

Truro Zoning Task Force Agenda

Hybrid Meeting: In-Person and Zoom

Truro Town Hall, 24 Town Hall Road, Truro, MA 02666
Monday, March 24, 2025 – 11:00 am

www.truro-ma.gov

Join the meeting from your computer, tablet or smartphone:

<https://us02web.zoom.us/j/86956780902>

Dial in: +1-646-931-3860

Meeting ID: 869 5678 0902 Passcode: 167667

Open Meeting

This will be a hybrid (in-person and remote) meeting. The in-person portion of the meeting will be held in the Select Board meeting room at Town Hall. Citizens can join the meeting to listen and provide public comment by entering the meeting link; clicking on the agenda's highlighted link; clicking on the meeting date in the Event Calendar; or by calling in toll free. Citizens will be muted upon entering the meeting until the public comment portion of the hearing. Citizens may also provide comment via postal mail or by emailing the Zoning Task Force at ztf@truro-ma.gov, or may instead speak during the Public Comment portion of the hearing.

Note on Public Comment

The Commonwealth's Open Meeting Law limits any discussion by members of the Board of an issue raised to whether that issue should be placed on a future agenda. Speakers are limited to no more than 5 minutes.

- Public Comment
- Review and approval of January 6, 2025; February 3, 2025; February 26, 2025 listening session; and March 3, 2025 meeting minutes
- Review KP Law comments on Walsh bylaw amendment
- Begin review of potential overlay district for Highland Road and Shore Road area; review materials provided by Kennan Rhyne
- Review of specific sections of the current Zoning Bylaw to be updated. Dan Silva and Nick Brown to provide examples.
- Discuss further outreach efforts re: Walsh Overlay District
- Topics for future discussion

Next meeting date: April 7, 2025, 11:00 am – 1:00 pm

Planning Board public hearing on the Walsh Overlay District bylaw –
April 9, 2025 at 5:00 pm at Town Hall

Adjourn

Town of Truro Zoning Task Force
March 3, 2025
Meeting Minutes

In attendance: David Bannard, Chair, Darrell Shedd, Vice Chair, Ellery Althaus, Nicholas Brown, Mara Glatzel, and Dan Silva. Also in attendance, Barbara Carboni, Town Planner & Land Use Counsel. Katie Halvorsen, Town Housing Coordinator, Kennan Rhyne, Rhyne Civic Strategies LLC, Nancy Medoff, liaison to the Select Board, Emily Beebe, Mark Gebhardt, and Jack Reimer.

Chair Bannard called the meeting to order at 11:02 a.m. The meeting was held remotely via Zoom.

There was no public comment.

Meeting minutes for January 17, 2025, February 10, 2025 and February 18, 2025 were approved, each by unanimous vote, with Dan Silva abstaining from the Jan. 17 and Feb. 18 approvals.

The Task Force reviewed the compiled draft of the proposed Zoning Bylaw amendment creating a Walsh Overlay District included in the meeting packet.

- A comment from KP Law regarding a potential ambiguity between the 65% housing requirement in section D and the as of right uses in the table of uses was discussed. The ZTF determined that no change was needed and that it was clear that 65% of all development on the Walsh property must be housing.
- Nancy Medoff suggested that the transmittal to the Select Board note that the proposed bylaw amendment remains subject to legal review.
- Emily Beebe noted that the location of the Walsh Medium Density Subdistrict appears to be near where a potential wellhead could be located and asked whether the density of potential development on the WMD could be moved to the WRD. The ZTF noted that the water protection overlay district will not be altered and determined not to change the uses of the WMD or WRD.
- The ZTF reviewed the draft proposal for the Walsh Overlay District in light of comments received from the public. Dave noted comments received on the ZTF email site as well. The ZTF discussed the provision providing for buildings of up to 5 stories for senior housing with a special permit. Comments received were nearly unanimously negative. The ZTF determined to delete this provision from the dimensional table and eliminate the potential for up to 5 story buildings on the Walsh property.
- Dan Silva noted that he remains uncomfortable with only a minimum five-foot building separation and asked to increase that to a minimum of ten feet. The ZTF concurred with that change.
- The ZTF considered other changes suggested by commenters, including a larger minimum setback from abutting development, requiring more parking per dwelling unit, and eliminating potential mixed use development on the WMD, but concluded that there are other viable means to protect neighboring housing and avoid overdevelopment, given that this land is town-owned, and elected to preserve the flexibility included in the proposed bylaw amendment. The ZTF declined to make further changes to the proposed bylaw amendment.

By a rollcall vote, the ZTF unanimously approved submission of the proposed Walsh Overlay District bylaw amendment to the Select Board for inclusion on the warrant for the 2025 Town Meeting, subject to a public hearing before the Planning Board, legal review by the Town's counsel, and Select Board review and amendment.

- There was discussion regarding the content of the transmittal to the Select Board, which will be drafted by Dave and submitted to the Select Board March 3, 2025.
- The Planning Board hearing will be held on April 9, 2025. The hearing notice should note that there may be a quorum of the ZTF in attendance.

The ZTF then discussed on-going outreach efforts.

- Darrell suggested that the White Paper (FAQ) be modified to direct readers to the Town's water information link on the public health webpage of the Town's website. He offered to prepare suggested language.
- Dave asked each member of the ZTF to consider reaching out to friends and neighbors and set up at least 2 informal meetings to discuss the proposed Walsh Overlay District bylaw amendment.

Dave asked the members of the ZTF what they would like to move on to beginning at the next meeting. There was consensus to return to the consideration of an overlay district for the Highland Road-Shore Road area.

In addition, Nick Brown asked that the ZTF review the language regarding Auxiliary Dwelling Units (ADUs) in light of other towns' experiences. Nick offered to provide examples of potential language.

Dan Silva asked that the ZTF review the Zoning and general Bylaws for provisions that stifle development. Dan offered to identify specific provisions for the ZTF's review.

The next ZTF meeting was scheduled for March 24, 2025 at 11 a.m. in Town Hall and on Zoom.

A motion was made and seconded to adjourn and it was adopted unanimously.

The meeting adjourned at 10:30 a.m.

Respectfully submitted,
David Bannard, Chair

To: Town of Truro Select Board
From: Town of Truro Zoning Task Force
Date: March 3, 2025
Re: Recommendation for Zoning Bylaw Amendment – Walsh Property

The Zoning Task Force (ZTF) created by the Select Board to, among other things, “review the town’s zoning and general bylaws with a focus on provisions that may affect housing opportunities or production ...” and “draft bylaw and/or policy amendments for recommendation to the Select Board” unanimously recommends the attached zoning bylaw amendment creating a Walsh Property Overlay District to the Select Board for its consideration and, if acceptable to the Select Board, placement on the warrant as an article for consideration at the 2025 Town Meeting. As a proposed amendment to the town’s zoning bylaw, this warrant article remains subject to legal review by the town’s counsel, KP Law, as well as a public hearing before the Planning Board.

The ZTF approved unanimously by roll call vote on March 3, 2025 recommending the attached bylaw amendment to the Select Board.

Process. The ZTF was established in October 2025 and held its first meeting on October 28, 2024. The ZTF chose to commence its work by developing a proposed bylaw amendment creating an overlay district for the Walsh property. We feel that this is a pressing need in order to allow the town to move forward expeditiously with the development of the Walsh property as approved at 2024 Town Meeting. The ZTF has been ably advised by Kennan Rhyne of Rhyne Civic Strategies LLC and our staff liaison, Barbara Carboni, the Town Planner and Land Use Counsel.

