

## Background Materials – November 21, 2022– Planning Board Meeting

Prepared by Anne Capra, Director of Planning and Conservation, 11/18/22

**Cable Access Channel 15 – Cable Access Channel 15** – The Cable Studio has indicated that this meeting will be live streamed on Channel 15.

### AGENDA ITEM #1 Open Comment Period

This 10-minute period is set aside for the public to offer comments on items not on the posted agenda, in accordance with the adopted policy, as amended 8/8/22, posted on the Town of South Hadley Planning and Conservation Department webpage here:

<https://southhadley.org/DocumentCenter/View/9842/Open-Comment-Period-Policy---As-Adopted-2022-08-08>

**Action Needed:** Allow members of the public to offer comments to the Board.

### AGENDA ITEM #2 Minutes

Senior Clerk Colleen Canning will forward minutes separately.

**Action Needed:** Vote to approve the minutes.

### AGENDA ITEM #3 Correspondence

A list of correspondence received will be sent prior to the meeting.

**Action Needed:** No action needed.

### 6:30 PM AGENDA ITEM #4 Delaney Market, 459 Granby Road, Site Plan Review Waiver Request (Assessor's Map 31, Parcel 15)

Application materials are online here: [Granby Road \(459\) - Delaney's Market - 2022 | South Hadley, MA - Official Website](#)

The new owner of the property intends to re-purpose the existing building located on the site. The building was formerly used as a retail building for motorcycle sales and repairs. The proposed use will include establishment of a small retail component for sales of pre-packaged prepared meals and offices on the first floor of the building, and a commercial kitchen and storage in the basement. The site is currently zoned Business A-1 and retail sales require Site Plan Review, and per 255-145 (A)(1) the construction or expansion of commercial structures. The applicant has also filed a Notice of Intent with the Conservation Commission, public hearing held on 11/16/22 and continued until 12/7 so the Commission could conduct a site visit.



Per Zoning Bylaw Section 255-145 (D), the applicant has requested a waiver from Site Plan Review based on the following criteria:

Waiver permitted. The Planning Board may waive any and all requirements of site plan review/approval for the following:

- (1)** New construction under 1,000 square feet; and
- (2)** Exterior expansions, provided that the expansion is less than 25% of the existing floor area of the structure. Where the structure is part of a complex consisting of multiple buildings functioning as a single facility, the sum of the total square footage of all structures comprising the complex may be used to determine the threshold for such a waiver.

The project will remove an existing deteriorated shed and existing degraded pavers at rear loading dock. New construction will include installation of two concrete pads for a walk in cooler (370 SF) and mechanical equipment (102 SF) totaling 472 SF. The sewer onsite will be upgraded but all work will be underground. This work has been coordinated with the DPW Water Pollution Control Director Melissa Labonte. The sewer trench and area where pavers will be removed will be repaved. I do not consider this “new construction” or “commercial expansion”. Therefore, this new construction meets standard #1 for a waiver.

A rough measurement of the building footprint from an aerial photo on the Assessor’s GIS viewer is 4,900 SF; 25% of that is 1,225 SF. (Applicant reports the floor area as 4,026 SF which may be more accurate given porch space etc.) Therefore, the new construction meets standard #2 for a waiver. Note: a project must meet only one of the standards for waiver approval.

Off-Street Parking – The project will include the stripping of 13 new parking spaces, one of which will be handicapped accessible. The previous lot, although paved, had no stripped spaces or designated handicap parking. There is shared driveway easement on the east side of the

building with 461 Granby Road. Based on the submitted plans, it appears that 609 SF are for retail space leaving the remaining as commercial kitchen and office space (7,443 SF),  
4 spaces x 1000 SF floor area retail = 3 spaces  
1 spaces x 1000 SF for industrial/warehouse (Commercial kitchen may be best suited in this category) = 7 spaces  
Total 11 spaces required to meet standards

**Recommendation:** Motion to approve a request for waiver from Site Plan Review for 459 Granby Road. (The project will be submitting an Illuminated Sign application, anticipated to be on the 12/5 agenda.)

