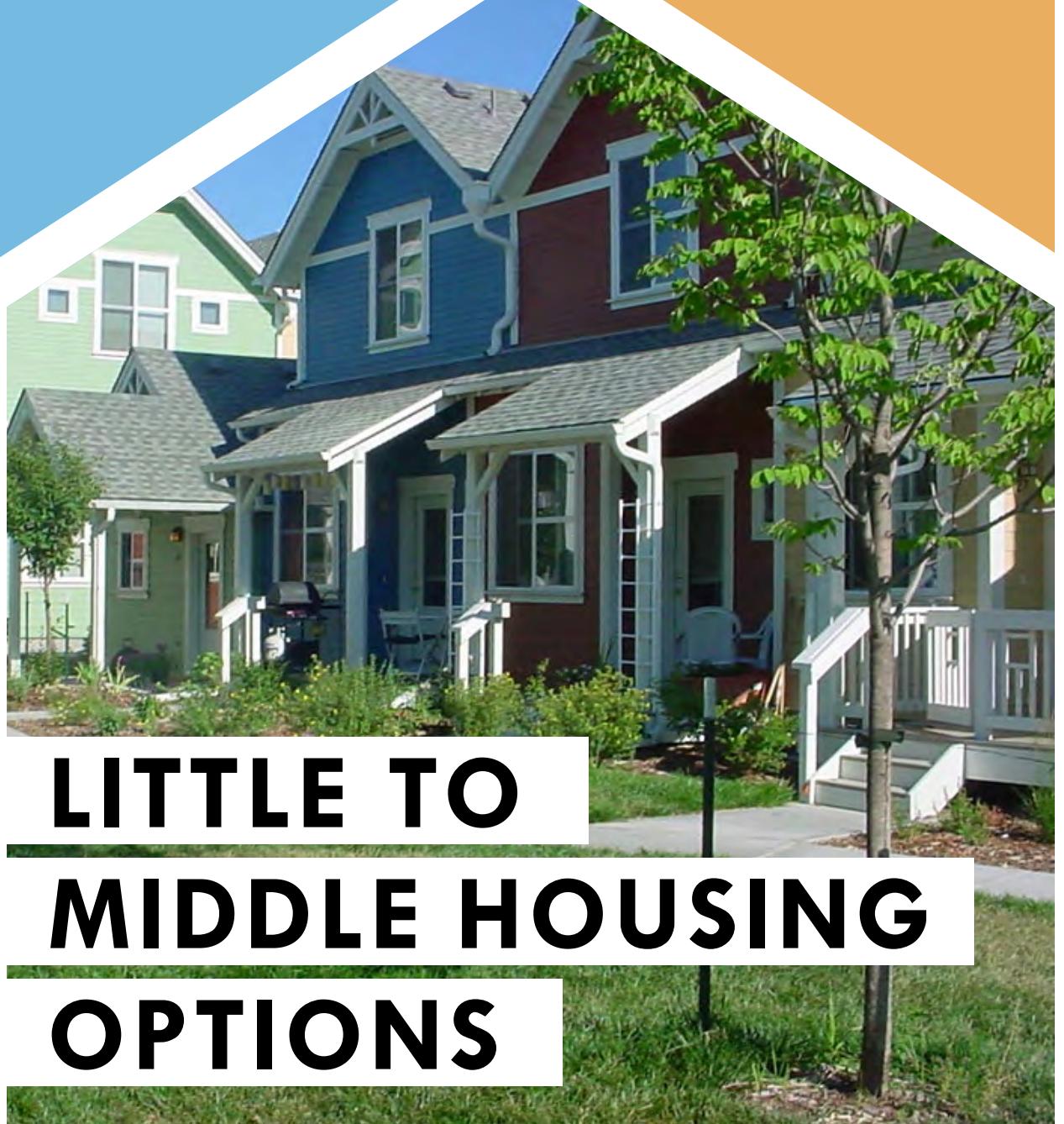


**SOUTH SHORE**



**LITTLE TO  
MIDDLE HOUSING  
OPTIONS**



# ACKNOWLEDGEMENTS

**Many thanks for the support and leadership of the many people who made this report possible.**

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**Finally, this report builds on the work of the original Living Little project, conducted in 2018 in partnership with the Towns of Foxborough, Medfield, Medway, Sherborn, and Stoughton.**

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# GLOSSARY

<b>ADU</b>	Accessory Dwelling Unit
<b>CHD</b>	Cottage Housing Development
<b>CO</b>	Cohousing
<b>DADU</b>	Detached Accessory Dwelling Unit
<b>DU</b>	Dwelling Unit
<b>IRC</b>	International Residential Code
<b>NOAH</b>	Naturally Occurring Affordable Housing
<b>PB</b>	Planning Board
<b>PDU</b>	Primary Dwelling Unit
<b>PRD</b>	Planned Residential Development
<b>SSC</b>	South Shore Coalition
<b>SF</b>	Square Feet
<b>SPGA</b>	Special Permit Granting Authority
<b>ZBA</b>	Zoning Board of Appeals

# INTRODUCTION

The Greater Boston region is experiencing a housing crisis stemming from a lack of affordable housing and appropriate housing options for today's range of household types and incomes. **This shortage is not just about a lack of housing overall, but also a lack of different types of housing, especially smaller and therefore usually lower-cost options.**

To address the crisis and meet demand, a range of unit sizes at a variety of building scales is needed throughout the region. The “Living Little” project highlights alternative small housing types that could begin to address this need, with a focus on small-scale buildings that are appropriate for Greater Boston’s suburban communities.

# WHAT IS LIVING LITTLE?

Living Little explores different types of small housing that would be well-suited for suburban communities throughout Greater Boston, where larger homes are more common. Smaller housing can provide options for a variety of smaller households—from millennials just starting out to baby boomers looking to downsize—helping towns meet need, retain household diversity, and take a “little” step towards addressing the region’s housing crisis.

The project began in 2018 as a study that MAPC conducted with five towns (Foxborough, Medfield, Medway, Sherborn, and Stoughton) that were interested in exploring housing options for younger households and seniors. The first [Living Little report](#) studied smaller housing types that, due to their size, can be more naturally affordable than the luxury single-family homes frequently built in these communities. These types included detached accessory dwelling units, cottage housing development, and tiny houses. A second phase of this work took a deeper look at cottage housing, including a study of best practices and a draft cottage zoning bylaw.

Recognizing a similar need for a variety of housing options in their communities, five South Shore municipalities—Cohasset, Duxbury, Hingham, Norwell, and Scituate—partnered with MAPC to study housing types that would work well in the South Shore. This document revisits two housing types considered in the original report (accessory dwelling units and cottage housing development) as well as additional housing types (small-scale mixed-use development, townhouses, and single-family home conversion, and cohousing), each selected by participating towns as being particularly suitable for their communities. These housing types are explored through national and state case studies, history and example layouts, and analysis of regulatory and infrastructure barriers. It is informed by interviews with town planners, developers, and designers.



Wayland | Alex Koppelman

# WHY LIVING LITTLE?

Communities throughout the region need a variety of housing types and sizes to retain and attract a diverse mix of households. **Small housing types promote:**

**Aging in place.** Senior households tend to consist of one or two people, who are not often served by traditional large, single-family houses found in most suburban communities. Many seniors who wish to downsize have difficulty finding options within their communities, let alone options they can afford, and instead choose to remain in houses that do not meet their accessibility needs or are difficult or costly to maintain.

**Choices for smaller households.** With the trend of forming families later in life and having fewer children, household size has been shrinking. For many households, a suburban single-family house is too large and the associated mortgage, maintenance, and tax costs are too high. Increasing choices for smaller households helps stabilize the housing market and reduces competition for bigger homes suited for larger households.

**Local economic development.** A mix of housing options in a community brings households with diverse skills and incomes that can fill local employment opportunities and contribute to the local economy.

**Long-term rental income for homeowners.** Some small housing types, such as accessory dwelling units, can benefit primary homeowners through supplemental rental income, helping them to stay in their homes and communities.

**Low-cost housing for younger adults.** Millennials are more likely than their predecessors to live with their parents or delay starting their own families, and are more likely to carry large student debts ([Pew Research Center](#)). Providing these younger adults with lower-cost housing options helps them remain in and contribute to their local communities.

**Naturally occurring (unsubsidized) affordable housing.** Smaller homes tend to come with a smaller price tag than larger single-family houses, especially when they add to a community's housing supply instead of replacing existing stock through teardowns.

**Fostering diversity.** Single-family zoning can exclude households that cannot afford the large down payment and mortgage required to purchase a home in many suburban communities. This disproportionately impacts people of color, who for decades were prevented from living in these communities due to redlining and other discriminatory policies.

**Smart growth community development.** Smaller housing types are well suited to infill development in existing neighborhoods, making use of existing infrastructure and avoiding greenfield development.

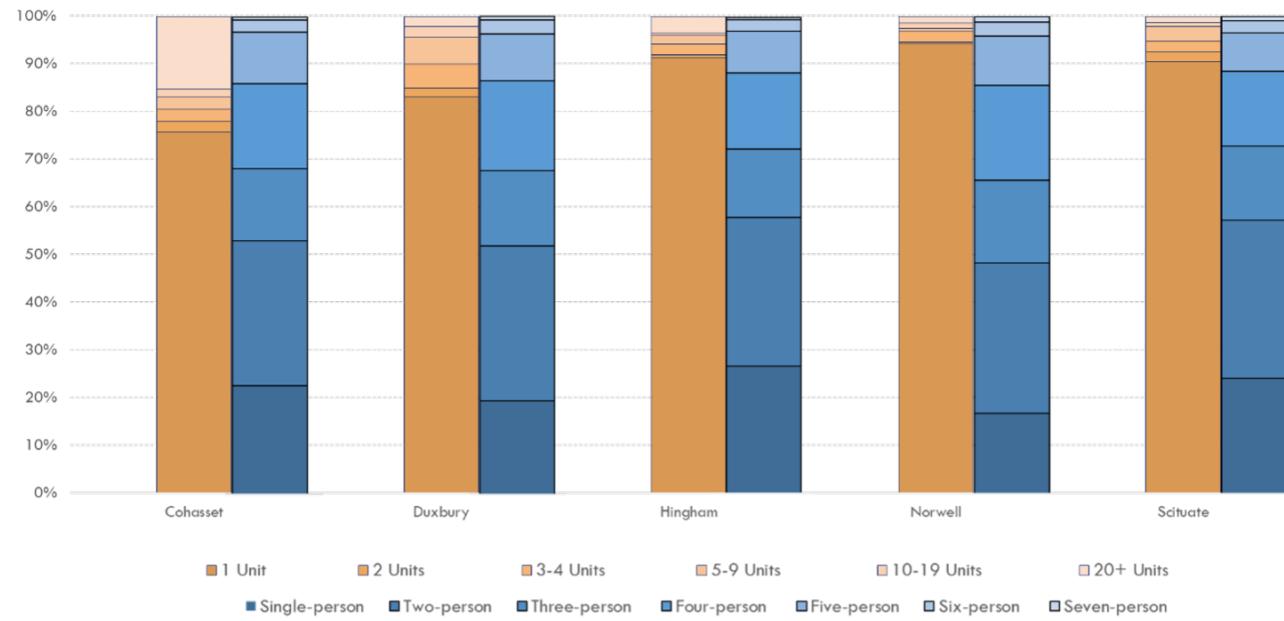
# WHY LITTLE TO MIDDLE HOUSING FOR THE SOUTH SHORE?

Like communities across the Greater Boston region, the five towns participating in this study—Cohasset, Duxbury, Hingham, Norwell, and Scituate—are experiencing increased pressure on their housing market alongside changing demographics. Decreasing household size and increasing housing costs are prompting more residents, from seniors looking to downsize to young adults looking for starter homes, to seek smaller, more naturally affordable housing options.

A little over half of the households in the five participating South Shore towns are either single-person households or two-person households (U.S. Census, 2010). However, the predominant housing type in the South Shore is the single-family home: between 75%-95% of each participating towns' housing consists of single-family homes. Furthermore, despite smaller household sizes, home sizes have been growing. The average size of a new single-family home built in the northeast U.S. in 2019 was 2,700 SF, while the average size in 1973 was 1,600 SF (U.S. Census Bureau Annual Survey of Construction).

