



Watertown Affordable Housing Trust Meeting

**Wednesday, September 13, 2023 at 6:00 PM
3RD FL CONFERENCE ROOM, ADMINISTRATION
BUILDING**

Agenda

Pursuant to Chapter 2 of the Acts of 2023, the meeting and public hearing will be conducted with remote opportunities for participation. Remote participation and access methods include:

ACCESS INFORMATION:

- A. This meeting will be held on September 13 at 6 PM. Location: 3RD FL CONFERENCE ROOM, ADMINISTRATION BUILDING
- B. The meeting will be televised through WCATV (Watertown Cable Access Television): <http://vodwcatv.org/CablecastPublicSite/?channel=3>
- C. The Public may join the virtual meeting online: <https://watertown-ma.zoom.us/j/91712481602>
- D. Public may join the virtual meeting audio only by phone: (877) 853-5257 or (888) 475-4499 (Toll Free) and enter Webinar ID: 917 1248 1602
- E. Public may comment through email: lfield@watertown-ma.gov
- F. Please Visit the Watertown Affordable Housing Trust Website here: <https://www.watertown-ma.gov/924/Watertown-Affordable-Housing-Trust>

-
- 1. Minutes of July 18, 2023 Meeting
 - 2. Presentation: Accessory Dwelling Units
 - A. Powerpoint Presentation on Accessory Dwelling Units
 - B. Staff memo to Watertown Housing Partnership on ADUs, 9/17/21
 - 3. Housing Priorities for ARPA
 - 4. Update: Watertown Square Area Plan
 - 5. Other Business
 - 6. Vote to go into EXECUTIVE SESSION-PUBLIC MEETING WILL NOT RECONVENE
Executive session pursuant to the provisions of G.L. c.30A, §21(a)(6) to consider the purchase, exchange, lease or value of real property where an open meeting may have a detrimental effect on the negotiating position of the public body.

Accessory Dwelling Units

WATERTOWN AFFORDABLE HOUSING TRUST MEETING
SEPTEMBER 13, 2023

Accessory dwelling unit

- A legal unit that is secondary to the primary home
- Can be within the main structure or detached
- Cannot be sold separately from primary home
- Smaller—less than 900 square feet is typical



Landis Architects/Washington DC

Why ADUs matter

- Flexibility is critical for housing that works for different ages/life situations
 - ✓ ADUs can be used for family or caregivers
 - ✓ Can provide rental income, especially for retirees
 - ✓ Seniors can downsize and live in ADUs
- ADUs tend to be lower-priced, so “naturally affordable” housing production
- Converting illegal apartments to legal ADUs can improve safety



RI Realtors.Org

Watertown ADU ordinance, 1992-1994

- ADUs allowed in Single Family and Two-Family Districts
- Primary goal was to bring illegal apartments up to code
- ZBA approved 124 formerly illegal apartments; ZBA or staff found 41 others were legal
- About 95% of approved ADUs were in T zone
- 11 illegal apartments were removed
- It is not clear whether any NEW units were created

Liberalizing ADUs national trend

- In spring 2021, Connecticut adopted a state law making ADUs by right
- New Hampshire adopted statewide ADU law in 2017 - now by right & one unit can be rental
- Since AARP proposed a model state act & model ordinance in 2000, 8 states have adopted statewide laws requiring or nudging municipalities to make ADUs legal



New Hampshire Citizen Planner

The State of Zoning for Accessory Dwelling Units



<https://ma-smartgrowth.org/wp-content/uploads/2019/01/ADU-MSGA-Pioneer-paper-2018.pdf>

https://pioneerinstitute.org/economic_opportunity/study-boston-area-communities-should-loosen-restrictions-for-accessory-dwelling-units/

Housing Choice Legislation



Reduced the required vote from 2/3 “supermajority” to a simple majority for accessory dwelling units:

- *If by right within the main structure*
- *If by special permit or by right in a detached structure*

Good Massachusetts examples

- Newton, Lexington & Ipswich are models
- Newton's 2017 ordinance:
 - ADUs by right if within main structure;
special permit if detached
 - Can be rentals
 - No minimum lot size or
parking requirement

Report: "the apartments offer new opportunities for seniors to remain in Newton"

(Boston Globe 4/6/17)

How many ADUs permitted in Newton?

