

**ARTICLE 10:** To see if the Town will vote to amend the Zoning Code of the Town of Southborough, §174-2.B entitled: “Definitions” by adding the following new definition for Accessory Dwelling Unit and to amend language within the Zoning Code as defined as follows:

**ACCESSORY DWELLING UNIT**

A self-contained housing unit, inclusive of sleeping, cooking, and sanitary facilities on the same lot as a Principal Dwelling. An Accessory dwelling unit 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 the state Building Code for safe egress. Accessory dwelling units shall not be located in a travel trailer or mobile home.

**ADD 174-8.2 (Residence A District) A (11)**

(11) Accessory dwelling unit that is not larger in gross floor area than ½ the Gross Floor Area of the Principal Dwelling or 900 Sq. ft., whichever is smaller.

**UPDATE 174-8.2 (Residence A District) B (1)**

(1) Accessory dwelling unit whose gross floor area is greater than 900 sq. ft

**UPDATE 174-8.4 BV (Business Village District) D. (1)**

(1) Accessory dwelling unit whose gross floor area is greater than 900 sq. ft

**UPDATE 174-8.5 BH (Highway Business District) C. (2)**

(2) Accessory dwelling unit whose gross floor area is greater than 900 sq. ft

**REMOVE 174-8.6 IP (Industrial Park District) C. (2) and align numbers accordingly**

(Administrative note: Remove (2) accessory apartment and shift the numbers currently labeled (3)- (15) to number (2) through (14))

**UPDATE 174-8.7 ID (Industrial District) C. (2)**

(2) Accessory dwelling unit whose gross floor area is greater than 900 sq. ft

**UPDATE 174-8.8 SP (Research, Scientific and Professional District) B. (1)**

(1) Accessory dwelling unit whose gross floor area is greater than 900 sq. ft.

**UPDATE 174-8.12 (Downtown District) D (1) to the following:**

(1) Accessory dwelling unit whose gross floor area is greater than 900 sq. ft

**UPDATE 174-9 Special permit requirements (B) to:**

B. Accessory dwelling units. Special permits for accessory dwelling units exceeding state law dimensional standards (MGL c. 40A, §1A) may be issued upon referral of the application and receipt and consideration of a report, or after 35 days elapse without such report, from the Board of Health, certifying that adequate provisions have been made in accordance with the requirements of the Board of Health for drainage and for the disposal of sewage and waste generated by the occupancy of the apartment, and from the Planning Board, describing the lot on which the dwelling is located, the neighborhood where it is located and the effect of the proposed apartment thereon, the adequacy of ingress and egress provisions, the recommendations of the Planning Board as to the advisability of granting the special permit and any restrictions that should be imposed as a condition thereof and the provisions for off-street parking in a manner consistent with the character of the premises. If the decision of the Board of Appeals differs from the recommendations of the Planning Board, the reasons therefor shall be stated in the decision. The accessory dwelling unit shall comply with the following conditions and requirements:

- (1) The habitable floor area of the accessory unit shall not exceed 25% of the habitable floor area of the entire dwelling plus that of any accessory building used for the accessory dwelling
- (2) There is no other accessory dwelling unit on the lot on which the accessory dwelling unit is proposed.
- (3) Not more than the required minimum exterior alterations have been or will be made to the one-family house and to any accessory buildings, and the site plan of the lot and floor plans of the dwelling thereon have been filed with the Building Inspector prior to the application to the Board of Appeals.

**UPDATE 174-13.8 Adaptive reuse of historic buildings (B) (1) (a) [1-4] to:**

(a) Accessory dwelling units. The accessory dwelling unit shall be subject to site plan review and shall also comply with the following conditions and requirements:

- [1] The habitable floor area of the accessory dwelling unit shall not exceed 35% of the habitable floor area of the entire dwelling, plus that of any accessory building used for the accessory dwelling unit.
- [2] There is no other accessory dwelling unit on the lot on which the accessory dwelling unit is proposed.
- [3] Not more than the required minimum exterior alterations will be made to the single-family house and to any accessory buildings as determined by the SPGA upon written recommendation of the Historical Commission.

; or do or act anything in relation thereto.

**Proposed by:** PLANNING BOARD

**Select Board Recommendation:**

**Advisory Committee Recommendation:**

**Summary:** *Warrant Article 10 updates the Accessory Dwelling Unit (ADU) bylaw to ensure compliance with Massachusetts General Law, while preserving the special permit process for ADUs that exceed the state's by-right thresholds.*

DRAFT