**Action Needed:** Conduct the meeting and motion to approve or deny the request for a waiver.

6:30 PM AGENDA ITEM #5 2078 Memorial Drive, Professional Business Special Permit (Assessor’s Map 7, Parcel 123)

Application materials are online here: [Memorial Drive \(2078\)- Dentist Office | South Hadley, MA - Official Website](#)

The property is located within the Residence A-1 zoning district in an existing office building, used previously for a dentist office. Professional Business is allowed by Special Permit in this district, on Route 33 between Route 202 and the Chicopee city line. Businesses at this location have been issued Professional Business Special Permits in 1994, 2007, and 2016. Parking and access to the building is at the rear of the building which fronts Loretta Street. No changes to the structure or exterior expansions are proposed.

Standards for approval are codified in 255-34 Professional Business Uses (<https://ecode360.com/30053205>) and Article IX Special Permits ([Town of South Hadley, MA Special Permits \(ecode360.com\)](#)). A spreadsheet with standards is attached.



Departmental Comments Received:

Chief Gundersen, Police Department – “I have no comments or concerns.”

**Recommendation:** Make findings on the Special Permit and Professional Business Use criteria and move to issue a Special Permit.

**Action Needed:** Conduct the public hearing and motion to approve the Special Permit, with or without conditions, or deny. The Board must make written findings on the mandatory standards in 255-129 (A), requiring that a proposed use will meet the standards, and in 255-34 Professional Business Uses.

6:30 PM AGENDA ITEM #6 19 Ashfield Lane, Home Occupation II Permit (Map 46, Parcel 35)

Application materials are online here: [Ashfield Lane \(19\) - Home Massage Therapy Business | South Hadley, MA - Official Website](#)

255-22 Home Occupation: [Town of South Hadley, MA Supplemental District Regulations \(ecode360.com\)](#)

The subject property is within the Residence A-1 zoning district in a single family home. Based on the plan submitted, the massage room has its own entrance and is 200SF. The total floor area of the house is 1,600SF which makes the room both under 500SF and less than 20% of the floor area. A designated parking space is also provided within the driveway.



Departmental Comments Received:

Chief Calkins, Fire District 2 – “SHFD2 would like to perform a Home Safety Inspection for 19 Ashfield Lane. Inspection would consist of adequate Smoke and CO detection, egress paths, and proper House numbering. The resident can contact us at 413-534-5803 or email [tcalkins@shfd2.com](mailto:tcalkins@shfd2.com) .

The last smoke and Co inspection for 19 Ashfield in our records was 2008. FYI”

Chief Gundersen, Police Department – “I have no comments or concerns.”

**Recommendation:** Review the Home Occupation II standards and make a finding for each. The project appears to meet all standards.

**Action Needed:** Conduct the public hearing and motion to approve the permit, with or without conditions, or deny the permit.

## AGENDA ITEM #7 Discussion on Accessory Dwelling Units

Given the full agenda for this meeting, I don't expect to get into any real discussion on Accessory Dwelling Unit Bylaws. Below is a list of key parameters that need to be discussed prior to developing a model bylaw. Also listed is a link to the State's toolkit on ADUs. Members should look at that material to become familiar. For future meetings, I will upload additional background reports on this topic. Attached is a American Planning Association Quick Notes which provides a basic summary of ADUs, parameters for consideration in developing bylaws, and the issues that can arise when working on these with the public. In summary, ADU bylaws can vary widely from town to town and need to be developed based on community preferences. Thus, I chose not to send bylaws from other towns to prevent any misunderstanding that any of the parameters are predetermined.

