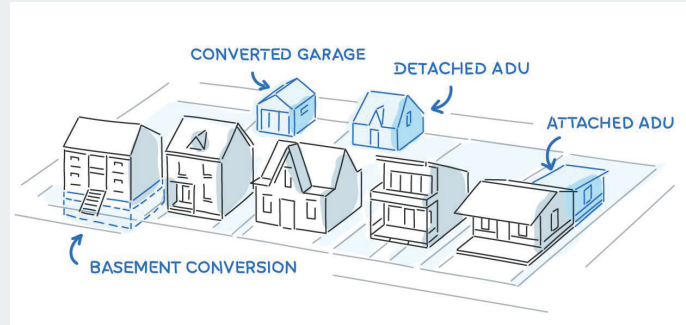


Accessory Apartment Amendments

Docket #192-22

Zoning and Planning Committee
September 12, 2022

Public Hearing



Source: www.housable.com

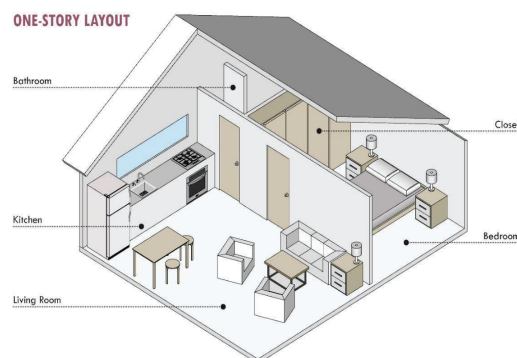
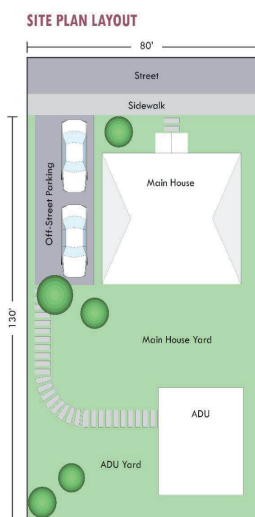
Overview

- Rationale for Amendments
- Proposed Zoning Amendments
- Public Hearing

Rationale for Amendments

Benefits of ADUs

- Diversify housing options
- Flexibility for homeowners
- Allow for new housing without adding new buildings
- Support for aging in place & needs of a dynamic, changing community



GENERAL LAYOUT

Lot Size	10,000 sf (approx. 1/4 acre), but depends on town's ADU zoning	Unit Size	250 - 1,200 sf or 30% - 40% of primary DU
Setbacks	6' - 10' from primary DU Respects other zoning setbacks	Interior	Kitchen: 8' x 12' Bathroom: 5' x 8' Living Room: 12' x 18' Bedroom (can be lofted): 12' x 18'

Image Source: "Living Little," MAPC

Proposed Zoning Amendments

1. Remove 4-year lookback

Proposed Change - remove Sec. 6.7.1.C.5

Current	Proposed
<p>The principal dwelling unit must have been constructed 4 or more years prior to the date of application for a permit to construct an accessory apartment as evidenced by a certificate of occupancy for the original construction of the dwelling or, where no certificate is available, the owner provides other evidence of lawful occupancy of the existing dwelling on or before a date at least 4 years prior to the date of application, except by special permit;</p>	<p>The principal dwelling unit must have been constructed 4 or more years prior to the date of application for a permit to construct an accessory apartment as evidenced by a certificate of occupancy for the original construction of the dwelling or, where no certificate is available, the owner provides other evidence of lawful occupancy of the existing dwelling on or before a date at least 4 years prior to the date of application, except by special permit;</p>

2. Allow small detached ADUs by-right - max. size

Proposed Change - Amend Sec.6.7.1.E.1

	Current	Proposed
Allowed by-right	Not allowed (except historic carriage houses in non-historic districts)	250 sf - 900 sf or 50% of total Habitable Space, whichever is less
Allowed by Special Permit	<ul style="list-style-type: none"> - 250 sf- 1200 sf or 40% of total Habitable Space, whichever is less - Or up to 1,500 sq. ft. 	Up to 1,500 sq. ft.

