

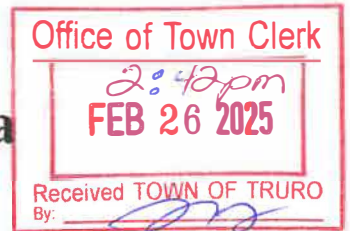


Truro Zoning Task Force Agenda

Zoom Meeting Only

Monday, March 3, 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

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 and entering the access code. 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; January 17, 2025; February 3, 2025; February 10, 2025; and February 18, 2025 meeting minutes
- Review, discuss and vote upon recommendation for any changes to 2/18/2025 draft zoning overlay bylaw amendment containing provisions for Walsh Property resulting from outreach efforts
- Further outreach efforts
- Topics for future discussion

Next meeting date: March 24, 2025, 11:00 am – 1:00 pm

Adjourn

Zoning Task Force Minutes: January 17, 2025 at 11am
Hybrid Meeting at town hall + virtual

Committee Members attending: Dave Bannard, chair; Nicholas Brown, Mara Glatzel, Ellery Althaus, members; Darrell Shedd (alternate)

Others Attending: Katie Halvorsen, Housing Coordinator; Barbara Carboni, Town Planner/Land Use Counsel; Kennan Rhyne, Rhyne Civic Solutions (consultant)

Public Comment: None

Review and approval of December 16, 2024 meeting minutes: Unanimous in favor
Ellery Althaus volunteered for 1/17 minutes

Outreach Plan and Consultant Discussion

Members discussed the proposed outreach plan for the committee, emphasizing the importance of reaching out to property owners and abutters. The plan includes hosting materials on the committee's website, a brief video explaining the proposed zoning overlay district, and targeted meetings with neighbors. The committee also mentioned the need for a consultant to answer questions during outreach meetings. The committee agreed on the importance of starting outreach in early February and the need for a clear timeline of opportunities for feedback. The possibility of a separate discussion on the area along Route 6 in Truro was also raised.

Balancing Flexibility and Green Space

Committee members discussed the zoning task of the Walsh Committee, focusing on the need for sub-districts and the potential for more flexible development. Members expressed concerns about the potential for developers to exploit the lack of clear boundaries, and the need to balance flexibility with the need to preserve green space. The discussion also touched on the potential for future school expansion on the Walsh property, and the need to ensure that the property remains accessible for development. The conversation ended with a discussion about the potential for a single overlay district on the Walsh property, with a requirement for a certain percentage of the land to be set aside for green space.

Walsh Property Overlay District Discussion

The committee discusses whether to include sub-districts or zones within the proposed overlay district for the Walsh property development. After debate, they decide to maintain the concept of sub-districts with different density levels. However, they agree to postpone considering inclusion of the Truro Motor Inn property in the overlay due to concerns over spot zoning. The committee aims to finalize the zoning proposal focused on the Walsh property for the upcoming town meeting, while leaving the Truro Motor Inn for future consideration. Members emphasize the importance of clear regulations to prevent ambiguity and legal challenges. There are differing views on the level of regulation needed, with some favoring more flexibility and reliance on other codes like building and fire codes.

Affordable Housing Definitions and Certifications

In the meeting, the committee, Kennan, and Barbara discussed the definitions of affordable and attainable housing units. They agreed that the definitions should be objective and tied to a percentage of the area median income (AMI). They also discussed the role of the Truro Housing Authority in certifying affordable housing units, concluding that it might not be the best approach. The group decided to rewrite the definitions to provide more flexibility and to tie them to the State's established percentages. They also discussed the possibility of allowing dormitory uses in the town, with a focus on defining what constitutes a dormitory and where it could be allowed. Lastly, they discussed the current definition of townhouses and whether it should be expanded to allow more than one dwelling in a townhouse. Kennan suggested tying the definition to the number of units rather than a specific building type.

Affordable Housing Zoning Overlay Discussion

The committee is discussing zoning overlay district regulations for affordable housing development. They are considering requiring a minimum of two-thirds of the development to be residential uses, with the remaining one-third potentially allowing mixed-use. The town wants to include an inclusionary zoning provision requiring a percentage of affordable and/or attainable units but needs to research appropriate percentage levels based on best practices. They are also considering prohibiting short-term rentals by requiring year-round leases. Additionally, the town is evaluating whether to keep or remove existing residency preference requirements, which could impact funding opportunities.

Upcoming Meeting and Adjournment

January 27th and February 3rd at 11 a.m.

Motion to adjourn by Nick Brown: Unanimous in favor

Truro Zoning Task Force
Minutes of February 10, 2025 meeting

ZTF members attending: Dave Bannard, Chair; Dan Silva, Vice Chair; Mara Glatzel; Nicholas Brown; Ellery Althaus; Darrell Shedd

Also attending: Katie Halvorsen, Housing Coordinator; Jeff Fischer, Chair, Ad Hoc Walsh Advisory Committee; Kennan Rhyne, Consultant; Katie Riconda

The meeting was called to order by the Chair

The Task Force approved the minutes as corrected of its January 27, 2025 meeting 5-0

Mara Glatzel briefly reviewed the meeting of February 3, 2025 with Dave Bannard, Chair absent

One parking space per unit had been approved by ZTF. Discussion of trade-off of a portion of recreational district used for development, if the same equitable portion was subtracted from development district. Kennan Rhyne to study.

