

**ZONING BY-LAW**

**FOR**

**TOWN OF TRURO**

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Adopted on February 15, 1960, under Article 23

Amended: February 18, 1963

## ZONING BY-LAW

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## TOWN OF TRURO

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### SECTION I — PURPOSE

The purpose of this By-Law is to promote the health, safety, convenience and welfare of the inhabitants of Truro; to prevent the overcrowding of land, to conserve the value of land and buildings, and to encourage the most appropriate use of the premises throughout the Town of Truro as authorized by the General Laws of the Commonwealth of Massachusetts, Chapter 40A, and any amendments thereof.

### SECTION II — DEFINITIONS

In this By-Law the following terms, unless a contrary meaning is required by context or is specifically prescribed, shall have the following meanings:

**1. Customary or self home occupations**

This shall include resident carpenters, plumbers, paperhangers, shellfish opening, masons, radio TV repairs, dressmaking, hand laundering, home handicrafts, home cooking, lawn mower and bicycle repairs, the practice of any recognized profession and any others of similar nature which may be approved by the Board of Appeals; but shall not include the operation of a store or display to the passing public of goods not manufactured on the premises.

**2. Cottage Colonies, Cabins, Motor Courts**

This shall include cottages or cabins for human habitation customarily rented by the day, week, month or season, consisting of two or more units under one ownership, located on a parcel of land wherein the lot area occupied by each unit does not meet the lot area requirements in the district where located.

**3. Motels**

A group of rental units for human habitation under one roof with separate outside entrances for each unit. Motels may provide space for cooking within each unit, and include an apartment and office for resident manager as well as a lounge for patrons.

**4. Signs**

For the purpose of this By-Law the area of a sign shall be the total width and length of the surface on which the inscription appears, and shall not include posts or other supporting devices, but shall include flags, banners and other attention getting devices designed to draw attention to the premises. No sign shall be of the neon or gas filled tube type and shall be so located or illuminated as to be hazardous to traffic.

## **SECTION III — ESTABLISHMENT OF DISTRICTS**

### **III-A Types of Districts**

For the purpose of this By-Law the Town of Truro is hereby divided into the following types of districts:

1. Residential
2. Limited Business
3. General Business
4. Seashore

(2/63)

### **III-B Location of Districts**

Said districts are located and bounded as shown on a map entitled "Zoning Map of Town of Truro, Massachusetts" dated November 10, 1962, and on file in the office of the Town Clerk. The Zoning Map with all explanatory matter thereon is hereby made a part of this By-Law. (2/60,2/63)

1. The width of the business zone shall be 300 feet on either side of road except where this will interfere with a residential or limited business road. When this occurs the residential area or the limited business area will have preference.
2. Whenever a Limited Business Zone interferes with a Residential road the residential area will have preference.
3. The Business Zone along Route 6A in Truro Center shall be 300 feet in width, either side of the road.
4. The Business Zone on Highland Road, North Truro, shall be 300 feet in width, either side of the road.
5. The Limited Business area from Grozier Square to the Provincetown-Truro line along Route 6A shall be 150 feet wide on either side of the road.
6. The Limited Business area along South Highland Road, Highland Road, and Coast Guard Road in North Truro shall be 300 feet wide on either side of the road.
7. The property fronting on the West side of Route 6 from junction of Route 6 and Castle Road, northerly to the junction of Route 6 and Route 6A, North Truro, shall, except as hereinafter stated, be zoned as a general business district to a depth of 500 feet from said Highway, and all remaining property fronting on either side of said Highway shall be zoned as a residential district.

#### **EXCEPTION:**

The area directly opposite Truro Central School having a frontage of eight hundred twenty-five feet (825') more or less, and to a depth of two hundred fifty feet (250') shall be zoned for residential use.