**Housing that is affordable without subsidy, often due to being older or smaller, is sometimes referred to as naturally occurring affordable housing (NOAH).**

**Total Housing Units by Units in a Structure (2014-2018) + Household Size (2010)**



Source: U.S. Census Bureau, American Community Survey (2014-2018)

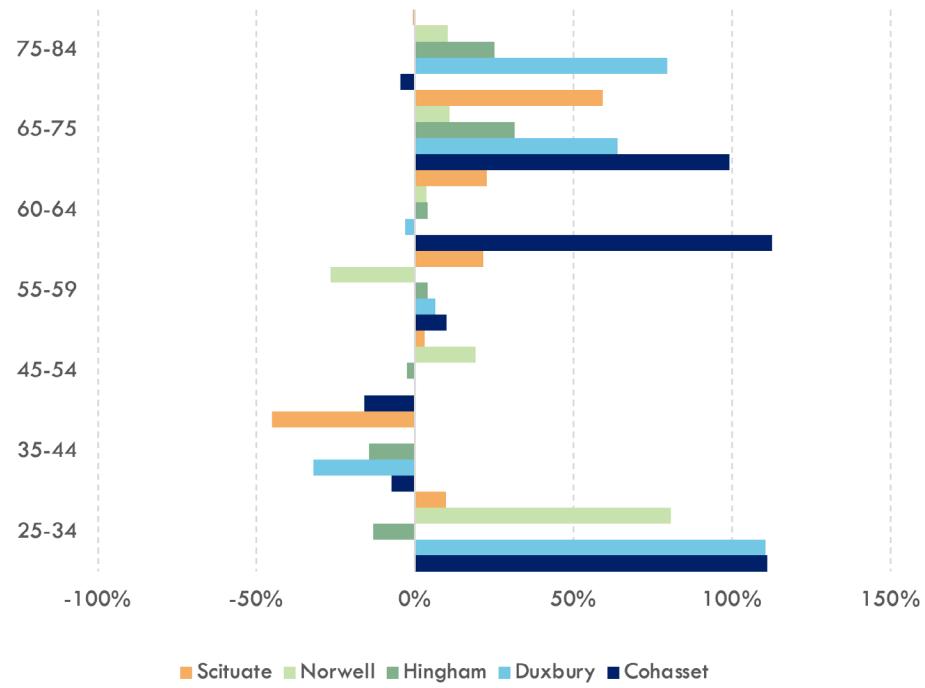
Given the mismatch between household size and housing type, it is unsurprising that smaller households can have difficulty finding homes that suit their needs. Finding the right home is made even more challenging by the tremendously high housing costs in the region. At the end of 2019, the lowest median single-family home price of all the participating South Shore communities (\$590,000) was more than double the national median home price of \$244,218 and the highest single-family home price of \$949,000 was nearly four times as much (The Warren Group, 2019; Zillow Home Value Index, 2019).

These high housing costs have real impacts on the South Shore's residents. The share of households paying more than 30% of their income for housing costs, meeting the federal government's definition of "housing cost burdened," ranges from 29%-36% in participating South Shore communities (American Community Survey, 2014-2018). For households that are low-income—between 23% and 30% of the households in the participating communities—close to 75% or more of these households are cost burdened (CHAS, 2011-15).

Finding the right housing can be particularly difficult for seniors. Many seniors are "over-housed," meaning their houses are bigger than they need, requiring significant upkeep, high tax and utility payments, and costly modifications to enable aging in place. However, many lack options to downsize within their community. Consistent with national trends, in recent years the South Shore has experienced strong growth in its senior population. There are 29,000 senior-headed households in the SSC, 28% of the total number of South Shore households. Of these, nearly two-thirds (19,750 households) are low- or moderate-income, meaning that they earn less than the area median income. As more older adults transition to fixed incomes and become limited by physical changes brought on by aging, their single-family homes can become too difficult to afford and maintain.

Several South Shore towns have also seen an increase in the number of young adults aged 25-34. These young households often seek affordable starter homes or housing close to their workplace or other amenities. Indeed, increased housing options that will meet the needs of a younger workforce is one of four focus areas of the South Shore Chamber of Commerce's South Shore 2030 Vision.<sup>1</sup>

**Percent Population Change by Age (2005-2009) - (2014-2018)**



<sup>1</sup> South Shore Chamber of Commerce Housing Initiative, <https://www.southshore2030.com/overview.html>

**“Our Housing Initiative focuses on encouraging more housing options that attract the next generation of workers and keep our population of retirees here in our region. By collaborating, advocating, and supporting housing initiatives on state and municipal levels, we see housing production as an economic development strategy that increases our region’s housing choices and improves our region’s economic competitiveness. We need to start building housing products that help shift our demographic trends and introduce home products that meet the needs of young people (and families) and downsizing baby boomers who want to stay on the South Shore.”**

— South Shore Chamber of Commerce Housing Initiative

Creating these opportunities for seniors can also free up the stock of single-family homes for the families that need them. Findings from MAPC’s 2020 study of family-sized housing units in Greater Boston showed families with children have difficulty finding available large housing units (housing units with three or more bedrooms) and this issue is connected to a lack of downsizing options for aging households. Nearly 15% of large units in Greater Boston—114,000 homes—are occupied by a householder over the age of 70. Increasing the supply of small to mid-sized housing options will not only facilitate downsizing and first-time homeownership but will also free up larger housing units for families who can’t currently find anything on the market.

Having a greater variety of housing options overall will help communities in the South Shore meet the changing needs of households at various income levels and life stages. And a range of housing options will give those that serve their communities better opportunities to live where they work. At the same time, South Shore towns are looking for housing solutions that fit within their smaller-scale suburban context. Although there is great variety in the character of South Shore towns, the types of housing considered here would be appropriate in many South Shore neighborhoods.



**This “missing middle” housing refers to small-scale multifamily buildings that, in terms of size, fall between detached single-family houses and larger mid-rise multifamily buildings. It is so named because, though these housing types were historically common across the country, they have been infrequently built in recent decades due to restrictive zoning.**

# LITTLE TO MIDDLE HOUSING TYPES



# OVERVIEW AND HISTORY

Mixed-use neighborhoods have been common in urban areas for centuries. In its earliest forms, mixed-use most typically consisted of a workshop or merchant space with living space for the shop owner above or behind. In the nineteenth century, one or more stories of residential apartments above a retail space became the prevalent typology for main streets in towns and small cities across the country. However, with the advent of zoning in the 1920s, land use policies began to require separation of commercial, housing, and industrial uses to protect public health. This trend became more pronounced in the mid-twentieth century as new suburban neighborhoods on previously undeveloped land were able to more fully separate different land uses. These suburban zoning regulations heavily favored single-family homes and auto-centric communities, making it difficult to realize the town commons and centers typical of the traditional New England community.

Generally these same land use principles still form the foundation for most suburban communities' zoning bylaws today. However, as these communities continue to evolve, the separation of uses and the dominance of single-family zoning does not always align with town goals or residents' needs or desires. In particular, many households today are interested in living in a place where retail, entertainment, and other amenities are located close to where they live. Housing located near essential services such as markets or pharmacies is of particular importance to seniors who may no longer be comfortable driving.

While the desire for integrated land uses has increased, many older strip malls and single-use commercial buildings are experiencing reduced demand. To respond to both trends, many towns in Massachusetts are utilizing mixed-use development to help revive these aging commercial areas. Local businesses often benefit from a reliable customer base and increased spending power offered by new households. Additionally, retrofitting these aging commercial areas can create an opportunity to make the area more attractive and pedestrian friendly.



## POLICY EXAMPLES:

Ashland  
Beverly  
Maynard  
Millis

## BUILT EXAMPLES:

Beverly  
Mashpee  
Wayland

## GENERAL LAYOUT:

<b>Unit size</b>	600-1,200 sf per unit
<b>Lot Size</b>	8,000 – 20,000 sf or larger
<b>Height</b>	2-4 stories
<b>Setbacks</b>	Front face of building 0-15' from sidewalk
<b>Density</b>	15+ units/acre; varies depending on dimensional and parking requirements
<b>Unit interior</b>	Kitchen: 8'x8' Bathroom: 5'x8' Living Room: 12'x15' Bedrooms (1-3): 10'x12"



**Definition:** One to three floors of housing located above ground floor retail with parking located behind or below the building.

**Potential occupants:** One- to four-person households

# BARRIERS

Some of the challenges surrounding mixed-use development are due to, as the name suggests, its dual nature. Mixed-use developments must meet the often-high parking requirements for commercial uses while also managing the water and sewer requirements of residential uses. The differing timelines for residential development and commercial leasing can make financing difficult. When retrofitting existing strip malls, challenges also include dealing with outdated structures and pedestrian-unfriendly site plans. However, when these challenges are met, many residents look forward to the addition of small-scale, local-serving retail or revitalization of aging commercial centers.

## BARRIERS BY STAKEHOLDER

### Town Officials

- Zoning bylaws
- Parking
- Traffic and pedestrian safety
- Water + Sewer

### Developers

- Zoning bylaws
- Parking
- Permitting process
- Market dynamics
- Financing

### Community Concerns

- Traffic
- Parking
- Existing local businesses



## BARRIERS FOR TOWN OFFICIALS

### Zoning

In many suburban towns, zoning presents a substantial barrier to mixed-use development. Many zoning bylaws require a special permit for mixed-use development or prohibit it altogether, even in districts where commercial or multifamily uses are permitted as a single-use. Dimensional requirements further limit where and how mixed-use can be built. Allowing mixed uses in certain areas can represent a significant departure from decades of land use practice and may require strong advocates to communicate its potential. Some towns permit certain accessory uses or home-based businesses as a more incremental path to enabling mixed-use development.

### Parking

Perhaps the greatest barrier to mixed-use development imposed by zoning is parking requirements. Often a mixed-use development must meet parking requirements for both retail and housing, which can be as high as one parking space per 500 square feet of retail space and two parking spaces per residential unit. When combined, these requirements can be difficult to meet. Even if the required parking can be accommodated, large parking areas can create an unfriendly environment for pedestrians, exacerbate heat islands on warm days, increase stormwater runoff, and be visually unattractive. Building parking spaces is also very expensive, costs which are usually passed on to future building residents. The latest phase of MAPC's Perfect Fit Parking Initiative estimated costs to be between \$5,000-\$10,000 per surface parking space and up to \$23,500 per garage parking space (MAPC Perfect Fit Parking Initiative Phase II, 2019).<sup>3</sup> Of the suburban communities included in the report, the average cost of a parking space for residents ranged from \$8 - \$60 per month. The report also found that parking is oversupplied even in suburban communities where demand is perceived to be high. To encourage smaller mixed-use development, towns should allow residential and commercial uses—which often require parking at different, complementary times of day—to share parking spaces and reduce the development's overall requirement.

<sup>2</sup> Dain, Amy. "The State of Zoning for Multi-Family Housing In Greater Boston." The Massachusetts Smart Growth Alliance, June 2019. Accessed June 19, 2021. [https://ma-smartgrowth.org/wp-content/uploads/2019/06/03/FINAL\\_Multi-Family\\_Housing\\_Report.pdf](https://ma-smartgrowth.org/wp-content/uploads/2019/06/03/FINAL_Multi-Family_Housing_Report.pdf).

<sup>3</sup> The MAPC Perfect Fit Parking Initiative is a multiple phase study to estimate the utilization and cost of parking with the goal of helping communities better understand their parking demand and how to set parking regulations to match demand and avoid contributing to unnecessary development costs. So far the two phases have included parking surveys in over 20 cities and towns, located mostly in the Inner Core Subregion. Future study will expand further into Greater Boston. For more information visit [www.perfectfitparking.mapc.org](http://www.perfectfitparking.mapc.org).

### Traffic + Pedestrian Safety

Commercial zoning districts and older strip malls are often located in auto-centric areas along arterial roadways that are uncomfortable or even dangerous for pedestrians. A successful mixed-use development needs the support of a planning process that considers these needs and transforms auto-centric areas to be more walkable and inviting for households and patrons. Even if public transit isn't available or regulations for major state-owned roads limit potential traffic calming measures, sites themselves can be designed to promote walkability. For instance, shared parking areas located behind buildings can allow visitors to park in one place and visit multiple businesses and amenities by foot. Ample sidewalks, bicycle infrastructure, and amenities such as seating and plantings can encourage walking and a more vibrant street life.

### Water + Sewer

While mixed-use development can serve as a vehicle for pedestrian-oriented public improvements, it may be constrained if a site does not have access to water and sewer lines. In the case of existing commercial uses, some infrastructure may already exist on-site. However, residential use is often more water-intensive than commercial use, and existing infrastructure may need to be upgraded. Larger redevelopment projects may be able to support the cost of on-site wastewater treatment, and smaller projects may be able to utilize a shared septic system. Communities planning for growth in particular areas can seek MassWorks funding to expand or upgrade its sewer and water infrastructure to support new development.

## PARTNER TOWNS ZONING

The participating South Shore communities each have at least one zoning district that can facilitate mixed-use at a variety of scales and intensities. However, minimum lot size and other dimensional requirements limit how mixed-use can be built, potentially encouraging development is not consistent with best practices for urban design and walkability, and in some cases may effectively deter it entirely. Generally, regulations that focus more on the form and intensity of a development are more flexible and more effective in encouraging mixed-use than regulations that focus on permitted uses with stringent dimensional, height, and parking requirements. Additionally, South Shore bylaws could do more to encourage mixed-use such as allowing this type of development by-right within parameters or design guidelines to ensure the development meets community standards and goals. Strategic relief from requirements could also be offered such as reducing parking requirements when the development is near transit or contributing to a shared parking arrangement.



