

Rhyne Civic Strategies LLC

www.rhyne.llc - 617-446-3412 - kennan@rhyne.llc

Zoning Task Force - Draft Zoning Proposal

Prepared by Kennan Rhyne for the Truro Zoning Task Force (ZTF) on December 31, 2024

NOTE: All gray text below currently exists in the Truro Zoning Code and is added for your reference. All text highlighted in yellow is suggested for consideration by the ZTF and may be changed by the ZTF. Text highlighted in blue is forthcoming or needs to be updated when the draft is ready for adoption.

§ 10.4 Definitions

For the purpose of the bylaw, certain terms and words shall have the following meaning unless a contrary meaning is required by the context or is specifically prescribed. Terms and words not defined herein but defined in the Zoning Act, Massachusetts General Laws, Chapter 40A, as amended, shall have the meaning given therein unless a contrary intention clearly appears. Words not defined in either place shall have the meaning given in Webster's Third New International Dictionary of the English Language, Unabridged.

Affordable Dwelling Unit. A dwelling unit exclusively available to Affordable Households and certified as affordable by the Truro Housing Authority and registered as such with the Truro Housing Authority. The Housing Authority will provide applicants with current affordable housing standards, require assurances of compliance in writing, and provide copies to the Building Commissioner prior to the issuance of a building permit.

Affordable Households. Households earning no more than 80% of the current median income, as determined by the Executive Office of Housing and Livable Communities (EOHLC), or its successor.

Affordable Housing. Housing certified as affordable by the Truro Housing Authority and registered as such with the Truro Housing Authority. The Housing Authority will provide applicants with current affordable housing standards, require assurances of compliance in writing, and provide copies to the Building Commissioner prior to the issuance of a building permit.

Attainable Dwelling Unit. A dwelling unit exclusively available to Affordable Households or Attainable Households and certified as attainable by the Truro Housing Authority and registered as such with the Truro Housing Authority. The Housing Authority will provide applicants with current attainable housing standards, require assurances of compliance in writing, and provide copies to the Building Commissioner prior to the issuance of a building permit.

Attainable Households. Households with current median income limits no greater than the percentage of the current median income for attainable households as determined by the Executive Office of Housing and Livable Communities (EOHLC), or its successor.

Building Separation. The space between multiple buildings or structures on a single lot as measured from any exterior point on the building or structure.

Bungalow Court. A group of three or more detached dwelling units, which are available for permanent occupation and arranged around a shared communal open space with shared pedestrian access on a single lot.

Cottage or Cabin Colonies, or Motor Courts. A group of three or more detached dwellings under one ownership located on a single lot, which are customarily rented to the transient public by the day, week, month, or season. Each dwelling shall be limited to one and one-half stories in height.

Dormitory. A building or development composed primarily of dormitory units for seasonal workers with at least one kitchen and one communal space in any form or configuration, including structures housing communal facilities and non-residential uses and separate structures within one lot

Dormitory Unit. A living area intended for one or a small group of seasonal workers that may or may not have complete or independent or permanent provisions for living, eating, and sanitation.

Dwelling Unit. One or more rooms containing both cooking and bathroom facilities and designed for human habitation by one family independent of other facilities. Each accessory building or portion thereof, studio or guesthouse, which has both cooking and bathroom facilities, is considered to be a separate dwelling unit. Affordable Dwelling Units and Attainable Dwelling Units are included in this definition.

Mixed-use Development. Development containing a mix of residential uses and non-residential uses, including, without limitation, commercial, institutional, industrial or other uses.

Multi-family Housing. A building with three (3) or more residential dwelling units or two (2) or more buildings on the same lot with more than 1 residential dwelling unit in each building.

Townhouse. A single-family dwelling unit constructed in a group of three (3) or more attached units in which each unit extends from foundation to roof and with a yard or public way on not less than two sides.

Seasonal Worker. A person who is employed during a specific peak business period and is employed to work less than nine (9) months but more than one (1) month within a twelve (12) month period.

§ 20.1 Districts Enumerated

For the purposes of this bylaw, the Town of Truro is divided into Zoning Districts designated as follows:

Residential
Beach Point Limited Business
Route 6A, North Truro, Limited Business
Truro Center Limited Business
North Truro Center General Business
Route 6 General Business
Seashore

For the purposes of this bylaw, the following Overlay Districts are established:

Flood Plain
Water Resource Protection
Affordable Rental Housing
Solar Farm Overlay District
Multi-family Overlay District

§ 20.2 Purposes of Districts

[To be inserted at the end of article]

Multi-family Overlay District. The Multi-family Overlay District is intended to create housing opportunities through a variety of housing products for seniors, individuals, and families. Four subdistricts promote a diversity of housing stock and mixed-use development. Development located within this Overlay District shall provide or be located near ample recreational opportunities in all subdistricts and may provide compatible accessory commercial and other mixed-uses that support a walkable mixed-use development.