The following are some key parameters that need consideration before looking at model bylaws and developing a bylaw for South Hadley:

1. Permitting - By right, special permit. Or site plan review – This would include discussion on zoning districts for this use.
2. Dimensional requirements/Unit size – This would take into consideration parcel size as well as dwelling unit size.
3. Limitations on tenancy/occupancy (age, duration, etc.), if any. This would include discussion on whether or not the owner of the property lives in one of the units on the property.
4. Form of Ownership – Should bylaw prohibit converting the ADU unit into a condominium.
5. Preexisting, nonconforming ADUs – How to treat grandfathered ADUs; illegal apartments that seek to apply for a ADU permit.
6. Adequacy of Water and Sewer Services – Needs to be considered.

Resources:

EOEEA Smart Growth Toolkit – Accessory Dwelling Units

[Smart Growth / Smart Energy Toolkit Modules - Accessory Dwelling Units \(ADU\) | Mass.gov](#)

Next Steps – Schedule upcoming meeting to block out time to discuss the six parameters listed above and develop preferred criteria to develop a model bylaw on. At that point, Town Counsel can provide a template, in addition to bylaws from other communities to look at.

## AGENDA ITEM #8 Planning & Conservation Department Report on Planning Projects and Development Updates

### **South Hadley Housing Production Plan Launch**

Do you, your family, or your friends face challenges with housing in South Hadley? Do you want to help shape housing in your community? Do you want housing that can serve all our needs? The Town of South Hadley asks for your help to plan for a better housing future. We need your

help to craft a “Housing Production Plan” that will set the course for residential development and housing policy.

This fall there are two opportunities to get involved:

- **Community Forum** on the town’s housing goals and the future housing development – December 12, 2022, 7–9 PM, at the South Hadley Public Library, 2 Canal Street, South Hadley.
- **Survey** on housing in South Hadley, giving people who can’t attend the forum a chance to weigh in. Visit [links.shhousingplan.org/survey](https://links.shhousingplan.org/survey) to participate.

To stay informed, visit [www.shhousingplan.org](https://www.shhousingplan.org), and sign up for email updates at [links.shhousingplan.org/email](mailto:links.shhousingplan.org/email). Questions? Contact Anne Capra, Director of Planning and Conservation at [acapra@southhadley.ma.gov](mailto:acapra@southhadley.ma.gov) or (413) 538-5030 x6128.

### **Lauzier Farm APR – Local Fundraising Closed the Gap**

I am very pleased to announce that the \$190,000 local match toward the protection of the 210-acre Lauzier Farm on Alvord Street has been met as a result of enthusiastic community support and our partnership with Kestrel Land Trust. Following a steady flow of donations from neighbors and other supporters of farmland preservation over the past 18 months, a former South Hadley resident recently stepped up with a leadership gift to close the remaining funding gap. After the sale next spring of an Agricultural Preservation Restriction (APR) on 210 acres of farmland that will prohibit development in perpetuity, the Lauzier Farm will become “Forever Farmland.” Thanks to the landowners, Kestrel Land Trust, the Commonwealth of Massachusetts, and people like you, this beautiful fertile land will remain in agricultural production forever. We at the Town of South Hadley deeply appreciate the generosity that the Lauzier Farm project has inspired. Thank you again for investing in the preservation of this important family farm in our community and the Pioneer Valley.

### **Next Meetings and Upcoming Events**

12/5 – 1 Conti Drive SPR and Stormwater Management Permit Public Hearing Continuation; 510 New Ludlow Road Request to amend Special Permit

12/12 – Housing Production Plan Community Forum, 7pm @ South Hadley Public Library

12/19

1/9

1/23

2/6 – Short Term Rental Bylaws Public Hearing

2/27

3/6

3/20

### **Special Town Meeting**

Planning Board Meeting – November 21, 2022 – Background Materials

The Selectboard has called a Special Town Meeting for Wednesday, November 30, 2022 at 6pm at the South Hadley High School auditorium. The warrant has been approved and can be viewed online at:

[www.southhadley.org/DocumentCenter/View/10076/Warrant-Special-Town-Meeting-113022](http://www.southhadley.org/DocumentCenter/View/10076/Warrant-Special-Town-Meeting-113022)

Presentation from the Public Hearing here: <https://www.southhadley.org/1134/2021-to-2022>

**AGENDA ITEM #9** Other New Business (topics which the Chair could not reasonably expect to be discussed/considered as of the date of this notice)

No new business had been submitted to me as of today.

