

Warrant Article- ADU Compliance

To see if the Town will vote to amend the Sherborn Bylaws pertaining to accessory dwelling units to be in compliance with State laws by amending Sections 240-1.5 Definitions, 240-3.2 Schedule of Use Regulations (1), (2), (2)(a), (2)(a) 8, adding Section 240-3.2 (2A) ; amending Table of Use Regulations 2, 2A, as listed below;

Section 240-1.5 Definitions

ACCESSORY BUILDINGS AND USES — An accessory building or accessory structure is a building or structure designed, constructed and/or devoted exclusively to a use subordinate to and customarily incidental to the principal use. An accessory use is a subordinate use of a building or other structure or of the premises which is customary in connection with the principal use and clearly incidental thereto and which does not constitute a conversion of the principal use of the premises to one not permitted. *not inclusive of ADUs and Apartments For Protected Use ADUs and Special Permit ADUs (formerly, Apartments), see Section 240-3.2.[Amended 1973; 1980; 2025]*

DWELLING UNIT. *A room, group of rooms, or dwelling designed, constructed and/or equipped exclusively for use as a complete living unit for one family, including living, sleeping, cooking and sanitary facilities, and which is directly accessible from the outside or through a common hall without passing through any dwelling unit.[Added 1979; amended 1980; 4-25-2023 ATM by Art. 3; 2025]A single housing unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.*

HOUSEKEEPING UNIT. A separate housekeeping unit contained within a single-family detached dwelling or in an accessory building which has separate kitchen facilities for the storage, preparation or serving of food and separate living, sleeping or sanitary facilities.*[Added 1973; amended 1982; replaced with Protected Use ADU and Special Permit ADU in 2025]*

MULTIDWELLING. A building containing ~~two~~ *three* or more dwelling units *excluding Protected Use and Special Permit ADUs (formerly Apartments and Housekeeping Units).* A multidwelling may be a series of attached or semidetached townhouses or row houses (dwelling units sharing one or more party walls and each having at least one floor at ground level with direct access to outside on two or more sides) or a garden apartment building (dwelling unit sharing a common entry hall or stairway).*[Added 1979; amended 4-25-2023 ATM by Art. 23; 2025]*

Section 240-3.2 Schedule of Use Regulations

- (1) **Single-family home** - this use is allowed in all districts.
Single-family detached dwelling *containing one housekeeping unit*, together with

Protected Use and Special Permit ADU(s) (formerly Apartment or Housekeeping Unit), accessory buildings, including a garage for not more than three automobiles. The number of such dwellings with such accessory buildings on any one lot shall not exceed the number which can be located thereon in conformity to § 240-4.3.F.

- (2) *Apartment Special Permit Accessory Dwelling Units (formerly, Apartment) for units larger than Protected Use ADUs but less than 1200 square feet - this use is permissive in all districts. [Amended 2025]*

(a) *One additional dwelling unit accessory to a Single-family detached dwelling home, together with accessory buildings, contained within the home in the dwelling or in an accessory building, one additional housekeeping unit provided:*

8. Such unit may *only not* be rented or licensed for occupancy for terms of *less more* than 30 days; *whether through Airbnb or similar service or directly by or on behalf of the owner.* The intent of this article is to increase the diversity of housing stock in the Town that is available for people who want to reside in Sherborn.

9. *A Special Permit ADU will not be allowed for Single-family homes already containing any other ADU.*

- (2A) *Protected Use Accessory Dwelling Units [Added 2025]*

This use is allowed in all Districts

An attached or detached Accessory Dwelling Unit (ADU) that is located, or is proposed to be located, on a Lot in a Single-Family Residential Zoning District and is protected by M.G.L. c. 40A, s. 3, provided that only one ADU on a lot may qualify as a Protected Use ADU. An ADU that is nonconforming to Zoning shall still qualify as a Protected Use ADU if it otherwise meets this definition. Such unit may only be rented or licensed for occupancy for terms of more than 30 days.

TABLE OF USE REGULATIONS¹ (amended 2013, 2014, 2018, **2025**)

Use ²	District					
	<u>RA</u>	<u>RB</u>	<u>RC</u>	<u>REA</u>	<u>BG</u>	<u>BP</u>
2) <i>Apartment Special Permit ADU</i>	P	P	P	P	P	P
2A) <i>Protected Use ADU</i>	A	A	A	A	A	A