

## Littleton DRAFT Bylaw – Jan. 8, 2026 – Accessory Dwelling Units

*(1) Update the **definitions** section to define those terms not already defined in the Littleton Zoning Bylaw and update the Town's definition of Accessory Dwelling Unit.*

Accessory Dwelling Unit: 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 ½ the Gross Floor Area of the Principal Dwelling or 1,200 ~~900~~ square feet, whichever is smaller; and

(c) is subject to such additional restrictions as may be imposed by a municipality 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 no Municipality shall 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.

*(2) Update the **Use Table***

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

	<b>R</b>	<b>VC</b>	<b>B</b>	<b>IA</b>	<b>IB</b>
Protected Use ADU	Y	Y	Y	N <sub>11</sub>	N <sub>11</sub>

*(3) Add the new ADU Bylaw, replacing Article XIII Accessory Apartments.*

## ARTICLE xxx - Accessory Dwelling Units

1) Statement of Purpose:

- a) The purpose of this section is to 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) The provision of accessory dwelling units is intended to:
  - i) Increase the number of small rental dwelling units in Littleton;
  - ii) Increase the number of affordable rental units in Littleton;
  - iii) Diversify the range of housing types available in Littleton;
  - iv) Increase housing production while preserving the character of Littleton's neighborhoods and protecting property values.

2) General Provisions for ADUS

- a) An ADU shall be a self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling
  - i) A Principal Dwelling is a structure that contains at least one Dwelling Unit and is, or will be, located on the same lot as a Protected Use ADU.
  - ii) The principal dwelling must be permitted prior to, or at the same time, that the ADU is permitted.
- b) Code Compliance
  - i) ADUs shall maintain 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 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.
  - iii) The Board of Health must determine that sewage disposal will be satisfactorily provided for, for all ADUs, including provision for an appropriate reserve area on site, or appropriate sewer service.

3) Protected Use ADUs

The Building Commissioner shall approve a Building Permit authorizing Protected Use ADU installation and use within, or on a Lot with, a Principal Dwelling in the following zoning Districts: Residence R; Village Common VC; and Business B, including within, or on a Lot with, a Pre-Existing Nonconforming Structure, if the following conditions are met:

- a) Dimensional Standards

- i) Protected Use ADU shall not be larger than a Gross Floor Area of 1200 square feet or  $\frac{1}{2}$  the Gross Floor Area of the Principal Dwelling, whichever is smaller.
- ii) 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.

Littleton Dimensional Standards as they would apply to ADUs

DISTRICT	Village Common (VC)	Residential (R)	Business (B)
<b>Street Setback</b>	10 ft (all buildings)	30 ft (all buildings)	30 ft (residential buildings)
<b>Rear and Side Setbacks</b>	10 ft (all buildings) (20 ft if abutting R district)	10 ft (accessory buildings)	10 ft (accessory buildings) (25 ft if abutting a residential use)
<b>Max Height</b>	32 ft (all buildings)	32 ft (all buildings)	32 ft (all buildings)
<b>Lot Coverage</b>	80% max	60% - Buildings plus paving	60% - Buildings plus paving

- b) Off-Street Parking. One additional off-street parking space shall be required for Protected Use ADUs located outside the  $\frac{1}{2}$ -mile radius of the Foster Street MBTA Commuter Rail Station. No off-street parking is required for Protected Use ADUs located within a  $\frac{1}{2}$ -mile radius of the Foster Street MBTA Commuter Rail Station. Parking spaces shall be constructed of materials consistent with the existing driveway and shall have vehicular access to driveway;
- c) 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.
- d) 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.
- e) ADUs may not be used as Short-Term Rentals, as such term is defined in M.G.L. c.64G, §1.

4) 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.
  - i) All ADUs, including those on nonconforming lots, or on a lot with a nonconforming primary dwelling, must be compliant with lot frontage, setback, building height and lot coverage restrictions in the applicable zoning district.

5) Pre-existing ADUs

- a) An Accessory Dependent Dwelling Unit, Accessory Apartment or Detached Accessory apartment created before February 2<sup>nd</sup> of 2025 no longer requires 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.

6) Administration and Enforcement

- a) No building shall be occupied until a certificate of occupancy is issued by the Building Commissioner, where required.
- b) The Building Commissioner 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 Building Commissioner finds to be unreasonable under the Dover analysis.
- c) 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).