Early in our work, it became clear that the Walsh property cannot be developed consistent with the Town Meeting’s mandate without changing the current residential zoning of the property. The current zoning is quite restrictive and would allow far fewer than the recommended up to 160 dwelling units to be constructed.

The ZTF has sought to balance the vision for the Walsh property articulated by the Walsh Committee and approved by the Town at the 2024 Town Meeting with the Town’s character as a rural, residential community on the Outer Cape. Thus, the proposed bylaw amendment provides for multiple types of housing in addition to those permitted in the residential district and permits smaller lot sizes and requires development of affordable and attainable housing.

The ZTF has met twice with the full Ad Hoc Walsh Committee to obtain input into their vision of how the Walsh property will be developed and to obtain their feedback on the draft overlay bylaw amendment. We also held a public listening session on February 26th to seek community input and reached out to the chair of the Planning Board. We have also established an email address to receive comments. We intend to continue our outreach efforts to ensure that our fellow townspeople have the opportunity to ask questions and are provided with the complete rationale for the provisions of the proposed overlay district. At the ZTF meeting on February 18, we approved a draft of the overlay amendment for consideration at the February 26 public meeting and submission to the Select Board. Following our review of comments submitted, we met on March 3 to consider changes to the draft bylaw amendment as a result of community commentary.

Changes. Since the February 18 draft of the bylaw amendment that we provided to the Select Board as part of our quarterly update, we have made several changes to the draft as a result of our outreach to the community. The first is to eliminate the ability to build up to a 5 story building pursuant to a special permit for a senior living facility. The vast majority of commenters objected to the possibility of a 5 story building on the Walsh property and the ZTF agreed to reduce the maximum building height to 3 stories. Second, the ZTF agreed to expand the minimum side yard setback from a proposed 5 feet to 10 feet. This will provide for more space between buildings on adjacent lots. Although the ZTF carefully considered other comments received, we ultimately decided to retain the remainder of the proposed bylaw amendment in order to provide the town and the Ad Hoc Walsh Committee with sufficient flexibility to allow development of the area in the manner deemed most beneficial to the town. We recognize that, as town-owned property, there are multiple opportunities to control development of the Walsh property and we feel that our role is to enhance the opportunity for such development while imposing only appropriate and necessary boundaries.

Other Recommendations. In the course of our outreach, we have also received important feedback regarding the development of the Walsh property that, although not germane to our work on the zoning bylaw, we feel merits transmittal to the Select Board. First, as the Select Board is well aware, the issues of providing water to and addressing wastewater at the Walsh property are critical not only for the development of the Walsh property, but for the continued health of our town. We strongly support the Select Board's work to develop additional sources of potable water, to consider solutions for wastewater treatment, and to develop an equitable sharing of water with Provincetown. We urge the Select Board to continue these efforts and to continue to make these issues a top priority. Second, development of the necessary infrastructure to support development of the Walsh property, such as roads and utilities, is also a high priority. We also support the town's efforts to obtain funding for these efforts and to make this an early action item. Finally, we recommend that approximately 7 acres of the proposed Walsh Recreational Subdistrict be formally set aside for use by the Truro Central School; the proposed overlay district would fully consistent with that effort.

Next Steps. The Zoning Task Force will continue to support the adoption of the proposed bylaw amendment creating the Walsh Overlay District by appearing at the required public hearing before the Planning Board and hosting formal and informal outreach sessions. We expect now to turn our attention to additional issues set forth in our charge, including developing the recommendation to the Select Board of one or more additional overlay districts and reviewing and proposing changes to the town's full zoning and general bylaws with a focus on encouraging housing opportunities and economic development, all in the important context of helping preserve our town's existing character. We intend to seek input from the Planning Board, the Zoning Board of Appeals as well as our fellow residents regarding issues with respect to the zoning bylaw that require our attention and we hope to be able to continue consulting with Ms. Rhyne and Ms. Carboni on these complex issues.

If the Zoning Task Force can be of further assistance to the Select Board in any way, please do not hesitate to contact us.

Zoning Task Force – Recommended Zoning Proposal for Walsh Overlay District

NOTE: All gray text below currently exists in the Truro Zoning Bylaw and is added for reference. Bold text represents amendments to the existing zoning bylaw definitions.

§ 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 for sale or lease to Affordable Households. The Town will 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 100% of the current Area Median Income for Barnstable County, as determined by the Executive Office of Housing and Livable Communities (EOHLC), or its successor.

Affordable Housing. Housing registered as Affordable Dwelling Units with the Town.

Attainable Dwelling Unit. A dwelling unit exclusively available for sale or lease to Affordable Households or Attainable Households. The Town will 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 200% of the current Area Median Income for Barnstable County or, if greater, 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. This definition supersedes any definition of "Attainable" or similar terms set forth in this Zoning bylaw.

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

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

Coliving Community. A building or development composed primarily of single or double occupancy rooms with at least one communal 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.

Coliving Unit. A living area intended for one family or nonfamily household that shall have complete or independent or permanent provisions for shared 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 one (1) residential dwelling unit in each building, which may be owned by one or more persons.

Townhouse. One (1) or a series of buildings with a party wall or walls, common to adjoining buildings, which is constructed with a yard or public way on not less than two (2) sides that may contain multiple dwelling units.

§ 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
- Walsh Overlay District

§ 20.2 Purposes of Districts

[To be inserted at the end of article]

Walsh Overlay District. The Walsh Overlay District is intended to create housing opportunities through a variety of housing products for seniors, individuals, and families. Three subdistricts promote a diversity of housing stock and mixed-use development. Development located within this Overlay District shall provide or be located near 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 Walsh Overlay District and its subdistricts are identified in § 90.5 of this bylaw, and are shown on the map entitled “Walsh 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 Walsh Overlay District

- A. Purpose.** The Walsh Overlay District hereinafter referred to as the “WOD” is intended to create housing opportunities through a variety of housing products for seniors, individuals, and families, including both affordable and attainable dwelling units. Three subdistricts promote a diversity of housing stock and mixed-use development. Development located within this Overlay District shall provide or be located near recreational opportunities in all subdistricts and may provide compatible accessory commercial and other mixed-uses that support a walkable mixed-use development. The Walsh Recreational Subdistrict is intended to offset the impact of such density by preserving much of the land in that subdistrict for recreational and open space uses, subject to certain stated exceptions, primarily for educational and municipal uses.