## **SECTION IV — RESIDENTIAL DISTRICT**

### **IV-A Permitted Uses**

1. Detached one family dwelling. This does not include tents, trailers, Quonset huts or portable buildings.
2. Religious, educational and municipal use.
3. Public and private parks, playgrounds, non commercial recreational activities.
4. Hospital, sanitarium, convalescent home.
5. Renting of rooms or furnishing of board by a family.

6. Accessory uses customarily incidental to a permitted main use on the same premises and provided such uses are not detrimental to a residential neighborhood.
7. Customary or self home occupations as defined in Section II, Paragraph 1.
8. Farm, garden and nursery, excluding any use injurious, noxious or offensive to the neighborhood.
9. Signs as defined in Section II, Paragraph 4, provided that such signs pertaining to the lease, sale or use of a lot or building on which they are placed, do not exceed a total of six (6) square feet per sign, and not to exceed a total of two signs per lot or building.

**IV-B Permitted Uses only if authorized by the Board of Appeals**

1. Aviation field.
2. Golf Club.
3. Cemeteries and/or funeral home.
4. Research or experimental laboratory.
5. Private club not conducted for profit.
6. Boys' or Girls' camps.
7. Marine installations.
8. Raising of livestock or fur bearing animals, provided such activity is carried on at least one hundred (100) feet from any property line and provided such use is not detrimental to a residential neighborhood.

**SECTION V — LIMITED BUSINESS DISTRICT**

**V-A Permitted Uses**

1. Any use permitted or authorized in Section IV.
2. Cottages or Cabin Colonies, Motor Courts as defined in Section II, Paragraph 2.
3. Motels as defined in Section II, Paragraph 3.

**SECTION VI — GENERAL BUSINESS DISTRICT**

**VI-A Permitted Uses**

1. Any use permitted or authorized in Section IV.
2. Any use permitted or authorized in Section V.
3. Hotel or Restaurant.
4. Place of amusement or assembly or club conducted for profit.
5. Automobile service station, repair shop, storage garage or salesroom.
6. Retail or wholesale business service or public utility.
7. Any industrial or manufacturing use, if authorized by the Board of Appeals, provided that no such use is 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.
8. The use of signs as defined in Section II, paragraph 4, with a total area of not more than eighteen (18) square feet per sign, except that when attached to the front wall of any building the total area shall not exceed three (3) square feet for each foot of frontage of the building. There shall be not more than two (2) signs per location.

## **SECTION VII — SEASHORE DISTRICT**

The Seashore District is intended to further preservation and development of the Cape Cod National Seashore in accordance with the purposes of the Act of Congress of August 7, 1961 (75 Stat. 284, 291); to prohibit commercial and industrial uses therein; to preserve and increase the amenities of the Town; and to conserve natural conditions, wildlife and open spaces for the education, recreation and general welfare of the public.

### **1. Permitted Uses**

- a. Conservation of land, water, wildlife, vegetation, and other natural features and values.
- b. Facilities deemed by the Secretary of the Interior to be necessary for the administration and public use and enjoyment of the Cape Cod National Seashore.
- c. Recreation, including but not limited to hunting, fishing, swimming and boating.
- d. Gardening and traditional agricultural uses of cleared land, but excluding such objectional uses as a piggery or the commercial raising of livestock, fur-bearing animals and poultry, or other uses injurious, noxious or offensive to the neighborhood.
- e. Traditional commercial fishing activities, the opening of shellfish, and storage and use of fishing equipment.
- f. Uses of existing dwellings as residences and accessory uses customarily incidental to the principal residential use on the same premises, providing such uses are not detrimental to a residential neighborhood and do not alter the essential character of the dwelling as a residence. Residential uses of dwellings may include the renting of rooms and furnishings of board by residents of the premises to overnight guests, if such uses do not alter the essential character of the dwelling as a residence.
- g. Customary or self home occupations as defined in Section II. Paragraph 1, but this shall not include the use of accessory structures as stores or for the display of goods to the passing public.
- h. Moving, alteration, enlargement, maintenance, or repairs of existing one-family residential dwellings or the erection of customary structures which will be accessory to the existing principal residential use provided that such improvements to existing dwellings and the erection of accessory structures will afford not less than a 50-foot setback from all streets measured at a right angle with the street line and 25-foot distance from the abutters' property lines and further do not alter the essential character of the dwelling as a residence. In appropriate cases, the Board of Appeals may approve lesser set back of side line requirements for improvements to existing dwellings or for the erection of accessory structures, provided they do not alter the residential character of the premises.
- i. Public Utilities.
- j. Religious and Educational use.
- k. Detached one-family dwellings and accessory structures, provided that no lot may be used for their construction which has a frontage of less than 150 feet, and an area of less than three acres, and no dwelling or building may be located in such manner as to provide less than a 50-foot setback from all streets measured at a right angle with the street line and 25-foot distance from abutters' property lines.
- l. The use of signs as defined in Section II, Paragraph 4, with double-faced sign on