<p>A. Except in the case of a special permit for changing a nonconforming use or structure, which is governed by § 255-7B, the SPGA must make written findings on the following mandatory standards, requiring that a proposed use will:</p>	
1	<p><b>Comply with all applicable land use district, overlay district, and other specific requirements of this and other bylaws and regulations, and be consistent with the purpose and intent of this bylaw and of the land use district in which it is located;</b></p>
2	<p><b>Be suitable to the surrounding neighborhood and the "Land Use Area" in which it is located.</b> Land Use Areas are identified and described in the section of South Hadley's Master Plan entitled "Land Use Area Vision Statements" (pages 1-10 through 1-19). In making this determination, the Planning Board shall take into consideration any guidance provided by the land use goals articulated in South Hadley's Master Plan, goals articulated in South Hadley's open space and recreation plan, and input from relevant boards, Town officials, and the public;</p>
3	<p><b>Be compatible with existing uses and uses allowed by right in the neighborhood, Land Use Area, and zoning district;</b></p>
4	<p><b>Be compatible with the existing character of the neighborhood and Land Use Area, and/or zoning district.</b> "Character" shall be understood to include prevalent patterns of: site design; setbacks from property lines; amount and location of parking; amount, type, location and quality of open spaces and landscaped areas; amount, type, and location of impervious surfaces; distances and relationships between buildings; density of building(s) relative to land area; building massing; architectural style and detailing; materials; buffering from adjacent uses; traffic volume and timing; noise; odors; and light.</p>
5	<p><b>Be suitable for the property on which it is proposed,</b> considering the property's, scenic, cultural and historic significance, and its ability to be buffered or screened from neighboring properties and public roads.</p>

6	<b>Provide safe access for fire, police, and other emergency vehicles.</b>	
7	<b>Provide adequate water, drainage and waste disposal systems</b> without causing significant harm to any natural water system or overloading any public water, drainage, or sewer system, or any other municipal facility.	
8	<b>Not cause significant traffic congestion, impair pedestrian or bicycle safety, or overload existing roads, sidewalks and trails,</b> considering their current width, surfacing, and condition, and any improvements proposed to be made to them by the applicant.	
9	Not result in excessive air, water, noise, or light pollution, or create any other public or private nuisance;	
10	Not degrade the scenic, rural, or historic character of the Town with structures or other lot features which are deemed visually objectionable in light of prevailing community as reflected in the goals articulated in South Hadley's Master Plan;	
11	Be consistent with the South Hadley Master Plan, provided that the Comprehensive Plan provides legally sufficient guidance and that the applicable provision of the Master Plan is not inconsistent with any specific provision of this bylaw;	
12	Comply with applicable criteria for site plans under § 255-148.	
B. In addition, the SPGA may include in its written findings, where applicable, consideration of any or all of the following criteria to be satisfied by the proposed use, building or structure:		
1	For projects involving the removal of existing housing, not adversely affect the availability of affordable housing in the Town;	
2	Not have an overall off-site impact that is significantly greater than the overall off-site impact that would be caused by full development of the property with uses permitted by right, considering relevant environmental, social, visual, and economic impacts;	

3	The adequacy and configuration of off-street parking and loading areas, including their nuisance impact on adjoining properties and on properties generally in the district;	
4	Harmony of signs and exterior lighting, if any, with surrounding properties;	
5	The location of the site, and proposed buildings or structures thereon, with respect to floodplains and floodways of rivers or streams;	
6	The absence of any other characteristic of the proposed use that will be hazardous, harmful, offensive or will otherwise adversely affect the environment or the value of the neighborhood or the community; or	
7	Provisions for energy conservation, for the use of renewable energy sources, and for protection of solar access.	