7

3. Allow small detached ADUs by-right - reduced setbacks

Proposed Change - Amend Sec.6.7.1.E.5

Current	Updated Proposed
<ul style="list-style-type: none"> - A detached ADU must meet the setback requirements of the principal dwelling unit, except by special permit 	<ul style="list-style-type: none"> - A detached ADU side- and rear-setbacks can be half of what is required of the principal dwelling or 7.5 feet, whichever is greater. - Additional screening requirements if detached ADU setbacks are less than the principal dwelling unit requirements <ul style="list-style-type: none"> - Dense planting - Fencing

8

4. Owner Occupancy Prevision (clarification only)

Proposed Clarification - update Sec. 6.7.1.C.3

Current	Proposed
<p>The property owner must occupy either the principal dwelling unit or the accessory apartment;</p>	<p>The property owner <i>or an indirect property owner</i> must occupy either the principal dwelling unit or the accessory apartment. Indirect ownership includes but is not limited to a beneficiary of a trust holding record title to the property and a majority owner of the voting stock of a corporation or the membership units of a limited liability company holding record title to the property; must occupy either the principal dwelling unit or the accessory apartment;</p>

Public Hearing

Accessory Apartments

Background on proposed
amendments

by Councilor Lisle Baker

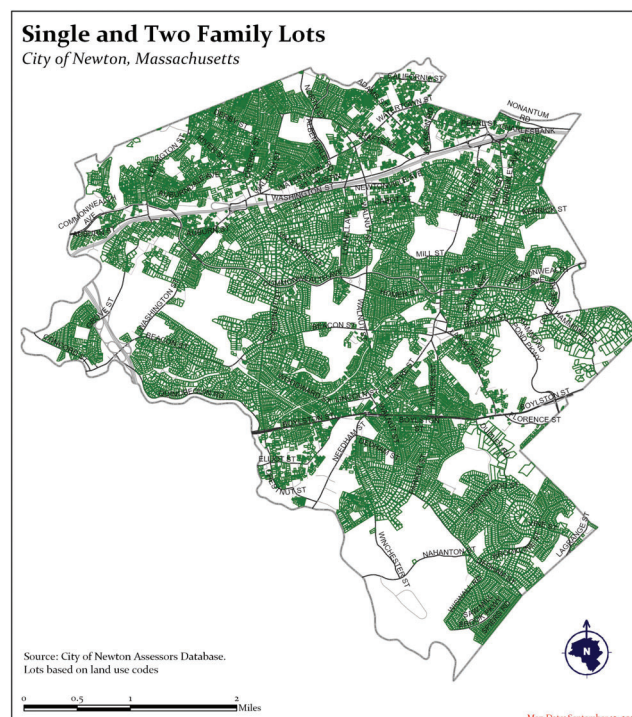
Newton's Comprehensive Plan

Newton's 2007 Comprehensive Plan recommends allowing Accessory Apartments (ADUs) "where appropriate," and "in those circumstances where it would not be disruptive of the neighborhood fabric."

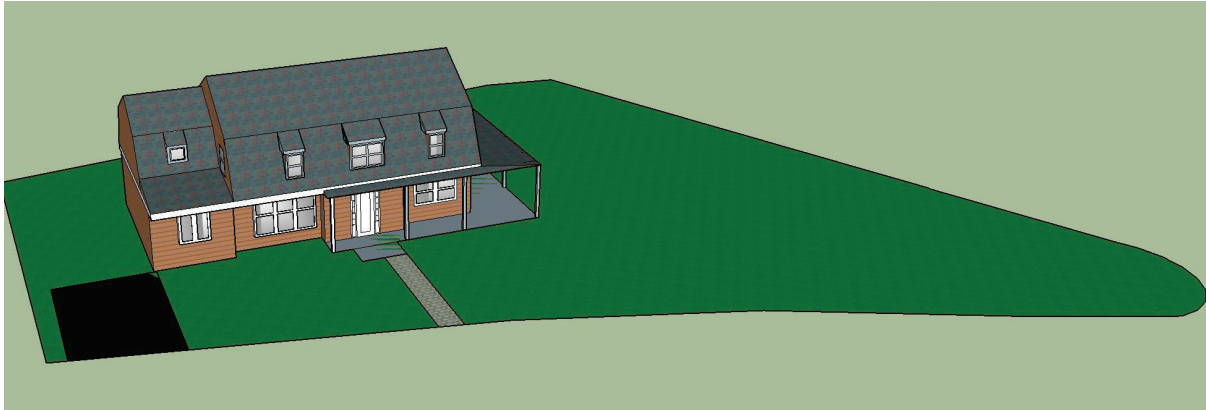
Detached Accessory Apartments under the proposed new ordinance

Where might Accessory Apartments be built as of right under the proposed new ordinance in existing or new detached structures?