9

- 2012: 2
- 2013: 3
- 2014: 3
- 2015: 6
- 2016: 5
- 2017: 10
- 2018: 11
- 2019: 18
- 2020: 17



New Ordinance

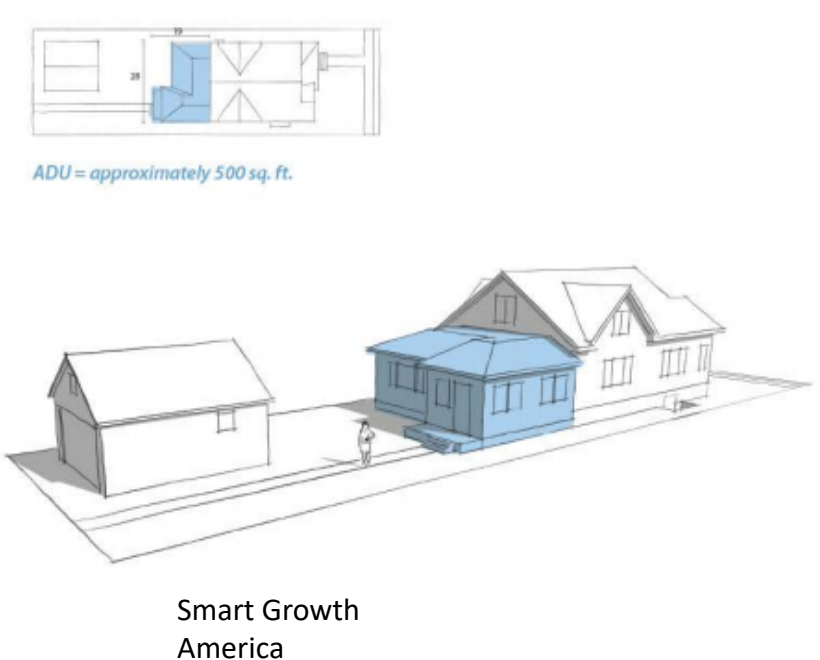
20,800 eligible properties

Subjects that ADU ordinance would address

- A new ADU ordinance could apply to the entire City or to selected districts (e.g., S10/S6,T/SC).
- ADUs could be limited to the main structure or could also be allowed as additions or detached.
- Process: by right, or by right with site plan review, or special permit.
- Any ordinance must also address who can occupy, whether one unit must be owner-occupied, whether short-term rentals are allowed, and additional parking.

How far did WHP get on ADUs?

- ❑ July 2021: Background presentation & general discussion
- ❑ September 2021: Based on discussion, staff provided 3 options (more accurately, scenarios) and data on 1 & 2-family homes within each zoning districts
- ❑ November 2021: Based on September discussion, staff provided a draft ordinance
- ❑ Winter and spring 2022: consideration paused
- ❑ Fall 2022: WHP dissolved, Trust began operation & decided to focus on site identification as #1 priority



WHP framework for draft ordinance

- ❑ Used ADU definition from Housing Choice legislation
- ❑ All 1 and 2-family buildings in four identified districts eligible
- ❑ Only ADUs within building or attached allowed
- ❑ Primary unit or ADU must be owner-occupied
- ❑ Process to approve: by right/site plan review
- ❑ ADUs can't be short-term rentals (less than 31 days)
- ❑ Property must comply with parking requirements PLUS 1 for ADU

Proposed discussion points

- The Trust is a new body & not bound by the WHP's thinking
- WHP was very comfortable with allowing one unit to be rented and allowing both 1 and 2-family buildings to be eligible. Do you agree?
- WHP was more cautious on some issues (e.g., no detached ADUs) in order to have a **by right** process and a less complex ordinance. What do you think?
- One of the hardest issues was whether to require additional parking. How do you think this should be handled?
- Are there additional options/scenarios or data you would like to see?

MEMO ON ACCESSORY DWELLING UNIT OPTIONS

To: Watertown Housing Partnership

From: Larry Field

Date: September 17, 2021

At its July meeting, the Watertown Housing Partnership asked that I return to the September meeting with options for structuring an accessory dwelling unit (ADU) ordinance. This memo outlines three options for discussion purposes. This memo does not reflect any specific recommendations by the Department.

An accompanying spreadsheet provides data about 1 and 2-family structures in Watertown, including the number in each zone, the distribution of lot sizes, and distribution of bedrooms and bathrooms. It also provides a number and percentage of owner-occupied 1 and 2-family structures. Unfortunately, I've been unable to obtain solid information on the number of detached accessory structures (e.g., carriage houses) that could be converted to ADUs. The number is probably low.