### Specifically:

- **All five towns have at least one zoning district where mixed use is permitted;** of these, three towns have at least one district where mixed use is permitted by right and two towns require a special permit for mixed use in any district. Even in towns that permit some mixed-use by right, opportunities may be limited; for example, Norwell allows mixed use by right in its Business A district, which covers a small area at the center of town, but mixed use is not permitted at all in other business areas where it may be appropriate. Scituate stands out for its multiple districts which allow mixed use by right.
- **Scituate and Hingham's multiple districts with low or no minimum lot area most readily facilitate small-scale, more incremental development.** In other towns, minimum lot size may be more prohibitive. For example, Cohasset's downtown business district requires a minimum parcel size of close to or above one acre depending on the number of units, which may make it more difficult to develop the sort of small-scale mixed use that would be well-suited to its compact, walkable downtown.
- **Parking requirements may be the greatest impediment to mixed-use development, or at least the greatest driver of mixed-use that takes the form of isolated buildings surrounded by expansive parking lots.** Between the participating towns, one and a half to two parking spaces are required per housing unit, though Scituate and Norwell's bylaws permit only one space for one-bedroom units. These are in addition to spaces required for commercial uses.
- **Three of the towns' bylaws permit sufficient mixed use buildings up to 3 stories.** Norwell permits mixed-use buildings two and a half stories tall; Duxbury's 30' height limit would likely only accommodate a 2-story building because retail floors are typically taller than residential floors. While 2- or 2.5-story mixed-use buildings are certainly possible, they may be less attractive for developers and, in areas where land costs are high, are less likely to be financially feasible.

## PARTNER TOWNS ZONING

Mixed-use																				
	Cohasset				Duxbury		Hingham			Norwell	Scituate									
Zoning District	Harbor Village Business Overlay	Downtown Business		Highway Business		Neighborhood Business Light	Neighborhood Business 1 and 2	Downtown Hingham Overlay		Business A	Business B	Industrial	Business A	General Business	Harbor Business	Commercial	Greenbush Village Center Sub-district	Gateway Business Subdistrict	New Duxbury Village Center Subdistrict	Vertical Mixed-use Design Standards
Special Permit	X	X		X		X	X	X	X	X	X	X			X	X	X			
Min. Lot Area (sf)	Single-unit	Single-unit	Multi-unit	Single-unit	Multi-unit	30,000	15,000	SP	NA	NA	100 acres FAR 1 to 1	1 acre (all districts)	10,000	10,000	10,000	NA	NA	NA		
	5,000	5,000	40,000 + 4,000 per family more than two	10,000	88,000															
Min. Lot Frontage (ft)	50	50	20	50	200	200	100	SP	20	100	SP	80 (all districts)	100	100	100	NA	NA	NA	50	
Min. Lot Width (ft)	50	50	20	100	200	100 (Depth)	100 (Depth)	SP	NA	NA	SP	125 at setback 80 minimum	60	100	60	100	100	100	NA	
Min. Front Yard (ft)	15*	15	15	50	100	25	10	SP	10	40	SP	50				5 min /30 max	5 min/ 40 max	5 min/ 40 max	0 min/20 max	
Min. Side Yard (ft) (i)	10**	10	10	20	50	25 to Residential 0 to NB-1 or NB-2	0	SP	NA	25	SP	10	8	8	8	10 min; 0 feet if common wall	10 min; 0 feet if common wall	10 min; 0 feet if common wall	10 min; 0 feet if common wall	
Min. Rear Yard (ft) (i)	15	15	15	20	50	15 to Residential 0 to NB-1 or NB-2	0	SP	NA	25	SP	20	20 (res) 8 (other)	20 (res) 8 (other)	20 (res) 8 (other)	10	20	20	20	
Max Coverage	80%	80%	20%	60% (25% structures)	60%	50%	50%	SP	NA	25% (buildings)	SP	NA				80%	60%	80%	NA	
Min. Open Area	NA	NA	NA	NA	NA	NA	NA	80% (buildings)	80% (buildings)	80% (buildings)	15%	NA				15%	15%	15%	15%	
Max. Height ft. (Stories)	35		35 (NA)	35 (NA)	35 (NA)	30	30	SP	35 (3)	35 (3)	40	34 (2.5)	40 (3)	40 (3)	40 (3)	14 min/ 35 max	14 min/ 35 max	18 min/ 45 max	30 (2.5)	
Bedroom Limitations						2	2	2	3 – 15%	3 – 15%	3 – 15%									
Bedroom Size Requirements								One-bed: 575 sq. ft. min, Two-bed: 750 sq. ft. min												
Parking	1.5 per DU	2 per DU					2 per DU			1 per one-bed, 2 per Two+bed	Planning board can reduce to 1 per one-bed, 1.5 per two-bed, and 2 per three-bed									
IZ Threshold/Requirement	5 / fee-in-lieu				6/10%		6 or less DU per acre/10%, More than 6 DU per acre/15%			No requirement	8-40+/10-15% (sliding scale)									

## PROGRESSIVE BYLAWS

Progressive bylaws for small-scale mixed-use tend to focus more on the form and design of the building rather than the use or density. The greater the flexibility of the setback, height, and density requirements, the better opportunity these bylaws have to facilitate mixed-use development in various contexts. Mixed-use bylaws should have a small front yard setback requirement or a build to line and should require parking to be located in the rear to foster a more pedestrian-friendly and engaging environment. Shared parking arrangements are also key to satisfying parking demand for a range of different uses. Finally, allowing mixed-use by-right (subject to design and other criteria) can also incentivize this type of development.

Examples of progressive small-scale mixed-use bylaws are in the chart below, with key elements highlighted in [green].

- Each of the examples make it easy to permit smaller mixed-use by providing a by-right option rather than a special permitting process. The Maynard Downtown Mixed-use Overlay District encourages smaller mixed-use developments by allowing developments of six or fewer housing units by-right, but also gives the planning board oversight of developments with more than six housing units through a special permitting process. Beverly's Central Business District uses a similar approach to provide flexibility for building height, allowing up to 55 feet by-right and up to 75 feet by special permit.
- Several zoning districts have small and flexible lot size, frontage, and setback requirements, which all contribute to a more walkable and cohesive downtown or village center district.
- Several of the examples direct parking to the rear to create a pedestrian friendly environment. These zoning examples also offer opportunities to reduce parking requirements based on site conditions.
- The Ashland Downtown District breaks down mixed-use into various scales and intensities by utilizing form-based code. This district has three sub-areas that facilitate larger, medium, and small-scale mixed-use by differentiating minimum lot area, frontage, height, and floor area ratio. As seen in the chart on the right, the bylaws also provide visual examples of façade types and other architectural details that are encouraged (but not required). Visually articulating desired design features ensures that by-right development is consistent with town goals without forcing developers to use specific building materials.



Building Type	SITE CONFIGURATION					DESIGNATION OF USE			ARCHITECTURAL CHARACTER				
	Setbacks	Frontage	Lot Size	Parking	Floor	FAIR	Height	Enhance	Roof	Windows	Materials	Access	Public Accessibility
Mixed-Use	Minimum 17'	Minimum 30'	Minimum 1,000 sq. ft.	Minimum 10' deep 17' minimum 10' deep 17' minimum 10' deep 17'	1.0	Maximum 3 stories	10'	Minimum 3 stories	Flat	Windows	Materials	Access	Public Accessibility
	Minimum 17'	Minimum 30'	Minimum 1,000 sq. ft.										
Dwellings	Minimum 17'	Minimum 30'	Minimum 1,000 sq. ft.	Minimum 10' deep 17' minimum 10' deep 17' minimum 10' deep 17'	1.0	Maximum 3 stories	10'	Minimum 3 stories	Flat	Windows	Materials	Access	Public Accessibility
Mixed-Use + Dwellings													

## PROGRESSIVE ZONING EXAMPLES

	ASHLAND, MA	BEVERLY, MA	MAYNARD, MA	MILLIS, MA
Zoning District	Ashland Downtown District (Form-based Code)	Central Business District	Downtown Mixed-Use Overlay District	Economic Overlay District
By-right	By-right and special permit vary by sub-district, density, and housing type.	Y	Mixed-use with 6 or fewer dwelling units (by-right) Mixed-use with more than 6 dwelling units (special permit)	All uses in underlying zoning district, apartment houses, and residential uses restricted to second floor and above (where facing Main Street/Route 109)
Vertical mixed residential and commercial	Y	Y		Y
Min. Lot Area (sf)	Sub-area A: 35,000 Sub-area B: 20,000 Sub-area C: 8,000	None for commercial and mixed-use development	30,000	30,000
Min. Lot Frontage (ft)	Sub-area A: 100 Sub-area B: 75 Sub-area C: 50	None (Unless abutting a residential zone -15 ft)	20	120
Min. Lot Width (ft)				
Min. Front Yard (ft)	0-15	None (If abutting a residential zone, setbacks are the same as that zone)	10	5-15
Min. Side Yard (ft) (i)	0	None (If abutting a residential zone, setbacks are the same as that zone)	0 (15 if abutting a residential lot)	0
Min. Rear Yard (ft) (i)	12	None (If abutting a residential zone, setbacks are the same as that zone)	0 (15 if abutting a residential lot)	25
Floor Area Ratio (FAR)	Sub-area A: 2 Sub-area B: 1.5 Sub-area C: 1.5			
Max. Height ft, (Stories)	Sub-area A: 4 Sub-area B: 4 Sub-area C: 3	55 (by-right) – 75 (special permit)	45	35 ft, 2.5 stories (whichever is lower)
Parking	75% of general parking requirements for each use. Parking lots within the Downtown District must be connected unless there are physical constraints and that prevent their connection	Within the deport parking overlay district – one space per dwelling unit	2 spaces per dwelling unit  The planning board may allow shared parking and reduce parking requirements during the special permit process	1 space per dwelling unit and 2 spaces per two-bedroom unit or greater  The planning board may allow shared parking and reduce parking requirements by special permit
Additional attributes	Form-based approach provides visual examples of preferred design features.	Special permit can be pursued if dimensional and design standards aren't met. 100% of the ground floor must be commercial or office as defined by a special use table of by-right and special permit uses	More than 50% of ground floor space must be used for retail, restaurant, office and/or medical office use  Density bonus of 800 sq. ft. per dwelling unit can be granted by PB under a development agreement if number of affordable units is equal to or greater than 15% of total units in the development or equivalent donation to Maynard Affordable Housing Trust	The planning board may permit a density bonus of 1 dwelling unit per 2,000 square feet of open land, provided the open land is equal to at least 15 percent of the total area

## BARRIERS FOR DEVELOPERS

Pop-out sentence: Mixed-use development is rarely allowed by-right and so more can be done to encourage this type of development.

In towns where mixed-use is not permitted by right, the special permit process can lengthen the development timeline and can increase risk due to the uncertainty of the permitting process. It can also result in conditions placed on the development during the review process; while these conditions are in service of public benefit and may result in a better project, they can also increase development costs. By-right zoning for development that a town would like to encourage, accompanied by clear design guidelines and expectations for public benefits, can reduce the unpredictability of the approvals process.

Beyond regulatory constraints, mixed-use redevelopment is challenging because it requires expertise in multiple markets. Residential developers are often unfamiliar with commercial development and may be wary of taking on the risk of building commercial space that they may have trouble leasing. On the other hand, commercial developers may be put off by the longer development timeline associated with residential development. Banks may be reluctant to finance a project without a confirmed retail tenant, but many retailers are not interested in signing a lease for a space that cannot be occupied for months or years. Delays in the approvals process can exacerbate these challenges.

Retrofitting aging single-use commercial buildings can pose additional challenges. Strip malls are often under local ownership; these small-scale property owners may have less development capacity and access to capital than larger-scale regional developers. Strip malls can span multiple parcels controlled by several different property owners, making it challenging to collaborate on a redevelopment proposal. Finally, strip malls can still be profitable even if they appear to be in decline; in these cases, property owners may have little incentive to embark on a complicated redevelopment process. Strong partnerships and dedicated proponents are critical to a successful strip mall redevelopment.

## COMMUNITY CONCERNS

Residents are often concerned that new housing will increase traffic, particularly if it is located on an already-busy arterial street. Although every development is different, typically a residential unit, whose occupants may take a few trips each day, has minimal traffic impact when compared to commercial uses, which may see dozens of visitors each hour. If a project satisfies parking requirements through an alternative method such as shared parking, community members may worry that parking will be insufficient, particularly in auto-centric areas where most trips occur via car. A traffic impact study and a parking analysis, conducted by the developer for projects above a certain size, can identify potential impacts; towns can then use this information to require mitigation.

In the case of aging strip malls, many have been around for so long that it can be difficult for long-time residents to imagine something different, particularly if that involves an increase in height or density. Additionally, strip malls often have local tenants whose businesses depend on the less expensive rents found in older buildings. Redevelopment of a strip mall must engage these stakeholders to ensure that local businesses are not displaced.

