

# Accessory Dwelling Unit Bylaw Development

---

Central Massachusetts Regional Planning Commission

With support from District Local Technical Assistance (DLTA)



# Affordable Homes Act at a Glance

August 6, 2024, Governor Maura Healey signed the Affordable Homes Act (AHA) after it was adopted by the Legislature.

- Section 7 & 8 of the AHA amends the Zoning Act and establishes new ADU laws and definitions.
- ADU Regulations were finalized by the state in February 2025
- State released a model ADU bylaw on March 11, 2025



Attached Above Garage ADU



Interior Converted Garage ADU



Interior Converted Basement or Attic ADU



Attached ADU



Detached ADU

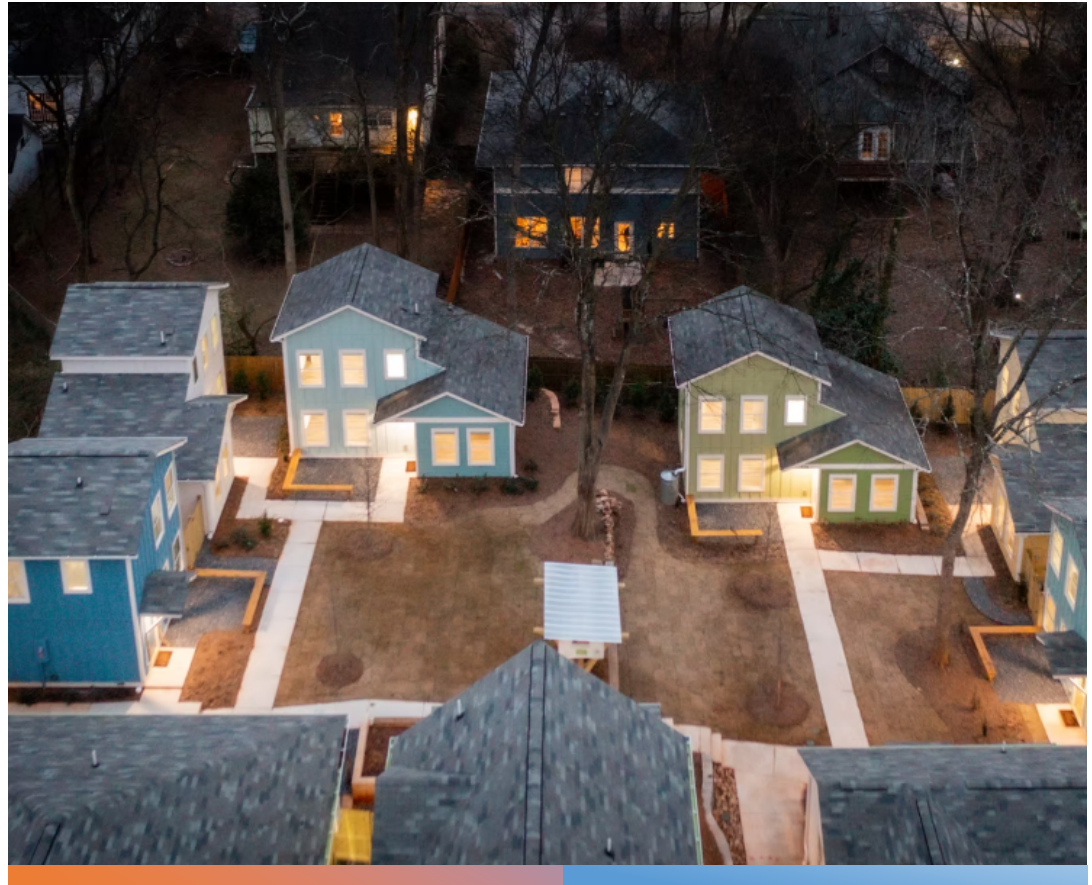
## ADU Definition

A self-contained housing unit, inclusive of sleeping, cooking, and sanitary facilities on the same Lot as a Principal Dwelling, subject to otherwise applicable dimensional and parking requirements, that maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the Principal Dwelling sufficient to meet the requirements of the Building and Fire Code for safe egress. ADUs may be detached, attached, or internal to the Principal Dwelling.



## What *can* towns restrict?

- Limit the number of ADUs per lot
- Prohibit use of ADUs as short-term rentals
- Site Plan Review
- Limit the number of curb cuts





## What *can't* towns restrict?

- Cannot require owner occupancy
- Cannot restrict occupancy to a certain age group
- Cannot require units to be designated as Affordable Housing
- Cannot require more than one parking space for the ADU (zero spaces if near a transit station)
- Cannot require approval of a Special Permit for a Protected Use ADU

# What are reasonable restrictions?

---

- Dimensional regulations such as setbacks
  - These cannot be more restrictive than what they are for a SF residence
- Bulk and height of structure
- Design standards in Historic Districts



# Protected Use ADU vs. Local ADU

**Protected Use ADU.** An attached, detached or internal ADU that is located, or is proposed to be located, *on a Lot in a Single-Family Residential Zoning District and is not larger in Gross Floor Area than ½ the Gross Floor Area of the Principal Dwelling or 900 square feet, whichever is smaller* [or a larger Gross Floor Area, if allowed by the Municipality], provided that only one ADU on a Lot may qualify as a Protected Use ADU. An ADU that is non-conforming to zoning shall still qualify as a Protected Use ADU if it otherwise meets this definition.



**Local ADUs.** An ADU that is not a Protected Use ADU but includes rules specific to [Municipality or cross-reference to any existing or proposed zoning for Local ADUs].