§ 20.3 Location of Districts

The location and boundaries of the Zoning Districts are enumerated in § 90 of this bylaw and are shown on the map entitled “Zoning District Map of the Town of Truro, Massachusetts,” dated May 2, 2013 which accompanies the bylaw as Appendix A and is declared to be a part of this bylaw. The location and boundaries of the Water Resource Protection Overlay District are identified in § 90.5 of this bylaw, and are shown on the map entitled “Water Resources Protection Overlay District” dated August 18, 2015 which appears as Appendix B to this bylaw and is declared to be a part of this bylaw. The location and boundaries of the Multi-family Overlay District and its subdistricts are identified in § 90.5 of this bylaw, and are shown on the map entitled “Multi-family Overlay District,” dated [MAP DATE] which appears as **Appendix C** to this bylaw and is declared to be a part of this bylaw.

§ 30.X Multi-family Overlay District

- A. **Purpose.** The Multi-family Overlay District hereinafter referred to as the “MOD” is intended to create housing opportunities through a variety of housing products for seniors, individuals, and families. Four subdistricts promote a diversity of housing stock and mixed-use development. Development located within this Overlay District shall provide or be located near ample recreational opportunities in all subdistricts and may provide compatible accessory commercial and other mixed-uses that support a walkable mixed-use development.
- B. **Establishment.** The MOD is an overlay district that is superimposed over the underlying zoning district(s) and is shown on the Truro Zoning Map, a copy of which is available for inspection and study in the office of the Truro Building Commissioner, as set forth in on the map entitled “Multi-family Overlay District,” dated [MAP DATE] which appears as **Appendix C** to this bylaw and is declared to be a part of this bylaw.
- C. **Subdistricts.** The MOD contains the following subdistricts shown on the Truro Zoning Map as set forth on the map entitled “Multi-family Overlay District,” dated [MAP DATE] which appears as **Appendix C** to this bylaw. The subdistricts are as follows:
 - i. **Affordable Housing Subdistrict.** The Affordable Housing Subdistrict hereinafter referred to as the “AHS” is intended to increase the quantity of affordable and attainable dwelling units available in Truro and complement existing commercial uses along Route 6.
 - ii. **Walsh Low-Density Subdistrict.** The Walsh Low-Density Subdistrict hereinafter referred to as the “WLS” is intended to create affordable and attainable housing opportunities and home-ownership opportunities on compact lots organized around a shared communal open space or compact single-family dwellings for seniors, individuals, and families. The WLS encourages compact development that is pedestrian-scaled, healthy, safe, and affordable.

- iii. **Walsh Moderate-Density Subdistrict.** The Walsh Moderate-Density Subdistrict hereinafter referred to as the “WMS” is intended to create affordable and attainable housing opportunities and home-ownership opportunities through Mixed-Use Development and/or Multi-family Housing for seniors, individuals, and families. Development located within this Overlay District shall provide ample recreational opportunities and may provide compatible accessory commercial and other mixed-uses that support a walkable mixed-use development.
- iv. **Walsh Recreational Subdistrict.** The Walsh Recreational Subdistrict hereinafter referred to as the “WRS” is intended to protect and preserve the natural features, existing topography, wildlife, visual character, and open space for recreational and civic uses that serve the general welfare of the public.
- D. **Applicability.** To qualify for inclusion in the MOD, the proposed development must have 67% or greater of the Gross Floor Area dedicated to Residential uses. MOD provisions shall supersede all other provisions in the Zoning Bylaw with respect to the underlying district including and without limitation, use, dimensions, parking, design standards, and site plan review; however, the provisions of any other overlay district shall continue to apply.
- For any land within the MOD, an applicant may choose to conform either to the zoning regulations which govern the underlying zoning district or to the MOD regulations and procedures set forth by this Section.
- E. **Residency Requirement.** At least 100% of the dwelling units within the MOD shall be made available to Truro Residents only for year-round occupancy as prescribed in leases of one-year minimum duration. Dormitory units within the MOD are exempt from this requirement.
- F. **Affordability Requirement.** Development within the subdistricts AHS, WMS, and WRS shall have a minimum of 50% of the residential Gross Floor Area dedicated to Affordable Dwelling Units or Attainable Dwelling Units. Residential development within the subdistrict WLS shall be limited to Affordable Dwelling Units or Attainable Dwelling Units only.
- G. **Maximum Number of Units.** Buildings or structures must comply with the aggregate dwelling unit and dormitory unit limitations in Table A, entitled “Multi-family Overlay District Maximum Number of Units per Subdistrict,” per individual lot.