property of a residential occupant which shall pertain to the occupancy, sale, or rental of such property as herein authorized and such sign shall not exceed two square feet in area and shall not be of a type or style employing or using neon, fluorescent, or other direct illumination; provided, that the above limitations shall not apply to facilities deemed by the Secretary of the Interior to be necessary on federally owned property for administration and public use and enjoyment of the Cape Cod National Seashore.

2. Except as provided above there shall be in the Seashore District:
  - a. No burning of cover unless determined by the Board of Fire Engineers to be necessary for the welfare and safety of the Town and then such burning shall be in accordance with the requirements of Section 13, Chapter 48 of the General Laws.
  - b. No filling of land, dumping, nor removal of soil, loam, sand, or gravel.
  - c. No cutting of timber except:
    - (1) By an owner for the purpose of reasonably controlling brush or trees;
    - (2) Maintenance cutting in pastures;
    - (3) Cutting for clearance or maintenance on rights-of-way including those pertaining to public utilities or public highways.
  - d. No building or structures.
  - e. No commercial or industrial venture or activities.
  - f. No drainage, damming or relocation of any water course except by a publicly authorized agency for the purpose of pest control.
  - g. No continuous storage of materials or equipment.
3. Provisions relating to Variances and Exceptions:

Applicants for variances or exceptions shall be promptly notified by the Board of Appeals that the Secretary of the Interior is authorized to withdraw the suspension of his authority to acquire, by condemnation, property which is made the subject of a variance or exception that, in his opinion, fails to conform or is in any manner opposed to or inconsistent with the purposes of the Cape Cod National Seashore. The Secretary of the Interior shall be given notice by the Board of Appeals, of all applications or petitions made for variances or exceptions to the by-laws for the Seashore District and he shall be provided notice by the Planning Board of all applications for building permits involving the Seashore District within seven (7) days of receipt of the applications or petitions. Subsequently, the Secretary shall be given notice by the appropriate board of any variance, or exception, or building permit, granted or denied for the area within the Seashore District. (2/63)

## **SECTION VIII — GENERAL REGULATIONS**

### **VIII-A Non conforming uses**

No premises in the Town of Truro shall be used under the following conditions:

1. For any purpose of a junk yard, or storage of used motor vehicles or other equipment used as junk.
2. For the purpose of a commercial tenting camping area, or a trailer park.

### **VIII-B Continuation of non conforming uses**

Any building or part of a building, lot or parcel of land at the time of the adoption of this

By-Law or any amendment thereto, being put to a non conforming use, may continue to be used for the same purpose. Such non conforming uses may, upon the approval of the Board of Appeals, be extended throughout the premises. A non conforming use which has been abandoned for the period of one year, shall not be re-established, and any future use shall conform to this By-Law.

### **VIII-C Parking Requirements**

Any building hereafter constructed for business uses shall be so located upon its parcel of land that there may be provided an off-street parking area equal to twice the floor area of the building to be constructed.