# CASE STUDIES



## SMALL-SCALE MIXED-USE DEVELOPMENT AND STRIP MALL REDEVELOPMENT

# CABOT STREET APARTMENTS, BEVERLY MA

**Town Population**

42,312 (ACS, 2014-2018)

**Households**

16,687 (ACS, 2014-2018)

**Year built**

2015

**Housing Units**

13

**Affordability**

2 deed-restricted units

**Tenure**

Rental

**Zoning**

Central Business District (CC)



Beverly has been working to encourage small-scale mixed-use development along Cabot Street and Rantoul Street with the goal to bring walkers and shoppers to the areas near its downtown. Following the completion of a housing production plan, the City established the Central Business District (CC). This new district allows mixed-use by-right for projects up to 55 feet with no setback requirements unless the project abuts a residential zone. A special permitting process is also offered for development proposals that would like to consider aspects outside of the zone's dimensional and design standards, including a height of up to 75 feet.

Beverly's CC District and the Cabot Street apartments show how flexible zoning focused on form and design can result in mixed-use housing development that helps activate local commercial streets and add vibrancy to neighborhoods. Utilizing the new zoning, the Cabot Street Apartments were built in 2015 resulting in 13 total rental housing units, including two Affordable Housing units to satisfy the town's inclusionary zoning requirements. The 3-story project was within the 55-ft. height permitted by right for mixed use in the CC District. Following the CC Zone's direction, the Cabot Street apartments locate parking in the rear of the building and keep the building close to the sidewalk which fosters an inviting and walkable sidewalk environment.

# MASHPEE COMMONS

**Population**

14,180 (ACS, 2014-2018)

**Households**

6,240 (ACS, 2014-2018)

**Year(s) built**

Phased, 1993 to 2006

**Housing Units**

[382]

**Commercial area**

350,000 square feet

**Zoning**

M.G.L. Chapter 40B

Mashpee Commons is one of the country's most well-known examples of a transformational suburban retrofit. Although larger than the small-scale mixed use described in this section, the project offers lessons for mixed-use redevelopment at any scale. What started out in 1968 as a sprawling strip mall of 75,000 square feet has since been transformed into a popular mixed-use neighborhood and shopping center that conveys a traditional New England town center feel. After a decline in activity during the 1980s, Arnold Bluff, the single property owner of the site, partnered with local planners to re-envision the site during a series of charrettes. They eventually won public support for creating a mixed-use walkable district with a gridded network of internal streets rather than arterial roadways as originally expected.

Mashpee Commons was developed through the Chapter 40B Comprehensive Permitting Process, a state statute that enables local Zoning Boards of Appeals to approve affordable housing developments under flexible rules if at least 20-25% of the units have long-term affordability restrictions. The flexibility of Chapter 40B enabled the project to avoid many of the dimensional restrictions in the Town's zoning bylaw and was key to the success of the project. Additional flexibility was gained by defining the streets as driveways and alleyways to avoid regulations that would have required large setbacks.

The project was constructed in two phases occurring in 1993 and 2006. It includes 350,000 sf of commercial space, one third of which is occupied by local businesses, one third by regional chains, and one third by national chains, offering a variety of eclectic shopping options that draws visitors from all around Cape Cod. Residential units are located above and behind the commercial spaces, and because of Chapter 40B's mixed-income requirement 25% of these housing units are deed-restricted Affordable Housing. Today, planners and partner developers are hoping to expand Mashpee Commons and add more deeply affordable housing and have proposed utilizing form-based code to direct future development plans on the site.

# WAYLAND COMMONS

## Population

13,882 (ACS, 2014-2018)

## Households

4,943 (ACS, 2014-2018)

## Total Housing Units

54

## Housing Types

Mixed-use and townhouses

## Commercial Area

159,000 square feet

## Zoning

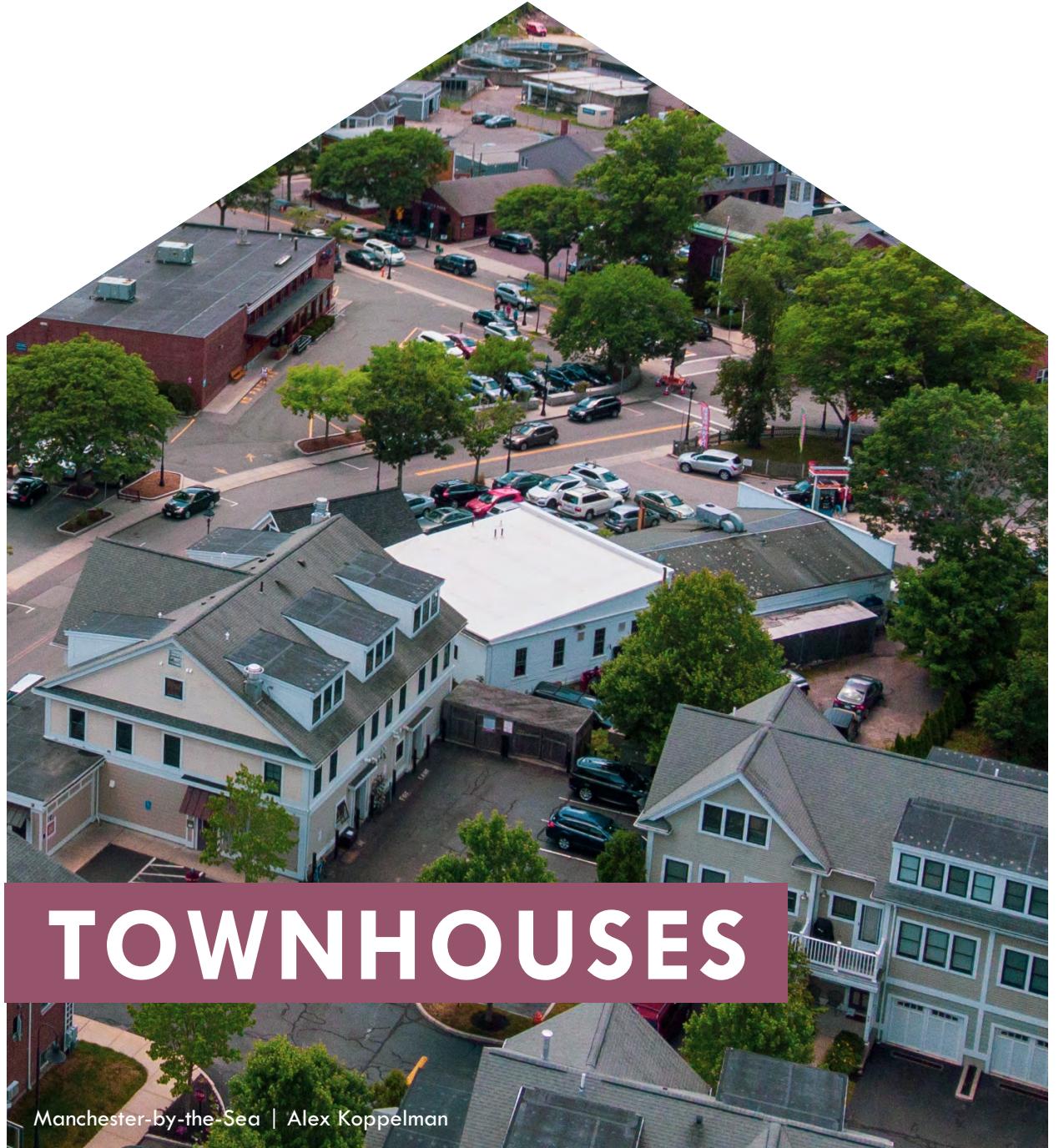
Mixed-use Overlay District



Wayland Commons, a redevelopment of a Raytheon facility near downtown Wayland that was formerly used for weapons research and design, demonstrates that mixed-use suburban retrofits need not be limited to strip malls. In preparation for redevelopment, the Town worked with Raytheon to create a public involvement plan for remediating the site and held annual public meetings to update residents on the progress. After the site was remediated, the Town adopted its Mixed-Use Overlay District to facilitate development on the site.

The standards of the overlay district were helpful in guiding the design of the development and providing a basis for the Planning Board, which served as the special permit granting authority, to review the development. However, the Planning Board also had the ability to discuss the project with the developer throughout the special permitting process, providing the flexibility to accommodate unique aspects of the development. Ultimately the site was transformed into a vibrant mixed-use neighborhood with 159,000 square feet of commercial space, 12 rental housing units located above store fronts, and 42 condominium townhouses. The development also includes open spaces and recreational opportunities with direct access to the Massachusetts Rail Trail.

# LITTLE TO MIDDLE HOUSING TYPES



## TOWNHOUSES

Manchester-by-the-Sea | Alex Koppelman

# OVERVIEW AND HISTORY

From the brownstones of Back Bay to historic homes in and around town centers across Massachusetts, townhouses have a special place in Greater Boston's history. Originating in London and Paris, townhouses became popular in New England in part thanks to Bostonian architect Charles Bullfinch, who designed some of Boston's first townhouses after spending time in Europe. Compact yet private, townhouses emerged as a popular housing type for the urban middle class. The townhouse concept was also widely employed to meet increasing demand for workforce housing during the industrial revolution.<sup>4</sup>

While suburban zoning bylaws in the mid- to-late twentieth century largely discouraged or prohibited townhouses through minimum frontage and setback requirements, in recent years this housing type has been gaining more attention. Townhouses now come in many different shapes and sizes and, harkening back to their middle-income origins, they represent a single-family housing option that tends to be more affordable than large-lot detached homes.



## POLICY EXAMPLES:

Danvers  
Northampton  
Portsmouth, NH  
Reading

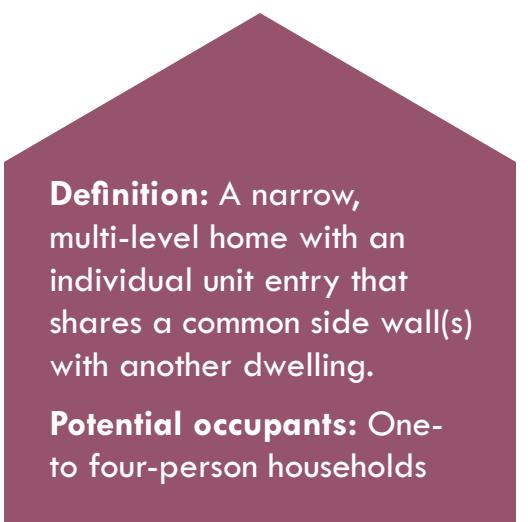
## BUILT EXAMPLES:

Gloucester  
Lincoln  
Manchester-by-the-Sea

## GENERAL LAYOUT:

<b>Unit size</b>	1,200-2,200 sf per townhouse
<b>Lot Size</b>	1,800-3,000 sf per townhouse
<b>Height</b>	2-3 stories
<b>Setbacks</b>	0' between adjacent buildings, 10' between clusters; front face of building 0-15' from sidewalk
<b>Width</b>	15-25'
<b>Density</b>	15-20 units/acre
<b>Unit interior</b>	Kitchen/dining: 8'x12' Bathroom: 5'x8' Living Room: 12'x18' Bedrooms (2-4): 10'x12"

4 [add citation]



**Definition:** A narrow, multi-level home with an individual unit entry that shares a common side wall(s) with another dwelling.

**Potential occupants:** One- to four-person households

# BARRIERS

Due to their lot line-to-lot line layout, townhouses can face unique zoning challenges, particularly if they are not defined in a town's zoning bylaw and must comply with more general multifamily dimensional requirements. Additionally, their relatively high density can pose challenges both in terms of infrastructure and public perception. However, many common concerns can be addressed through thoughtful site planning, and many towns would be well-served by the mix of privacy and density afforded by this housing type.

## BARRIERS BY STAKEHOLDER

### Town Officials

- Zoning
- Parking and trash access
- Building and fire codes
- Water + Sewer

### Developers

- Zoning
- Ownership structure

### Community Concerns

- Traffic
- School Enrollment
- Neighborhood character



## BARRIERS FOR TOWN OFFICIALS

### Zoning

Because townhouses are essentially attached single-family homes, they can be either be built side-by-side on a single lot or on adjacent narrow lots with no side setback. Because of this, it can be difficult to craft appropriate dimensional regulations if townhouses are not defined as their own typology. If townhouses are classified as single-family housing, typical suburban zoning regulations that require a minimum lot size, frontage, and side yard setback would preclude the narrow parcels and lot-line common walls that make townhouses possible. However, classifying townhouses as multifamily housing can also be problematic. Even multifamily zoning districts, when designed for apartment use rather than townhouses, often include setback and lot coverage restrictions can impede townhouse development. Open space requirements can also be challenging if they can only be met through the provision of a large contiguous shared open space rather than the smaller, individual open spaces afforded by townhouses. If local regulations are too rigid, some Massachusetts developers opt to utilize state-enabled zoning tools such as Chapter 40B or Chapter 40R.