Table A - Multi-family Overlay District Maximum Number of Units per Subdistrict

Unit Limitation	AHS	WLS	WMS	WRS
Maximum Number of Dwelling Units, Dormitory Units, or a combination of Dwelling Units and Dormitory Units in aggregate Allowed By Right	10 units	None	None	None
Maximum Number of Dwelling Units, Dormitory Units, or a combination of Dwelling Units and Dormitory Units in aggregate Allowed Special Permit	25 units	160 units	160 units	None

H. Permitted Uses. The use requirements in the MOD shall comply with **§ 30.2 Use Table**, herein, except for the following:

- i. Any and all uses permitted by subdistrict in **Table B**, entitled “**Multi-family Overlay District Permitted Uses by Subdistrict**” are consistent with the purposes for which the subdistrict was established and shall supersede the underlying Zoning District; however, the provisions of any other overlay district shall continue to apply.
- ii. **Mixed-use Developments.** Any and all other non-residential uses permitted by subdistrict in **Table B** and the underlying Zoning District shall be permitted in Mixed-use Developments. Any non-residential uses allowed by Special Permit in the underlying Zoning District, shall be permitted by special permit in Mixed-use Developments, with the Planning Board serving as the Special Permit Granting Authority. Any non-residential uses not permitted in **Table B** shall supersede the underlying Zoning District in Mixed-use Developments; however, the provisions of any other overlay district shall continue to apply
- iii. **Non-residential Uses.** All non-residential uses shall not contain any dangerous, noxious, injurious, or otherwise objectionable fire, explosion, radioactive or other hazard; noise, or vibration, smoke, dust or other form of air pollution; electrical or other disturbance; glare, liquid or solid refuse or wastes; conditions conducive to the breeding of insects, rodents, or other substance, conditions or elements in a manner or in an amount as to affect adversely the surrounding areas.

KEY

P	Permitted
SP	May be allowed by special permit granted by the Board of Appeals, or the Planning Board, where noted
N	Not Permitted
MOD	Multi-family Overlay District
AHS	Affordable Housing Subdistrict
WLS	Walsh Low-Density Subdistrict
WMS	Walsh Moderate-Density Subdistrict
WRS	Walsh Recreational Subdistrict

This page is for the ZTF's reference only - Not a Part of the Zoning Draft -
Multi-family Overlay District Permitted Uses by Subdistrict (Showing Underlying Zoning)

Principal Uses	AHS	WLS	WMS	WRS
Commercial				
Professional office	P	N	N P	N
Restaurant	P	N	N P	N
Retail business service	P	N	N P	N
Retail sales	P	N	N P	N
Trade, repair shop, etc.	P	N	N P	N
Wholesale Trade	P	N	N P	N
Industrial				
Industrial or manufacturing use (5)	SP N	N	N SP	N
Public utility	P	N P	N P	N P
Research or experimental lab (6)	SP	SP	SP	SP N
Small engine repair	SP	SP	SP	SP N
Institutional				
Hospital, nursing and/or convalescent home	P N	P N	P SP	P N
Private club not-for-profit	SP N	SP N	SP	SP N
Religious institution	P	P	P	P N
Large-Scale Ground-Mounted Photovoltaic Array (4/11)	P	SP	SP	SP N
Residential				
Attainable Undersized Lot (5/24)	SP	SP P	SP P	SP N
Bungalow Court	P (New)	P (New)	P (New)	N (New)
Dormitory	SP (New)	SP (New)	SP (New)	N (New)
Duplex (as defined in §40.1) (5/24)	P	P	P	P N
Mixed-use Development	P (New)	SP (New)	P (New)	N (New)
Multi-family Housing	P (New)	P (New)	P (New)	N (New)
Townhouse	P (New)	P (New)	P (New)	N (New)
Single family dwelling (9)	P	P	P	P N

