



Commonwealth of Massachusetts
Executive Office of Housing and
Livable Communities



Model Zoning for Accessory Dwelling Units

Webinar
March 11, 2025





RECORDING:

A recording of this presentation will be posted online at mass.gov/ADU

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Presenters



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1.

Background



ADU Statute and Regulation Background

On 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 that we are discussing today.
- ADU Regulations were finalized and published prior to February 2, 2025





ADU Regulations – Establish Protected Use Definition

An **attached or detached** Accessory Dwelling Unit that is located, or is proposed to be located, on a Lot in a Single-Family Residential Zoning District and no other Accessory Dwelling Unit is located on said Lot and which is protected from Prohibited Regulations and Unreasonable Regulations





ADU Regulations – Key Highlights

- **Dover Amendment** - ADU Regulations have been added to Section 3 of the MGL Zoning Act as part of the other Dover Amendments. There is existing case law on the Dover Amendments.
- **Single-Family Zoning District** – Includes any district where single-family homes are allowed by-right or by special permit, regardless of how it is named.
- **Principal Dwelling** – This includes any structure with a dwelling unit in a single-family zoning district (i.e., duplexes, triple-deckers, and multi-units).
- **Dimensional Standards** – Cannot be more restrictive than for a single-family home, the Principal Dwelling, or Accessory Structure, whichever is more permissive.



ADU Regulations – Key Highlights (Cont.)

- **Size Limitation** – ADUs of 900 Sq Ft and larger are allowed as a more permissive regulation, so long as all protections and requirements meet the regulations.
- **Protected Use and Local Use ADUs** – Municipalities may have zoning rules for Protected Use ADUs and other types of ADUs that are locally defined by that city or town. These “Local ADUs” are optional and allowed in addition to a Protected Use ADU, at the discretion of the town or city.
- **Short-Term Rental** – This is a municipal choice that is unaffected by the ADU Regulations.

Note: Please review the ADU Regulations to better understand all the rules.



2.

Model Zoning

Introduction



A Guide for Municipalities

- Document provides Model Zoning and guidance for municipalities to regulate Accessory Dwelling Units (ADUs) in accordance with:
 - Section 3 of the Zoning Act, as amended by Section 8 of Chapter 150 of the Acts of 2024 (the “Statute”)
 - Regulations under 760 CMR 71.00: Protected Use Accessory Dwelling Units (the “Regulations”)
- Resource for those updating existing zoning or crafting new zoning
- Suggests different approaches for certain situations so zoning language can be tailored to the individual municipality’s needs



Protected Use ADUs and Local ADUs

- Regulations created a new definition for Protected Use ADUs, which have certain Dover Amendment protections afforded to them under the Statute
- Municipalities might already have zoning by-laws that apply to existing ADUs and/or ADUs that fall outside the parameters of the Statute and Regulations
- These "Local ADUs" are optional and apply to all other ADUs that are not Protected Use ADUs
- Local ADUs may be allowed in addition to a Protected Use ADU, at the discretion of the town or city
- Model Zoning is written to permit Protected Use ADUs and offers some suggestions for where regulations for Local ADUs may be added



Document Guide

1. An annotated version of the Model Zoning with commentary to guide local decision making
 - Commentary is broken down into: “Do,” “Proceed with Caution,” and “Don’t”
 - Text between brackets – [sample text] – indicates optional text that can be tailored to municipality’s needs
2. A clean version of the Model Zoning that can be incorporated into a municipal zoning by-law with appropriate modifications
3. Appendices: Checklist for Municipal Planners and Design Standards for ADUs in Historic Districts



Important Notice

- Model Zoning should be adopted with modifications based on the needs of the municipality implementing it to avoid inconsistencies with existing zoning
- Municipalities are strongly encouraged to discuss draft zoning with municipal legal counsel before adoption to review for and resolve any potential inconsistencies between the proposed zoning, existing zoning, the Statute, and Regulations
- If you have any questions about this Model Zoning or its commentary, please consult with your local legal counsel, or email EOHLC at EOHLCADUHomes@Mass.gov



2.

