

ZONING AMENDMENTS

ARTICLE 6: AMEND ZONING BYLAWS §50, AREA AND HEIGHT REGULATIONS TO ESTABLISH THE MAXIMUM BUILDING SIZE FOR RESIDENCES IN THE TOWN OF TRURO RESIDENTIAL DISTRICT

Two-thirds
vote

Requested By the Planning Board

To see if the Town will vote to amend the Town of Truro Zoning Bylaw Section 10.4, Definitions and Section 50, Area and Height Regulations for residences, by adding a new Section 50.2 (new text shown in **bold underline**), or take any other action relative thereto.

In Section 10.4 *Definitions*, insert the following new definitions:

Total Gross Floor Area for the Residential District. The aggregate gross floor area of any dwelling and accessory structures on a Residential District lot within the Town of Truro, shall consist of the sum of the horizontal areas of the floor(s) of a building measured from the exterior faces of the exterior walls of the building, without deduction for hallways, stairs, closets, and thickness of walls, columns or other features used or intended to be used for living, sleeping, sanitation, cooking or eating purposes, excluding cellar, unfinished basement floor area, detached garages, porches, decks, attics, barns, greenhouses, sheds, and structures used for agricultural purposes only.

Permanently Deed-restricted affordable housing is specifically excluded from this definition.

For the purposes of computing total gross floor area, any portion of the floor area measuring less than five feet from the finished floor to the finished ceiling shall not be included.

In Section 50 *Area and Height Regulations*, insert the following section:

Section 50.2 Building Gross Floor Area for the Residential District.

A. Purpose: The purpose of this bylaw is to limit the size of future residential construction, alteration, or reconstruction to preserve the special character and prevailing size and massing of buildings in the Town, and to be in harmony with the historic nature, sense of community, and aspirations of Truro.

B. Applicability and Exceptions:

1. Total Gross Floor Area Allowed by Right: Subject to the exceptions provided for in subsections 50.2.B.2, 50.2.C, and 50.2.D, building permits for new construction or for projects that seek to increase the Gross Floor Area of buildings that exist on lots as of November 13, 2018, shall be issued only where, on completion of the construction or project, the Total Gross Floor Area of the new or expanded structure(s) does not exceed 3,600 sq. ft. for a Residential District Minimum Lot Size of 33,750 sq. ft. (or .775 acre) and prorated to 3,668 sq. ft. for one acre of land:

a. Plus 300 sq. ft. for each additional contiguous acre of land, or fraction thereof prorated,

b. For lot size less than one acre, the square foot shall be reduced by 150 sq. ft. for each half acre or fraction thereof prorated.

c. Plus a Planning Board Approved Accessory Dwelling Unit of up to 1,000 sq. ft.

2. Special Permit to exceed the Total Gross Floor Area limit: The Total Gross Floor Area limit for a dwelling and accessory buildings on a lot established in subsection 50.2.B.1 may be exceeded, up to a maximum established by this subsection, by Special Permit, as provided in 50.2.C and 50.2.D. No Special Permit may be issued for any construction if the construction would result in the Total Gross Floor Area exceeding 4,600 sq. ft. for a Residential District Minimum Lot Size of 33,750 sq. ft. (or .775 acre) and prorated to 4,668 sq. ft. for one acre of land:

Note:
Effective
Date was
amended
to
November
13, 2018

- a. Plus 300 sq. ft. for each additional contiguous acre of land, or fraction thereof prorated.
 - b. For lot size less than one acre, the square foot shall be reduced by 150 sq. ft. for each half acre or fraction thereof prorated.
 - c. Plus a Planning Board Approved Accessory Dwelling Unit of up to 1,000 sq. ft.
- C. Procedures for Special Permit Application Review and Approval: Upon receipt of an application for a building permit, the Building Commissioner shall make an initial determination as to whether any alteration, construction or reconstruction of a dwelling and/or accessory structure would result in Total Gross Floor Area exceeding the maximum determined by Section 50.2.B.1. If the Building Commissioner determines that the applicant cannot proceed without a Special Permit, the applicant must apply to the Zoning Board of Appeals for a Special Permit. No building permit shall be issued hereunder unless the Zoning Board of Appeals grants a Special Permit according to procedures as set out below in Section 50.2.D.
- D. When required, an application for Special Permit shall be made to the Zoning Board of Appeals. Notice shall be given of all applications for a Special Permit hereunder in accordance with Section 60.4 (Notice Requirements) of these Bylaws. A Special Permit may be granted only where the Zoning Board of Appeals finds by clear and convincing evidence that the proposed alteration, construction or reconstruction is consistent with the criteria found in Section 30.8 (Special Permits) of these Bylaws. In addition, the Zoning Board of Appeals shall make specific written findings of objective facts that support the request for additional gross floor area, and demonstrate that the additional gross floor area is in the public interest of the Town of Truro, and not inconsistent with the intention and purpose of this Bylaw, which is to promote the health, safety, convenience and welfare of the inhabitants of Truro, prevent the overcrowding of land, conserve the value of land and buildings, enable the protection of clean and adequate water supply, conserve natural resources, prevent blight of the environment, encourage the most appropriate use of land in Truro. In considering whether the proposed alteration, construction or reconstruction is in harmony with the public good and is not detrimental to the neighborhood the Zoning Board of Appeals shall consider, among other relevant factors, the size of neighboring buildings and the surroundings in which the additional gross floor area is proposed.
- E. Nothing in this Section shall be construed to regulate or restrict the use of the interior area of a dwelling.
- F. The Planning Board shall review the effect of this Section 50.2 of the Bylaw upon the Town of Truro and submit a report to the 2021 Truro Annual Town Meeting.

or to take any other action relative thereto.

Explanation: The proposed amendment will protect the Town from the onslaught of huge buildings that would dominate the landscape and change forever Truro's small-town character. All existing dwellings will be "grandfathered in" and allowed. Approved Accessory Dwelling Units and Permanently Deed-restricted affordable housing are specifically excluded from these limits.

SUMMARY

- 3,600 sq. ft. Allowed by Right for the .775-acre Minimum Lot Size in the Residential District PLUS OR MINUS 300 sq. ft. per acre for larger or smaller lots, pro-rated for portion of an acre
 - Ex. For 1-acre lot
 - Difference between a 1-acre LOT & the Minimum Lot Size of .775 acre = .225 acres.
 - Multiplying .225 X 300 sq. ft. equals 68 sq. ft.
 - 3,600 + 68 = 3,668 as shown below.
 - For a .5-acre lot
 - Difference between .5 Acre lot & 1 acre = -.5.
 - Multiplying -.5 X 300 sq. ft. = -150;
 - 3,668 - 150 = 3,518

- PLUS up to 1,000 sq. ft. Allowed with a Zoning Board of Appeals Special Permit
- Existing Dwellings will be grandfathered in.

ILLUSTRATIVE CHART OF ALLOWABLE BUILDING SIZE IN RELATION TO LOT SIZE:

Lot Size	By Right Up To	With Special Permit Up To	Plus Approved ADU Of Up To
.5 acres	3,518	4,518	
Minimum Lot Size (.775 acre)	3,600	4,600	1,000 sq. ft.
1 acre	3,668	4,668	
2 acres	3,968	4,968	
3 acres	4,268	5,268	
6 acres	5,168	6,168	
10 acres	6,368	7,368	

Planning Board Recommendation: 7-0-0 in favor

Board of Selectmen Recommendation: 3-2-0 in favor