Table B - Multi-family Overlay District Permitted Uses by Subdistrict

Principal Uses	AHS	WLS	WMS	WRS
Commercial				
Professional office			P	
Restaurant			P	
Retail business service			P	
Retail sales			P	
Trade, repair shop, etc.			P	
Wholesale Trade			P	
Industrial				
Industrial or manufacturing use (5)	N		SP	
Public utility		P	P	P
Research or experimental lab (6)				N
Small engine repair				N
Institutional				
Hospital, nursing and/or convalescent home	N	N	SP	N
Private club not-for-profit	N	N		N
Religious institution				N
Large-Scale Ground-Mounted Photovoltaic Array (4/11)				N
Residential				
Attainable Undersized Lot (5/24)		P	P	N
Bungalow Court	P	P	P	N
Dormitory	SP	SP	SP	N
Duplex (as defined in §40.1) (5/24)				N
Mixed-use Development	P	SP	P	N
Multi-family Housing	P	P	P	N
Townhouse	P	P	P	N
Single family dwelling (9)				N

- I. **Dimensional Requirements.** The dimensional requirements in the MOD shall comply with **§ 50 Area and Height Regulations**, herein, except for the following:
- i. Any and all dimensional requirements in **Table C**, entitled “**Multi-family Overlay District Dimensional Requirements by Subdistrict**,” shall supersede the underlying Zoning District.
 - ii. Any mixed-use development with a Professional Office use located within the subdistrict AHS has no maximum lot coverage.
 - iii. **Multiple Buildings on a Single Lot.** Multiple buildings on a single lot must comply with the minimum Building Separation distance per subdistrict in **Table C**.
 - iv. **Setbacks Abutting Residential Districts.** All front, rear, and side yard setbacks for buildings or structures abutting a Residential District outside of the MOD shall meet **a minimum setback of 25-ft or a minimum setback equivalent to 10-ft per story** of the building or structure in question, whichever is greater.
 - v. **Setbacks Abutting Route 6.** All front, rear, and side yard setbacks for buildings or structures abutting Route 6 shall meet **a minimum setback of 25-ft**.
 - vi. **Senior Housing.** Nursing, Convalescent Homes, or any Residential use deed restricted or exclusively leased to occupants over 65 years of age shall be permitted to increase the Maximum Building Height to 5-stories or 55-feet, whichever is lesser, by special permit granted by the Board of Appeals, or the Planning Board.

Table C - Multi-family Overlay District Dimensional Requirements by Subdistrict

Dimensional Requirement	AHS	WLS	WMS	WRS
Minimum Lot Size		None		
Minimum Frontyard Setback	25 ft ^{1,3}	10 ft ¹	10 ft ¹	25 ft ^{1,3}
Minimum Sideyard Setback	25 ft ^{1,3}	5 ft ¹	25 ft ^{1,3}	25 ft ^{1,3}
Minimum Backyard Setback	10 ft ¹	10 ft ¹	10 ft ¹	25 ft ^{1,3}
Minimum Building Separation	25 ft	10 ft	25 ft	25 ft
Maximum Building Height	3.5 stories; 45-ft ²	2 stories; 30-ft ^{2,3}	3.5 stories; 45-ft ²	2 stories; 30-ft ^{2,3}

Table B - Notes

- i. All setbacks shall meet the minimum setbacks for buildings or structures abutting Route 6 or a Residential District outside of the MOD as specified in the Dimensional Requirements Sections of this by-law.

- ii. All building heights shall meet the maximum building height for buildings or structures abutting a Residential District outside of the MOD as specified in the Dimensional Requirements Sections of this by-law.
 - iii. Dimensional Requirement match the **§ 50 Area and Height Regulations** in the Underlying Zoning, and must also meet the minimum setbacks for buildings or structures abutting Route 6 or a Residential District outside of the MOD as specified in the Dimensional Requirements Sections of this by-law.
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- J. Landscape Buffer.** All buildings or structures abutting Route 6 or a Residential District outside of the MOD shall provide a year-round landscaped or vegetated buffer.
- K. Design Standards.** Design standards shall apply to development in the MOD. Furthermore, these standards provide guidance for building massing, siting, and design solutions. It is understood that buildings and structures may not be able to comply with all of the following guidelines, but buildings and structures should comply if it is physically possible. For projects in the MOD, the following design guidelines shall apply:
 - i. All development should be designed to facilitate, accommodate, and encourage use by pedestrians.
 - ii. Non-residential uses should be located on the ground floor in Mixed-use Developments.
 - iii. Buildings on a corner lot should have a façade that relates to both streets.
 - iv. All development located in the subdistricts WMS, WLS, and WRS, should provide public access to common and public recreational land whenever feasible.
- L. Parking Requirements.** The parking requirements in the MOD shall comply with **§ 30.9 Parking**, herein, except for the following:
 - i. Any and all parking requirements in **Table D**, entitled “**Multi-family Overlay District Parking Requirements for all Subdistricts**” shall supersede the parking requirements of the underlying Zoning District.
 - ii. Parking may not be located within the minimum setback abutting a Residential District outside of the MOD as specified in the Dimensional Requirements Sections of this by-law.
 - iii. **Mixed-use Developments.** In the case of mixed-use development or multiple uses on a single lot, the parking provided shall meet the total requirements for all uses, except as permitted by the Planning Board as specified in the Shared Parking and Off-site Parking Sections of this by-law.
 - iv. **Shared Parking.** An applicant may request to the Planning Board to meet the parking requirements for two or more uses by sharing a common shared parking area, provided that the shared spaces are held in common ownership with all uses being served through easements or fee title, and that all spaces are located within four hundred (400) feet of all uses they serve. It is the responsibility of the applicant to provide documentation to the Planning Board showing the expected peak use of all parking spaces, that the usage of such parking area would not occur