Seven-acre portion for future Truro school use should be cut off now.
Public utilities should be allowed as of right in the Recreational District.
Voted 4-1 Confirmation of one parking space per unit should be in RFP.

Committee agreed that multi-family use would be “by right” in the Medium Density District.

Discussion as to whether there should be parking in Recreational District.
Hopefully pervious parking.

Discussion on “Outreach” for Annual Town Meeting. Need to have informal small neighborhood sessions; need one or more public meetings. A five-to-ten minute video would be created by Kennan Rhyne for Truro TV.

Brief discussion on Truro Planning Board 2025 Warrant articles – Lot Coverage and Lot Clearing. Suggestion that Truro Planning Board not bring up at this Town Meeting.

Next meeting: February 28 9:30 remote Zoom with video by Ellery. Reach out to Provincetown Independent. Kennan to prepare a 5-10 minute video for

ZTF members to deliver February 26 at 5 to 7 pm at a Public Meeting at Town Hall and on Zoom. March 3, 2025 ZTF meeting to be via Zoom. Time to be determined.

Dave Bannard, Chair announced that Dan Silva has stepped down as Vice-Chair due to workload. He will remain on Committee as a member.

Nick Brown moved to adjourn, seconded by Dan Silva Vote 5-0

Town of Truro Zoning Task Force
February 18, 2025
Meeting Minutes

In attendance: David Bannard, Chair, Ellery Althaus, Nicholas Brown, Mara Glatzel, and Darrell Shedd. Also in attendance, Kelly Clark, Acting Town Manager, Katie Halvorsen, Town Housing Coordinator, Jeff Fischer, Chair of the Ad Hoc Walsh Committee, Anne Greenbaum, Vice Chair of Planning Board and member of the Ad Hoc Walsh Committee.

Chair Bannard called the meeting to order at 9:32 am. The meeting was held remotely via Zoom.

There was no public comment.

There were no meeting minutes to review or approve.

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

- The definition of “Co-living Unit” was revised to add “family or” prior to “nonfamily household” and the definition of “seasonal worker” was deleted.
- Section 20.3(D) was revised to insert “that, except as expressly provided,” after “however,” in the last line of the first paragraph.
- The Zoning Board of Appeals was designated as the special permit granting authority under the proposed Walsh Overlay District amendment.
- After extensive discussion, the ZTF voted 4-1 to eliminate the ability to locate residential housing in the Walsh Recreational Subdistrict in Table B (Permitted Uses) by special permit and instead to make residential housing a non-permitted use in the WRD.
- The ZTF agreed that it is the sense of the ZTF that the area within the WRD of approximately 7 acres for use by the Truro Central School should be set aside and a plan approved that designates such area for such purpose.
- It was agreed that the Walsh Overlay District will be exempt from any existing or future lot clearing and lot coverage bylaw amendments to the Zoning Bylaw.
- The ZTF agreed that public parking, preferably on pervious surfaces, will be a permitted auxiliary use for the WRD.

With the changes noted above, a motion was made and seconded to approve the proposed Walsh Overlay District Zoning Bylaw amendment, subject to further change on March 3 resulting from comments received, and the motion passed unanimously.

The ZTF then discussed on-going outreach efforts.

- The proposed White Paper (FAQ) was approved, subject to edits by the Acting Town Manager and Town Communications and Marketing Coordinator.
- Mara volunteered to work with Kennan Rhyne on a script for a short video explaining the proposed Walsh Overlay District for use at the Feb. 26 listening session and posting to the ZTF webpage. Dave and Ellery volunteered to narrate.

Dave indicated that Darrell had volunteered to replace Dan Silva as the Vice Chair and that, after inquiry, an alternate member could serve in that capacity. A motion was made and seconded to elect Darrell as Vice Chair and the motion passed unanimously

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

The meeting adjourned at 10:50 am.

Respectfully submitted,
David Bannard, Chair

Zoning Task Force Presentation to
The Town of Truro Select Board
February 25, 2025

This is the initial quarterly update of the Zoning Task Force to the Town of Truro Select Board.

The Zoning Task Force was established in October 2025 and held its first meeting on October 28, 2024. The members are David Bannard, Chair, Darrell Shedd, Vice Chair, Ellery Althaus, Nicholas Brown, Mara Glatzel and Dan Silva. Nancy Medoff is the Select Board liaison. I would like to take a moment to thank each member of the committee and our consultant and town liaisons – we have made a great deal of progress in a really short time and this group works exceedingly well together, with varied and helpful insights and respect for each person's views.

The ZTF's charge is, in essence, to review and prepare draft bylaw or policy amendments to the Town's Zoning Bylaw for recommendation to the Select Board, in light of recent policies adopted by the Town. The ZTF's term expires on May 30, 2026.