Model Zoning Annotations



A. Purpose

The purpose of this Section [X] is to allow for Accessory Dwelling Units (ADUs), as defined under M.G.L. c. 40A, §1A, to be built as-of-right in single-family 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 ADUs to accomplish the following purposes:

- 1. Increase housing production to address local and regional housing needs across all income levels and at all stages of life.*
- 2. Develop small-scale infill housing that fits in the context of zoning districts that allow single-family housing while providing gentle/hidden density.*
- 3. Provide a more moderately priced housing option to serve smaller households, households with lower incomes, seniors, and people with disabilities.*
- 4. Enable property owners to age in place, downsize, or earn supplemental income from investing in their properties.*

DO:

- State local priorities in adopting ADU by-law/ordinance
- Edit examples provided as appropriate to reflect intention/community characteristics
- Reference enabling Statute and accompanying Regulations



A. Purpose

PROCEED WITH CAUTION:

- Be wary of local purposes that may be at odds with the Statement of Purpose in the Regulations: “...increasing the production of housing to address statewide, local, and individual housing needs for households of all income levels and at all stages of life.”

DON'T:

- Don't state a purpose that contradicts the intent of the Statute/Regulations
- Don't state a purpose that is in violation of fair housing laws or indicates some form of local preference
- Don't state a purpose that indicates ADUs are only for Affordable Housing



B. Definitions

For purposes of this Section [X], the following definitions shall apply:

- 1. Accessory Dwelling Unit (ADU).** *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. [General references to ADUs in this by-law include both Protected Use ADUs and Local ADUs.]...*
- 7. [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].]...*
- 12. 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.*

DO:

- Review existing definitions in your local zoning by-law and add or amend as needed to ensure consistency with the Statute and its Regulations
- Use definitions for key terms set forth in the Regulations
- Only include relevant transit station definitions
- Add to existing definitions section of zoning by-law



B. Definitions

PROCEED WITH CAUTION:

- Municipalities may use a broader, more permissive local definition of an ADU than the definition for Protected Use ADU in the Regulations so long as they are permissible by-right and subject to all protections afforded to a Protected Use ADU

DON'T:

- Don't use words that exist elsewhere in your zoning by-law but with another meaning
- Don't use a different meaning for a term that exists in the Regulations
- Don't include definitions from the Regulations that are not relevant to your municipality



C. Regulations

1. General Provisions for All ADUs:

- Code Compliance
- Short-Term Rentals

2. Protected Use ADUs:

- Authorization
- Dimensional Standards
- Off-Street Parking

3. Special Permit for [Local ADUs]:

- Authorization
- Dimensional Standards
- Off-Street Parking

4. Special Permit for Multiple ADUs on a Lot

5. Nonconformance



Code Compliance

1. General Provisions for All ADUs

a) Code Compliance

- i. ADUs shall maintain a separate entrance from the Principal Dwelling sufficient to meet safe egress under the Building Code and Fire Code.
- ii. ADU construction shall comply with 310 CMR 15.000: The State Environmental Code, Title 5 regulations for a Single-Family Residential Dwelling in the Single-Family Residential Zoning District in which the Protected Use ADU is located.

DO:

- Specify that Protected Use ADUs must comply with Title 5 as it applies to a Single-Family Residential Dwelling

DON'T:

- Don't try to regulate the Building Code in your zoning by-law
- Don't restrict entrance location of Protected Use ADU in relation to Principal Dwelling
- Don't include more restrictive requirements than the State's, such as providing sewer capacity beyond what is required for a Single-Family Residential Dwelling



Short-Term Rentals

1. General Provisions for All ADUs...

b) [Short-Term Rentals]

- i. [ADUs may be operated as Short-Term Rentals subject to any restrictions or prohibitions by ordinance or by-law adopted by [Municipality] pursuant to M.G.L. c. 64G, § 14.]
- ii. [An ADU may be rented as a Short-Term Rental for the purpose of workforce housing for seasonal employees.]

DO:

- Consider municipal context and if allowing STRs for Protected Use ADUs meets local goals/priorities
- Consider if allowing STRs supports the purposes outlined in the Regulations

PROCEED WITH CAUTION:

- Consider whether there are situations in which STRs should be handled differently (i.e., workforce housing, seasonal communities, etc.)