The following slide shows single and two family properties, according to assessing data (understanding that zoning setback and dimensional limits are not yet included).



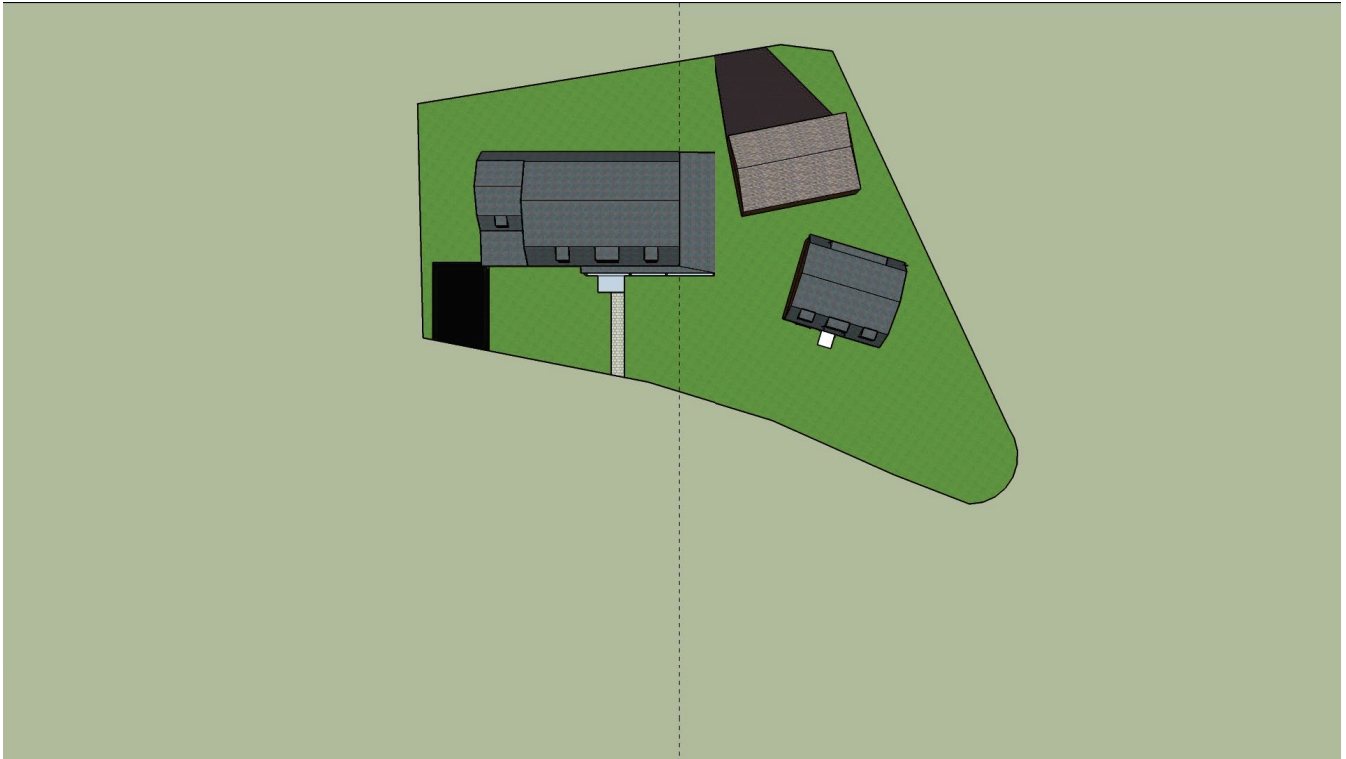
Example: Pine Ridge Road now



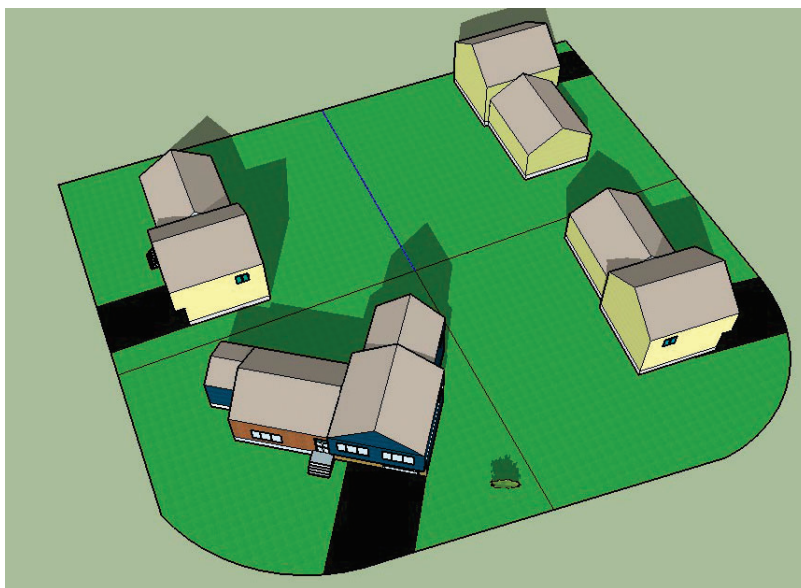
Pine Ridge Rd with garage & ADU



Pine Ridge Road with garage & ADU