## **SECTION IX — AREA REGULATIONS**

1. No building except building for accessory use, or cottages as defined in Section II, Paragraph 2, shall be constructed on a lot or parcel of land with a frontage of less than one hundred and fifty (150) feet on a public, private or approved way, nor with an area of less than twenty two thousand, five hundred (22,500) square feet.
2. Any lot or parcel of land having an area or frontage of lesser amounts than required by this By-Law may be considered as coming within the requirements of this section, provided such lot or parcel of land was shown on a subdivision plan, or described by deed duly recorded or registered in the Barnstable County Registry of Deeds prior to the adoption of this By-Law and provided such lot or parcel of land has an area of not less than five thousand (5000) square feet with a frontage of not less than fifty (50) feet.
3. No building or part thereof, including buildings for accessory use, cottages as defined in Section II, Paragraph 2, shall be constructed within twenty five (25) feet of any side line, including front and rear lines of any lot.
- 3a. No building or part thereof, including buildings for accessory use, cottages as defined in Section II, 2 shall be constructed within five (5) feet per each story of the building of any sideline, including rear lines of any lot in that part of the Limited Business area, defined in Section III-B, 5, which is on the Town of Provincetown Water System. (2/63)
4. Units in Cottage Colonies and Motor Courts shall be located not less than thirty (30) feet apart from one another, and shall provide two hundred and fifty (250) square feet per unit, for off-street parking.

## **SECTION X — ADMINISTRATION**

### **X-A Enforcement**

This By-Law shall be enforced by the Board of Selectmen. No building shall be built or altered and no use of land or building shall be begun or changed without a permit having been issued by the Town of Truro Planning Board. Such permit shall be posted in a conspicuous place on the premises. Any person violating any of the provisions of this By-Law may be fined not more than twenty (\$20.00) dollars for each offense. Each day that such a violation continues shall constitute a separate offense.

### **X-B Board of Appeals**

A Board of Appeals shall be established consisting of three members and two associate members, and said Board of Appeals shall have all the powers conferred on it under the

provisions of Chapter 40-A of the General Laws and any amendments thereto. The Board of Appeals may grant variances from the provisions of this By-Law upon appeal or petition under the provisions of Chapter 40-A of the General Laws or any amendments thereto.