DON'T:

- Don't allow Short-Term Rentals for Protected Use ADUs if they will not support local housing needs



Protected Use ADU Authorization

2. Protected Use ADUs. *The [Zoning Enforcement Officer] shall approve a Building Permit authorizing Protected Use ADU installation and use within, or on a Lot with, a Principal Dwelling in a Single-Family Residential Zoning District, including within, or on a Lot with, a Pre-Existing Nonconforming Structure, if the following conditions are met:*

DO:

- Allow Protected Use ADUs by-right within or on lots with a Principal Dwelling (i.e., single-family, duplex, triple-decker, multifamily building, etc.), including Pre-Existing Nonconforming Structures
- Allow all types of Protected Use ADUs: attached, detached, and internal
- Allow Building Commissioners to approve via Building Permit
- Allow Zoning Administrators to approve via administrative approval



Protected Use ADU Authorization

PROCEED WITH CAUTION:

- If requiring Site Plan Review approval for Protected-Use ADUs review guidelines must be clear, objective, and consistent with an as-of-right process
- Do not impose any restrictions on Protected Use ADUs that do not serve a legitimate municipal interest
- Ensure that any restrictions on Protected Use ADUs are reasonable under the Dover Amendment analysis in the Regulations

DON'T:

- Don't require a Special Permit from the Special Permit Granting Authority for Protected Use ADUs within or on lots with a Principal Dwelling



Protected Use ADU Dimensional Standards

2. Protected Use ADUs...

a) Dimensional Standards

- i. *Protected Use ADU shall not be larger than the Gross Floor Area of 900 square feet [or a larger Gross Floor Area, if allowed by the Municipality] or ½ the Gross Floor Area of the Principal Dwelling, whichever is smaller.*
- ii. *A Protected Use ADU on a Lot with a Single-Family Residential Dwelling Unit shall not have more restrictive dimensional standards than those required for the Single-Family Residential Dwelling (Section [X]: Dimensional Standards), or accessory structure (Section [X]: Accessory Structures) within the same district, whichever results in more permissive regulation.*
- iii. *A Protected Use ADU on a Lot with a Principal Dwelling that is not a Single-Family Residential Dwelling Unit shall not have more restrictive dimensional standards than those required for its Principal Dwelling (Section [X]: Dimensional Standards), or Single-Family Residential Dwelling (Section [X]: Dimensional Standards), or accessory structure (Section [X]: Accessory Structures) within the same district, whichever results in more permissive regulation*

DO:

- Allow Protected Use ADUs not larger than a GFA of 900 square feet or one-half the GFA of the Principal Dwelling, whichever is smaller, unless municipality chooses to allow larger
- Impose dimensional standards that are not more restrictive than for the Principal Dwelling or Accessory Structure, whichever is more permissive.
- Review existing dimensional standards and consider how they would apply to Protected Use ADUs



Protected Use ADU Dimensional Standards

PROCEED WITH CAUTION:

- Consider whether existing dimensional standards in your zoning by-law may pose unreasonable restrictions
- Consider whether dimensional standards will unreasonably prevent Protected Use ADUs from being built in existing structures like detached garages or barns
- Utilize the Dover Amendment analysis to determine if preventing Protected Use ADUs from being in the front yard is unreasonable

DON'T:

- Don't require lot size minimums or impose dimensional standards that are stricter than required for the Principal Dwelling, a Single-Family Residential Dwelling, or accessory structure within the same district



Protected Use ADU Dimensional Standards

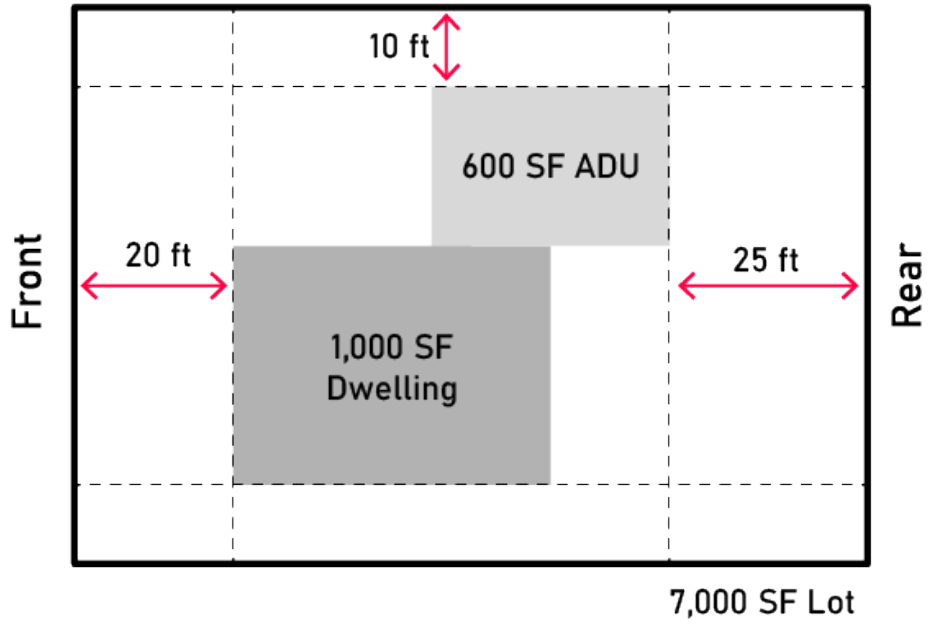
Process for Establishing Dimensional Standards for Protected Use ADUs:

1. Review your municipality's existing dimensional standards that apply to Principal Dwellings, Single-Family Residential Dwellings, or accessory structures within Single-Family Residential Zoning Districts. Consider how these dimensions would apply to Protected Use ADUs to result in the most permissive regulation.
2. Consider if any of your dimensional standards could preclude the creation of ADUs in any of your zoning districts. If this is the case, determine more lenient dimensional standards that would apply specifically to ADUs. The diagrams on the following slides provide some examples of this.
3. Consider if your dimensional standards would allow for existing detached structures to be added onto and converted to Protected Use ADUs. If you see limitations, consider adapting standards to better allow for these additions and conversions.

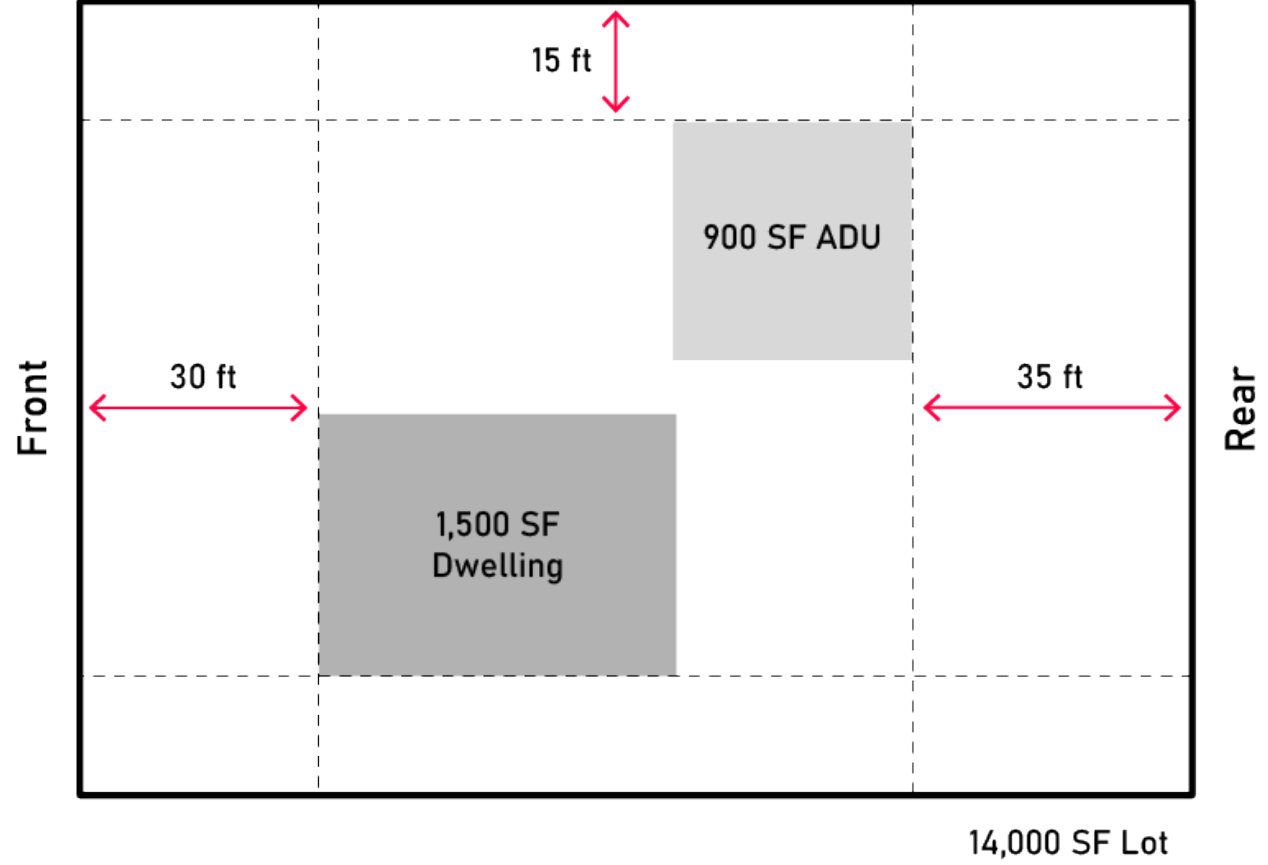


Protected Use ADU Dimensional Standards

Small Lot



Medium Lot

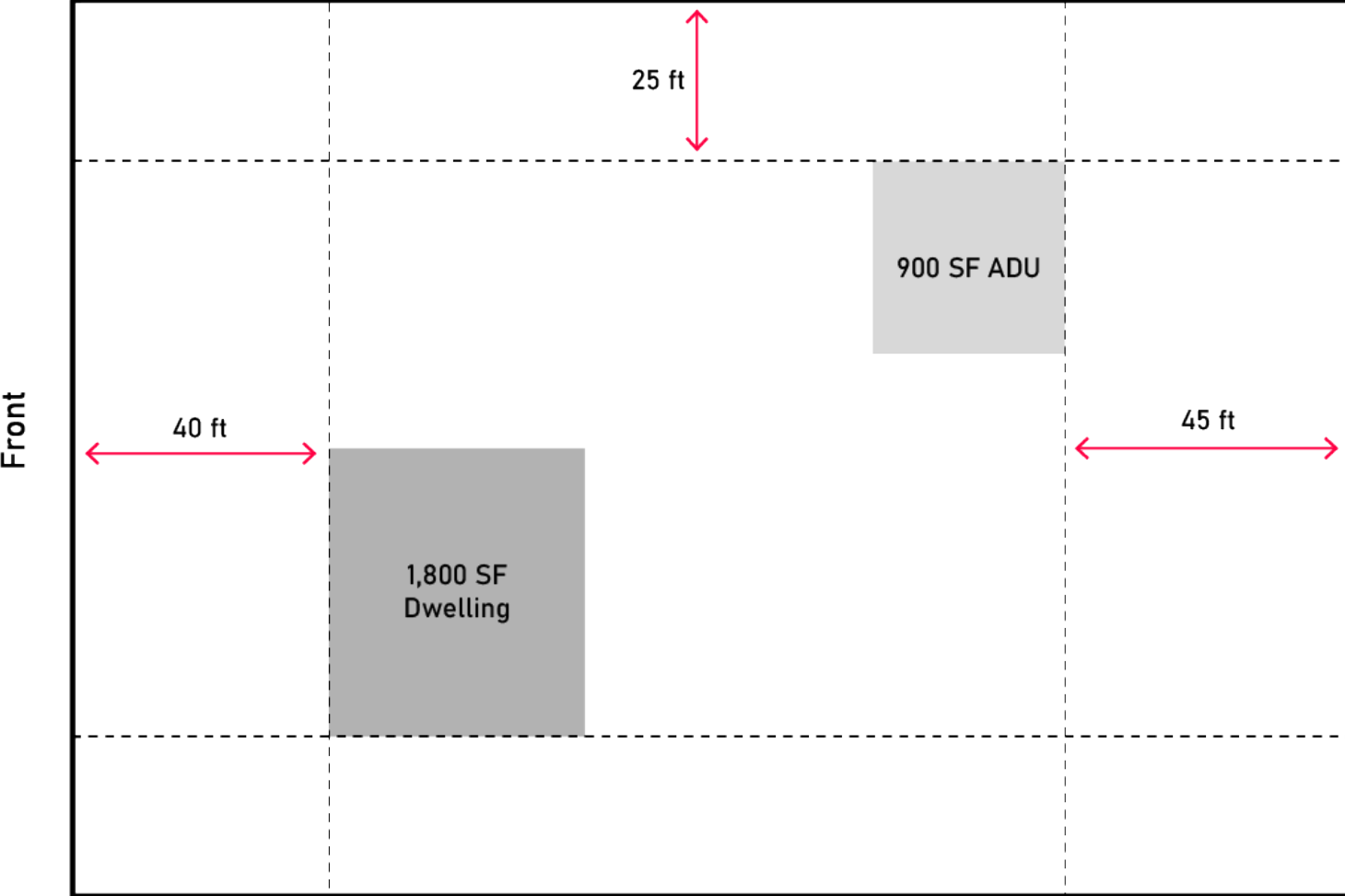


These diagrams are intended to show examples of ADUs on different size lots.



Protected Use ADU Dimensional Standards

Large Lot



This diagram is intended to show examples of ADUs on different size lots.



