

DRAFT

Article ## Zoning

~~Strikethrough~~ = Language to be deleted

Underline = Language to be inserted

To see if the Town will vote to amend the Eastham Zoning Bylaw, **SECTION 7.4 RESIDENTIAL LOT INTENSITY** as follows:

7.4 RESIDENTIAL LOT INTENSITY

The effective date of Section 7.4 shall be May 6, 2023. These requirements shall not apply to applications submitted to the Planning Board and stamped received by the Eastham Town Clerk prior to May 6, 2023.

7.4.1 Purpose

The purpose of this section is to ensure that residential development is designed in a manner that does not overwhelm Eastham's distinctive character as a rural seaside community; does not detract from its geographic diversity, its sensitive environment; is built in compatibility with past development practices with regard to mass, scale, height, bulk, site coverage and which preserves the historical development patterns and character of the town in a manner consistent with the principles of Eastham's Strategic Plan. Development standards described herein are intended to be one criteria for consideration of proposed projects. The standards will be evaluated in conjunction with the established prevailing characteristics of the neighborhood as defined in Section 21.

7.4.2 Residential Development Standards

The following standards shall apply to all residential development in District A (Residential), District E (Residential and Limited Commercial), *District F (Seashore), District G (Water Resource Protection), District H (Wellfield Protection)

**Nothing in this bylaw shall be construed as altering or preempting the provisions of District F (Seashore). Owners of property located within District F are advised to consult with representatives from the Cape Cod National Seashore before seeking any permits and/or regulatory approvals from the Town of Eastham.*

7.4.3 Site Coverage Standards

For development that requires site plan approval and/or site plan special permit approval, maximum site coverage percentage and/or gross floor areas may not be approved if the regulatory board finds that in conjunction with the applicable standards and criteria listed under Section 10.3.2, the proposed percentages or gross floor areas are not consistent with the purposes listed in sections 7.4.1 and 10.3.1.

Pre-existing non-conforming structures may expand by multiplying the maximum site coverage percentage corresponding to the size of the lot on which such structure is located to the structure's existing gross floor area, subject to special permit approval.

(Example: A pre-existing non-conforming 3,200 SF structure located on a 10,000 SF lot may expand by a maximum of 15% or 480 SF.)

<u>LOT SIZE</u> <u>(SQFT)</u>	<u>SITE COVERAGE LIMIT</u> <u>% or GFA (the greater of)</u>		<u>MAX BUILDING</u> <u>GFA RANGE</u> <u>(SQFT)</u> <i>For Illustration</i> <i>Purposes</i>
	<u>MAX SITE</u> <u>COVERAGE %</u>	<u>MAX BLDG GFA</u> <u>(SQFT)</u>	
<u>0 – 9,999</u>	<u>20%</u>	<u>1,500</u>	<u>1,500 - 2,000</u>
<u>10,000 – 19,999</u>	<u>15%</u>	<u>2,000</u>	<u>2,000 - 3,000</u>
<u>20,000 – 29,999</u>	<u>13%</u>	<u>3,000</u>	<u>3,000 - 3,900</u>
<u>30,000 – 39,999</u>	<u>12%</u>	<u>3,900</u>	<u>3,900 - 4,800</u>
<u>40,000 – 49,999</u>	<u>11%</u>	<u>4,800</u>	<u>4,800 - 5,500</u>
<u>50,000 +</u>	<u>---</u>	<u>5,500</u>	<u>6,000</u>

7.4.4 Regulatory Review Requirements

Planning Board Approval

7.4.4.1 Site Plan Approval - Residential

Site Plan Approval under Section 10 of this Zoning By-law shall be required for any addition, expansion or construction on a residential lot that meets the following requirements:

7.4.4.2 Any lot under 10,000 square feet where a proposed addition or expansion of an existing dwelling exceeds 2.5% of the lot area and/or the site coverage ratio including the addition is equal to or greater than 15% and where the site coverage ratio for a new dwelling or the addition of an accessory building causes the site coverage ratio to be equal to or greater than 15% of the lot area.

7.4.4.3 Any lot between 10,000 – 19,999 square feet ~~Any lot under 20,000 square feet where a~~ proposed addition or expansion of an existing dwelling exceeds 2.5% of the lot area and/or the site coverage ratio including the addition is equal to ~~exceeds~~ 15% and where the site coverage ratio for a new dwelling or the addition of an accessory building causes the site coverage ratio to be equal to ~~exceed~~ 15% of the lot area and/or equal to or greater than 2,000 square feet.

7.4.2 Any lot containing 20,000 square feet or more, where the site coverage exceeds 3,000 7.4.4.4 square feet.

7.4.3 Any lot containing 40,000 square feet or more with a deed restricted two-family dwelling 7.4.4.5 proposed in accordance with Section 7.1.2 of this By-laws.

7.4.4 Any proposed addition to or expansion of an existing dwelling or accessory structure in 7.4.4.6 District F: Seashore District must submit an application to the Eastham Planning Board under Section 11– Site Plan Approval – Residential, if the addition or expansion exceeds 200 square feet.

7.4.5 Any project resulting in an increase of 200 square feet or less of site coverage, as defined 7.4.4.7 in Section 21 of the Eastham Zoning Bylaw, shall be exempt from Site Plan Approval – Residential. No more than one (1) exemption shall be granted within a five (5) year period.

7.4.6 Any interior changes to existing framed structures where alterations will not result in 7.4.4.8 changes to the exterior of the building footprint or visible changes to the site are exempt from site plan review.

7.4.9 Zoning Board of Appeals Approval

7.4.9.1 Site Plan Approval Special Permit

Site Plan Approval Special Permit under Section 10 of this Zoning By-law shall be required for any addition, expansion or construction on a residential lot that is pre-existing non-conforming to the Site Coverage Standards under Section 7.4.2.1 of this bylaw.

7.4.9.2 Site Plan Approval Variance

Site Plan Approval Variance under M.G.L Chapter 40A Section 10 shall be required for any addition, expansion or construction on a residential lot that conforms to and seeks to exceed the Site Coverage Standards under Section 7.4.2.1 of this bylaw.

or take any action relative thereto.

By Eastham Planning Board

Summary:

The intent of the proposed amendment is to ensure that residential development is designed in a manner that does not overwhelm Eastham's distinctive character as a rural seaside community and does not detract from its geographic diversity and sensitive environment. The amendment is intended to help ensure that development is compatible with past development practices with regard to mass, scale, height, bulk, site coverage, and that future development preserves the historical development patterns and character of the town in a manner consistent with the principles of Eastham's Strategic Plan.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

PLANNING BOARD RECOMENDATION: