

Sec. 21-76. TP, Trimming and Pruning, Zoning Overlay District.

- A. Applicability.** The Trimming and Pruning Overlay District is intended to be an overlay zoning district, and the regulations imposed by such district shall be in addition to the regulations of the underlying zoning district applicable to the subject Lot or area. Because it is an overlay district, the regulations for the underlying zoning district shall remain in effect, except that in the case of any conflict between the regulations applicable in the underlying district and the regulations of the 2200 Atlantic Overlay District, the regulations of the 2200 Atlantic Overlay District shall apply, even where the applicable regulation may be more permissive than the regulations of the underlying district.
- B. Boundary.** The Trimming and Pruning Overlay District shall include the portion of each oceanfront parcel in the 2200 block of Atlantic Ave that is zoned RC-1. The boundaries of this overlay district shall be shown on the Town's official zoning map.
- C. Cutting in Trimming and Pruning Overlay District.** Notwithstanding any other provisions of the RC-1 zoning regulations, a landowner within the area of the Trimming and Pruning Overlay District, may trim and prune vegetation as follows:
- (1) Any landowners shall be permitted to trim and cut vegetation down to a minimum height of five (5) feet above ground level, without obtaining any permit, approval, or license from the Town and without any requirement to use Town-approved contractors.
 - (2) The trimming permission in subsection (1) above applies throughout the calendar year, without seasonal restriction.
 - (3) The five-foot minimum height requirement shall be measured from the natural ground surface directly beneath the vegetation being trimmed.
 - (4) With the exception of the trimming permission described above, all other RC-1 restrictions shall continue to apply in the Trimming and Pruning Overlay District.
 - (5) Within the Trimming and Pruning Overlay District, the Town shall have no responsibilities or rights under this Agreement to trim, thin, plant, or maintain any vegetation.

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON RATIFICATION
SIGNED, SEALED AND DELIVERED THIS ____ DAY OF ____, 2026.

Patrick M. O'Neil - Mayor

Attest:

Bridget Welch – Town Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____