- B. Establishment.** The WOD 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 “Walsh 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 WOD contains the following subdistricts shown on the Truro Zoning Map as set forth on the map entitled “Walsh Overlay District,” dated [MAP DATE] which appears as Appendix C to this bylaw. The subdistricts are as follows:
- i. 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.
 - ii. 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, as well as on compact lots organized around a shared communal open space or compact single family dwellings, 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.
 - iii. 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 WOD, the proposed development must have 67% or greater of the Gross Floor Area dedicated to Residential uses. WOD 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 WOD, an applicant may choose to conform either to the zoning regulations which govern the underlying zoning district or to the WOD regulations and procedures set forth by this Section.
- E. Residency Requirement.** Units within the WOD shall be made available only for year-round occupancy as prescribed in leases of one-year minimum duration.
- F. Inclusionary Zoning.** No less than twenty percent (20%) of all new residential units (of each type) constructed within the WOD shall be Affordable Dwelling Units.
- G. Permitted Uses.** The use requirements in the WOD shall comply with § 30.2 Use Table, herein, except for the following:
- i.** Any and all uses permitted by subdistrict in Table B, entitled “Walsh 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 applicable 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 Board of Appeals 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
N	Not Permitted
N/A	Not Applicable
WOD	Walsh Overlay District
WLS	Walsh Low-Density Subdistrict
WMS	Walsh Moderate-Density Subdistrict
WRS	Walsh Recreational Subdistrict
*	Already Permitted in the Residential District

Table B - Walsh Overlay District Permitted Uses by Subdistrict

Principal Uses	WLS	WMS	WRS
Commercial			
Professional office ¹	P	P	N
Restaurant	SP	P	N
Retail business service (4/14)	SP	P	N
Retail sales (4/14)	SP	P	N
Trade, repair shop, etc. (4/14)	SP	P	N
Wholesale Trade (4/14)	SP	P	N
Industrial			
Industrial or manufacturing use ²	N	SP	N
Public utility	P	P	P
Research or experimental lab ³	SP	SP	N
Small engine repair	SP	SP	N
Institutional			
Hospital, nursing and/or convalescent home	N	SP	N
Private club not conducted for profit	N	SP	N
Large-Scale Ground-Mounted Photovoltaic Array (4/11)	N	N	N
Residential			
Attainable Undersized Lot (5/24)	P	P	N
Bungalow Court	P	P	N
Coliving Community	N	SP ⁴	N
Duplex (as defined in §40.1) (5/24)	*	*	N
Mixed-use Development	SP	P	N
Multi-family Housing	P	P	N
Townhouse	P	P	N
Single family dwelling ⁵	*	*	N

Table B - Notes

1. No more than four (4) offices per lot; 20% lot coverage permitted, exclusive of parking; storage of equipment or materials where they are visible from neighboring properties or public or private ways is prohibited; the Board of Appeals shall find that the proposed use does not produce any injurious or offensive dirt, odor, fumes, gas, noise, or danger from explosion or fire.
2. The Board of Appeals shall find that a proposed use is not injurious or offensive or tends to reduce values in the same district by reason of dirt, odor, fumes, gas, sewage, noise, or danger from explosion or fire.
3. The Board of Appeals may approve activities which are necessary in connection with scientific research or scientific development or related production, and which are accessory to a permitted use, if the Board finds the proposed accessory use does not substantially derogate from the public good.
4. Only for year-round residency.
5. Uses in this category are further subject to the special regulations set forth in §40.2, Accessory Dwelling Unit and the Building Commissioner shall serve as the Permit granting authority. (04/07, 4/17, 5/24)

H. Dimensional Requirements. The dimensional requirements in the WOD shall comply with § 50 Area and Height Regulations, herein, except for the following:

- i. Any and all dimensional requirements in **Table C**, entitled “**Walsh Overlay District Dimensional Requirements by Subdistrict**,” shall supersede the underlying Zoning District.
- ii. **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**.
- iii. **Setbacks Abutting Residential Districts.** All front, rear, and side yard setbacks for buildings or structures abutting a Residential District outside of the WOD 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.
- iv. **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.

KEY

N/A	Not Applicable
WOD	Walsh Overlay District
WLS	Walsh Low-Density Subdistrict
WMS	Walsh Moderate-Density Subdistrict
WRS	Walsh Recreational Subdistrict

Table C - Walsh Overlay District Dimensional Requirements by Subdistrict

Dimensional Requirement	WLS	WMS	WRS
Minimum Lot Size	None	None	N/A
Minimum Lot Frontage	None	None	N/A
Minimum Frontyard Setback	10 ft ¹	10 ft ¹	25 ft ^{1,3}
Minimum Sideyard Setback	10 ft ¹	10 ft ^{1,3}	25 ft ^{1,3}
Minimum Backyard Setback	10 ft ¹	10 ft ¹	25 ft ^{1,3}
Minimum Building Separation	10 ft	10 ft	25 ft
Maximum Building Height	2 stories; 30-ft ^{2,3}	3.5 stories; 45-ft ²	2 stories; 30-ft ^{2,3}
Lot Shape	N/A	N/A	N/A
Gross Floor Area	No limit ⁴	No limit ⁴	N/A
Lot Coverage	No limit	No limit ⁴	N/A
Lot Clearing	No limit	No limit ⁴	N/A

Table C - Notes

1. All setbacks shall meet the minimum setbacks for buildings or structures abutting Route 6 or a Residential District outside of the WOD as specified in the Dimensional Requirements Sections of this by-law.
2. All building heights shall meet the maximum building height for buildings or structures abutting a Residential District outside of the WOD as specified in the Dimensional Requirements Sections of this by-law.
3. 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 WOD as specified in the Dimensional Requirements Sections of this by-law.
4. Except as applied to single family residences or duplexes, which remain subject to the existing by-law limitation.

I. Landscape Buffer. All buildings or structures abutting Route 6 or a Residential District outside of the WOD shall provide a year-round landscaped or vegetated buffer.

J. Design Standards. The following Design Standards shall apply to development in the WOD. 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 WOD, 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.

K. Parking Requirements. The parking requirements in the WOD shall comply with **§ 30.9 Parking**, herein, except for the following:

- i. Any and all parking requirements in **Table D**, entitled “**Walsh 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 WOD 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 Board of Appeals as specified in the Shared Parking and Off-site Parking Sections of this by-law.
- iv. **Shared Parking.** An applicant may request to the Board of Appeals 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 Board of Appeals 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 Board of Appeals 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 - Walsh 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 space per dwelling unit
Home Occupation, including Commercial Fishing Activity	1 space per dwelling unit as required above, plus 1 space for each non-resident employee
Home Occupation – permitted office use	1 space per dwelling unit as required above, plus 1 space per each non-resident employee
Coliving Community	0.25 space per coliving unit, plus 1 space for each non-resident employee
Park, playground, non-commercial recreation	1 space for each 3 users at maximum utilization ¹

Table D - Notes

1. All parking spaces dedicated to Park, Playground, or Non-Commercial Recreation uses shall be available for free to the public.
2. Parking spaces and aisles located in the WRS are to be permeable and shall be maintained with a level surface of at least four (4) inches of blue stone or T-base equivalent at all times.

- v. Off-site Parking.** An applicant may request to the Board of Appeals 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 Board of Appeals 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 Board of Appeals 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 5-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 more than 10 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 Board of Appeals under site plan review, loading and unloading areas shall be located in the rear of the building.

- L. 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.
- M. Exemptions.** The Board of Appeals, through Site Plan Review, may waive any regulation or requirement within **§30.X Walsh Overlay District.**

§ 90.5 Overlay Districts

[To be inserted at the end of article]

- E. Walsh Overlay District.** The Walsh Overlay District and its subdistricts is the area designated as such on the Truro Zoning Map as set forth on the map entitled “Walsh 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 “Walsh 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]

From: [Barbara Carboni](#)
To: [Kennan Rhyne](#); [David Y. Bannard](#); [Eric Ouyang](#); [Darrell Shedd](#)
Cc: [Kelly Clark](#); [Katie Halvorsen](#)
Subject: FW: Walsh overlay
Date: Friday, March 7, 2025 11:41:30 AM
Attachments: [KP commentsDraft-Multi-familyOverlayDistrict 2.18.2025 v2 \(2187646.7\).doc](#)

Just received; will review ASAP.

Barbara Carboni AICP MCPPO
Town Planner/Land Use Counsel
Town of Truro

From: Justin M. Perrotta <JPerrotta@k-plaw.com>
Sent: Friday, March 7, 2025 11:27 AM
To: Barbara Carboni <bcarboni@truro-ma.gov>
Subject: Walsh overlay

Barbara, see attached suggested revisions and comments. (The comments are referred to by number in the draft). Let me know if you would like to discuss or if I can help further.

1. Is the GFA requirement for each building separately or the development in the aggregate?
2. I can't recall ever seeing such a provision; if this remains I will have to research whether it is allowable.
3. In my opinion, in certain instances the unqualified "Permitted" designation of these uses could create ambiguity, and perhaps legal challenge, when read in connection with the 67% residential requirement of Section D. For example, would a stand alone restaurant be permitted, or are restaurants only permitted when paired with a residential use? In my opinion, this could be corrected by a) a footnote in the table making clear that the 67% requirement applies to these otherwise permitted uses (if that is the intent); b) making clear that the 67% requirement only applies to mixed-use developments (if, on the other hand, that is the intent); or c) eliminating Section D and leaving that requirement to the RFP process.
4. Requiring a prior finding and approval from the ZBA for an as-of-right use would, in my opinion, not be enforceable. This provision could simply state that the use shall not produce any injurious or offensive dirt, odor, fumes, gas, noise, or danger from explosion

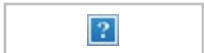
or fire.

5. Based on the definition of Building Separation the separation requirement would apply not only to the distance between buildings, but also to distances between buildings and structures, such as fences and retaining walls, and arguably between multiple structures. I assume this is not the intent; if not it could be resolved with a change to the definition eliminating the inclusion of structures.

6. It's unclear how these are to be applied. They could be incorporated into the special permit process where applicable; or the site plan review process where applicable, with the exception of iv, which, in my opinion, would be outside the scope of site plan review. In my opinion these provisions could not be applied to as-of-right uses other than as part of site plan review.

7. If site plan review is going to apply in the overlay district in my opinion there needs to be a section establishing that, and establishing the ZBA as the reviewing board. Also, only site plan review criteria could be waived via that process, such as those found in the bylaw. Waiver of zoning requirements (setbacks, etc.) would require a variance granted under the statutory variance criteria.

Justin M. Perrotta, Esq.



101 Arch Street, 12th Floor
Boston, MA 02110
617-654-1785
JPerrotta@k-plaw.com
www.k-plaw.com

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Zoning Task Force - Draft Zoning Proposal

NOTE: All gray text below currently exists in the Truro Zoning Bylaw and is added for your reference. 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 for sale or lease to Affordable Households. The Town will 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 100% of the current Area Median Income for Barnstable County, as determined by the Executive Office of Housing and Livable Communities (EOHLC), or its successor.

Affordable Housing. Housing registered as Affordable Dwelling Units with the Town.

Attainable Dwelling Unit. A dwelling unit exclusively available for sale or lease to Affordable Households or Attainable Households. The Town will 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 200% of the current Area Median Income for Barnstable County or, if greater, 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. This definition supersedes any definition of "Attainable" or similar terms set forth in this Zoning bylaw.

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

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

Coliving Community. A building or development composed primarily of single or double occupancy rooms with at least one communal 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.

Coliving Unit. A living area intended for one family or nonfamily household that shall have complete or independent or permanent provisions for shared 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 one (1) residential dwelling unit in each building, which may be owned by one or more persons.

Townhouse. One (1) or a series of buildings with a party wall or walls, common to adjoining buildings, which is constructed with a yard or public way on not less than two (2) sides that may contain multiple dwelling units.

§ 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
Walsh Overlay District

§ 20.2 Purposes of Districts

[To be inserted at the end of article]

Walsh Overlay District. The Walsh Overlay District is intended to create housing opportunities through a variety of housing products for seniors, individuals, and families. Three subdistricts promote a diversity of housing stock and mixed-use development. Development located within this Overlay District ~~shall~~will provide or be located near 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 Walsh Overlay District and its subdistricts are identified in § 90.5 of this bylaw, and are shown on the map entitled “Walsh 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 Walsh Overlay District

- A. Purpose.** The Walsh Overlay District hereinafter referred to as the “WOD” is intended to create housing opportunities through a variety of housing products for seniors, individuals, and families, including both affordable and attainable dwelling units. Three subdistricts promote a diversity of housing stock and mixed-use development. Development located within this Overlay District ~~shall~~will provide or be located near recreational opportunities in all subdistricts and may provide compatible accessory commercial and other mixed-uses that support a walkable mixed-use development. The Walsh Recreational Subdistrict is intended to offset the impact of such density by preserving much of the land in that subdistrict for recreational and open space uses, subject to certain stated exceptions, primarily for educational and municipal uses.

- B. Establishment.** The WOD 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 “Walsh 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 WOD contains the following subdistricts shown on the Truro Zoning Map as set forth on the map entitled “Walsh Overlay District,” dated [MAP DATE] which appears as Appendix C to this bylaw. The subdistricts are as follows:
- i. 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.
 - ii. 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, as well as on compact lots organized around a shared communal open space or compact single family dwellings, for seniors, individuals, and families. Development located within this Overlay District ~~shall~~ will provide ample recreational opportunities and may provide compatible accessory commercial and other mixed-uses that support a walkable mixed-use development.
 - iii. 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 WOD, the proposed developments located within the WOD~~ must have 67% or greater of the Gross Floor Area [See Comment 1] dedicated to Residential uses. WOD 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.
- ~~Notwithstanding any other provision herein, For any land within the WOD, an applicant may choose to conform either to the zoning regulations which govern the underlying zoning district or to the WOD regulations and procedures set forth by this Section [See Comment 2].~~
- E. Residency Requirement.** Dwelling Units within the WOD shall be made available only for year-round occupancy as prescribed in leases of one-year minimum duration.
- F. Inclusionary Zoning.** ~~No less than~~ At least twenty percent (20%) of all new residential units (of each type) constructed within the WOD shall be Affordable Dwelling Units.
- G. Permitted Uses.** The use requirements in the WOD shall comply with § 30.2 Use Table, herein, except for the following:
- i.** Any and all uses permitted by subdistrict in Table B, entitled “Walsh 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 applicable overlay district shall continue to apply and supersede the provisions of the WOD where any conflict exists.
 - 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 Board of Appeals 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 and supersede the provisions of the WOD where any conflict exists.

