

EXHIBIT A

Zoning By-Law Amendment: Regulation of Accessory Dwelling Units (ADUs) (Sections 1.3, 3.4, 3.9.2 and 4.10)

To amend the Wilbraham Zoning By-Law in the following manner:

A. Delete the existing definition of Accessory Apartment in Section 1.3, DEFINITIONS, and replace with the following definition of Accessory Dwelling Unit:

ACCESSORY DWELLING UNIT – an attached or detached self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable dimensional and parking requirements, that: (i) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code for safe egress; (ii) is not larger in gross floor area than 1/2 the gross floor area of the principal dwelling or 900 square feet, whichever is smaller (MGL c.40A §1A).

B. Amend Section 3.4 (Table One: Schedule of Use Regulations), by inserting new subsection 3.4.2.8 as shown below:

TABLE ONE: SCHEDULE OF USE REGULATIONS												
BY-LAW NUMBER	LAND USE CLASSIFICATION WITH APPLICABLE STANDARDS & CONDITIONS	ZONING DISTRICT										
		R15	R26	R34	R40	R60	RMD	NO	NS	ACF	GB	IPG
3.4.2.8	Accessory Dwelling Unit, subject to the restrictions in Section 4.10	SPA	SPA	SPA	SPA	SPA	N	N	N	N	N	N

C. Amend Section 3.9.2, ACCESSORY USES: RESIDENTIAL, Sub-Section 3.9.2.15, as follows:

3.9.2.15 ~~Accessory Apartment~~ by special permit from the Planning Board.
Accessory Dwelling Unit, subject to Site Plan Approval from the Planning Board.

Subject to the restrictions and limitations of section 4.10

D. Delete Section 4.10 of the Zoning Bylaw (Accessory Apartment Regulations) in its entirety and replace as follows:

4.10 ACCESSORY DWELLING UNIT REGULATIONS

4.10.1 Purpose

The purpose of the Accessory Dwelling Unit (ADU) bylaw is to:

- A. Allow for ADUs consistent with MGL c. 40A §1A and §3.
- B. Provide homeowners with a means of obtaining, through tenants in ADUs, rental income, companionship, security and services, and thereby to enable them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave;
- C. Provide a mix of housing that responds to changing family needs and smaller households; and
- D. Provide a broader range of accessible and more affordable housing.

4.10.2 Accessory Dwelling Unit Standards

- A. The ADU shall be clearly subordinate in size to the principal single-family dwelling. It shall be no larger in gross floor area than half the gross floor area of the principal dwelling unit on the property or 900 square feet, whichever is smaller.
- B. The ADU shall comply with all lot area, frontage, yard (setback), height and building coverage requirements as may be applicable to single-family dwellings, as contained in Section 4.4.10. In the case of a corner lot, the ADU shall be located behind the closest building wall of the principal dwelling to the lot line, or in compliance with the minimum front yard requirement of Section 4.4.10, whichever is less (see Definition of Corner Lot in Section 1.3).
- C. The ADU shall be a complete, separate housekeeping unit that functions as a separate unit from the principal single-family dwelling.
- D. The exterior appearance of the accessory dwelling unit shall be reasonably compatible with the character and scale of the principal dwelling and the character of the neighborhood.
- E. One (1) off-street parking space must be provided for all ADUs. Parking may be in a driveway or a garage. The construction of a new garage to serve an ADU shall require a special permit from the Planning Board under Section 4.4.8 and/or or Section 3.9.2.2 as applicable.
- F. The ADU shall be serviced with adequate water supply and sewer or septic service. The applicant for an ADU shall provide documentation of such adequacy from the Department of Public Works or the Board of Health or its agent, as applicable.
- G. ADUs shall conform to the Town of Wilbraham Stormwater Bylaw and Regulations as applicable.
- H. ADUs may not be used as Short-Term Rentals, as such term is defined in M.G.L. c. 64G, §1 or otherwise rented for a period shorter than thirty-one (31) days.
- I. No more than one ADU may be placed on a lot.

- J. A mobile home or any other temporary structure shall not be used or classified as an ADU.
- K. ADUs exceeding the dimensional requirements specified herein or otherwise not in conformance with Section 4.10 or the definition of Accessory Dwelling unit in Section 1.3 are prohibited.

4.10.3 Site Plan Approval

- A. All ADUs are required to obtain Site Plan Approval from the Planning Board pursuant to the Site Plan requirements and procedures in Section 13.3 (Site Plan Requirements) and 13.5 (Site Plan Approval) of this Zoning Bylaw. Site Plan Approval criteria shall be limited to review of consistency with the standards and requirements of this Section 4.10. Sections 13.5.4.3 and 13.5.5 shall not apply.
- B. The Planning Board may request reasonable plan modifications of the Site Plan for an ADU and may impose reasonable conditions that are not inconsistent with this bylaw or the provisions of MG.L. c. 40A, §3, including but not limited to requirements for screening from abutting properties.

4.10.4 Relationship to non-conformities.

If an ADU is proposed for a pre-existing, non-conforming principal dwelling, the requirements of Sections 3.3 of this Zoning Bylaw shall apply, provided that no special permit may consider the ADU use or impose conditions on such use.

3/12/2025

File Name: *Exhibit A-ADU Bylaw*