### Parking and Trash Access

A well-designed townhouse site plan should locate parking and trash behind the house, not visible from the street, to promote an attractive and pedestrian-oriented façade. However, because townhouses are built side-by-side, direct access from the street is not possible for each townhome. This is easily addressed through shared driveways, but could pose a challenge if lot and subdivision regulations do not have the flexibility to accommodate shared drives.

### Building and Fire Codes

Residential building codes and fire safety codes provide clear guidance on construction requirements for dwelling units with shared walls and to ensure adequate access for emergency vehicles on shared driveways. However, local officials that deal primarily with detached single-family homes may not be accustomed to reviewing this type of construction and may need to familiarize themselves with the ways in which life safety standards are met in attached housing.

### Water + Sewer

While their relative density makes townhouses an example of smart growth design, they may be constrained if a location is not served by public water and sewer lines. This is especially true in smaller towns and suburban communities, many of which rely on septic systems and limited public infrastructure. The Battle Road Farm development in Lincoln, MA, used an onsite sewer treatment plant, but this option is only financially feasible for developments above a certain size. Smaller projects may be able to utilize a shared septic system. It is also worth remembering that, in comparison to single-family homes, townhouses generally are more compact and have fewer bedrooms and therefore accommodate fewer people, requiring less water and sewer capacity per unit.

## PARTNER TOWNS ZONING

While technically each of the five partner towns has at least one zoning district where townhouse development is permitted, some of these districts' dimensional standards do not easily lend themselves to townhouse design, and others require an approvals process so involved that it would likely discourage development altogether. Hingham and Scituate each have at least one district whose dimensional requirements work well for townhouse development, though even these require a special permit.

- Two of the five participating South Shore towns include a specific definition for townhouses or rowhouses.<sup>5</sup> In the other towns, a townhouse development would likely be defined as multifamily housing and would need to comply with the bylaw's multifamily dimensional requirements.



- With attached side walls and widths of only 15-25', townhouses are best facilitated by correspondingly narrow and small lots. Scituate's bylaw is the only one with at least one district that permits lots narrow and small enough for this type in at least one of its zoning districts. In a similar vein, townhouses are most commonly situated close to the sidewalk with a relatively small front yard; again, Scituate's bylaw is the only one of the five where this is possible.
- If it is not possible to build townhouses on adjacent individual lots, a developer may choose to build them on a single lot as condominium units. A townhouse developer in Hingham could pursue this route with relative ease in at least one zoning district, which permits up to four connected townhouses with suitable minimum required lot size and frontage.
- In the three remaining towns, the only vehicle for building townhouses is through a floating overlay district or planned unit development, with minimum lot sizes of one acre or more. Lots of this size would lend themselves to a larger planned development of cluster of townhomes built around a courtyard or mews, but preclude small-scale, incremental pockets of three or four townhouses. A courtyard townhouse arrangement could be further limited in Norwell, which allows only one structure on each lot, thus excluding two rows of facing townhouses.
- Most towns' bylaws require that at least one third of the site be reserved as open space. While this is easily accomplished on larger sites, it can be prohibitive for smaller townhouse developments of just a few units, which rely on smaller private yards for open space rather than large, contiguous shared yards.
- Two out of five limit the number of bedrooms that can be included in townhouses, which conflicts with federal and state fair housing laws that protect familial status.
- All towns allow a height of at least two and a half stories, which is appropriate for a townhouse and would not be particularly limiting.

To encourage townhouse development, bylaws should provide a definition for this development, allow multiple buildings on one lot, and offer flexible design guidelines that can accommodate various site dynamics.

<sup>5</sup> Most bylaws refer to this housing type as either a "townhouse" or a "rowhouse;" the two terms are used interchangeably here.

## PARTNER TOWNS ZONING

### Townhouses

	Cohasset	Duxbury			Hingham	Norwell	Scituate	
Zoning District	Residential Cluster District (RCD)	Planned Development District			Residence D and E Districts by special permit	[add applicable districts]	R-3 by Special Permit	
Defined in Zoning Bylaw	No	Classified as semi-detached			Attached party walls on one or both sides, has a separate ground level entrance and front and rear yards. Exempt from lot shape requirements.	No	Attached single family residential buildings. Each unit is separated by a common wall and groups of buildings may be separated by a common driveway or community space.	
More than one Structure Permitted on a Lot	Single-family separate, Multifamily together	One structure by right. Multiple by special permit.			By special permit	No	Yes	
Unit limitation	30% Multifamily buildings max, must be attached	5% min detached SF. Must have a mix of detached SF, attached SF, semi-attached townhouse, and multifamily or garden apartments. Max 70% of one type.			At least four connected dwellings, no more than 10 units on one lot		Max 8 units can be attached by a common wall before accessway of 20 ft. is provided for pedestrians, vehicles, or outdoor amenity space	
Bedroom Limitation	2	2 (multifamily)						
Unit Size					Affordable town houses must be a min of 1,200 sq. ft. CFA			
Minimum lot size (sq. ft.) Lot Width	10 acres in Residence B or C District	1.5 acres unless specified in underlying zoning district			Residence D 5,000	Multi-unit Standards 5 acres, Max 8 units per acre	1 acre 150	1,200 sq. ft. (if on separate lot) Min/max depth – 50
Frontage (ft.)	Underlying districts, min 30 ft between group of lots and group of clustered buildings	Single-family	Semi-detached	Three- and four-family	Multifamily	30 per unit		18/24
Buffers (ft.)		75		125				
Front yard (ft.)		At least one yard must be 35 ft.	Min 10 ft between exterior walls, if no windows.	Underlying district	Preferred to be only one dwelling unit deep so that each dwelling unit extends through the building	50	15-50	5/15
Side yard (ft.)						20	20	0
Rear yard (ft.)						20		15
Height (ft.), (stories)	35	35 (2.5), setbacks must be equal or less than required height			35 (2.5)		34 (2.5)	30 (2.5)
Open Space Requirement	45%	60% (general standard)				At least 2,000 sq. ft. of undeveloped and unpaved land and 1,000 sq. ft. of open space per dwelling unit	1/3 of the lot	Specific design standards, Section 752
Parking	2 <u>space</u> per DU	Multifamily 1.5 per one-bed, 2 per two-bed		Single-family 2 for two- and three-bedrooms, 3 for four-bedrooms or more	2 spaces per dwelling unit	Guest parking required when no off-street parking is available determined by site plan review, not to exceed 10% of total required spaces	1 space – one-bed or less 2 spaces – two-bed or more	SF – 2 spaces, two-family – 4 spaces, other – 1 per <u>bed room</u>

## PROGRESSIVE BYLAWS

Bylaws that best facilitate townhouse development typically define townhouses as their own building type, independent of detached single family and multifamily housing. Each of the example bylaws below include specific definitions for townhouses and allow them by right in at least one district. Other notable features include:

- Visual examples can communicate the town's vision to developers and provide guidance to local boards while maintaining sufficient flexibility for individualized designs. In the examples below, Danvers and Portsmouth utilize form-based code with corresponding graphics to clearly communicate desired design elements.
- Progressive bylaws permit the small and narrow lots that are unique to townhouses. Danvers' bylaw incorporates minimum lots sizes and lot frontages that are well-suited for townhouses, while Portsmouth and Reading's bylaws offer even more flexibility by not requiring a minimum lot size or frontage at all. Likewise, bylaws should stipulate no minimum density or a density that is high enough to accommodate the small townhouse lots.
- It is also essential that towns allow for attached dwellings. The dimensional requirements in some bylaws regulate distance between structures (i.e. multiple attached townhouses in a cluster), while others include setback requirements between individual townhouse units. If the latter, the side yard setback must be zero. Bylaws should be clear about this distinction.
- Bylaws should enable townhouses to be located close to the street by setting minimal or no required front setback.

Even with these elements, many townhouses are developed through 40B or 40R or other flexible districts. Northhampton utilized a M.G.L Ch. 40-R Smart Growth Overlay District to facilitate townhouse development and other communities could use this state tool if they do not have bylaws that are well-suited for this development.



## PROGRESSIVE ZONING EXAMPLES

	Danvers, MA	Northhampton, MA	Portsmouth, NH	Reading, MA	Virginia Beach, Virginia
Zoning Districts	Character-based Zoning Districts	Village Hill Smart Growth Overlay District	Character District 4 (below) and Character District 5	Business C (requirements of this district are described below) and Planning Subdistrict A	Residential Townhouse District, Apartment Districts, and Mixed-use Districts
By-right	Y	Y	Y	Y	Y
Definition	A small footprint and attached residential building with one dwelling unit where each unit is separated horizontally by a common wall. Rowhouses are not allowed for non-residential uses.	A row, attached side-to-side (not on top of each other), of at least two and not more than eight dwelling units. Each unit in the row may be owned by a separate owner.	A dwelling unit in a group of three or more attached units, foundation to roof, open space on at least two sides, separated by a fire-rated wall	A dwelling unit that is arranged, intended or designed to be occupied by a single family and that is attached to one or more other dwelling units by one or more common walls, with each dwelling unit having its own exterior entrance.	A building containing three (3) or more dwelling units attached at the side or sides in a series, separated by a boundary wall and each unit having a separate lot with at least minimum dimensions required by district regulations for such sections.
More than one Structure Permitted on a Lot	Y	Y	Y, Townhouses are exempt	Y, In Business A and Business C	Y
Minimum lot size (sq. ft)	1,200	2,000	None	None	1,400
Density	[verify]	Sub district A – 8 units per acre Sub district B and C – 21 units per acre	[verify]	[verify]	[verify]
Minimum Lot Width (ft)			None		30
Frontage (ft)	18 min/ 24 max	[verify]		None	
Front yard (ft)	5 - 15	Consistent with other buildings on the block (can be adjusted by the planning board based on natural constraints)	10 <u>max</u>	10	30
Side yard (ft)	None	For units extending behind front units, where entries orient to the side lot, 20-foot side setback (can be adjusted by the planning board)	None	10 [between clusters of buildings? verify]	10
Rear yard (ft)	15		Greater of 5 ft from rear lot line or 10 ft from center line of alley	10	20
Height (ft), (stories)	35 ft /2.5 stories	Minimum two stories/ underlying		55 <u>max</u>	36
Open Space Requirement	20%	Mandatory park/common area accessible to the public of at least 300 sq ft or 30 sq ft per dwelling unit of buildable land area	10%	30%	

## 2. ROWHOUSE AND TOWNHOUSE

### 1.1. DEFINITION AND PERMITTED USES

A small footprint and attached residential building with one dwelling unit where each unit is separated horizontally by a common wall. Rowhouses are not allowed for non-residential uses.

### 1.2. LOT STANDARDS

A. Min. Lots Size (S.F.)	1,200 SF
B. Frontage (Min./Max.)	18 Min./24 Max.
C. Build-To-Zone (Min./Max.)	5 Ft./15 Ft.
D. B-T/Z/Facade Build Out (Min.)	80%
E. Side Yard Setback (Min.)	0 Ft.
F. Rear Yard Setback (Min.)	15 Ft.
G. % Outdoor Amenity (Min.)	20%
H. Parking Setback (Min.)	Behind Building



### 1.3. DESIGN STANDARDS

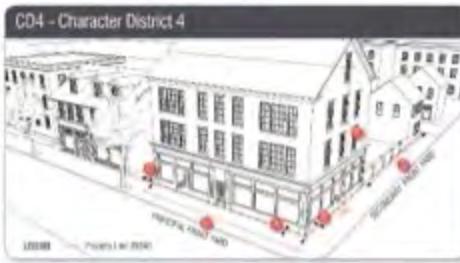
A. Building Height (Max.)	2.5 Stories/35 Ft
B. Roof Types	All
C. Street Facing Wall Width (Max.)	24 Ft.
D. Street Facing Wall Off-Set (Min.)	N/A
E. Street Facing Transparency - Ground Floor/Upper Floor (Min.)	20% / N/A
F. Street Facing Entrance	Required



### 1.4. ADDITIONAL STANDARDS

- A. On-site parking is not allowed between the buildings; rear vehicle access is required.
- B. A maximum of 8 units can be attached by a common wall before access is provided for pedestrians, vehicles, or outdoor amenity space.

FIGURE 10.5A4.1. IBC DEVELOPMENT STANDARDS  
CHARACTER DISTRICT 4 (CD4)



#### BUILDING PLACEMENT – PRINCIPAL BUILDING\*

Maximum principal front yard	10 ft
Maximum secondary front yard	15 ft
Side yard	N.R.
Minimum rear yard	Greater of 5 ft from rear lot line or 10 ft from center line of alley
Front lot line buildout	See Map 10.5A21.B & Section 10.5A43.30
On Coves Street	50% max. (See Map 10.5A21C)
Everywhere else	50% min.