simultaneously, and that the total proposed number of parking spaces will meet the demands of the uses proposed for the site.

In order to be granted shared parking approval, the Planning Board shall determine that a lesser number of spaces would be adequate for all parking needs because of special circumstances such as shared parking for uses having peak parking demands at different times or other measures reducing parking demand.

A reciprocal agreement shall be executed by the owners and operators of the different sources or uses in the building or development ensuring the long-term joint use of such shared parking, and defining the terms upon which the parking is shared.

Table D - Multi-family Overlay District Parking Requirements for all Subdistricts

Principal Use	Parking Requirement
Residential	
Bungalow Court; Duplex; Mixed-use Development; Multi-family Housing; Single Family Dwelling	1.5 spaces per dwelling unit
Home Bed and Breakfast, Board House, Home	1.5 spaces per dwelling unit, plus 1 space for each rental unit
Home Occupation, including Commercial Fishing Activity	1.5 spaces per dwelling unit as required above, plus 1 space for each non-resident employee
Home Occupation - permitted office use	1.5 spaces per dwelling unit as required above, plus 3 spaces for office, plus 1 space per each non-resident employee

- v. **Off-site Parking.** An applicant may request to the Planning Board to utilize off-site parking to meet the parking requirement. All municipal or other parking facilities which are used to satisfy the parking requirement must meet the following criteria:

The parking facility must be **less than one thousand (1,000) feet** from the proposed development, measured as measured from the nearest exterior point on a building or structure.

The applicant must provide the Planning Board with proof of ownership or lease for those parking spaces in order to satisfy the parking requirement. The owner shall provide offsite parking in perpetuity of the building use, as required by the needs of the tenants. Prior to the expiration of any parking lease, the Planning Board shall approve the new mechanism to satisfy the parking requirement.

- vi. **Parking Access.** The location and number of curb cuts shall be minimized to reduce turning movements and hazardous exits and entrances. To the extent possible, access to parking from the public right of way should be located at the rear or the side of the parcel, with the exception of subdistrict WLS. At no point should access to parking be located between the front building facade and the front lot line.
- vii. **Shared Driveways and Private Roads.** Where appropriate and allowable, access to adjoining properties shall be provided. Joint access driveways between adjoining properties shall be encouraged.

A shared driveway, private road, or cross-access connection between abutting parking lots with a binding easement and joint maintenance agreement defining the responsibilities of abutting property owners sharing access is permitted in subdistricts WLS and WMS.

All shared driveways and private roads shall have a minimum of one 8-foot sidewalk on one side of the driveway or roadway.

- viii. **Loading Requirements.** Every Mixed-use Development hereafter erected, enlarged, or occupied which has over 5,000 square feet of non-residential Gross Floor Area shall provide a minimum of one area for the loading and unloading of service vehicles. Every building hereafter erected, enlarged, or occupied for residential use with 10 or more dwelling units shall provide a minimum of one area for the loading and unloading of service vehicles.

Trash collection, trash compaction, recycling collection and other similar service areas must be fully enclosed within a building or located to the side or rear of buildings and fully screened from view from a public street, public space, or abutting residential use.

Loading and unloading areas shall be provided in addition to off-street parking spaces and shall not be considered as supplying required parking spaces. Unless otherwise authorized by the Planning Board under site plan review, loading and unloading areas shall be located in the rear of the building.

- M. **Violations and Penalties.** Violation of any of the provisions of this bylaw may result in fines of up to \$300 for each offense. Each day that such a violation continues shall constitute a separate offense.