All three of the options include the following elements:

- 1) Only single-family and/or two-family structures would be allowed to have an ADU. Buildings with a condo or co-op form of ownership would not be allowed to have ADUs.
- 2) The building owner must occupy one of the units (existing or ADU).
- 3) ADUs can be rented (i.e., not restricted to family/caregivers). However, if Watertown allows short-term rentals, such rentals would not be permitted in an ADU.
- 4) If an ADU is created, the owner must show that there is sufficient parking to accommodate the extra unit, i.e., parking must equal the existing spaces plus an additional space.
- 5) Aligning our definitions with the new Housing Choice law. With respect to size, that would mean that ADUs could be no larger than 900 sf or ½ floor area of the principal dwelling, whichever is smaller. The full definition is on the last page of this memo as an addendum.
- 6) An amnesty for illegal apartments that would be eligible under the new ordinance (assuming they meet building code).

There are 5,610 single-family and two-family buildings in Watertown. If only owner-occupied buildings are eligible, the estimated number goes down to 3,657 (2,405 single family and 1,252 two-family).

If all of these buildings were eligible, how many new units could we see in a given year? A good benchmark for how many ADUs could be created each year is Newton. The city passed a very liberal ordinance in 2017. With over 21,000 single family homes there, 10 to 18 ADUs have been created each year. We could also, at least initially, see owners of some illegal apartments come forward to qualify them as legal ADUs.

Here are the three options:

Option A

Single-family or two-family

By right if within existing footprint/structure or addition in any of four zoning districts (S10, S6, SC, T)

By Special Permit if detached in any of the 4 districts

Option B

Single-family or two-family

By right/Site Plan Review if within footprint/structure or addition in S10/S6/SC zones

By Special Permit if within existing footprint/structure or addition in T zone

No detached ADUs allowed

Option C

Single-family only

By right/Site Plan Review if within existing footprint/structure or addition in any of the 4 zones

No detached ADUs allowed

The chart below shows an estimate of how many owner-occupied buildings would be eligible under each option. If every owner-occupied 1F and 2F in Watertown were eligible, the count would be 3,657 and the % would be 100%.

Option	Process	Count	Notes
A attached	By right	3,592	About 98% of the owner-occupied 1 and 2F buildings are in the 4 zones (T, S-10, S-6, SC) and would qualify.
A detached	SP	Same	Same
B attached S zones	By right/SPR	1,592	About 43% of owner-occupied 1 and 2F buildings would be eligible by right. Of these, 1,417 are 1F and 175 are 2F.
B attached T zone	SP**	2,000	About 55% of owner-occupied 1 and 2F buildings would be eligible by special permit. Of these, 956 are 1F and 1,044 are 2F.
C attached	By right/SPR	2,373	About 65% of owner-occupied 1 and 2F buildings would be eligible. About 99% of 1F buildings would be eligible but none of the 2F buildings.

Options A and B provide some avenue to create ADUs for 98% of owner-occupied 1-2Fs (excluding only those not in the T or S zones) . Option B differs in how it treats the single-family and T zones, and in whether detached ADUs are allowed. Although there is a mix of housing types in each zone, the zones are a reasonable proxy for neighborhood density.

Option C provides a path only for single-family structures. Its premise is that ADUs in a single-family are less likely to be increasing the intensity of use, as many single-family homes were built for larger household sizes.

Addendum--Housing Choice definition of ADUs

1253 "Accessory dwelling unit", a self-contained housing unit, inclusive of sleeping, cooking and
1254 sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable
1255 dimensional and parking requirements, that: (i) maintains a separate entrance, either directly
1256 from the outside or through an entry hall or corridor shared with the principal dwelling sufficient
1257 to meet the requirements of the state building code for safe egress; (ii) is not larger in floor area
1258 than 1/2 the floor area of the principal dwelling or 900 square feet, whichever is smaller; and (iii)
1259 is subject to such additional restrictions as may be imposed by a municipality, including but not
1260 limited to additional size restrictions, owner-occupancy requirements and restrictions or
1261 prohibitions on short-term rental of accessory dwelling units.

NOTES

1. With one exception, these sheets are based on the assessor records in the GIS database. The assessor records may not have accurate info in every case because: there are illegal apartments or legal (grandfathered) apartments that change the land use classification, and there may be changes in zoning that aren't reflected in the land use code.

2. The owner-occupancy information is from the homestead exemption filings with the assessor's office. Because the exemptions are claimed for a fiscal year, the latest numbers come from January 1, 2020 and don't necessarily match the assessor records in the GIS database because of the differing dates. The exemption records will also contain some inaccuracies as not all homeowners will file for an exemption and occupancy status may change without a change in exemption status.

3. The minimum lot size used for various districts was the rationale for the break-points used for the lot size profiles. The S-10 is 10,000, S-6 is 6,000, and T is 5,000. The SC minimum is 6,500. In the T zone, there is also a 7,500 mark for a 1F converted into a 2F (by right if FAR not over .5).

1-2 FAM Buildings Sorted by Zone

Zone	1F	% of 1F	2F	% of 2F	Total	% of All 1-2F	Owner-occupied 1F		Owner-occupied 2F	
T	1149	40%	2306	84%	3455	61.6%			1,044	45%
S-6	1358	47%	209	8%	1567	27.9%			106	51%
S-10	211	7%	22	1%	233	4.2%			13	59%
SC	118	4%	119	4%	237	4.2%			56	47%
R.75	14	0%	31	1%	45	0.8%			6	19%
R 1.2	0	0%	3	0%	3	0.1%			2	67%
LB	6	0%	14	1%	20	0.4%			7	50%
NB	3	0%	6	0%	9	0.2%			3	50%
CB	4	0%	4	0%	8	0.1%			5	125% *
I1	5	0%	6	0%	11	0.2%			2	33%
I2	0	0%	1	0%	1	0.0%			0	0%
I3	0	0%	7	0%	7	0.1%			4	57%
PSCD	1	0%	11	0%	12	0.2%			4	36%
OSC	1	0%	0	0%	1	0.0%			0	0%
No code	1	0%	0	0%	1	0.0%				
	2871		2739		5610		2405	84%	1,252	46%

87% of 1F in S-6 or T 95% in those + S-10
 92% of 2F in S-6 or T 96% in those + SC

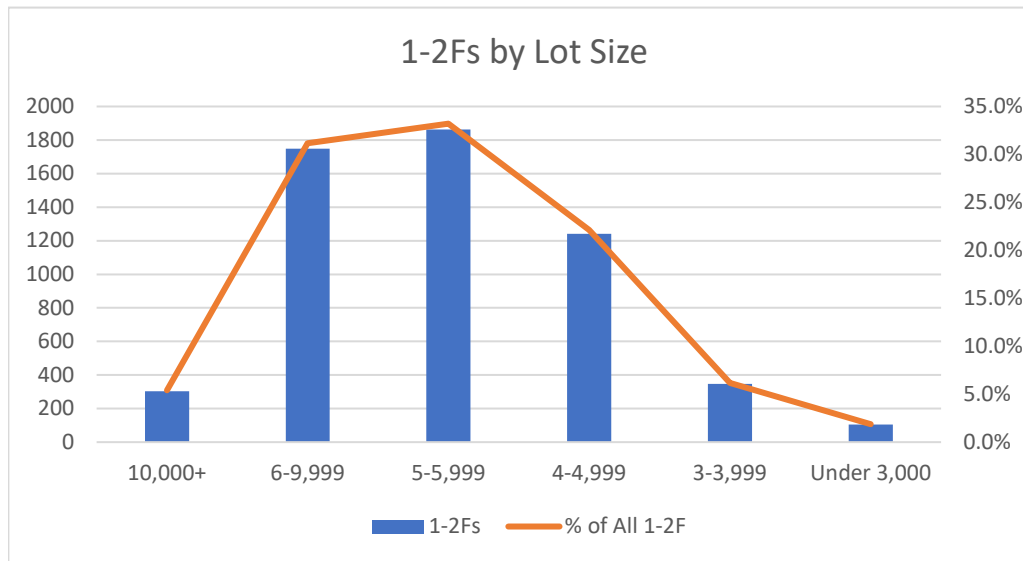
Ordinance covering T, S-10, S-16, SC would capture 98.8% of 1F, 97% of 2F
 Or 97.9% of all 1-2 Fs

* Assessor data is on fiscal year basis, so latest is 1/1/2020. This probably explains discrepancy.

1-2 FAM Buildings Sorted by Lot Size

Lot Size	1F	% of 1F	2F	% of 2F	Total	% of All 1-2F
10,000+	222	8%	82	3%	304	5.4%
6-9,999	1,003	35%	746	27%	1749	31.2%
5-5,999	913	32%	950	35%	1863	33.2%
4-4,999	520	18%	722	26%	1242	22.1%
3-3,999	147	5%	200	7%	347	6.2%
Under 3,000	66	2%	39	1%	105	1.9%
Totals	2871		2739		5610	

Lot size varies considerably amongst both 1 and 2Fs. About 86% of all 1-2Fs are in the 4,000 to 9,999 range, which is a big variation. Not much difference between the 2 building types.



Data for graph--just slight change in columns

Lot Size	1F	% of 1F	2F	% of 2F	Lot Size	1-2Fs	% of All 1-2F
10,000+	222	8%	82	3%	10,000+	304	5.4%
6-9,999	1,003	35%	746	27%	6-9,999	1749	31.2%
5-5,999	913	32%	950	35%	5-5,999	1863	33.2%
4-4,999	520	18%	722	26%	4-4,999	1242	22.1%
3-3,999	147	5%	200	7%	3-3,999	347	6.2%
Under 3,000	66	2%	39	1%	Under 3,000	105	1.9%
Totals	2871		2739		Totals	5610	

1-2 FAM Buildings Sorted by Lot Size by Main Zones

T Zone

Lot Size	1F	% of 1F	2F	% of 2F	Total	% of All 1-2F
10,000+	32	3%	47	2%	79	2%
6-9,999	252	22%	589	26%	841	24%
5-5,999	377	33%	838	36%	1215	35%
4-4,999	329	29%	628	27%	957	28%
3-3,999	110	10%	174	8%	284	8%
Under 3,000	49	4%	30	1%	79	2%
Totals	1149		2306		3455	

S-6 Zone

Lot Size	1F	% of 1F	2F	% of 2F	Total	% of All 1-2F
10,000+	45	3%	7	3%	52	3%
6-9,999	613	45%	67	32%	680	43%
5-5,999	494	36%	68	33%	562	36%
4-4,999	165	12%	58	28%	223	14%
3-3,999	33	2%	9	4%	42	3%
Under 3,000	8	1%	0	0%	8	1%
Totals	1358		209		1567	

By targeting these zones, find higher % with lot size over 5,000

Above 5,000	61% of all 1-2F	T zone	58% of 1F in T
	82% of all 1-2F	S-6 zone	84% of 1F in S-6

Distribution of lot sizes in T is relatively even, while higher lot sizes in S zones

S-10 Zone

Lot Size	1F	% of 1F	2F	% of 2F	Total	% of All 1-2F
10,000+	130	62%	12	55%	142	61%
6-9,999	71	34%	5	23%	76	33%
5-5,999	9	4%	2	9%	11	5%
4-4,999	1	0%	3	14%	4	2%
3-3,999	0	0%	0	0	0	0
Under 3,000	0	0%	0	0	0	0
Totals	211		22		233	

S-C Zone

Lot Size	1F	% of 1F	2F	% of 2F	Total	% of All 1-2F
10,000+	14	12%	15	13%	29	12%
6-9,999	59	50%	65	55%	124	52%
5-5,999	29	25%	28	24%	57	24%
4-4,999	15	13%	7	6%	22	9%
3-3,999	1	1%	4	3%	5	2%
Under 3,000	0	0%	0	0%	0	0%
Totals	118		119		237	

If you limit to 1F in S zones

Or 1-2F in S zones

	S-10	S-6	SC	Total	%		S-10	S-6	SC	Total	%
10+	130	45	14	189	11%	10+	142	52	29	223	11%
6 to 9	71	613	59	743	44%	6 to 9	76	680	124	880	43%
5s	9	494	29	532	31%	5s	11	562	57	630	31%
4s	1	165	15	181	11%	4s	4	223	22	249	12%
Below 4s	0	41	16	57	3%	Below 4s	0	50	5	55	3%
				1702						2037	

Above 5,000 86%

Above 5,000 85%

NUMBER OF BEDROOMS

	1F	2F
Bedrooms		
3	55%	3%
4	26%	67%
5	4%	12%
6	1%	14%
	86%	96%

1Fs have more BRs per unit than 2F. If you assume 2BRs per unit is standard, then 86% of 1Fs are above while only 26% of 2Fs are above.

NUMBER OF FULL BATHROOMS

	1F	2F
Bathrooms		
1	72%	9%
2	23%	77%
3	3%	11%
4	0%	2%
	98%	99%

1Fs have somewhat more bathrooms per unit than 2F. If you assume 1 bathroom per unit is standard, then 26% of 1Fs are above while less than 15% of 2Fs are above.

Almost every 1F has one kitchen and almost every 2F has 2 kitchens, per assessor records.

This analysis suggests there is more potential for ADUs within the main structure in 1Fs than in 2Fs.