



Article 32: Zoning Bylaw Amendment Additional Dwelling Unit

Planning Board Pre-Meeting Public Hearing

August 19, 2020

2-Family or Additional Dwelling Unit

Replace Section 4.2.2.2 of the Bylaw with new language that allows a building permit to be issued for one additional dwelling unit in a single-family dwelling or detached accessory structure, subject to certain conditions.

Objectives

- Provide small additional rental dwelling units that will not substantially alter the appearance of the Town
- Enable owners of single-family dwellings larger than required for their present needs to share space and the burdens of homeownership

Current Provisions (Section 4.2.2.2)

Accessory dwelling units are allowed by special permit if:

- The lot is at least 10,000 square feet
- The unit is part of the single family dwelling (not detached)
- The single family dwelling is at least 2 years old
- The accessory unit is limited to 1/3 of the gross floor area

(The special permit is also non-transferable.)

Existing Accessory Dwellings in Concord

Feedback from 2019 Regional Housing Office survey
(23 qualified responses):

- 64% are occupied by persons non-related to the homeowners
- Over 50% have only 1 occupant
- 60% are 1 bedroom units or studios
- Over 50% have been in existence for >10 years

Proposed Changes

Allow units up to 750 sq ft **by right** in all residential districts*

Attached **or detached**:

- Over garage
- In barn or outbuilding
- Separate cottage, etc.



Source: Radcliffe Dacanay

**Building permit required; up to 1000 sq ft by special permit*

Site Requirements

The lot must meet the minimum size for the zoning district*

No more than one ADU is allowed per lot

One parking space must be provided for the ADU

The property must be served by Town sewer, or the septic system must be adequate for the ADU's increased flows

*See special permit criteria

Dimensional Requirements

The ADU must:

- Occupy no more than 750 sq ft GFA*
- Meet the required setbacks for the primary structure*
- Meet primary and accessory structure height requirements

The total gross floor area of all buildings on the lot must also conform to the maximum floor area ratio (FAR)

*See special permit criteria

Ownership/Occupancy Requirements

The owner must occupy either the ADU or the single-family dwelling

The ADU may not be legally separated and/or sold apart from the single family dwelling

Neither the single family dwelling nor the ADU may not be used for a bed and breakfast

Application Requirements

Applications to the Building Inspector must include:

- Dimensioned floor plans of the additional dwelling unit
- A site plan, at a measurable scale, showing:
 - The location of the additional dwelling unit
 - The location and arrangement of parking spaces on the property

No use or occupancy of the additional dwelling unit is allowed until a certificate of occupancy is issued

Special permits are required for:

- A unit over 750 square feet GFA (1000 square feet max)
- A detached dwelling unit in the side or rear setback
- A lot that's below minimum size for the zoning district

The ZBA must find that *the relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of the Bylaw.*

The special permit does not expire, and is transferable

Aligned with Town Goals

The *Envision Concord Comprehensive Long Range Plan* states:

*“Encourage renovation of existing single family homes (in all zoning districts), and **identify the opportunities to create accessory dwelling units within existing structures in all zoning districts, and allow cluster development and cohousing in designated areas.**” (Housing Goal #5)*

The plan includes an action item to amend the **Two-Family or Additional Dwelling Unit** bylaw to meet this goal.

Similar Bylaws in Nearby Towns

	Year(s) Adopted	Process	Units Generated	Detached structures
<i>Acton</i>	1953; 2019	By Right	15-20*	Yes
<i>Bedford</i>	1982; 1997; 2018	By Right	53	No
<i>Concord</i>	1974; 2002	Special Permit	34 since 2010	No
<i>Lexington</i>	2014	By Right		Special Permit
<i>Lincoln</i>	1972; 2017	Special Permit	67	Special Permit
<i>Sudbury</i>	1994; 2009	Special Permit	62*	Special Permit
<i>Wayland</i>	1980	Special Permit	13 ZBA approved; 40 total*	Special Permit
<i>Weston</i>		Special Permit		Special Permit

**estimated*

Questions
&
Comments