

**WARRANT ARTICLE X** - Shall an ordinance dated May 7, 2024 and entitled “Amendments to the Land Use Zoning Ordinance regarding access to lots” be enacted as set forth below?

***Explanation: This Article amends the access standards in Section 6B.11 so that they are more consistent with legally permissible standards and to clarify that lots need to have safe access for fire, police, and emergency vehicles.***

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## **SECTION 6 STANDARDS FOR USES, PERMITS AND APPROVALS.**

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### **6B SPECIFIC PERFORMANCE STANDARDS FOR ACTIVITIES AND LAND USES**

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#### **6B.11 Lots**

**1. Minimum lot size.** See section 3.5.

**2. Access.**

1. All lots must maintain safe access for fire, police, and emergency vehicles to an abutting public way or to another public way via a driveway, a right of way, or one or more private roads (or a combination of any of the foregoing) validly benefiting the lot.
2. Standards for new, extended, or modifications to an existing driveway are in Section 6B.6. Standards for new, extended, or modifications to an existing private road are in Section 5.14 of the Subdivision Ordinance.
3. For lots created before May 5, 2015, a pre-existing driveway that serves no more than 2 existing lots need not meet the requirements of Section 6B.6. For lots created before May 5, 2015, a pre-existing private road that serves 3 or more lots need not meet the requirements of Section 5.14 of the Subdivision Ordinance.

**1. ~~Lots created on or after May 5, 2015.~~** No lot created on or after May 5, 2015, shall be built upon or otherwise developed unless it has a private road or driveway for access to a public or private way by a valid right of way benefiting the lot (or a combination of driveway and/or one or more private roads) or by ownership of land abutting the public way. If more than 2 lots are accessed by the same private road, then it must meet the Street Design and Construction Standards of Section 5.14 of the Subdivision Ordinance. If no more than 2 lots are accessed by the same

~~private road or driveway, then it must meet either the said Street Design and Construction Standards or the Driveway Construction standards of Section 6B.6 of this Ordinance. A pre-existing primary access drive that serves up to 2 existing lots need not meet the requirements of Section 6B.6. All such lots must maintain safe access for fire, police, and emergency vehicles, as determined by the Code Enforcement Officer. In determining whether lots maintain safe access, the Code Enforcement Office may seek guidance from the Fire Chief.~~

~~**2. Lots created before May 5, 2015.** Any lot created before May 5, 2015, shall not be further built upon or otherwise further developed unless it has a private road or driveway for access to a public way by a valid right of way benefiting the lot (or a combination of driveway and/or one or more private roads) or by ownership of land abutting the public way, but the said private road or driveway need not meet the requirements of Section 6B.6 of the Land Use Zoning Ordinance. All such lots must maintain safe access for fire, police, and emergency vehicles, as determined by the Code Enforcement Officer. In determining whether lots maintain safe access, the Code Enforcement Officer may seek guidance from the Fire Chief.~~