single Family
- 13.01.02 Multi-Unit

TABLE OF CONTENTS, CONT.

13.02.00	WITHIN BUSINESS AND COMMERCIAL DISTRICTS
13.02.01	Commercial Uses
13.02.02	Residential Uses
13.03.00	SCHEDULE B - STATUTORY RESPONSE PERIODS
13.03.01	Board of Appeals
13.03.02	Planning Board
13.04.00	ZONING MAP FACSIMILES