

## ACCESSORY DWELLING UNITS (ADU)

### **Zoning:**

RA, RA1, RB, RB1

### **# of Bedrooms:**

RA & RA1	RB & RB1
No more than 1 bedroom	No more than 2 bedrooms

### **Square Footage:**

#### **RA & RA1 (owner occupied)**

No less and 350 sq ft – no more than 600 sq ft

#### **RB & RB1**

No less than 350 sq ft – no more than 900 sq ft

Or no more than 40% of the gross floor area (whichever is less) of a single-family structure which is in compliance with parking, building and fire safety codes and in compliance with the requirements of Section 17.25.020

### **Requirements for all Accessory Units (Section 17.25.020):**

- Single Family Dwelling
  - Must be owner occupied for 2 years – need proof of documents
  - No borders or lodgers
  - No more than 1 legally occupied dwelling unit in a structure that is seeking to create an ADU
  - Structure must be connected to public water and sanitary sewer system
  - No dwelling will be permitted below the FEMA 100-year base flood elevation on the flood hazard map.
  - ADU must be located within the principal structure
  - No ADU's shall be allowed within a duplex or townhouse dwelling or condominium
  - ADU's cannot have separate ownership
  - Commercial use is prohibited within an ADU
  - The ADU must comply with all building, fire & health codes
  - The ADU shall be designed so that the appearance of the principal structure maintains that of a sing-family dwelling.
  - There shall be no enlargements or extensions for the dwelling in connection with the creation of an ADU except for minimal additions necessary to comply with building, fire and health codes, or enclosure of an entryway, or for enclosure of a stairway to a second story. Any enlargements or extensions for these purposes must conform to the dimensional controls of this Title.

### **Off Street Parking Requirements (Section 17.25.030)**

- **Within a half mile radius of an MBTA transit station**
  - No parking required if ADU is within a single-family dwelling and the existing single-family dwelling meets the required parking of two off-street parking spaces.
- **Outside a half mile radius of an MBTA transit station**
  - There shall be one additional parking space required for the ADU in addition to the two off-street parking spaces required for the single family. Parking may not be created within the front yard but may be created within the side yard to all up to three vehicle tandem parking.

### **Transfer of Ownership (Section 17.25.040)**

- Upon transfer of ownership, a covenant must be signed by the new owner and recorded in the Suffolk County Registry of Deeds stating that the ADU must conform with the requirements of this Title within an owner-occupied property.
- Owner agrees to a yearly inspection from ISD & RFD with 48-hour notice.

### **Enforcement & Penalties (Section 17.25.050)**

- Any person who:
  1. Offers an ADU within a single-family dwelling as an ADU where such unit is not an eligible ADU
  2. Fails to occupy either the principal dwelling unit or ADU for a minimum of 2 years
  3. Neglects to provide proof of owner occupancy
  4. Fails to comply with other provisions of this Chapter

Shall be fined \$300.00 per violation per day. Each day's failure to comply with a notice of violation or any other order shall constitute a separate violation.

- In addition to the fines described in this section, the city may seek an injunction from a court of competent jurisdiction to enjoin the offering, advertising, or using of the unit as an ADU.