Protected Use ADU Off-Street Parking

2. Protected Use ADUs...

b) Off-Street Parking. *[Up to one] additional off-street parking space shall be required for Protected Use ADUs located outside the ½-mile radius of the [Transit Station]. No off-street parking is required for Protected Use ADUs located within a ½-mile radius of the [Transit Station].*

DO:

- Decide if you will require a parking space for all Protected Use ADUs located outside of a ½-mile from a Transit Station, or if you will not require any additional parking

DON'T:

- Don't require parking for a Protected Use ADU within a ½-radius of a Transit Station



Local ADUs Authorization

3. Special Permit for [Local ADUs]. *The [Special Permit Granting Authority] shall approve a Special Permit authorizing a [Local ADU] installation and use within or on a Lot with a Single-Family Residential Dwelling in a Single-Family Residential Zoning District if the following conditions are met:*

PROCEED WITH CAUTION:

- Be aware that allowing any ADUs not meeting the definition and requirements for Protected Use ADUs on a lot would be **in addition** to a Protected Use ADU

DO:

- Determine if another ADU type outside the definition of a Protected Use ADU should be allowed by-right, through Site Plan Review, or by Special Permit in your municipality i.e. Local ADUs
- Determine what additional allowances you would like to provide for ADU development or use outside of the Protected Use ADU definition
- Create a Special Permit process for properties that would like to create an additional ADU after the one Protected Use ADU allowed by-right



Local ADUs Dimensional Standards

3. Special Permit for [Local ADUs]...

a) Dimensional Standards

- i. *[Local ADUs] must be larger than [900 square feet] or there must be a Protected Use ADU already built on the same property.*
- ii. *[Local ADUs] shall not be larger than a gross floor area of [1,200 square feet].*
- iii. *[Local ADUs] shall comply with the following dimensional standards for both the structure and the Lot in accordance with Section [X]: Dimensional Standards and Section [X]: Accessory Structures*

DO:

- Determine the maximum gross floor area and dimensional standards that your municipality would allow for an ADU that is not a Protected Use ADU
- If you require the approval of a Special Permit, you may wish to allow larger ADUs as an incentive



Local ADUs Off-Street Parking

3. Special Permit for [Local ADUs]...

b) Off-Street Parking. A minimum of [one (1)] additional off-street parking space shall be required for [Local ADUs].

DO:

- Determine if you would like to require parking for ADUs that are not Protected Use ADUs, both within and outside a ½-mile Transit Station radius

PROCEED WITH CAUTION:

- You may require parking within a ½-mile radius of a Transit Station, but you should consider if it is necessary



Multiple ADUs on a Lot

4. Special Permit for Multiple ADUs on a Lot. *More than one ADU on a Lot in a Single-Family Residential Zoning District in which a Protected Use ADU is already located shall require a Special Permit from the [Special Permit Granting Authority]. The additional ADU shall be classified as a [Local ADUs].*

DO:

- Require a Special Permit if choosing to allow additional ADUs on the same lot as a Protected Use ADU



Nonconformance

5. Nonconformance.

- a. *A Protected Use ADU shall be permitted within or on a Lot with a Pre-Existing Nonconforming Structure so long as the Protected Use ADU can be developed in conformance with the Building Code, 760 CMR 71.00, and state law.*
- b. *[A Protected Use ADU shall be exempt from any required finding under M.G.L. c. 40A §6.]*
- c. *[A finding under M.G.L. c 40A §6, that the extension or alteration of the pre-existing nonconforming structure is not substantially more detrimental than the existing nonconforming use to the neighborhood, shall be made by the Special Permit Granting Authority in an as-of-right process, without requiring a Special Permit or other discretionary waiver.]*

DO:

- Allow Protected Use ADUs by-right within or on lots with a Pre-Existing Nonconforming Structure
- Consider whether it is reasonable under the Dover analysis to require a finding pursuant to M.G.L. c. 40A §6 for expansion or alteration of a Pre-Existing Nonconforming Structure
- If required, provide a clear and objective, process by the Special Permit Granting Authority



Nonconformance

DON'T:

- Don't prevent an ADU that is nonconforming to zoning from qualifying as a Protected Use ADU if it otherwise meets the definition
- Don't require a special permit for development of a Protected Use ADU where the lot or structure is nonconforming

NOTE: The Zoning Act §6 says that the finding may be made by *either* the permit granting authority *or* special permit granting authority and does not require a special permit. A special permit is also not allowed for Protected Use ADUs under M.G.L. c. 40A §6, so no special permit can be required for the §6 finding. It may instead be reasonable to require that the §6 finding be made by the permit granting authority depending on your municipality's site plan review process.