**X-C Amendment**

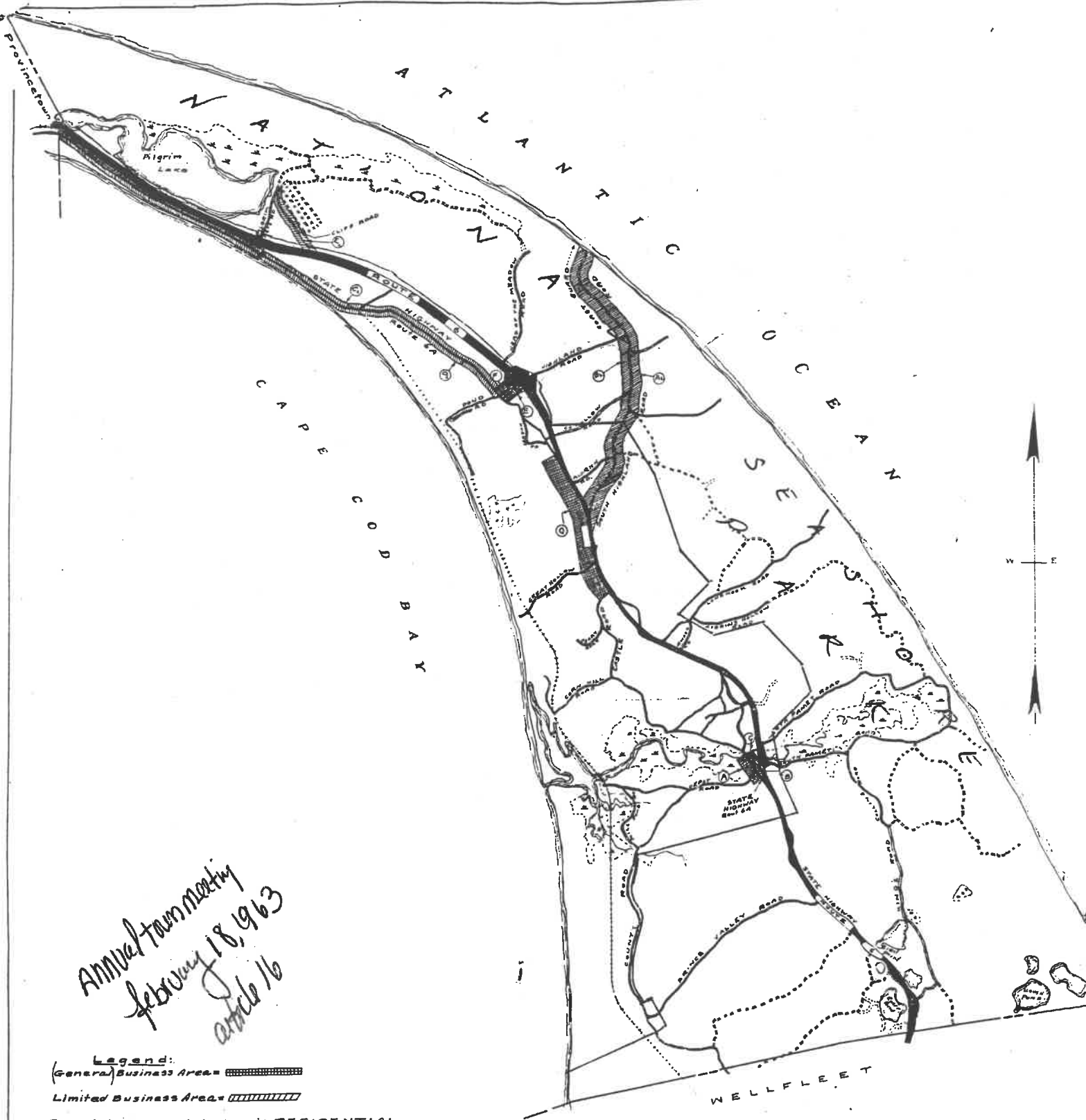
This By-Law may be amended from time to time at an annual or special Town Meeting in accordance with the provisions of Chapter 40-A of the General Laws and any amendments thereto.

**SECTION XI — VALIDITY**

**XI-A** This By-Law shall not interfere or annul any By-Law, rule, regulation or permit, provided that unless specifically excepted where this By-Law is more stringent, it shall control.

**XI-B** The invalidity of any section or provision of this By-Law shall not invalidate any other section or provision thereof.





*Annual town meeting  
February 18, 1963  
Article 16*

**Legend:**  
 (General) Business Area: [stippled pattern]  
 Limited Business Area: [hatched pattern]  
 Remaining unshaded area is RESIDENTIAL

Boston, Mass., June 11, 1963  
 The within zoning map is hereby approved.

*Edward W. Brooke*  
 Attorney General

Approved: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Truro Planning Board.

OFFICIAL ZONING MAP  
 TOWN OF  
**TRURO**  
 Scale: 1 inch = 2000 feet  
 Accepted at a Town Meeting  
 held February 15, 1963  
 18, 1963  
 Attest: *Thomas A. Kaul*  
 Town Clerk  
 Drawn by W. G. Slade, Reg. Land Surveyor  
 TRURO, MASS.

## DESCRIPTIONS OF ZONING AREAS

As authorized under the ORIGINAL Zoning By-Laws accepted at the annual Town Meeting held on February 15, 1960, under Article 23.