### 255-34 (F) Professional Business Uses

The following additional conditions and restrictions shall apply to each parcel on which one or more professional business special permits are approved under these provisions:

<b>1</b>	<b>A single sign may be permitted on each parcel.</b> The sign may be approved for placement either flat on the building in which the professional business is located or freestanding on the parcel. Sign illumination by means of continuous indirect lighting may be permitted. The cumulative size of the sign structure permitted shall be within the discretion of the SPGA but in no case shall it exceed 16 square feet; provided, however, the SPGA may permit the area of the sign to be calculated by the area within the border of the sign and not as provided in the definition of "mobile home" in § <b>255-10</b> of the Zoning Bylaw. The Planning Board may also permit one additional sign per business (not to exceed one square foot in area) to be located on the exterior of the building.	
<b>2</b>	<b>Buildings</b> in which the professional business is located shall, as far as practicable, <b>resemble residential buildings in style, materials and landscaping.</b>	

<b>3</b>	The development of <b>new structures shall be in harmony with the historic, scenic and/or agriculture/residential nature of the Town.</b>	
<b>4</b>	<b>Adequate off-street parking</b> as determined by the SPGA shall be provided to the patrons and the occupiers of the professional business.	
<b>5</b>	Any <b>approved special permit shall expire when the professional relinquishes the use</b> for which the special permit was granted for a period of one year.	



# Plan Launch Press Release

SOUTH HADLEY—Do you, your family, or your friends face challenges with housing in South Hadley? Do you want to help shape housing in your community? Do you want housing that can serve all our needs? The Town of South Hadley asks for your help to plan for a better housing future. We need your help to craft a “Housing Production Plan” that will set the course for residential development and housing policy. This plan will be driven by the community. The process will include opportunities for the public to weigh in on housing goals, specific housing policies, locations for potential residential development, and more. We need YOUR input to make this plan work.

**This fall there are two opportunities to get involved:**

**Community Forum on the town’s housing goals and the future of development –  
December 12, 2022, 7–9 PM, at the South Hadley Public Library, 2 Canal Street, South Hadley.**

**Survey on housing in South Hadley, giving people who can’t attend the forum a chance to weigh in. Visit [links.shhousingplan.org/survey](https://links.shhousingplan.org/survey) to participate.**

Housing is a real issue for South Hadley residents:

- According to the US Department of Housing and Urban Development, 30% of South Hadley households pay more than is reasonable for housing and are considered “housing cost-burdened.”
- An estimated 40% of South Hadley households would be considered low-income and qualify for housing support if that support was available.
- Housing prices and rents have risen dramatically in the last ten years, making it difficult for new families, seniors, and young people to find homes that fit their needs, and increasing tax burdens on existing homeowners.
- The demand for housing affordability is high, but the supply of deed-restricted affordable homes and homes affordable at market prices is very low.
- Likewise, the supply of homes that are accessible to South Hadley’s seniors, the supply of starter homes, and the supply of workforce housing is limited.

To address these issues and more, the Town has begun a process to update our Housing Production Plan (HPP) which will guide housing policy for the next five years. HPPs are regulated by the state’s Department of Housing and Community Development under M.G.L. Chapter 40B. Communities can use HPPs to proactively address housing issues, rather than only reacting to proposed developments. An

HPP must include a housing needs and demand assessment, analysis of development constraints and opportunities, the community's housing goals, recommended strategies to meet those goals, and a target for new Affordable Housing development. To conduct the process, the Town is working with planning and design firms Outwith Studio and Utile, who will provide technical assistance and help draft the plan's content. The process will run through May 2023.

According to Director of Planning and Conservation Anne Capra, who is overseeing the process, "The plan will explore the existing housing shortage within South Hadley and ways to create a range of housing types within existing neighborhoods while meeting community goals for equity, sustainability, and the protection of natural, cultural and historic resources."