\* Except for areas listed under Section 10.5A42.12

#### BUILDING AND LOT OCCUPATION

Maximum building block length	200 ft
Maximum facade modulation length	80 ft (per Section 10.5A43.20)
Maximum entrance spacing	50 ft
Maximum building coverage	90%
Maximum building footprint	15,000 sf (or as allowed by Section 10.5A43.40)

#### BUILDING FORM – PRINCIPAL BUILDING

Building height	See Map 10.5A21.B & Section 10.5A43.30
Maximum finished floor surface of ground floor above sidewalk grade	36"
Minimum ground story height	12 ft
Minimum second story height	10 ft
Façade glazing	70% min.
Shopfront façade	20% min. to 50% max.
Other façade types	flat, gable, hip,
Roof type	gabled, mansard
Roof pitch, if any	6-12 min. to 12-12 max.
Gable	3-12 min.
Hip	6-12 min. to 30-12 max.
Mansard gables	

## Rowhouse



## BARRIERS FOR DEVELOPERS

As with many alternative housing types, zoning can be a major barrier for developers; this is particularly true in the case of townhouses. Minimum lot sizes and frontages can influence whether a townhouse development is sold as condominium units on a single parcel or as individually-owned attached structures on separate lots. If it is cumbersome to design townhouses within the framework of dimensional regulations intended for larger multifamily structures, a developer may simply opt to build a more conventional multifamily building. If lot size, frontage, or setback regulations are overly restrictive, the developer may opt to simply build larger single-family homes instead.

## COMMUNITY CONCERN

For many residents accustomed to single family housing on large lots, the biggest concern is the attached construction, which some may perceive to be urban and out-of-character with their town. Unlike many other Living Little housing types, which are typically not more than two bedrooms, townhouses could include three or more bedrooms, potentially raising concerns about school impacts (addressed in the last section of the report).



# TOWNHOUSES



Manchester-by-the-Sea | Alex Koppelman

## CASE STUDIES

# SUMMER STREET DEVELOPMENT, MANCHESTER- BY-THE-SEA, MA

**Population**

5,429 (ACS, 2014-2018)

**Households**

2,072 (ACS, 2014-2018)

**Total Housing Units**

42 (21 new units, 21 renovated units)

**Affordability**

5 for-sale units designated for first-time homebuyers, 21 Affordable rental units

**Tenure**

Mixed

**Housing Types:**

Townhouses, mixed-use, and multifamily

**Zoning**

M.G.L. Chapter 40B



The Summer Street development involved multiple partners and a variety of project components. It included 18 new condominium townhouses, five of which are reserved for first-time homebuyers; a mixed-use building with three condominium units above ground floor retail; and the renovation of an existing apartment building with 21 Affordable units. Residents of the development benefit from its proximity to the Manchester commuter rail station, downtown Manchester businesses, and the harbor and its associated open space. The project was led by a mission-driven partnership that included the Manchester Affordable Housing Corporation, the Manchester Housing Authority, and the Town.

Similar to several of the case studies in this report, the flexibility offered by the Chapter 40B comprehensive permitting process was key to the project's success. M.G.L. Chapter 40B is a state statute that enables local Zoning Boards of Appeals to approve affordable housing developments under flexible rules if at least 20-25% of the units have long-term affordability restrictions. In addition to offering more leeway with regards to dimensional requirements, participation in the state's Local Initiative Program, part of M.G.L. Chapter 40B, enabled the Town to receive technical and financial assistance from the state for the development.

# POND VIEW VILLAGE, GLOUCESTER, MA

## **Population**

30,401 (ACS, 2014-2018)

## **Households**

13,137 (ACS, 2014-2018)

## **Total Housing Units**

118

## **Affordability**

77 Affordable rental units, 15 for-sale units designated for first-time homebuyers

## **Housing Types**

Townhouses and multifamily

## **Zoning**

M.G.L. Chapter 40B

Pond View Village is a mixed-income townhouse development on the site of the former Lepage Glue Factory. The project was spearheaded by an area nonprofit and, thanks to the involvement of a mission-driven developer, includes 77 apartment housing units for households earning 60% of the area median income and 41 mixed-income townhouse condominiums, of which 15 are reserved for first-time homebuyers. The area surrounded by open space is adjacent to a publicly accessible pond.

A strong project team and the City's commitment to creating Affordable Housing was essential to the success of the project and overcoming public opposition. The development was facilitated through the Chapter 40B comprehensive permitting process, which enables developments with an Affordable Housing component to seek approvals under more flexible requirements than local zoning regulations. Partway through the project, the developers needed to request an amendment to the permit to allow for additional height for the townhouses making up the second phase of the development. Abutters appealed the City's decision to grant the amendment, and although the appeal was denied, it substantially lengthened the development timeline. Due to this extended timeline and a declining housing market in 2006, the initial developer had difficulty obtaining financing and ultimately backed out of the project. However, the project had strong support from the Mayor and the City's housing task force, and eventually another area non-profit stepped up to lead the final phase of development and complete the project, illustrating the importance of political support when pursuing out-of-the-box housing solutions.

# BATTLE ROAD FARM, LINCOLN, MA

**Population**

6,797 (ACS, 2014-2018)

**Households**

2,676 (ACS, 2014-2018)

**Total Housing Units**

120

**Lot Size**

24 acres for housing, 47 acres total

**Affordability**

48 Affordable units

**Tenure**

Ownership

**Zoning**

M.G.L. Chapter 40B

Battle Road Farm is a townhouse development initiated by the Town of Lincoln, which purchased land adjacent to the Minute Man National Park to use for a new mixed-income housing development. The portion of the site used for housing comprises 24 acres, roughly half the total site area, situated next to a large conserved open space that provides a buffer between the housing and the park. The 120-unit development consists of 30 two-story structures each made up of 4 townhouse units.

This project demonstrates the power of using publicly-owned land and the RFP process to facilitate development consistent with a municipality's housing and affordability goals: forty percent of all housing units are Affordable, a direct result of leveraging publicly owned land to reduce development costs and reach deeper levels of affordability. More recently, Community Preservation Act (CPA) funds have been used by Lincoln to preserve the Affordable Housing on site.

The project also shows how a balance can be struck between housing development and preserving open space. Although the site was located in an environmentally sensitive area, the project team designed an on-site septic treatment facility that utilized an innovative tertiary treatment system. This system provided the on-site sewer infrastructure needed for the site without negatively impacting the surrounding park and wetlands.

# LITTLE TO MIDDLE HOUSING TYPES



# OVERVIEW AND HISTORY

Converting single-family homes to duplexes and multi-unit homes has been a planning strategy to increase housing options for some time. In fact, the American Planning Association (APA) wrote a report on this concept in 1949, even as single-family homes were proliferating across America.<sup>6</sup> Home conversions were conceived as mechanism to preserve large historic properties, many of which were originally designed for households that included extended family members and servants, that could no longer be maintained by a single owner.

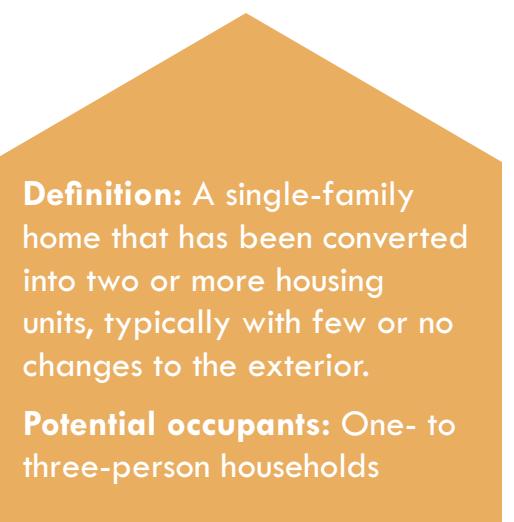
Single-family home conversions typically accommodate two to four housing units, though this number can be greater depending on the size of the original building. While a house's interior will likely undergo significant reconfiguration to accommodate additional units, many conversions can be (or are required to be) completed without impacting the building's exterior, resulting in no visible changes in appearance.

While single-family conversions remain a great way to preserve historic homes, they need not be limited to buildings of a particular time period. Today some municipalities are revisiting their home conversion regulations to encompass a greater range of existing buildings, recognizing that houses of any style can afford the opportunity to adapt a community's existing housing stock to suit the needs of today's smaller households.

## POLICY EXAMPLES: GENERAL LAYOUT:

Abington	<b>Unit size</b>	500-1,000 sf per unit
Gloucester	<b>Height</b>	Vary depending on configuration of original structure
Holden	<b>Setbacks</b>	Vary depending on configuration of original structure
Newton	<b>Density</b>	Vary depending on configuration of original structure
Portsmouth, NH	<b>Unit interior</b>	Kitchen: 8'x6' Bathroom: 5'x8' Living Room: 12'x15' Bedrooms (1-2): 10'x10"

<sup>6</sup> [add citation]



**Definition:** A single-family home that has been converted into two or more housing units, typically with few or no changes to the exterior.

**Potential occupants:** One- to three-person households

# BARRIERS

Single-family home conversions involve many technical challenges beyond those typically faced by new housing construction. In addition to satisfying local zoning codes, a conversion must comply with current building, life safety, and accessibility codes that, depending on the age of the building, may not have existed when the house was built. Skilled developers, architects, and contractors that possess specialized renovation expertise and a willingness to work creatively with local officials can successfully overcome many of the technical challenges inherent in this type of housing.

## BARRIERS BY STAKEHOLDER

### Town Officials

- Zoning
- Building codes
- Water and sewer
- Parking

### Developers

- Zoning
- Building codes
- Constraints of existing building
- Specialized expertise required

### Community Concerns

- Neighborhood character
- Parking and traffic

## BARRIERS FOR TOWN OFFICIALS

### Zoning

While many communities have zoning regulations that allow for conversion, most were developed in the 1950s with the intention to preserve large estates and may not be applicable to smaller properties where home conversion may still be appropriate. Furthermore, they may not allow for the creation of more than two housing units, since the purpose of the original bylaws was preservation rather than creating additional housing options. Town officials might also have concerns about home conversion bylaws being exploited by developers that would like to build multi-unit housing in in zoning districts where it is otherwise prohibited. However, this concern can be addressed by limiting home conversions of relatively new buildings.

### Building Codes

Building codes can pose a substantial barrier for single-family to multi-family home conversions. These structures were not originally designed to accommodate multiple households, and may have been built before building codes existed at all. In addition to updating the building to meet modern standards, increasing the number of units may move the structure to a different occupancy category that requires additional life safety measures, such as sprinklers. Particularly, it can be difficult to design two forms of egress from each unit depending on specific building conditions. Finally, ensuring home conversions meet modern accessibility requirements can be challenging since providing access to units on upper floors could require significant modifications such as ramps, stair lifts or elevators. Since home conversions would otherwise be great housing options for seniors, addressing this barrier is critical.

### Water + Sewer

If the house uses a septic system, which is common in many smaller Massachusetts communities that do not have town-wide public water and sewer infrastructure, a home conversions may be limited because of septic constraints. If a home conversion results in an increase in load (typically based on the number of bedrooms) that exceeds the existing septic system's capacity, the system will need to be upgraded, which can be cost prohibitive. Additionally, many Massachusetts municipalities have local septic regulations that are more stringent than Massachusetts state regulations, which may place additional restrictions on septic system expansion.

### Parking

Many zoning bylaws require as many as two parking spaces per unit, which may or be a barrier depending on lot size and whether there is sufficient space to for additional parking. Single-family homes on large lots typically have ample space to meet this requirement, though it may result in enlarged driveways and paved areas with more formal delineation of spaces. Smaller lots may necessitate more flexibility. In practice, off-street parking demand for home conversions does not look remarkably different than what one would encounter in a single-family home occupied by a household with one or more driving-age children, each of which may have their own vehicles.

### PARTNER TOWNS ZONING

Home conversions are allowed by special permit in all of the participating communities. Interestingly, most of the partner towns bylaws contain a mix of progressive and prohibitive elements, so the ease with which a homeowner can pursue conversion will likely depend on individual site and building circumstances.

- Two towns, Duxbury and Scituate, treat home conversions as internal accessory dwelling units. While this may offer some advantages in terms of process, in means that the same regulations that discourage ADU construction—such as expiration of permit upon sale of the home and family occupancy requirements—also apply to home conversions.
- On the other hand, Duxbury and Scituate's requirements for the age of the building are quite flexible. In the other three towns, buildings must date to the 1950s or earlier to be eligible for conversion.
- Restrictions on the number of units vary by town and, in certain towns, but district. In this regard Norwell's bylaw, which allows up to four units per conversion in any district, is the most permissive. [Add note about parking]

## PARTNER TOWNS ZONING

Single-family Home Conversions					
	COHASSET	DUXBURY	HINGHAM	NORWELL	SCITUATE
Zoning Districts	R-A, R-B, R-C by right and DB, VB, and HB by special permit	Single-family home conversions treated as ADUs - see ADU section	All residential and business districts by special permit	Residential and business districts	Single-family home conversions treated as ADUs - see ADU section
By Right or Special Permit	Special Permit (PB and ZBA)	Special Permit (ZBA)	Special Permit (ZBA)	Special permit	Special Permit (PB)
Restrictions on Age of Structure	Principal built before 1955	Principal at least 10 years old	Principal built before 1941, min six rooms excluding bathrooms	Residential districts -principal predates 1952, business districts – principal predates 1963	[confirm there are none]
Unit Limitation	Not limit but dependent on minimum lot size, more units require a larger lot size	Max 1 additional unit	[Subject to occupancy restriction]	4-unit max	One additional unit in Residential Districts and three Business Districts
Minimum Lot Size Requirements	District by district. [Minimum lot size requirement increases as units are added]	20,000 sf		1 acre	Underlying Zone
Parking	[add]	[add]	[add]	[add]	[add]

## PROGRESSIVE BYLAWS

Progressive home conversion bylaws make the permitting process as easy as possible, do not include building age requirements, have flexible minimum lot size and density requirements, and include a mechanism to make exterior changes if required for building code compliance. Examples of progressive small-scale mixed-use bylaws are in the chart below, with key elements highlighted in [green].

- Since small developers or lay people may choose to convert their home, its important that the permitting process be as straightforward as possible. The example bylaws shown here offer a by-right option in at least some areas of town. Portsmouth allows the creation of up to four units through conversion by right, with the possibility of additional units through a special permit.
- Each of the example bylaws relies on the underlying zoning for dimensional requirements such as minimum lot area and setbacks, so these requirements will not become more stringent when a house undergoes conversion. This flexibility is key, because a building that is already constructed cannot change these attributes. However, bylaws should include a pathway for nonconforming buildings and lots, since many older buildings predate and do not conform with their town's zoning bylaw.
- When required for building code compliance, the bylaws allow for changes to the exterior of the building with a special permit.
- While some of the example bylaws limit conversions based on the age of the building, the required building ages are younger than those seen in several South Shore bylaws. Rather than setting a static built-before date to determine eligibility, a more effective approach is to set a building age, as Duxbury's bylaw does (e.g. building must be at least ten years old). This prevents developers from immediately converting a new single-family house to multifamily while gradually allowing additional homes to become eligible as they age.
- Gloucester's bylaws are the most flexible in terms of parking requirements, but all four examples either require less than 1.5 spaces per unit, allow for parking reductions through a special permit, or both.



## PROGRESSIVE ZONING EXAMPLES

	Abington, MA	Gloucester, MA	Holden, MA	Portsmouth, NH
Zoning Districts	High density residential district and business districts	Rural Residential, High Density Residential, and Civic Center District	Residential Suburban 3, Village, and Residential Multi-family	Several districts (described below)
By Right	By-right and special permit	By-right	By-right in Residential Multi-family, Special permit in other districts	Conversions up to 4 DU allowed by-right in several districts, 5 to 8 by special exception (ZBA) in several districts
Unit Cap	3-family	2-family	4-family	Up to 8 units by special exception
Min. Lot Area (sf)	Underlying	Underlying	Underlying	1,000 to 3,000 minimum lot area per dwelling unit (varies by district)
Lot Width (ft)	Underlying	Underlying	Underlying	Underlying
Building Width (ft)	Underlying	Underlying	Underlying	Underlying
Density	Underlying	Underlying	Underlying	Underlying
Minimum Floor Area	600 sq ft for primary, 400 sq ft for each additional unit	Underlying	Underlying	Underlying
Setbacks (ft)	Underlying	Underlying	Underlying	Underlying
Parking	1.3 spaces per one-bedroom unit  2 spaces per two-bedroom unit  2.6 spaces per three-bedroom unit  Reduction allowed by special permit	1 space per du, reduction by special permit	1.5 per unit	1.3 spaces per 750 sq ft of dwelling unit floor area
Design		Special permit required for changes to the exterior	Special permit required for changes to the exterior. Additional entrances allowed for elderly housing.	No change to the exterior of the building unless required for building code compliance
Restrictions on Age of Structure	[confirm there are none]	[confirm there are none]	[confirm there are none]	Must have existed prior to January 1, 1980

## BARRIERS FOR HOMEOWNERS/DEVELOPERS

Meeting building code requirements will likely be the greatest barrier to converting a home. Retrofitting a house to accommodate multiple units is a technically challenging task, particularly in older homes that predate modern codes or construction techniques. Changing a building's occupancy classification from single-family to multifamily may trigger additional life safety and accessibility requirements. Renovated layouts must accommodate multiple kitchens, bathrooms, and heating systems as well as their associated piping and vents. Designing new unit layouts that meet current code requirements as well as modern expectations for comfort and amenity requires creativity and technical skill. Often home conversion regulations prohibit any changes to the exterior of the building. Even if exterior changes are permitted by the zoning bylaw, the house may still be subject to other historic preservation requirements. All these factors, plus the unexpected conditions inevitably encountered in historic renovation, can quickly escalate project costs. An individual homeowner seeking to convert their house should to hire an architect and contractor with specialized expertise in historic residential renovations.



## COMMUNITY CONCERNS

Community concerns about home conversions revolve around impacts to neighborhood character. By definition, this housing type converts a single-family home, potentially located in a neighborhood consisting primarily of other single-family homes, to multifamily housing. Neighbors may object to the possibility of overcrowding, though this is unlikely to play out in reality; for example, if a four-bedroom house that could accommodate a five-person family is converted to three one-bedroom units each occupied by a single person or a couple, the overall number of occupants may not even increase. Neighbors may also fear that the potential occupants of a home conversion may be too transient, too noisy, or just not "fit in." These concerns are usually rooted in fear of the unknown and should be addressed through open community dialogue and positive messaging about addressing housing need.

Members of the public may also be concerned that home conversions will result in greater demand for on-street parking or generate more traffic than they're accustomed to. Typically, larger single-family homes that would be suitable for a multi-unit home conversion have driveways that can accommodate several off-street parking spaces. Indeed, a single-family house occupied by two adults and multiple driving-age teens may have as many or more cars than a converted home. Even if this is not the case, single family conversions occur incrementally over a long period of time as individual owners decide to make changes; such a small increase in the overall number of units in a particular neighborhood will not typically overwhelm on-street parking capacity or neighborhood traffic patterns.



# SINGLE-FAMILY HOME CONVERSION

CASE STUDIES

# NEWTON HOME CONVERSION ORDINANCE UPDATE

## Existing

- Building must have existing 10 years prior to date of application
- Limits conversions to specific home types and civic buildings
- Conversions of up to six housing units by special permit
- Home conversions are allowed at a density of 1,250 SF [of lot area?] per dwelling unit
- Requires both on-street and off-street parking
- Prohibits changes to the exterior of the building

## Proposed

- Removes building age requirement
- All conversion for all residential types in all residential zones
- Allows conversion of up to six housing units by-right and additional housing units and associated building additions by special permit
- Home conversions are allowed at a density of 1,200 SF and 900 SF [of lot area?] for deed-restricted Affordable Housing
- Only requires off-street parking and minimum requirements can be reduced upon special permit



In 2020, Newton proposed changes to its zoning ordinance to better facilitate home conversions as a part of a broader rezoning effort. The City's existing and proposed home conversion regulations are listed here below. Interestingly, the proposed regulations would allow any residential building to be converted to a multi-unit building, regardless of age, and incentivizes the creation of deed-restricted Affordable Housing units by offering a density bonus.

These proposed changes to single family home conversion regulations are part of Newton's broad "Zoning Redesign" process. Zoning Redesign grew out of the passage of a new Comprehensive Plan in 2007, which called out the lack of clarity and accessibility of the city's zoning ordinance. The city has been working since that time to make Newton's zoning ordinance more accessible, understandable, and reflective of its latest goals for land use, housing, transportation, economic development and climate action.

The city's estimate timeline for zoning redesign dedicates all of 2021 for "continued revision and outreach," with a focus on the proposed updates for village district zoning. There is not yet a target adoption date.

Even prior to the planned update, Newton's home conversion ordinance included several progressive elements, including eligibility for buildings older than 10 years, up to six units permitted within a building by special permit, and [a relatively high unit density]. With the proposed changes, the ordinance will likely be one of the most flexible in the state, if not the country. Newton is more urban in character than the five partner towns, and some aspects of its conversion ordinance may not make sense for smaller South Shore communities. However, the concepts could be easily adapted to reflect the South Shore's more suburban character, and the process demonstrates the importance of evaluating the ways in which zoning regulations do or do not advance a municipality's planning goals and proactively seeking improvements.

## EXAMPLE HOME CONVERSION – PORTLAND, OREGON

This example in Portland, OR illustrates some classic barriers that homeowners may encounter when pursuing home conversion and demonstrates why modified standards or may exemptions need to be provided to more easily facilitate this housing type.

### CHALLENGES ENCOUNTERED

This example shows a historic home on a 7,780 SF lot that was converted into six condominium housing units. The home dates back to 1911 and was converted in 1999. It features separate housing unit entrances and shared internal common spaces. The City exempted this development from parking requirements to help make the conversion possible. The largest obstacle to overcome was complying with fire and building codes, which were triggered after the building was divided into several units. The approval process was lengthy and required the developers to provide multiple egress points for each unit, enclose a stairwell, upgrade lighting and ventilation, construct fire-rated walls to separate units, and put in a new fire sprinkling system. Fire and safety requirements also conflicted with the US Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the City of Portland's Historic Design Review.

In cases such as the one above, home conversion is While life safety regulations should not be compromised, the extensive work necessary to meet these requirements illustrates how difficult home conversions can be and why guidance and support from municipal staff is critical.

## LITTLE TO MIDDLE HOUSING TYPES



The South Shore communities participating in this report were interested in understanding the extent to which their zoning bylaws enable or impede detached accessory dwelling units, one of the housing types studied in the first Living Little report. An assessment of participating towns' zoning bylaws with regards to accessory dwelling units is included below alongside relevant content from the first report, replicated here for ease of access and shown in [gray/a box/whatever makes sense graphically]

## OVERVIEW AND HISTORY

Accessory Dwelling Units (ADUs), commonly known as "granny flats," "carriage houses," or "in-law apartments," were prevalent before World War II throughout American towns and cities, serving as an attached or detached secondary dwelling for in-laws, smaller households, and house workers.

Following the end of WWII and the move towards single-family, low-density suburbanization and increased zoning restrictions, ADUs lost popularity or were zoned out of existence. Beginning in the 1970s, a handful of municipalities began to write ADUs back into zoning. Currently, ADUs are built and lived-in legally and illegally, especially in urban areas with high housing demand. Certain cities and towns have begun to see ADUs as a solution to high housing costs that prevent younger households from purchasing a house and empty nesters from downsizing their living arrangements.

Per building code regulations, for an ADU to serve as a household's main living area, there must be a bathroom, kitchen, and bedroom that is independent from the primary dwelling unit. ADUs come in four main types: carve-out or conversion of an existing living area within the primary dwelling unit, finishing an existing basement or attic within the primary dwelling unit, adding to an existing structure such as a garage, and building a new free-standing structure on site. This report focuses on the latter. Nationally, Oregon and California are at the forefront of creating flexible zoning and incentives to increase the supply of ADUs.