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.

iii.iv. For a use not listed in **Table B** the use provisions of the underlying Zoning District and any other applicable overlay district shall apply

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
N/A	Not Applicable
WOD	Walsh Overlay District
WLS	Walsh Low-Density Subdistrict
WMS	Walsh Moderate-Density Subdistrict
WRS	Walsh Recreational Subdistrict
*	Already Permitted in the Residential District

Table B - Walsh Overlay District Permitted Uses by Subdistrict

Principal Uses	WLS	WMS	WRS
Commercial			
Professional office ¹	P	P [See Comment 3]	N
Restaurant	SP	P	N
Retail business service (4/14)	SP	P	N
Retail sales (4/14)	SP	P	N
Trade, repair shop, etc. (4/14)	SP	P	N
Wholesale Trade (4/14)	SP	P	N
Industrial			
Industrial or manufacturing use ²	N	SP	N
Public utility	P	P	P
Research or experimental lab ³	SP	SP	N
Small engine repair	SP	SP	N
Institutional			
Hospital, nursing and/or convalescent home	N	SP	N
Private club not conducted for profit	N	SP	N
Large-Scale Ground-Mounted Photovoltaic Array (4/11)	N	N	N
Residential			
Attainable Undersized Lot (5/24)	P	P	N
Bungalow Court	P	P	N
Coliving Community	N	SP ⁴	N
Duplex (as defined in §40.1) (5/24)	*	*	N
Mixed-use Development	SP	P	N
Multi-family Housing	P	P	N
Townhouse	P	P	N
Single family dwelling ⁵	*	*	N

Table B - Notes

1. No more than four (4) offices per lot; 20% lot coverage permitted, exclusive of parking; storage of equipment or materials where they are visible from neighboring properties or public or private ways is prohibited; the Board of Appeals shall find that the proposed use does not produce any injurious or offensive dirt, odor, fumes, gas, noise, or danger from explosion or fire. [\[See Comment 4\]](#)
2. The Board of Appeals shall find that a proposed use is not injurious or offensive or tends to reduce values in the same district by reason of dirt, odor, fumes, gas, sewage, noise, or danger from explosion or fire.
3. The Board of Appeals may approve activities which are necessary in connection with scientific research or scientific development or related production, and which are accessory to a permitted use, if the Board finds the proposed accessory use does not substantially derogate from the public good.
4. Only for year-round residency, [otherwise Not Permitted](#).
5. Uses in this category are further subject to the special regulations set forth in §40.2, Accessory Dwelling Unit and the Building Commissioner shall serve as the Permit granting authority. (04/07, 4/17, 5/24)

H. Dimensional Requirements. The dimensional requirements in the WOD shall comply with § 50 Area and Height Regulations, herein, except for the following:

- i. Any and all dimensional requirements in **Table C**, entitled “**Walsh Overlay District Dimensional Requirements by Subdistrict**,” shall supersede the underlying Zoning District.
- ii. **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**. [\[See Comment 5\]](#)
- iii. **Setbacks Abutting Residential Districts.** All front, rear, and side yard setbacks for buildings or structures abutting a Residential District outside of the WOD 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.
- iv. **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.
- v. **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.

KEY

N/A	Not Applicable
WOD	Walsh Overlay District
WLS	Walsh Low-Density Subdistrict
WMS	Walsh Moderate-Density Subdistrict
WRS	Walsh Recreational Subdistrict

Table C - Walsh Overlay District Dimensional Requirements by Subdistrict

Dimensional Requirement	WLS	WMS	WRS
Minimum Lot Size	None	None	N/A
Minimum Lot Frontage	None	None	N/A
Minimum Frontyard Setback	10 ft ¹	10 ft ¹	25 ft ^{1, 3}
Minimum Sideyard Setback	5 ft ¹	5 ft ^{1, 3}	25 ft ^{1, 3}
Minimum Backyard Setback	10 ft ¹	10 ft ¹	25 ft ^{1, 3}
Minimum Building Separation	10 ft	10 ft	25 ft
Maximum Building Height	2 stories; 30-ft ^{2, 3}	3.5 stories; 45-ft ^{2, 4}	2 stories; 30-ft ^{2, 3}
Lot Shape	N/A	N/A	N/A
Gross Floor Area	No limit ⁵	No limit ⁵	N/A
Lot Coverage	No limit	No limit ⁵	N/A
Lot Clearing	No limit	No limit ⁵	N/A

Table C - Notes

1. All setbacks shall meet the minimum setbacks for buildings or structures abutting Route 6 or a Residential District outside of the WOD as specified in the Dimensional Requirements Sections of this by-law.
2. All building heights shall meet the maximum building height for buildings or structures abutting a Residential District outside of the WOD as specified in the Dimensional Requirements Sections of this by-law.
3. 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 WOD as specified in the Dimensional Requirements Sections of this by-law.
4. 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.
5. Except as applied to single family residences or duplexes, which remain subject to the existing by-law limitation.

I. Landscape Buffer. All buildings or structures abutting Route 6 or a Residential District outside of the WOD shall provide a year-round landscaped or vegetated buffer.

J. Design Standards. [See Comment 6] The following Design Standards shall apply to development in the WOD. 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 WOD, 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.

K. Parking Requirements. The parking requirements in the WOD shall comply with **§ 30.9 Parking**, herein, except for the following:

- i. Any and all parking requirements in **Table D**, entitled “**Walsh 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 WOD 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 Board of Appeals as specified in the Shared Parking and Off-site Parking Sections of this by-law.
- iv. **Shared Parking.** An applicant may request to the Board of Appeals 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 Board of Appeals 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 Board of Appeals 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 - Walsh 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 space per dwelling unit
Home Occupation, including Commercial Fishing Activity	1 space per dwelling unit as required above, plus 1 space for each non-resident employee
Home Occupation – permitted office use	1 space per dwelling unit as required above, plus 1 space per each non-resident employee
Coliving Community	0.25 space per coliving unit, plus 1 space for each non-resident employee
Park, playground, non-commercial recreation	1 space for each 3 users at maximum utilization ¹

Table D - Notes

1. All parking spaces dedicated to Park, Playground, or Non-Commercial Recreation uses shall be available for free to the public.
2. Parking spaces and aisles located in the WRS are to be permeable and shall be maintained with a level surface of at least four (4) inches of blue stone or T-base equivalent at all times.

- v. **Off-site Parking.** An applicant may request to the Board of Appeals 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 Board of Appeals 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 Board of Appeals 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 5-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 more than 10 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 Board of Appeals under site plan review, loading and unloading areas shall be located in the rear of the building.

- L. **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.

- M. **Exemptions.** The Board of Appeals, through **Site Plan Review [See Comment 7]**, may waive any regulation or requirement within **§30.X Walsh Overlay District**.

§ 90.5 Overlay Districts

[To be inserted at the end of article]

- E. **Walsh Overlay District.** The Walsh Overlay District and its subdistricts is the area designated as such on the Truro Zoning Map as set forth on the map entitled “Walsh 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 **“Walsh 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

Revision & Reorganization of Zoning Bylaws Zoning Task Force Kick-off

October 28, 2024

Prepared for the Town of Truro

Rhyne Civic Strategies LLC / Perci PBC

Zoning Task Force Members

Ellery Althaus
David Bannard
Nicholas Brown
Mara Glatzel
Daniel Silva
Darrell Shedd
Nancy Medoff*

Please introduce yourself and answer the following:

→ What is Truro's greatest strength?

Zoning Task Force Charge

The purpose of this task force is to **propose ways to increase housing opportunities, housing production** and economic development.