### GENERAL BUSINESS

#### AREA (A)

All the land contained in the following area which is bounded and described as follows: Beginning at a point on the southwesterly side-line of the old State Highway, 1925 layout, which point of beginning is located from the hereinafter reference point on a bearing of North 53°-14'-36" West at a distance of one hundred seven (107) feet. Said reference point is a Massachusetts Highway Bound at the intersection of the westerly side-line of the State Highway, 1950 layout and said old State Highway, 1925 layout and bears South 89°-40'-24" West from station 117 plus 82.28 of the main base-line of said 1950 State Highway lay-out and one hundred eighteen and 56/100 (118.56) feet therefrom;

From said point of beginning the area runs in a general northerly direction, following the westerly side-line of said old State Highway and three hundred (300) feet in width throughout, measured perpendicular thereto and three hundred (300) feet therefrom, ending opposite station 138 plus 78.44 of the said 1925 State Highway base-line.

#### AREA (B)

All the land contained in the area bounded on the East by the State Highway, 1950 layout;

On the West by the State Highway, 1925 layout, and

On the North by South Pamet Road as laid out by the Commonwealth of Massachusetts for the Town in 1951.

Said area is nearly triangular in shape and is less than three hundred (300) feet at its widest point.

#### AREA (C)

All the land contained in the area bounded as follows: beginning at the intersection of the easterly side-line of the old State Highway, 1925 layout and the northerly side-line of South Pamet Rd. and runs thence northerly by the said easterly side-line of said State Highway 1925 layout, to a point where said highway side-line intersects the location of the old North Pamet Road, a Town Way;

Thence easterly by the location of said old North Pamet Road to a point which is three hundred (300) feet distant from the said easterly side-line of the State Highway 1925 layout, as measured perpendicular thereto;

Thence southerly on a line, parallel with said State Highway (1925) layout side-line, to a point where it intersects the westerly side-line of the State Highway (1951 layout) Route 6;

Thence southerly, southwesterly and westerly by said State Highway (1951 layout) and by said South Pamet Road, side-line to the point of beginning.

AREA (D)

All the land contained in the area bounded as follows (WITH THE EXCEPTION): Beginning at a point on the westerly side-line of the State Highway, 1951 layout (Route 6) at the northerly side of Castle Road (a Town Way) and running thence westerly by said side of Castle Road to a point which is five hundred (500) feet distant from the said State Highway side-line and measured radially thereto;

Thence running in a general northerly direction, parallel and concentric with the said westerly side-line of the State Highway, and five hundred (500) feet distant therefrom, to a point opposite station 294 plus 63.37 of the 1925 State Highway base-line (Route 6A) and five hundred (500) feet westerly from the side-line thereof;

Thence easterly on a line perpendicular to said Highway, 1925 layout (Route 6A), five hundred (500) feet to a point on said State Highway (Route 6A) side-line opposite said station 294 plus 63.37 of said baseline;

Thence in a general southerly direction by the westerly side-line of the State Highway (Route 6) to the point of beginning by Castle Road.

EXCEPTING from the above described area a parcel of land, opposite the Truro Central School, having a frontage on the State Highway about equal to that of the said school lot and bounded and described as follows;

Commencing at a Massachusetts Highway bound on the westerly side of the said State Highway (Route 6) opposite station 239 plus 16.12 of the 1951 State Highway layout base-line and running thence South 81°-04'-59" West, for a distance of two hundred and fifty (250) feet;

Thence turning and running on a general northerly direction, parallel with the westerly side-line of said State Highway and two hundred and fifty (250) feet distant herefrom to a point opposite Station 247 plus 76.50 of said State Highway base-line;

Thence North 81°-04'-59" East, a distance of two hundred and fifty (250) feet to a Massachusetts Highway Bound located on the Westerly side of said State Highway and being opposite said Station 247 plus 76.50;

Thence turning and running Southerly by the Westerly side-line of said State Highway, which is on a bearing of South 8°-55'-01" East, to the point of beginning, a distance of eight hundred sixty 38/100 (860.38) feet.