D. Administration & Enforcement

1. *The [Zoning Enforcement Officer] shall administer and enforce the provisions of this Section [X].*
2. *No building shall be changed in use or configuration without a Building Permit from the [Zoning Enforcement Officer].*
3. *No building shall be occupied until a certificate of occupancy is issued by the [Zoning Enforcement Officer], where required.*
4. *The [Zoning Enforcement Officer] shall apply the Dover analysis as articulated in the standards in 760 CMR 71.03(3)(a), to any request for a Protected Use ADU Building Permit and shall waive any zoning requirement that the [Zoning Enforcement Officer] finds to be unreasonable under the Dover analysis.*

DO:

- Follow all Building Code and zoning requirements when building a new ADU or converting a space into an ADU (applies to all ADUs, not just Protected Use ADUs)
- Provide a limited waiver for occasional circumstances where a normally reasonable regulation would be unreasonable as applied to a particular lot



2.

Model Zoning Appendices



Appendix A: Checklist for Municipal Planners

ZONING FOR ACCESSORY DWELLING UNITS CHECKLIST FOR MUNICIPAL PLANNERS

This checklist is to help municipal staff and board members updating or creating new zoning for Accessory Dwelling Units ensure that the zoning is enforceable 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 760 CMR 71.00: Protected Use Accessory Dwelling Units.

Purpose

- No purpose contradicts the intent of the enabling legislation and its accompanying regulations: "...increasing the production of housing to address statewide, local, and individual housing needs for households of all income levels and at all stages of life"
- No purpose indicates some form of local preference
- No purpose refers to a prohibited regulation on property owners, such as requiring the inclusion of Affordable Housing units

Definitions

- Zoning includes relevant definitions from 760 CMR 71.02 and makes clear the difference between Protected Use ADUs and other ADUs that the municipality may choose to regulate
- No terms that exist in 760 CMR 71.02 or elsewhere in the municipal zoning by-law have different or contradictory meanings

Regulations

- Protected Use ADUs are allowed by-right within or on lots with a Principal Dwelling in Single-Family Residential Zoning Districts
- No Special Permit requirement for Protected Use ADUs within or on lots with a Principal Dwelling, except within a Floodplain or Aquifer Protection Overlay District
- No Special Permit required for Protected Use ADUs within or on existing nonconforming lots, or lots with an existing nonconforming primary dwelling.
- Any Special Permit requirement for Protected Use ADUs within a Floodplain or Aquifer Protection Overlay District is based on clear, objective, and non-discretionary criteria
- A Special Permit is required if additional ADUs are allowed on the same lot as a Protected Use ADU
- No enforcement of a Prohibited or Unreasonable Regulation imposed as a condition for the approval of a Protected Use ADU prior to the effective date of 760 CMR 71.00
- Zoning for Protected Use ADUs includes no Prohibited or Unreasonable Regulations (see below)

Prohibited Regulations

- Owner-Occupancy Requirements: No requirement for owner-occupancy of the Protected Use ADU or Principal Dwelling
- Minimum Parking Requirements:
 - No requirement for off-street parking for Protected Use ADUs within a half-mile radius of a Transit Station
 - No requirement for more than one parking space for Protected Use ADUs outside the half-mile radius

Prohibited Regulations Continued

- Use and Occupancy Restrictions: No requirement that a Protected Use ADU be subject to a Use and Occupancy Restriction, such as a requirement that the ADU be occupied by a family member
- Unit Caps and Density:
 - No limit to the number of Protected Use ADUs that may be permitted, constructed, or leased in the Municipality or a particular zoning district
 - Protected Use ADUs not counted in density calculations
- Relationship to Principal Dwelling: All types of Protected Use ADUs are allowed (attached, detached, and internal)