It will **focus on Truro's zoning bylaws** and on the recommendations contained in

- **2023 Local Comprehensive Plan,**
- **Housing Production Plan, &**
- **Economic Development Plan.**

→ Review Full Charge [Here](#)

02

Project Overview

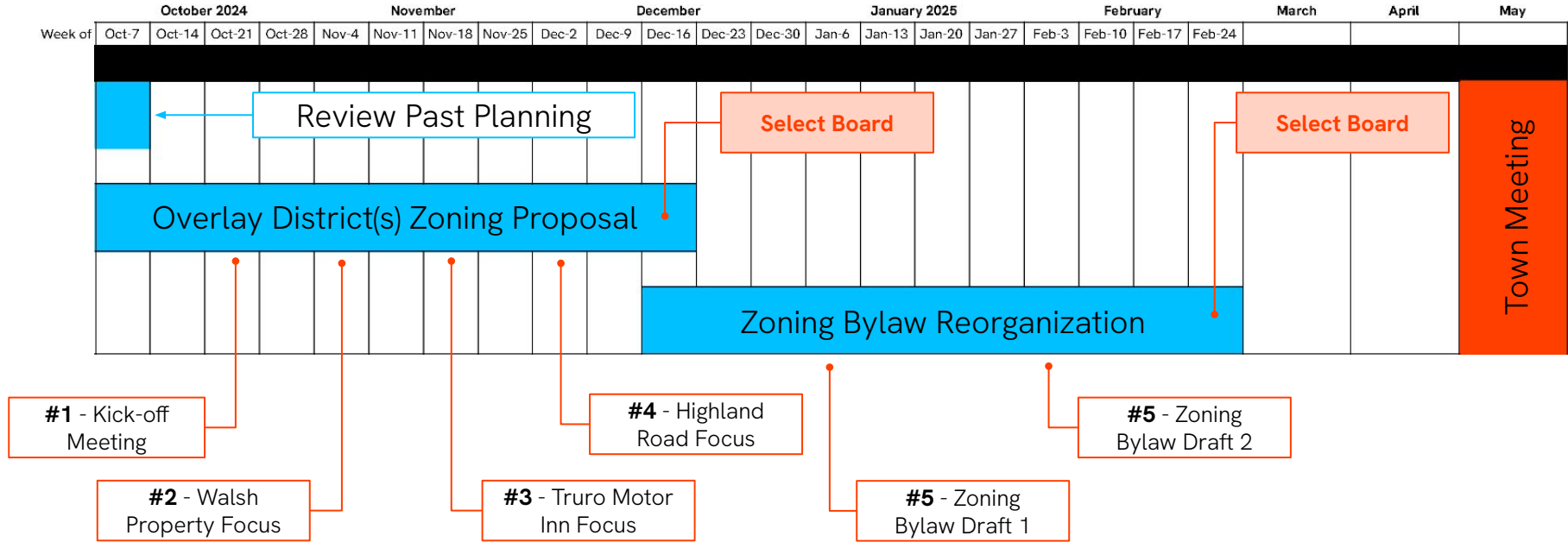
Review the project scope,
schedule, & intended deliverables

Objectives

- **Review the town's zoning** a with a focus on **housing opportunities or production**
- Incorporate the **Affordable Homes Act**
- **Identify** unclear, outdated and/or **inconsistent zoning bylaw**
- **Evaluate** the recommendations in **Local Comprehensive Plan, Housing Production Plan, and Walsh Advisory Plan**
- **Prepare overlay districts**
- **Work closely with town boards and committees, community organizations and businesses**
- **Draft bylaw and/or policy amendments** for recommendation to the Select Board
- **Prepare an annual report** for the Select Board outlining the proposed bylaw or policy changes. **Include proposed articles for the Annual Town Meeting warrants** in 2025 and 2026.

→ Review Full List of Objectives [Here](#)

Scope of Work



Coordination

Who we'll work directly with

Zoning Task Force

**Ad Hoc Walsh Property
Advisory Committee**

Select Board

Town Staff

Deliverables

What we will provide the ZTF

Phase One (Overlays)

Zoning proposal for 1-3 overlay districts that cover all three sites

- Walsh Property
- Truro Motor Inn
- Highland Road

This phase will define all major characteristics (dimensional, use, map, etc.) of the overlay districts

December 2024

Phase Two (Bylaws)

Draft Zoning Text for Adoption that considers:

- Dimensional and use regulations
- Removal/update of outdated language that would contradict the new language
- Zoning map amendments

February 2025

Overlay Methodology

01

Review past planning guidance

01a

Visualize recommended site designs
for sites with less previous planning

02

Translate plans into a set of rules
that align closest to planning intent

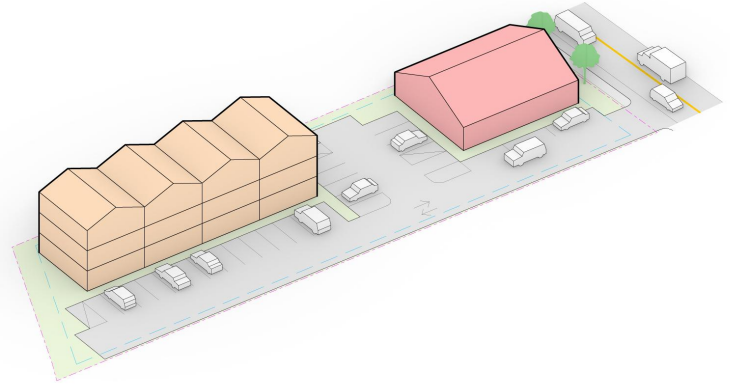
03

Test **different building models** (*housing*
& *mixed-use*) within the proposed rules

04

Propose overlay district(s) land use and
dimensional rules and locations

A Contextual Prototypical Housing/Retail Model



Testing Proposed Zoning Rules



Example: Littleton Common Revitalization, completed while at Utile

Zoning Bylaws

Opportunities & Limitations

What Zoning Allows

- What can be built: Building footprint, form, height, and architectural expression*
- How much can be built: Square footage limitations & distances between buildings
- Where it can be built: Location on a site and within the Town
- How it can be used: Type and quantity/mix of land uses

**Form-based codes or hybrid codes can provide dimensional regulations to create a predictable architectural expression. Truro does not have this type of zoning code.*

What Zoning Cannot Do

- Determine when a project is built: Costs, site & infrastructure limitations, and a owner's personal choices determine if/when a property is redeveloped
- Guarantee a particular site layout or design: Zoning can create a predictable outcome, but it cannot prescribe a specific layout or architectural style
- Say who builds & how a project is built: Control site ownership or construction
- Supersede life safety code requirements or State/Federal regulations

03

Review Past Planning

Affirm the direction laid out in
past planning studies. Review
questions.

Past Planning

Local Comprehensive Plan

“Truro’s vision is to be an innovative, sustainable rural community with a socio-economically and culturally diverse population of all ages.”

The Need

- **27%** of households are **housing cost burden** & **7%** are **severely cost-burdened**
- Only **1.88%** of the **housing stock** is **subsidized** compared to the **Commonwealth goal of 10%**
- **Multifamily housing is prohibited** by current zoning bylaws

TOWN OF TRURO LOCAL COMPREHENSIVE PLAN

Local Comprehensive Plan Committee

October 2023



Past Planning

Local Comprehensive Plan

Relevant Takeaways

- Encouraging **creative approaches & regulatory reform** to support housing development
- **Guide growth toward places with** adequate or potential for improved by **infrastructure**
- **Serve seniors, young families, local workers, and seasonal employees** with rental & ownership options at diverse price levels

TOWN OF TRURO LOCAL COMPREHENSIVE PLAN

Local Comprehensive Plan Committee

October 2023



Past Planning

Housing Production Plan

“Truro will have a balanced and diverse mix of housing types...”