Engagement activities will include public workshops, meetings, and surveys. In addition to these opportunities and future events, the plan has convened an Advisory Committee of residents, local officials, and local housing experts, who will guide the process, promote engagement by the public, and help synthesize public input into a final document. Ultimately, the Selectboard and Planning Board will review the document, and if adopted, send the document to the state for approval.

To stay informed, visit [www.shhousingplan.org](http://www.shhousingplan.org), and sign up for email updates at [links.shhousingplan.org/email](mailto:links.shhousingplan.org/email). Please direct any questions about the plan to Anne Capra, Director of Planning and Conservation at [acapra@southhadley.ma.gov](mailto:acapra@southhadley.ma.gov) or (413) 538-5030 x6128.

## HOUSING PRODUCTION PLAN – COMMUNITY FORUM #1

**Monday, December 12, 2022**

**7-9 PM**

**South Hadley Public Library  
2 Canal Street, South Hadley, MA 01075**

### AGENDA

1. Welcome and poster review time (15 min)
2. Presentation on housing conditions + Q&A (30 min)
3. Break-out discussions (30 min)
4. Report-back (10 min)
5. Housing needs and options activities (20 min)
6. Next steps and final thoughts (15 min)



**SOUTH HADLEY**  
HOUSING PRODUCTION PLAN

# QUICKNOTES

## Accessory Dwelling Units

Accessory dwelling units (ADUs) are small, self-contained living units that typically have their own kitchen, bedroom(s), and bathroom space. Often called granny flats, elder cottage housing opportunities (ECHO), mother-daughter residences, or secondary dwelling units, ADUs are apartments that can be located within the walls of an existing or newly constructed single-family home or can be an addition to an existing home. They can also be freestanding cottages on the same lot as the principal dwelling unit or a conversion of a garage or barn.

The benefits to the home owner and the ADU occupant are many. For the home owner, ADUs provide the opportunity to offer an affordable and independent housing option to the owner's grown son or daughter just starting out or to an elderly parent or two who might need a helping hand nearby. The unit could also be leased to unrelated individuals or newly established families, which would provide the dual benefit of providing affordable housing to the ADU occupant and supplemental rental income to the owner. Supplemental income could offset the high cost of a home mortgage, utilities, and real estate taxes. Finally, leasing an ADU to a young person or family can provide an elderly home owner with a sense of security and an opportunity to exchange needed work around the house and yard for a discount on rent.

Despite the benefits, some communities resist allowing ADUs, or allow them only after time-consuming and costly review procedures and requirements. Public resistance to ADUs usually takes the form of a perceived concern that they might transform the character of the neighborhood, increase density, add to traffic, make parking on the street more difficult, increase school enrollment, and put additional pressure on fire and police service, parks, or water and wastewater. However, communities that have allowed ADUs find that these perceived fears are mostly unfounded or overstated when ADUs are actually built.

ADUs are a particularly desirable option for many communities today considering the current economic climate, changes in household size, increasing numbers of aging baby boomers, and the shortage of affordable housing choices. They provide a low-impact way for a community to expand its range of housing choices.

### LOCALITIES AND STATES GET INTO THE ACT

Towns, cities, and counties across the country have done the right thing by proactively amending local zoning ordinances to allow ADUs. This is typically done either as a matter of right or as a special or conditional use. In either case, reasonable conditions may be imposed. Some states, including California, have enacted legislation that limits the ability of localities to zone out ADUs.

In 2001 AARP retained APA's Research Department to write a guidance report for citizens interested in convincing local and state officials of the benefits of allowing ADUs and showing them how to do it. Entitled *Accessory Dwelling Units: Model State Act and Model Local Ordinance*, the monograph provides alternative statute and ordinance language useful to implementing all forms of ADUs.