Unreasonable Regulations

- Design Standards:
 - Any Design Standard applied to Protected Use ADUs is the same or more lenient than the design standard applied to Single-Family Residential Dwellings within the same zoning district
 - No Design Standard prohibits, renders infeasible, or unreasonably increases the costs of the use or construction of a Protected Use ADU
 - All design standards applied to ADUs are clear and measurable
- Dimensional Standards:
 - Protected Use ADUs have a maximum Gross Floor Area requirement of 900 square feet or 1/2 the Gross Floor Area of the Principal Dwelling, whichever is smaller
 - Any Dimensional Standard for Protected Use ADUs is the same or more permissive than what is required for the Principal Dwelling, a Single-Family Residential Dwelling, or accessory structure in the same zoning district
 - No minimum lot size requirement for Protected Use ADUs
- Utilities, Safety, and Emergency Access:
 - No requirements concerning utilities, safety, and emergency access are more restrictive than state requirements
 - No requirement for a separate utility connection for Protected Use ADUs
- Environmental Protection: Any regulation pursuant to 310 CMR 15.000 (Title V) applied to Protected Use ADUs is not more restrictive than those for Single-Family Residential Dwellings in the same zoning district
- Site Plan Review: If there is a requirement for Site Plan Review approval of Protected Use ADUs, the review guidelines are clear, objective, and consistent with an as-of-right process as defined in M.G.L. c. 40A ss. 1A and 3
- Impact Analysis, Studies, and Fees: An impact analysis, study report, or impact fee is only required for a Protected Use ADU if the requirement is already in place for Single-Family Residential Dwellings in the same zoning district.
- Modular Dwelling Units: No requirements more restrictive than the Massachusetts Building Code for prohibiting, regulating, or restricting a Modular Dwelling Unit from being used as a Protected Use ADU
- Historic Districts:
 - Design Standards and Dimensional Standards for Protected Use ADUs in Historic Districts are not unreasonable pursuant to 760 CMR 71.03(3)(a)
 - Design standards applied to Protected Use ADUs in Historic Districts must be clear and measurable standards
- Pre-Existing Nonconforming Structures: Protected Use ADUs allowed by-right within or on lots with a Pre-Existing Nonconforming Structure



Appendix B: Design Standards for ADUs in Historic Districts

- Design Standards may be applied to Protected Use ADUs and other ADUs within Local Historic Districts
- Standards must not be “so restrictive, excessive, burdensome, or arbitrary that they prohibit, render infeasible, or unreasonably increase the costs of the use or construction of a Protected Use ADU”
- Specific standards will need to be tailored to the architectural character of each Historic District, but they must all be measurable, objective, and not create any gray area about implementation



Appendix B: Design Standards for ADUs in Historic Districts

Examples of Design Standards for Historic Districts that May Be Reasonable:

- **Roof Pitch:** Roofs shall be gabled with a minimum pitch of 9/12 (9" vertical for every 12" horizontal) and have overhanging eaves of at least one foot. Two- or three-story buildings, or two- or three-story portions of a building, may have a flat roof.
- **Window Scale and Dimension:** Windows visible from the street shall have a 2:1 ratio of height to width. Alternative window designs may be allowed provided by a Special Permit.
- **Window Coverage:** The building front(s) visible from the street shall contain windows covering at least 20 percent but not to exceed 80 percent of the facade surface. Windows shall be highlighted with frames, lintels, and sills, or equivalent trim features.
- **Utility Screening:** All dumpsters or other service areas shall be completely visually enclosed with a screening wall or fence and integrated with the overall site layout.



Appendix B: Design Standards for ADUs in Historic Districts

DO:

- Apply design standards only to Protected Use ADUs located within Historic Districts
- Determine which existing standards for your Historic District are measurable and objective and therefore can be applied to Protected Use ADUs within the district

DON'T:

- Don't restrict the development of ADUs in Historic Districts through overly complex or limiting design standards



Appendix B: Design Standards for ADUs in Historic Districts

PROCEED WITH CAUTION:

- Determine if your existing Historic District standards only apply to structures visible from main thoroughfares, and if so, note that they may not apply to Protected Use ADUs that are not visible from the street
- Design Guidelines that apply to Protected Use ADUs in Historic Districts cannot be legally enforced and are instead meant to provide guidance to property owners as they upgrade existing or build new structures on their lot



3.

Additional Support and Information



Additional Support

- Continued technical assistance to adopt zoning, including coordination with Attorney General's Office attorneys
- Expanded guidance on administration/enforcement (FAQs) on the mass.gov/ADU webpage coming soon
- Webinar on ADUs in historic landscapes with Eastern Massachusetts Historical Commission Coalition scheduled for March 25 at 10:30AM: <https://us06web.zoom.us/meeting/register/26UPW2Y2TVmDkPpUD28NzQ#/registration>



For More Information

EOHLC ADU webpage: mass.gov/adu

MAPC ADU webpage: mapc.ma/adus

Emails: EOHLCADUhomes@mass.gov

Sign up for Affordable Homes Act Implementation
Updates on the ADU webpage: mass.gov/adu



4.

Q&A



Thank you!