- N. **Exemptions.** The Planning Board, through Site Plan Review, may waive any regulation or requirement within **§30.X Multi-family Overlay District.**

§ 90.5 Overlay Districts

[To be inserted at the end of article]

- E. **Multi-family Overlay District.** The Multi-family Overlay District and its subdistricts is the area designated as such on the Truro Zoning Map as set forth on the map entitled "Multi-family Overlay District," dated [MAP DATE] which appears as **Appendix C** to this bylaw and which is more particularly described and bound as follows:


[Boundaries to be determined by the Zoning Task Force and/or Walsh Ad Hoc Committee. Attached Appendix C draft map is for discussion purposes only.]

The land shown on a plan entitled "Multi-family Overlay District, made for the Town of Truro" by [TBD] Registered Land Surveyors, dated [DATE] and recorded with the Barnstable County Registry of Deeds in Plan Book [#], Page [#] and shown more specifically as an unnumbered parcel with an area of [#] acres.

Commencing at a point...[TBD]


DRAFT


Legend


 Study Area


 Development-Areas

Multi family Overlay District


 Affordable Housing Subdistrict

 Walsh Low-Density Subdistrict

 Walsh Moderate-Density Subdistrict

 Walsh Recreational Subdistrict

Parcels

 Parcels in Study Area

 Parcels

Features

 Open Space

 Major Roads

 Buildings

Surface Water

 Wetlands

 Water



Appendix C

Version A

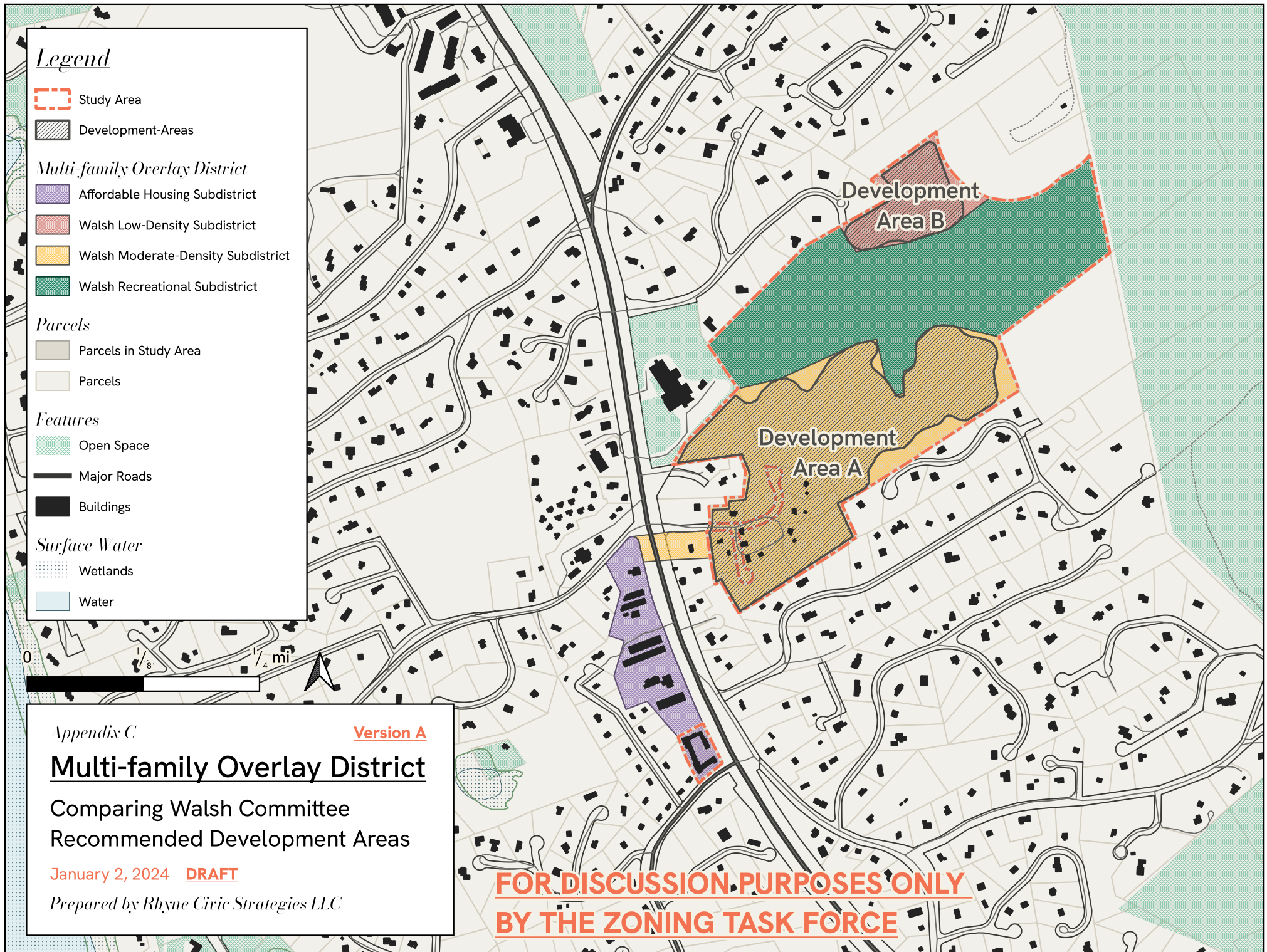
Multi-family Overlay District

Comparing Walsh Committee
Recommended Development Areas


January 2, 2024 **DRAFT**

Prepared by Rhynne Civic Strategies LLC


FOR DISCUSSION PURPOSES ONLY
BY THE ZONING TASK FORCE




Legend


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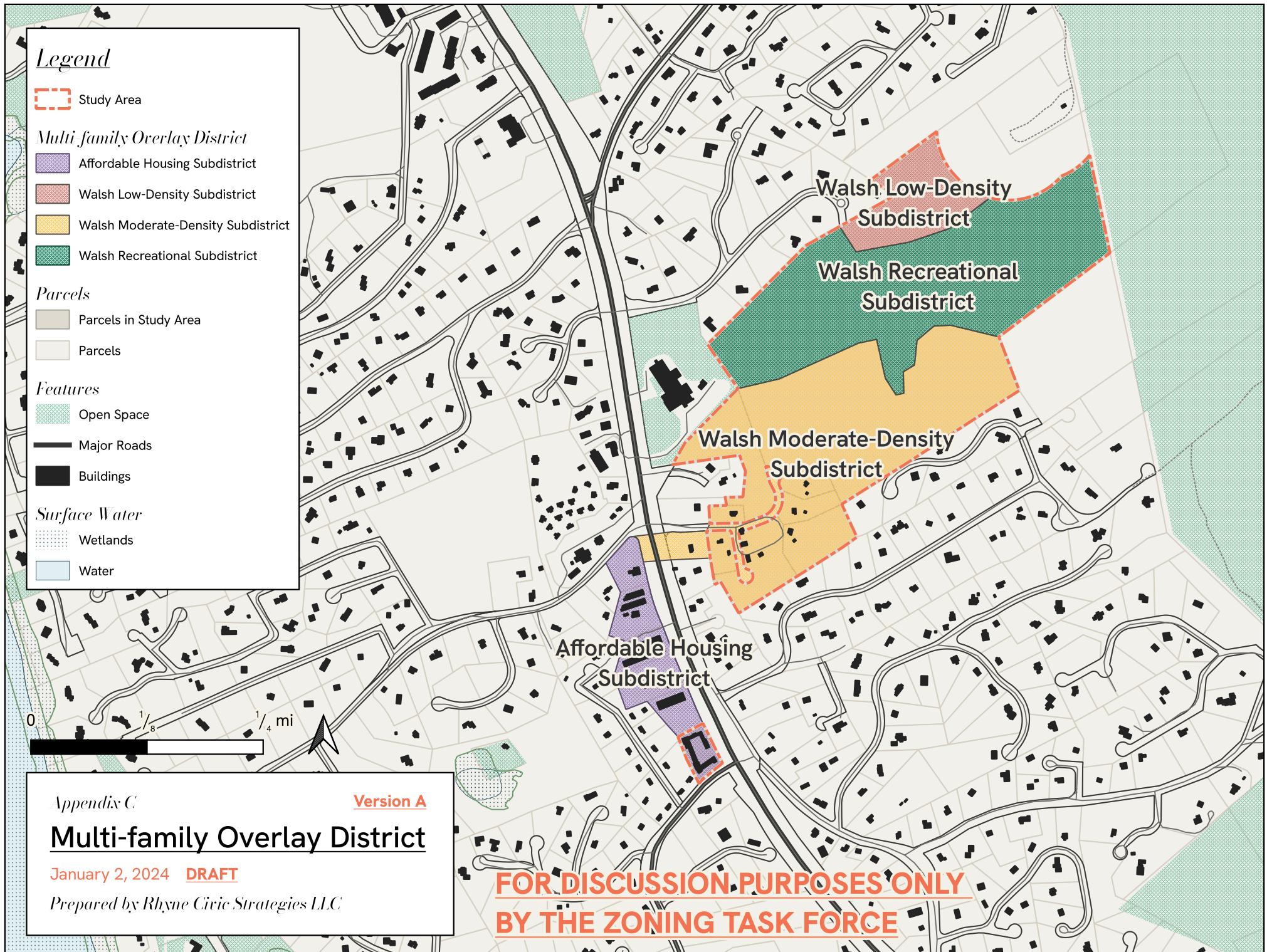
Version A