*The Model Local Ordinance* suggests recommendations for communities. Additionally, the intent of the ordinance describes the permitting process for eligibility and approval, and further outlines standards for ADU approval pertaining to lot size, occupancy, building standards, parking and traffic, public health, and how to deal with nonconforming ADUs. *The Model State Act* provides findings and policies encouraging the approval of ADUs and names local governments as the entities entitled to authorize

"Towns, cities, and counties across the country have done the right thing by proactively amending local zoning ordinances to allow ADUs."



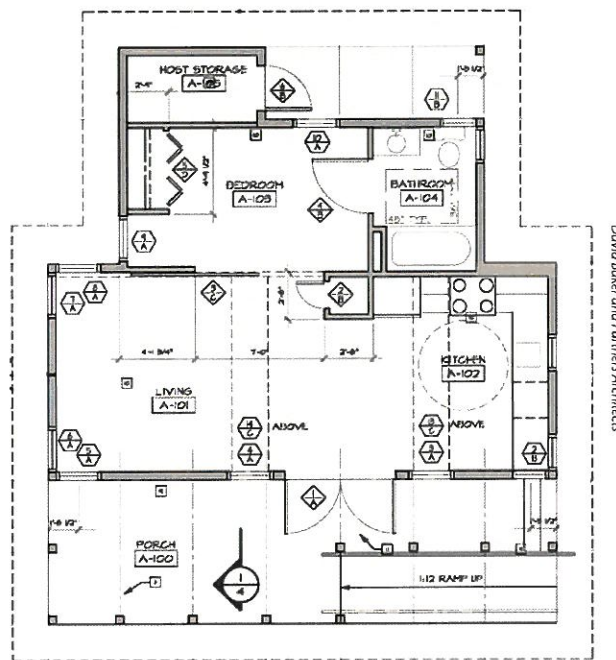
American Planning Association

Making Great Communities Happen

adoption of an ADU statute. It specifies the limits to which local governments may prohibit ADUs and outlines default permitting provisions if a locality does not adopt an ADU ordinance. It details optional approaches for adopting ADU ordinances, certifying local ADU ordinances, gathering data on ADU efforts, preparing reports and recommendations, and forming a statewide board overseeing ADUs.

### WHAT ISSUES ARISE WHEN A PROPOSED ADU ORDINANCE IS CONSIDERED?

ADU ordinances offer a variety of benefits to local communities but the road to implementation may not be an easy process. While ADUs are more widely accepted now than in years past, skeptics still remain and some still oppose ADU zoning. The following describes some issues or decision points that communities must address in order to successfully navigate the perilous waters of public acceptance. The approach that is right for your city or town will be unique, based on local physical, political, social, and economic conditions.



Single story ADU floor plan.

David Baker and Partners Architects

**By-right Permitting.** Should permits for ADUs be issued as a matter of right (with clear standards built into the ordinance) or should they be allowed by discretion as a special or conditional use after a public hearing?

**Occupancy.** Should ordinance language allow an ADU only on the condition that the owner of the property lives in one of the units?

**Form of Ownership.** Should the ordinance prohibit converting the ADU unit into a condominium?

**Preexisting, nonconforming ADUs.** How should the ordinance treat grandfathered ADUs? How do you treat illegal apartments that want to apply for an ADU permit?

**Unit Size:** Should the ordinance limit the square footage of the ADU to assure that the unit is truly accessory to the principal dwelling on the property?

**Adequacy of Water and Sewer Services.** How do you guarantee there is enough capacity in sewer lines, pumping stations, and treatment facilities to accommodate ADUs?

These are not easy issues. However, communities would do well to seriously consider adopting an approach that: allows ADUs by right with clear written conditions; does not require owner occupancy; prohibits condominium ownership on the basis that a condo could not be considered accessory; provides a simple procedure for legalizing preexisting or formerly illegal apartments provided the unit is inspected; provides a generous size standard; and provides a water and sewer adequacy standard.

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For a complete list of references visit <http://www.planning.org/pas/quicknotes/>

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For more information on this topic visit [www.planning.org](http://www.planning.org).

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# QUICKNOTES

## 3. Case Law

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