- *Affordable and community housing will support a vibrant workforce & all ages...*
- *Housing solutions will strive to maintain the small-town character and coastal beauty...*
- *10% or more subsidized housing stock...”*

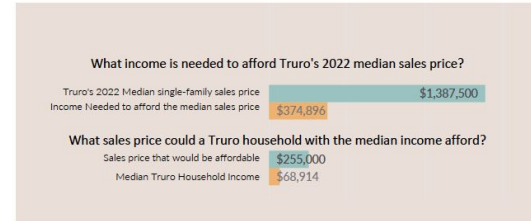
CHAPTER 1: INTRODUCTION

TRURO'S HOUSING STORY

Truro is in the midst of a housing crisis. There is a rapidly growing lack of year-round housing that is accessible and affordable for those at low to middle and even upper-middle income levels. This includes an extreme poverty of rental housing as well as homes for purchase.

Fifteen percent of Truro's housing stock are rental units. This puts the Town in the category of a 'rental desert' according to a study by the Joint Center for Housing Studies at Harvard University. Truro's largest affordable housing development – Sally's Way – offers 16 units of rental housing. Sally's Way is fully occupied and more strikingly has a waiting list of more than 200 families.

For those wanting to purchase a home, the situation has grown increasingly untenable. When homes do become available the prices are very often too high to afford. There is a growing and insurmountable gap between income and sales price. The median sale price of a single-family home in 2022 is nearly \$1.4 million. **To afford to buy a home at that price an individual or family would need to earn almost \$375,000 annually, however the median household income in Truro in 2020 was \$68,914.** Individuals and families hoping to purchase a home would need to earn more than three times as much as they earn currently. This gap is truly impossible to bridge.



What is affordable and available for purchase in Truro? A household with median income level could afford a home priced at \$255,000. When this report was written there were no homes available for sale at or below that price.

The fact is Truro has a great need for more year-round housing and there are several significant development constraints that are getting in the way. These include environmental constraints, restrictions on development in the National Sea Shore, and the lack of sewer infrastructure in the Town.

Other challenges to development have to do with competing priorities. Most people in Truro agree that there is a housing crisis and that more year-round housing is needed, but there are differing opinions in how to address the problem. However, the HPP engagement process revealed that many are willing to meet in the middle on these opinions.

Past Planning

Housing Production Plan

Relevant Takeaways

- Truro will need **175 more rental units and 85 more units for homeownership**, totaling 260 units for residents up to 120% AMI **by 2035**
- **Units sizes** for needed 260 units
 - 30% studio or 1-bedroom units
 - 50% 2-bedroom units
 - 20% 3+ bedroom units
- **Redevelop the Walsh Property**
- **Streamlining to incentivize** creation of year-round and affordable housing
- **Acquire vacant or underutilized properties** to create affordable housing (Truro Motor Inn)
- **Transitional** town employee housing

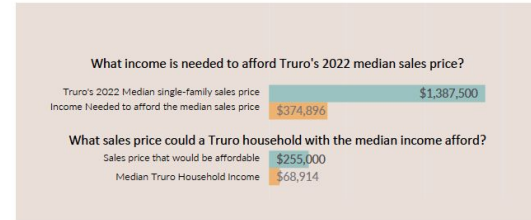
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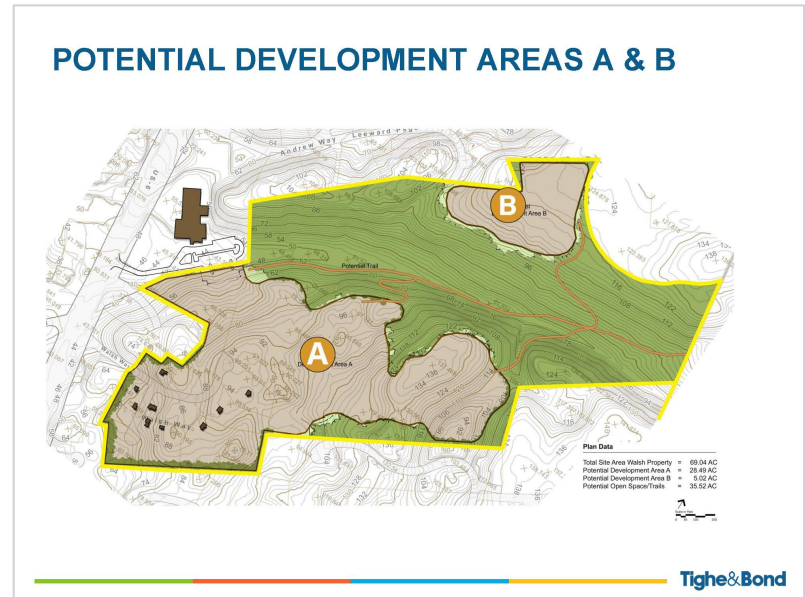
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Past Planning

Walsh Committee / Tech. Memos

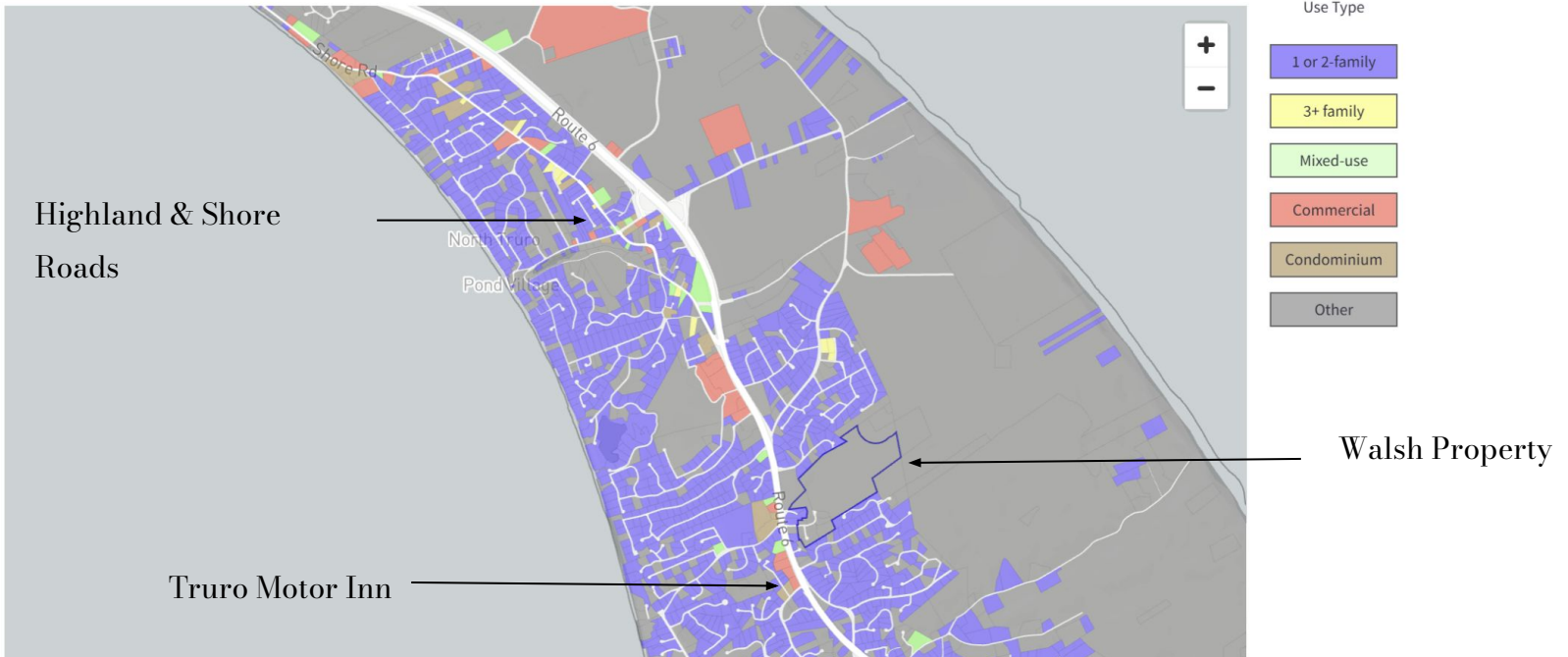
Relevant Takeaways

- Walsh Property Community Planning Committee led the community planning process, **recommended up to 160 units**
- Entirely within the Residential (R) **zoning district** and the Water Resource Protection District - **neither supports multifamily apartments by right**
- Steep slopes, rare species habitats, and wellhead protection area (Zone II) **limit where and how the site is developed**



