

SECTION III - DISTRICTS

3.1 ESTABLISHMENT OF DISTRICTS - For the purpose of this By-law, the Town is hereby divided in the following types of districts:

- Central District ----- CD
- Residential 1 ----- R1
- Residential 2 ----- R2 (amended 4/29/86 ATM, Art.22)
- National Seashore Park -- NSP
- Commercial ----- C
- Commercial 2 ----- C2

3.2 DISTRICT OBJECTIVES ARE AS FOLLOWS:

Residential 1 - To provide moderate density residential environment in areas generally unserved by public utilities, but containing land characteristics to accommodate such densities without endangering the public's health, safety or welfare.

Residential 2 - To provide for variety and choice in residential environments and compatible employment opportunities avoiding the creation of hazards or congestion and wherever possible maintaining the character of rural environs. (Amended 4/29/86 ATM, Art. 22).

Central District - To provide concurrent development of residential and non-residential uses subject to conditions to assure spatial segregation of incompatible uses.

Commercial - To provide for small and moderate-scale business development for local and transient service, at the same time preserving or enhancing ocean views from highway, preserving or enhancing landscaping, minimizing visibility of parked autos, and avoiding creation of hazards or congestion.

National Seashore Park - To provide for those residential and commercial uses that do not conflict with the regulations governing the activities of the National Seashore Park and are not incompatible with the character of the park, including the preservation of natural and scenic areas, as well as providing of certain recreational and leisure time activities for users of the park.

Commercial 2 – To provide for small and moderate-scale business development for local and transient service, low-intensity light industrial and enhanced service trade use.

A. Activity type and mix:

- (1) The proposal poses no environmental hazard because of use or storage of explosive, flammable, toxic or radioactive materials.
- (2) The proposal will not result in air pollution or excessive noise.

B. Site design:

- (1) Scenic views from public ways and other developed properties are considerately treated in the design of the site.
- (2) Topographic change is minimized.
- (3) Unnecessary removal of existing trees or other important natural features is avoided.
- (4) Pedestrian movement within the site and to other places is well provided for.
- (5) Vehicular movement within the site is safe and convenient and arranged so as not to disturb abutting properties.
- (6) Visibility of parking and service areas from public streets is minimized through facility location and the use of topography and vegetation.
- (7) Potential disturbances such as noise, glare, and odors are effectively confined to the premises through buffering or other means.

C. Facility design:

- (1) Scenic views from public ways and other developed properties are considerately treated in the design of buildings.
- (2) Primary exterior materials match the appearance of materials commonly found on existing buildings within the town (not to be construed by the Board of Appeals as authority to regulate or restrict materials regulated by the State Building Code).
- (3) Domestic scale is produced in the building's design through massing devices such as breaks in wall and roof planes and through the design of architectural features.

D. Landscaping, design and appearance standard:

- (1) A landscaped buffer strip of no less than ten feet shall be provided adjacent to any public or private road to visually separate parking and other uses from the road, where feasible and without interfering with vehicular or pedestrian safety.
- (2) A landscaped buffer strip shall be provided adjacent to adjoining uses, excluding areas providing shared access and parking. The buffer strip shall be planted with a combination of grass, medium-height shrubs (evergreen varieties preferred) and shade trees.

3.3 ZONING MAP - Said districts are bounded as shown on a map entitled "Zoning Map Wellfleet, MA." Dated April 2004 which accompanies and which, with all explanatory matter thereon is hereby made a part of this By-law. The responsibility for keeping the zoning map current will be that of the Board of Selectmen or its designee.

3.4 INTERPRETATION OF DISTRICT BOUNDS - Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the zoning map, the following rules shall apply:

3.4.1 Where district boundaries are indicated as approximately following the center lines of streets or highways, street lines or highway right-of-way lines, such center

lines, street lines, or highway right-of-way lines shall be construed to be such boundaries.

3.4.2 Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries.

3.4.3 Where district boundaries are so indicated that they are approximately parallel to the center lines or side lines of streets, or the center lines of right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance there from as indicated on the zoning map. If no distance is given, such dimension shall be determined by the use of the scale shown on said zoning map.

3.4.4 Where the boundary of district follows a stream or borders upon marsh land or projects into a pond or other body of water, said boundary line shall be deemed to be the center of said stream, abut the edge of said marsh and project across said pond or other body of water.