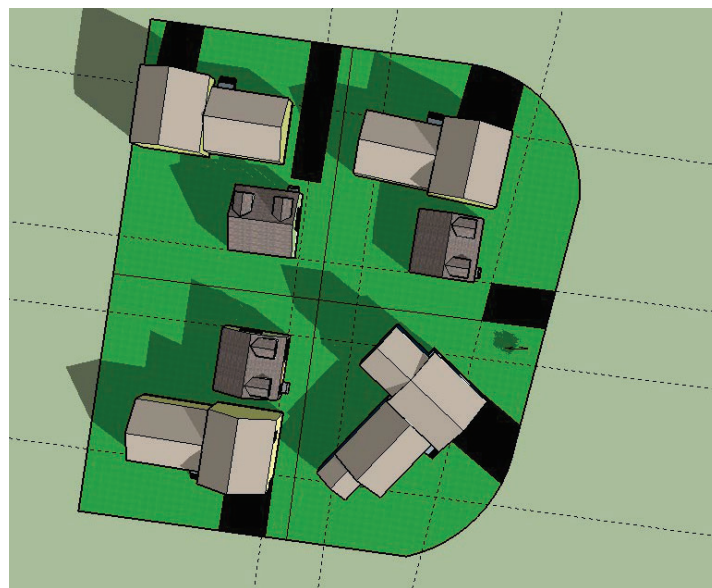
Andrews Rd without ADU



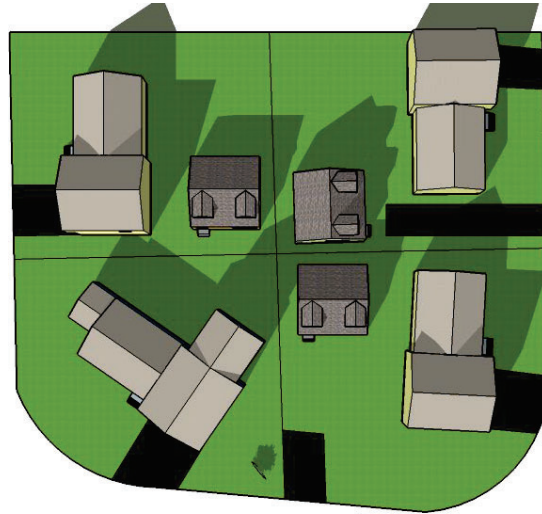
Andrews Rd with ADUs to setbacks



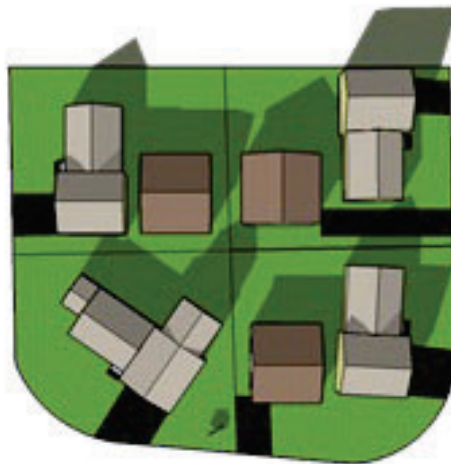
Andrews Rd Setbacks



Andrews Road with 7.5 setback



Andrews Road 7.5 setback with 900 sq. ft. ADU



Andrews Road 7.5 setback with 900 sq. ft. ADU