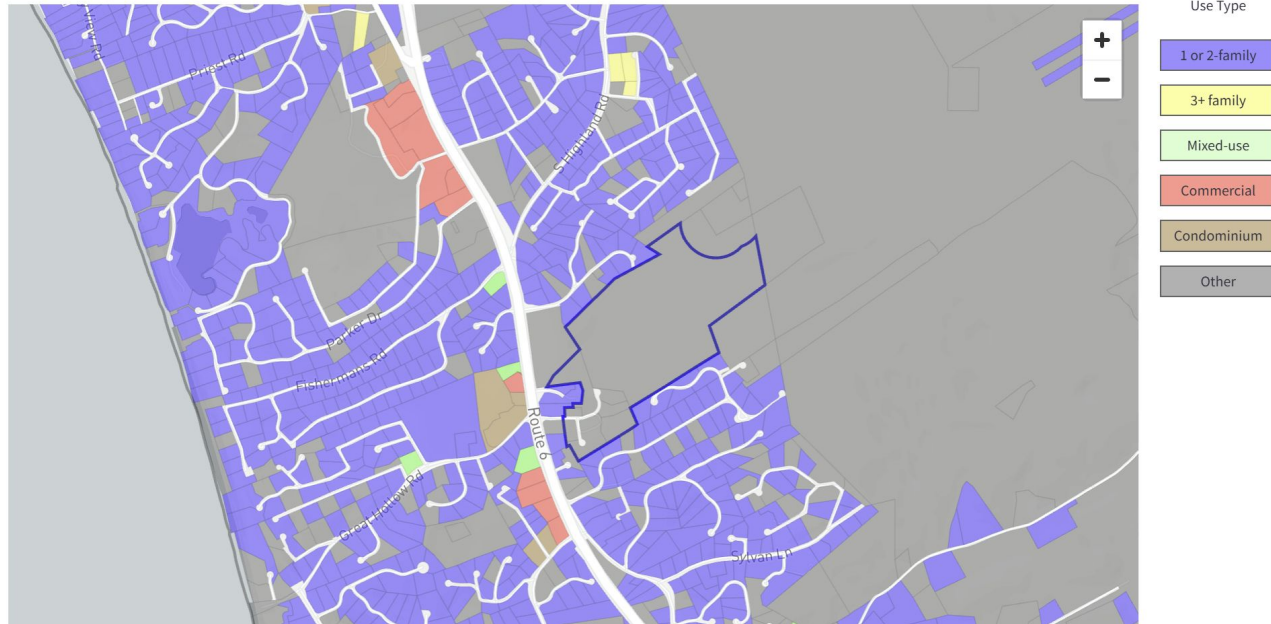
Study Area

Three Areas of Interest



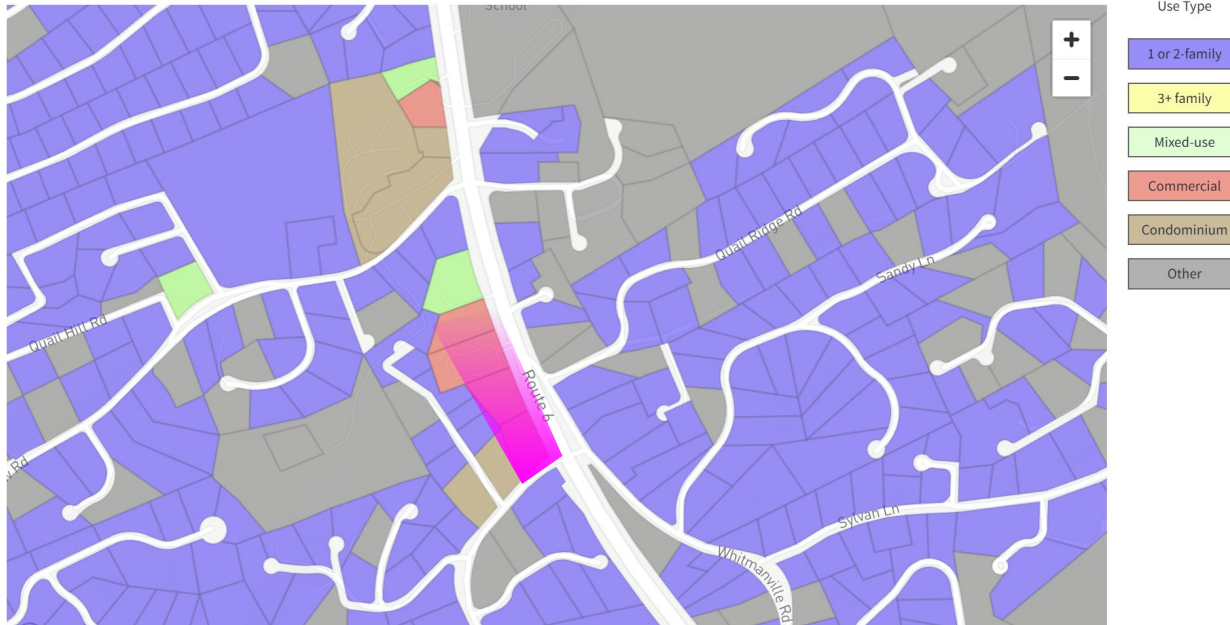
Walsh Property

Study Area Boundary



Truro Motor Inn

Potential Study Area



Highland Shore Roads

Potential Study Area



Project Assumptions

Mixed-use

There is interest in housing with ground-floor retail / restaurant or community uses (mixed-use)

Multifamily

The overlays will create a pathway for multifamily projects in the study area

Program - Walsh

Zoned capacity should allow for 160 units built in multiple phases over time

Study Boundary

We will determine the area of study for Highland Road through this group

Infrastructure

More information is needed to address infrastructure limitations (ongoing, separate)

Questions

Previous Plans

Did we capture the previous planning work appropriately? What concerns do you have?

Other

Please share any other feedback or concerns.

Truro Motor Inn

What is your vision for this area?

What are your concerns about use, scale, and impacts at the Truro Motor Inn?

Highland Road

What is your vision for this area?

What are your concerns about use, scale, and impacts along Highland Road?

Which areas should be included in an overlay?

04

Next Steps

What you'll see next time

Next Steps

Walsh Property

01

Review Past Planning Guidance

02

Incorporate guidance from recent
Walsh Committee meeting

03

Review housing & zoning precedents
from other Massachusetts towns

04

Translate plans into a set of rules
that align closest to planning intent



Water & wastewater capacity will
continue in a separate study (ongoing)

Next Meeting

Walsh Property

Date/time for discussion

Questions

Please contact Barbara at

bcarboni@truro-ma.gov

(508) 214 0928

Thanks!