

§225-4.3 Accessory Dwelling Units

- A. **Purpose:** The purpose of §225-4.3 is to allow for Accessory Dwelling Units, as defined M.G.L. c. 40A, §1A, to be built as-of-right in residential zoning districts in accordance with Section 3 of the Zoning Act (M.G.L. c. 40A), as amended by Section 8 of Chapter 150 of the Acts of 2024, and the regulations under 760 CMR 71.00: Protected Use Accessory Dwelling Units.

This zoning provides for by-right Protected Use Accessory Dwelling Units to accomplish the following purposes:

1. Increase housing production.
2. Provide more moderately priced housing options.
3. Enable property owners to age in place, downsize, or earn supplemental income from investing in their properties.

B. Definitions: As used in this section, the following terms shall have the meanings indicated:

ACCESSORY DWELLING UNIT: A self-contained housing unit, inclusive of sleeping, cooking, and sanitary facilities on the same Lot as a Principal Dwelling that maintains a separate entrance. ADUs may be detached, attached, or internal to the Principal Dwelling.

GROSS FLOOR AREA: The sum of the areas of all stories of the building of compliant ceiling height pursuant to the Building Code, including basements, lofts, and intermediate floored tiers, measured from the interior faces of exterior walls or from the centerline of walls separating buildings or dwelling units but excluding crawl spaces, garage parking areas, attics, enclosed porches, and similar spaces. Where there are multiple Principal Dwellings on the Lot, the GFA of the largest Principal Dwelling shall be used for determining the maximum size.

LOCAL ACCESSORY DWELLING UNIT: An Accessory Dwelling Unit that is larger than 900 square feet or $\frac{1}{2}$ the Gross Floor Area of the principal dwelling but not larger than 1,200 square feet.

PROTECTED ACCESSORY DWELLING UNIT: An Accessory Dwelling Unit that is not larger than a Gross Floor Area of 900 square feet or $\frac{1}{2}$ the Gross Floor Area of the Principal Dwelling, whichever is smaller.

C. Use Regulations:

1. One Protected Accessory Dwelling Unit is permitted by right in all base zoning districts.
2. A Local Accessory Dwelling Unit is permitted by Special Permit granted by the Planning Board.
3. More than one Accessory Dwelling Units on a lot is permitted by Special Permit granted by the Planning Board. Additional Accessory Dwelling Units on a lot shall be classified as Local Accessory Dwelling Units.

D. Code Compliance:

1. ADUs shall maintain a separate entrance from the Principal Dwelling sufficient to meet safe egress under the Building Code and Fire Code.
2. ADU construction shall comply with 310 CMR 15.000: The State Environmental Code, Title 5 regulations in which the ADU is located.

E. Dimensional Requirements:

1. An Accessory Dwelling Unit shall comply with the same minimum front, side, and rear yard setbacks as a principal building established in 225-4.2.
2. A Protected Accessory Dwelling Unit shall not be larger than a Gross Floor Area of 900 square feet or $\frac{1}{2}$ the Gross Floor Area of the Principal Dwelling, whichever is smaller.
3. A local Accessory Dwelling Unit shall not be larger than a Gross Floor Area of 1,200 square feet.

F. Parking Requirements

One off-street parking space shall be provided in accordance with 225-6.2 unless the Accessory Dwelling Unit is located within $\frac{1}{2}$ radius of a transit station. There are no off-street parking requirements for ADUs within $\frac{1}{2}$ mile radius of a transit station.

All required parking spaces, including the parking space for the Accessory Dwelling Unit must be provided no closer to the street than the building setback line.