AREA (E)

All the area contained in a strip of land on the Southeasterly side of the Highland Road in the Village of North Truro three hundred (300) feet in width throughout bounded on the west by the State Highway 1925 layout, (Route 6A), on the North by said Highland Road as laid out by the Commonwealth of Massachusetts for the Town of Truro in 1953; and on the East by the State Highway 1953 layout.

AREA (F)

All the area contained in a strip of land three hundred (300) feet wide on the Northerly side of the Highland Road in the Village of North Truro and bounded on the West by the State Highway 1925 layout (Route 6A); on the South by said Highland Road as laid out by the Commonwealth of Massachusetts for the Town of Truro in 1953 and on the East by the State Highway, 1953 layout.

LIMITED BUSINESS

AREA (AL)

All the Area contained in a strip of land three hundred (300) feet wide located along the Southeasterly and Easterly side-line of South Highland Road, said area beginning at the Easterly side-line of the State Highway, 1951 layout (Route 6) and following the said sideline of the South Highland Road, three hundred (300) feet in width throughout, in a general Easterly and Northerly direction to the intersection of said South Highland Road and Highland Road;

Thence continuing in the same direction along the Easterly side of said Highland Road to the intersection of said Highland Road and Coast Guard Road;

Thence continuing in the same general direction along the Easterly side-line of said Coast Guard Road to the terminus thereof at the Atlantic Ocean, holding the width of three hundred (300) feet throughout.

AREA (BL)

All the Area contained in a strip of land three hundred (300) feet wide along the Northwesterly and Westerly side of South Highland Road, said area beginning at the Easterly side-line of the State Highway, 1951 layout, (Route 6) and following the Westerly side-line of said South Highland Road in a general Easterly and Northerly direction and three hundred (300) feet in width throughout, to the intersection of said South Highland Road and Highland Road:

Thence continuing along the Westerly side-line of said Highland Road to the intersection of Coast Guard Road;

Thence continuing in the same general direction along the said side-line of Coast Guard Road to its terminus at the Atlantic Ocean and holding the width of three hundred (300) feet throughout.

AREA (CL)

All the Area contained in a strip of land one hundred fifty (150) feet wide along the Easterly and Northeasterly side of the State Highway, 1925 layout, (Route 6A) extending from Grozier Square in the Village of North Truro to the Provincetown Town Line, said area beginning at the Northerly terminus of the (General) Business Zone (Area F) on the Easterly side of said State Highway (Route 6A) follows the said side-line of said State Highway, holding the width of one hundred fifty (150) feet throughout, to the intersection of said State Highway with the Provincetown Town Line.

AREA (DL)

All the Area contained in a strip of land one hundred fifty (150) feet wide along the Westerly and Southwesterly side of the State Highway 1925 layout (Route 6A) from Grozier Square in the Village of North Truro to the Provincetown Town Line, said area beginning at the Northerly side of Pond Road in said Village and at the Westerly side of said State Highway, follows the said side-line of said State Highway, holding the width of one hundred fifty (150) feet throughout, to the intersection of said State Highway and the Provincetown Town Line.

AREA (EL)

All the Area contained in a strip of land one hundred fifty (150) feet wide on either side of Cliff Road in the locality of Pilgrim Heights, and extending from the intersection of said Cliff Road with the Southerly side of Pilgrim Heights Road, also called High Head Road, in a general Southerly direction following said Cliff Road and one hundred fifty (150) feet on either side thereof to a point where said Cliff Road changes direction;

Thence continuing in a general Southerly direction, following the above alignment of Cliff Road produced and holding the width of said Cliff Road and one hundred fifty (150) feet either side, to the intersection with the Northerly side of the State Highway, (Route 6).

All land remaining in the Town of Truro not described as within the limits of the (General) Business Zone or the Limited Business Zone is Zoned as RESIDENTIAL.