

**DRAFT RESIDENTIAL BUILDING SIZE BYLAW (July 2, 2018)**

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

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 type), or take any other action relative thereto. *Requested by the Planning Board.*

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, basement floor area, detached garages, porches, decks, attics, barns, greenhouses, sheds, and structures used for agricultural purposes only.**

**Deed-restricted affordable housing is specifically excluded from this section.**

**For the purposes of computing 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 the computation of floor area.**

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

**Section 50.2 Building Gross Floor Area for the Residential District.**

- A. Purpose: This Section determines the maximum size of residential buildings on lots within the Town of Truro Residential District by establishing a relationship between building volume, bulk and size that is consistent with Truro's historical development and character, as described in the Truro Local Comprehensive Plan, Chapter 1: "A Vision for Truro," and Chapter 2, "Land Use."**

**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 of as of September \_\_, 2018, shall be issued only where, on completion of the construction or project, the Total Gross Floor Area of the new, or existing plus addition, does not exceed 3,600 sq. ft. for a Residential District Minimum Lot Size of 33,750 sq. ft. (or .775 acre) and pro-rated to 3,668 square feet for one acre of land:
  - a. Plus 300 square feet for each additional contiguous acre of land; or minus 300 sq. ft. for each contiguous acre of land less than one acre, or as the case may be, where the square footage per acre specified above is pro-rated for a portion of an acre**
  - b. 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 5.2.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 pro-rated to 4,668 square feet for one acre of land:
  - a. Plus 300 square feet for each additional contiguous acre of land; or minus 300 sq. ft. for each contiguous acre of land less than one acre, or as the case may be, where the square footage per acre specified above is pro-rated for a portion of an acre.**
  - b. Plus a Planning Board Approved Accessory Dwelling Unit of up to 1,000 sq. ft.**

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- 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 defined *infra* in this Bylaw.**
- 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 a preponderance of the 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 determine the maximum dwelling size in Truro. In considering whether the proposed alteration, construction or reconstruction is in harmony with the public good, 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.**

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Comments:

The proliferation of large houses alters the environmental, economic and social fabric of a community, and for Truro, often makes it no longer affordable for residents to stay here. The intent 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. The proposed amendment will not deny Truro’s residents the right to live in large houses. But it will protect the Town from the onslaught of huge buildings that will dominate the landscape and change forever Truro’s small-town character. All existing buildings will be “grandfathered in” and allowed.

The chart below illustrates allowable building size in relation to lot size. The proposed future size limits for the Residential District reflect the prevailing larger building sizes outside the Seashore District. Thus, 3,600 sq. ft. will be *Allowed by Right* for the 33,750 sq. ft. Minimum Lot Size in the Residential District, as compared to 3,600 sq. ft. *Allowed by Right* for the 3-acre Minimum Lot Size in the Seashore District. Also 300 sq. ft. per acre would be added or subtracted for larger or smaller lots as compared to 200 sq. ft. per acre for the Seashore District. This would be pro-rated for a portion of an acre. *(For example, the difference between the Minimum Lot Size of .775 acre and a 1-acre Lot is .225 acres. Multiplying .225 X 300 sq. ft. equals 68 sq. ft., which is added for a 1-acre lot as shown below. For a 2-acre lot, merely add the 300 sq. ft. additional allowed per acre.)*

<b>LOT SIZE</b>	<b>ALLOWED BY RIGHT</b>	<b>ALLOWED WITH PB APPROVED ADU OR WITH ZBA SPECIAL PERMIT (UP TO + 1,000 SF)</b>	<b>ALLOWED WITH ZBA SPECIAL PERMIT AND WITH PB APPROVED ADU (UP TO + 1,000 SF)</b>
<b>Residential Minimum Lot (33,750 sq. ft. = .77 acre)</b>	<b>3,600 sq. ft.</b>	<b>4,600 sq. ft.</b>	<b>5,600 sq. ft.</b>
1-acre (43,560 sq. ft.)	3,668 sq. ft.	4,668 sq. ft.	5,668 sq. ft.
2-acres	3,968 sq. ft.	4,968 sq. ft.	5,968 sq. ft.
3-acres	4,268 sq. ft.	5,268 sq. ft.	6,268 sq. ft.
6-acres	5,168 sq. ft.	6,168 sq. ft.	7,168 sq. ft.
10-acres	6,368 sq. ft.	7,368 sq. ft.	8,368 sq. ft.