

Littleton Proposed Bylaw

Definitions

Accessory Dwelling Unit or 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

(a) 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 Code for safe egress;

(b) is not larger in Gross Floor Area than $\frac{1}{2}$ the Gross Floor Area of the Principal Dwelling or 1,200 square feet, whichever is smaller; and

(c) is subject to such additional restrictions as may be imposed by the Town including, but not limited to, additional size restrictions, and restrictions or prohibitions on Short-term Rental as defined in M.G.L. c. 64G, § 1; provided, however, that the Town shall not unreasonably restrict the creation or rental of an ADU that is not a Short-term Rental.

Protected Use Accessory Dwelling Unit: An attached or detached ADU that is located, or is proposed to be located, on a Lot in a Single-family Residential Zoning District and is protected by M.G.L. c. 40A, § 3, provided that only one ADU on a lot may qualify as a Protected Use ADU. An ADU that is nonconforming to Zoning shall still qualify as a Protected Use ADU if it otherwise meets this definition.

Use Table – insert a new row into the use table – Accessory Uses - as follows:

	R	VC	B	IA	IB
Protected Use ADU	Y	Y	Y	N ₁₁	N ₁₁

ARTICLE xxxx Accessory Dwelling Units

(Replaces Article XIII Accessory Apartments)

§173-xx Statement of Purpose

The purposes of this Section are to:

- A. Encourage the production of accessory dwelling units throughout the town of Littleton with the goal of addressing housing needs for households of all income levels and at all stages of life.
- B. Increase the number of small rental dwelling units in Littleton.
- C. Increase the number of affordable rental units in Littleton.
- D. Diversify the range of housing types available in Littleton.
- E. Increase housing production while preserving the character of Littleton's neighborhoods and protecting property values.

§173-xx Regulations Applicable to ADUs

- A. One (1) Protected Use ADU is allowed by right in the R, VC and B zoning districts, subject to the requirements of this §173-xx. There shall be no more than one Protected Use ADU per lot.
- B. A Protected Use ADU shall be subject to the minimum setback requirements and maximum building height requirement applicable to the Principal Dwelling, to the Single-family Dwelling, or to an accessory structure in the zoning district in which the lot is located, whichever results in the more permissive dimensional regulation.
- C. One additional off-street parking space shall be required for Protected Use ADUs located outside the ½-mile radius of the Foster Street MBTA Commuter Rail Station. No off-street parking is required for Protected Use ADUs located within a ½-mile radius of the Foster Street MBTA Commuter Rail Station. A new parking space, where required, shall be constructed of materials consistent with the existing driveway and shall have vehicular access to driveway.
- D. ADUs may not be used as Short-Term Rentals, as such term is defined in M.G.L. c.64G, §1.
- E. ADUs shall remain accessory to a Principal Dwelling, and therefore both must be sited on a single lot and the ADU must remain in common ownership with the associated Principal Dwelling.

§173-xx Nonconformance

- A. A Protected Use ADU shall be permitted within, or on a Nonconforming Lot and/or 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.

§173-xx Pre-existing ADUs

- A. An Accessory Dependent Dwelling Unit, Accessory Apartment or Detached Accessory apartment created before February 2nd of 2025 shall no longer require owner occupancy of either unit.
- B. Any pre-existing unit that meets the requirements of a Protected Use ADU is considered a Protected Use ADU. The requirements of a Protected Use ADU are outlined in the definitions for “Accessory Dwelling Unit” and “Protected Use Accessory Dwelling Unit” in section 173-2 of the code.

§173-xx Administration and Enforcement

- A. The Building Commissioner shall have the authority to waive any zoning requirement applicable to an ADU that constitutes an unreasonable regulation within the meaning of 760 CMR 71.03(3).