

# Accessory Dwelling Unit Bylaw

## Fall Town Meeting 2022

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October 3, 2022

# What is an ADU?

- Accessory Dwelling Unit, Granny Flat, In-law Suite
- A secondary dwelling, attached, detached, or within the existing interior
- Independent of primary structure: separate entrance, living and sleeping areas, **kitchen**, bath.



Interior ADU



Attached ADU



Detached ADU

# Why do we need them?

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- Multi-generational families want to stay together
- Individual with disabilities and seniors require independent living units in order to access **subsidies and support services**.
- Allows residents to stay in town and age-in-place near friends, family and familiar faces/places

## Accessory Dwelling Unit - **LIFE CYCLE**

- household changes over time
- adaptability
- flexibility



*Life Cycle Diagram: for family and housing needs*

# What does the draft bylaw state?

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- Attached, detached, or Interior Use is **BY-RIGHT**
- Only 1 ADU allowed per single family or duplex lot
- The owner or trust beneficiary of the property must reside in either unit
- At least 1 occupant in either unit must be:
  - **62 years** of age or a **disabled** person as defined by MGL
- Max 2 bedrooms and <50% floor area of primary dwelling or 900 SF, whichever is smaller.

# What does the draft bylaw state?

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- At least 1 dedicated off-street parking space required
- Exterior changes must be same style as primary dwelling.
- Certification required upon change of ownership
- Certification required annually
- Zoning Enforcement Officer may inspect

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Questions?



# Real Examples from Winchester

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John and Mary are both teachers in town. They grew up here but live in Woburn due to lower housing costs.

Bill is a long-term resident with an adult child with a disability. He would like to live in a home with an accessory unit where his child can use their Section 8 voucher. Currently, his child lives in Woburn where their voucher can cover the cost of an apartment.

Alex and Rosa would like to move Alex's parents in with them but would need to add an accessory unit.

\*names changed



# Other bylaws around the Commonwealth

ADU Zoning	Winchester (proposed)	Newton, MA	Northampton, MA	Lexington, MA	Reading, MA	Arlington, MA
Year updated		2017	1999	2016	2017	2021
By Right of Special Permit	By right	SP	SP	SP	SP	By Right, SP
ADU Size (sf)	900 or 50% of primary DU (whichever is lower)	250-1,200 or 50% of primary DU (whichever lower)	900	1,000	1,000 or 33% of primary DU (whichever is lower)	<1/2 Floor Area or 900 SF, whichever is lower
Setbacks (ft)		6 from primary DU, meet zoning req't				
Parking	1 off-street parking	no add'l parking	1 add'l parking	no add'l parking	1 add'l parking	no add'l parking
Design	same style as primary residence	exterior in keeping with primary DU + neighborhood		SPGA will determine exterior appearance compatibility with primary DU + neighborhood		
Occupancy	Homeowner must occupy one unit, and one of the units must be disabled or over 62	Homeowner must occupy one unit		Homeowner must occupy one unit, can be absent for up to 2 years	Homeowner must occupy one unit	owner or relative must live in one of the units
ADU Occupancy	max 2 br	Total allowed for a household	max 3 in ADU	max 2 br	max 3 in ADU, max 3 br	
Rental		min. 30 days				
Re-Sale		notify commissioner of Inspectional Services	Notarized letter to Building Commissioner			
Add'l Regs	must certify annually and at sale	Principal unit must have been built 4 years prior	Cannot be enlarged			