The ZTF chose to commence its work by developing a proposed bylaw amendment creating an overlay district for the Walsh Property. We felt that this was 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. We established a goal of bringing the proposed overlay district to the Select Board for 2025 Town Meeting and we expect to meet that goal. Following that, we will proceed to review one or more additional potential overlay districts and the full town Zoning Bylaw, with an eye to updating it to permit the types of housing and activities sought in these policy documents.

The ZTF has been advised by Kennan Rhyne of Rhyne Civic Strategies LLC, and our staff liaison, Barbara Carboni, the Town Planner and Land Use Counsel. Katie Halvorsen, the Town's Housing Coordinator has also attended the majority of our meetings and offered additional guidance.

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. Further, the current Zoning Bylaw does not provide for several types of housing that we believe may be needed to achieve that goal. Ms. Rhyne assisted us in visualizing multiple types of development that have been undertaken in other Massachusetts communities that would help us to expand the zoning requirements to allow denser housing that is consistent with the Town's character.

We have met approximately 11 times since October. Our initial meetings were largely devoted to familiarizing ourselves with the report of the Walsh Committee, with developing an understanding of zoning concepts, and overlay districts in particular, and considering the elements necessary to allow development of the Walsh property consistent with Town Meeting's mandate. Ms. Rhyne and Ms. Carboni have been invaluable in helping us to get up to speed rapidly.

The ZTF seeks 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. It provides setbacks from Route 6 and adjoining neighborhoods and gradually increases the density of buildings on the Walsh Property further from existing neighborhoods. Taller structures would be located furthest from the boundaries, while smaller buildings would be located closest to existing homes and Route 6. No change to the Water Protection Overlay District is proposed.

Since the early meetings, we have met twice with the full Ad Hoc Walsh Committee to obtain their input into their vision of how the Walsh property will be developed and to obtain their feedback on the draft overlay bylaw amendment. The other meetings have been spent largely refining a draft of the proposed overlay district.

The proposed bylaw amendment would establish an overlay district covering all of the Walsh Property, with 3 subdistricts:

- (1) Medium Density Subdistrict - The medium density subdistrict is intended to permit a mix of types of housing and light intensity commercial uses, with buildings nearer the parcel boundaries being smaller, lower and set back from the abutting neighborhoods, and denser buildings, up to 3 ½ stories, located farther away from the property boundaries. With a special permit, buildings of up to 5 stories for senior housing could be allowed. Certain low-impact commercial uses, such as retail, professional offices and restaurants would also be permitted on the ground floor of buildings.
- (2) Low Density Subdistrict - The low density subdistrict takes a similar approach to the land on the boundary of the subdistrict, which abuts existing residences, but is intended to include smaller structures with a maximum height of 2 stories. Limited kinds of commercial uses would be permitted only by special permit.
- (3) Recreational Subdistrict – The recreational subdistrict would set aside a large portion of the Walsh Property for active recreation, including both walking trails and potential outdoor or other educational uses by the Truro Central School. This subdistrict would not be subject to development for housing or commercial uses.

In both the medium and low density subdistricts, buildings abutting existing residentially zoned areas and Route 6 would require a minimum 25 foot setback and landscaping to minimize impacts on the abutting neighborhoods. The required distance between buildings would be reduced to allow for more dwelling units to be developed and several different types of housing not previously provided for in the Truro zoning bylaw, such as multi-family housing, townhouses, bungalow courts and co-living housing, would be permitted.

As noted above, the ZTF has held 2 joint meeting with the Ad Hoc Walsh Committee. We have also reached out to the chair of the Planning Board and we will hold a public listening session tomorrow from 5-7 pm at Town Hall to seek community input. We have established an email address to receive comments and spoken with the Independent that resulted in an article in this week's paper. 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 proposed overlay district. At the ZTF meeting on February 18, we approved a draft of the overlay amendment for consideration at the public meeting to be held tomorrow. Following that meeting and review of comments submitted, we will meet in March 3 to consider any changes to the draft amendment as a result of the Select Board's and community commentary. We will submit our recommended draft bylaw amendment to the Select Board on March 3.

We understand that this proposal is likely to generate commentary and that it will be an important issue for many in town. Zoning is complex and not intuitive, and part of our role is to help people in town understand what we are proposing and why. We do expect that there will be some pushback, particularly from those who wish to minimize development in town. The proposed density, which we believe is absolutely necessary in order to achieve the goal of up to 160 units of housing, may cause some anxiety, but we feel that we have mitigated the impacts of this density through several means, including the required setbacks from adjoining housing, landscaped buffers and requiring the denser development to be located further from neighborhoods, while preserving a substantial amount of undeveloped land for recreational and educational uses. The inclusion of mixed uses may also be of concern to some, but we believe that a walkable, vibrant area will be of benefit not only to the residents of the Walsh property, but the entire town. Some may seek more flexibility to develop housing within the area set aside for recreation, but we sought to follow the recommendations approved at Town Meeting, which include preservation of a substantial amount of open space. And our recommendation of a minimum of only 1 parking space per dwelling unit is half of that in the remainder of the town, but not inconsistent with development of affordable and attainable housing.

I am happy to take your questions.

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 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, 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	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.
- 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. 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]