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
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Appendix C

Version B

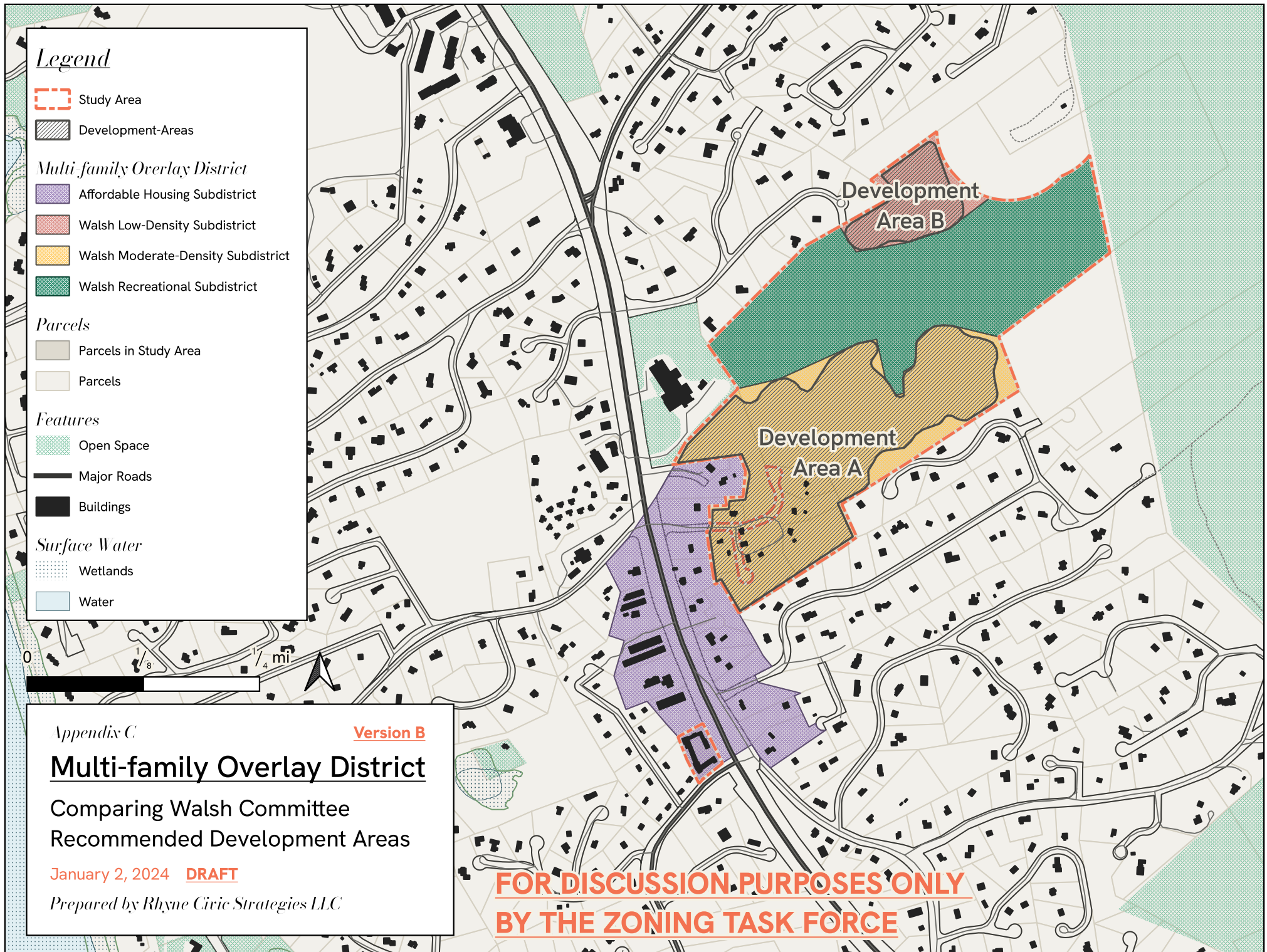
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Appendix C

Version B

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