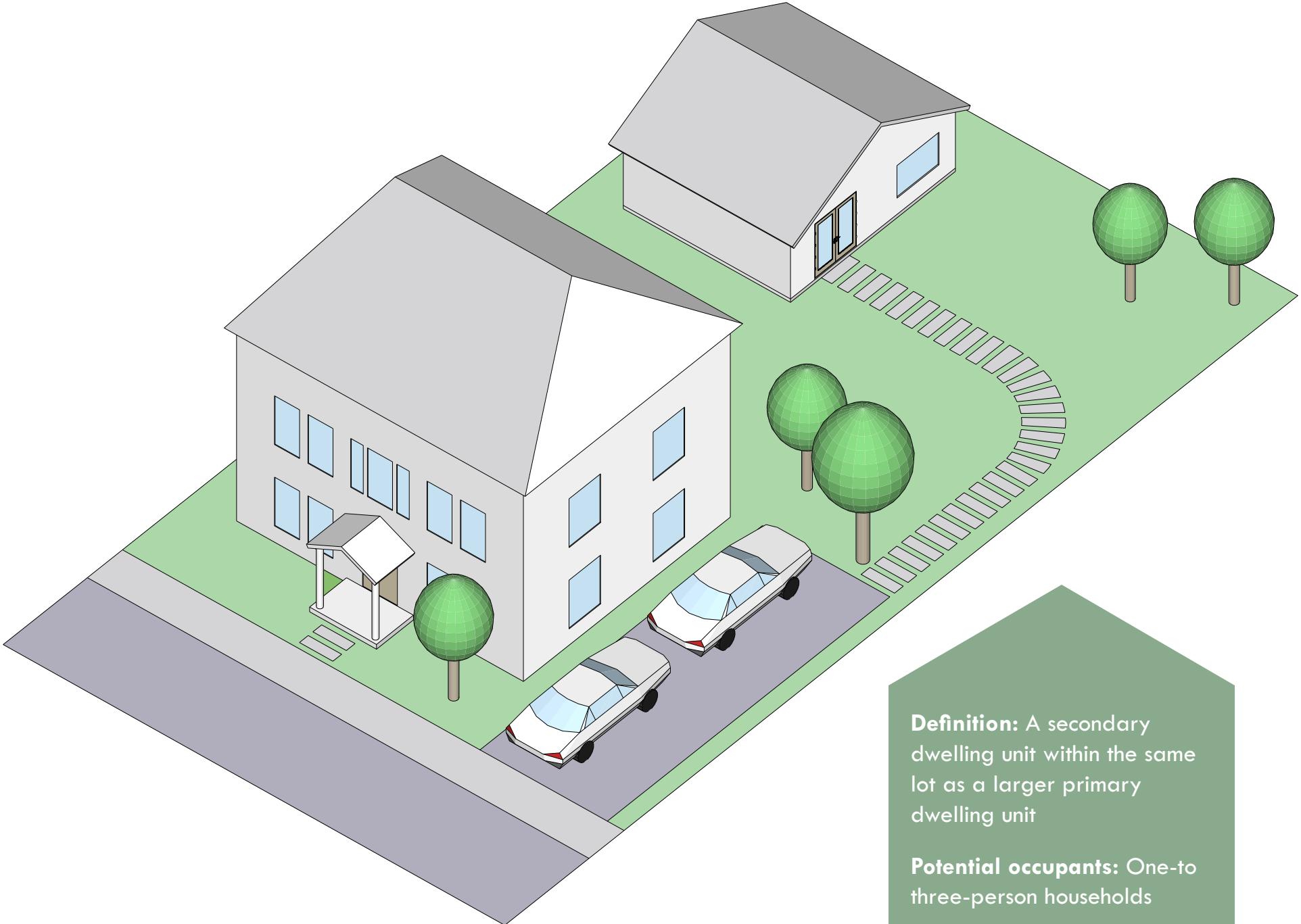
### POLICY EXAMPLES:

Barnstable, MA  
Cambridge, MA  
Lexington, MA  
Newton, MA  
Orleans, MA  
Wellfleet, MA  
Austin, TX  
Boulder, CO  
Los Angeles, CA  
Minneapolis, MN  
Portland, OR  
Santa Cruz, CA

### GENERAL LAYOUT:

<b>Unit size</b>	250 - 1,200 sf or 30% - 40% of primary DU
<b>Lot Size</b>	10,000 sf (approx. 1/4 acre), but depends on town's ADU zoning
<b>Setbacks</b>	6' - 10' from primary DU Respects other zoning setbacks
<b>Unit interior</b>	Kitchen: 8'x6' Bathroom: 5'x8' Living Room: 12'x15' Bedrooms (1-2): 10'x10"

6 [add citation]



**Definition:** A secondary dwelling unit within the same lot as a larger primary dwelling unit

**Potential occupants:** One-to three-person households

# BARRIERS

There are several barriers to building the supply of detached accessory dwelling units, including regulatory, infrastructural, fiscal, financial, and educational.

The main regulatory barriers are zoning bylaws that completely ban or are highly restrictive of ADUs, as well as code compliance. Fiscal barriers include permitting fees and the capacity of the town's water and sewer system.

Homeowners interested in building an ADU can find it difficult to finance the permitting and construction, limiting the number of households able to take advantage of ADU bylaws. Finally, neighbors and community members may be fearful of ADU impacts on schools, traffic, and neighborhood character. Many communities have overcome these barriers to adopt ADU-friendly policies.

## BARRIERS BY STAKEHOLDER

### Town Officials

- Zoning Bylaws
- Permitting Fees
- Water + Sewer Constraints
- Building Code
- Health Code
- Fire Safety

### Homeowners

- Zoning Bylaws
- Permitting Fees
- High Construction Costs
- Inadequate Building Experience
- Lack of Lending Programs  
Tax Increases

### Community Concerns

- Neighborhood Character
- School Capacity
- Traffic

## BARRIERS FOR TOWN OFFICIALS

### Zoning

The first hurdle communities have to overcome to become ADU-friendly is adding an ADU bylaw to the zoning, or amending existing ADU bylaws that may be too restrictive. In the Commonwealth, this process is more challenging due to Town Meeting form of governance employed in many smaller communities, which requires a 2/3rds majority for approval of any zoning change. Town officials will find that building pro-ADU coalitions and educating concerned community members is essential for approving progressive ADU bylaws.

### Water + Sewer

By design, ADUs are not a great burden on a town's existing water and sewer capacity due to their small size and their occupancy limits. In most cases, the primary dwelling unit and the ADU may use a common water supply following a review from the proper inspection authority. Similarly, ADUs can use a common sewer line without additional fees as long as they abide by the maximum allowed connections. In California, detached ADUs require separate utility connections for water, gas, and sewer, as it can be more difficult for them to tap into the existing primary dwelling unit's connections.

### Building Codes

Like any other dwelling structure, ADUs need to meet all the codes required by law. Building codes include the International Building Code as well as any state and local building requirements. Health and fire codes also need to be met, although specific requirements may be waived depending on the number of ADU occupants. Usually, two means of egress are required, as well as a sprinkler system and smoke and carbon monoxide alarms.

### Fees

Building and connection fees for ADUs should befit the small size and low impact of the typology. In many cases, permit fees are attached to the estimated costs of construction or to the ADU's square footage. Utility connection fees are usually charged only if the ADU can be shown to have a significant impact on the existing utility connections. In Portland, OR, water service charges are only necessary when the size of the existing water or sewer line needs to be changed. In Berkeley, CA, ADUs are not considered new residential units for the purposes of calculating water and sewer fees.

## PARTNER TOWNS ZONING

Accessory dwelling units (ADUs) are permitted in all five of the partner South Shore towns, and in several towns are permitted town-wide. However, each town's bylaw restricts ADUs through a variety of dimensional and occupancy restrictions that, when taken together, amount to a substantial barrier for homeowners interested in adding an ADU.



- ADUs are not allowed by-right in any of the five partner towns. Each town requires a special permit for ADUs, all using the Zoning Board of Appeals (ZBA) as the special permit granting authority except for Scituate, where special permits for ADUs are issued through the Planning Board. The ZBA typically evaluates cases where an applicant may need relief from dimensional requirements of the zoning bylaws based on specific criteria, whereas the Planning Board typically conducts a broader site plan review within the context of local land use policy. Either body can successfully review ADU applications, though Planning Boards sometimes have greater flexibility in their decision-making.
- Occupancy requirements are a common and considerable barrier to ADUs. While many homeowners might consider adding an ADU for an elderly parent or an adult child, they are unlikely to go through the expense if the ADU can no longer be used after the family member moves out. Three of the five partner towns require that ADUs be occupied by family members of the principal homeowner; only Duxbury and Scituate permit non-family occupancy. However, in Scituate these rentals must be deed-restricted Affordable Housing. While deed-restricted housing is a laudable policy goal, it is highly unlikely that a typical homeowner has access to the technical expertise and financial resources required to support a deed-restricted unit, so this realistically amounts to a de facto family occupancy requirement.
- Similarly, if an ADU permit does not run with the land and requires that the ADU be removed before the primary home is sold, homeowners will unlikely to devote their resources towards building one. Of the five partner towns, only Cohasset permits an ADU to remain when a home is sold.
- Scituate is the only participating town that allows ADUs to be detached. In the four other towns, ADUs must be internal or attached to the primary house.
- Three of the five partner towns cap the number of ADUs that can be built in a given year or overall. In many cases these caps are rarely met due to the myriad other restrictions on ADUs, however, it is unusual for a zoning bylaw to restrict the supply of a specific housing type in this way and does not help to promote the development of ADUs.

## PARTNER TOWNS ZONING

### Accessory Dwelling Units

	COHASSET	DUXBURY	HINCHAM	NORWELL	SCITUATE
Zoning district	All	All single-family districts excluding RCC and PUD	All	All	All residential districts and above ground in all business districts. Affordable ADUs in R-1, R-2, R-3, and business districts.
Year Updated	2018	2011	2018		
By Right or Special Permit	Special Permit (ZBA)	Special Permit (ZBA)	Special Permit (ZBA)	Special Permit (ZBA)	Special Permit (PB)
1 ADU Per Lot	X	X	X		One per lot in Residential Districts and three per lot in Business Districts
Off-street Parking Required	One space per bedroom	One space per housing unit			One space per bedroom
Restricted to Family Members	X		X	X	Affordable ADUs can be rented to non-family
Owner Occupancy Required	X	X	X		Affordable ADUs can be rented to non-family
Matching Exterior to Primary DU	X			X	X
[Primary Must be Built or Occupied for at least 10 years]	X	X			
Must be Internal or Attached	X	X	X	X	
Separate Entrance Required			X		
Total ADU Cap	10% of single-family housing units in town		2.5% of single-family housing units in town		15 permits per year for Affordable ADUs
ADU Runs with the Land	X				
Yard Dimension Requirements	1,200 sf	20,000 sf	5,000 sf		Underlying Zone
ADU Size Restrictions	900 sf or 25% of principal GFA, whichever is less	850 sf max	750 sf or 30% of primary GFA		750 sf or 40% of principal GFA, whichever is less. Unrestricted in business zones
Max Bedrooms			Two bedrooms		





## ACCESSORY DWELLING UNITS

CASE STUDIES

# ACCESSORY APARTMENT NEWTON, MA

## **Population**

88,994 (2017 ACS)

## **Households**

2,072 (ACS, 2014-2018)

## **Total Housing Units**

42 (21 new units, 21 renovated units)

## **Affordability**

5 for-sale units designated for first-time homebuyers, 21 Affordable rental units

## **Tenure**

Mixed

## **Housing Types:**

Townhouses, mixed-use, and multifamily

## **Zoning**

M.G.L. Chapter 40B

The Summer Street development involved multiple partners and a variety of project components. It included 18 new condominium townhouses, five of which are reserved for first-time homebuyers; a mixed-use building with three condominium units above ground floor retail; and the renovation of an existing apartment building with 21 Affordable units. Residents of the development benefit from its proximity to the Manchester commuter rail station, downtown Manchester businesses, and the harbor and its associated open space. The project was led by a mission-driven partnership that included the Manchester Affordable Housing Corporation, the Manchester Housing Authority, and the Town.

Similar to several of the case studies in this report, the flexibility offered by the Chapter 40B comprehensive permitting process was key to the project's success. M.G.L. Chapter 40B is a state statute that enables local Zoning Boards of Appeals to approve affordable housing developments under flexible rules if at least 20-25% of the units have long-term affordability restrictions. In addition to offering more leeway with regards to dimensional requirements, participation in the state's Local Initiative Program, part of M.G.L. Chapter 40B, enabled the Town to receive technical and financial assistance from the state for the development.

# LITTLE TO MIDDLE HOUSING TYPES



# OVERVIEW AND HISTORY

## POLICY EXAMPLES:

Abington  
Gloucester  
Holden  
Newton  
Portsmouth, NH

## GENERAL LAYOUT:

<b>Unit size</b>	500-1,000 sf per unit
<b>Height</b>	Vary depending on configuration of original structure
<b>Setbacks</b>	Vary depending on configuration of original structure
<b>Density</b>	Vary depending on configuration of original structure
<b>Unit interior</b>	Kitchen: 8'x6' Bathroom: 5'x8' Living Room: 12'x15' Bedrooms (1-2): 10'x10"

6 [add citation]



## COTTAGE HOUSING

## CASE STUDIES

# ACCESSORY APARTMENT NEWTON, MA

**Population**

88,994 (2017 ACS)

**Households**

2,072 (ACS, 2014-2018)

**Total Housing Units**

42 (21 new units, 21 renovated units)

**Affordability**

5 for-sale units designated for first-time homebuyers, 21 Affordable rental units

**Tenure**

Mixed

**Housing Types:**

Townhouses, mixed-use, and multifamily

**Zoning**

M.G.L. Chapter 40B

The Summer Street development involved multiple partners and a variety of project components. It included 18 new condominium townhouses, five of which are reserved for first-time homebuyers; a mixed-use building with three condominium units above ground floor retail; and the renovation of an existing apartment building with 21 Affordable units. Residents of the development benefit from its proximity to the Manchester commuter rail station, downtown Manchester businesses, and the harbor and its associated open space. The project was led by a mission-driven partnership that included the Manchester Affordable Housing Corporation, the Manchester Housing Authority, and the Town.

Similar to several of the case studies in this report, the flexibility offered by the Chapter 40B comprehensive permitting process was key to the project's success. M.G.L. Chapter 40B is a state statute that enables local Zoning Boards of Appeals to approve affordable housing developments under flexible rules if at least 20-25% of the units have long-term affordability restrictions. In addition to offering more leeway with regards to dimensional requirements, participation in the state's Local Initiative Program, part of M.G.L. Chapter 40B, enabled the Town to receive technical and financial assistance from the state for the development.