



Executive Office of
Housing & Livable Communities

Accessory Dwelling Units (ADUs)

HLC Presenting to
Massachusetts Housing Partnership (MHP)
December 17th, 2025

CONFIDENTIAL: FOR POLICY DEVELOPMENT



Welcome and Introductions



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Contents



	Page
Key Highlights	4
FAQs and Resources	10
New Initiatives and Progress	13
Questions	17



Key Highlights

ADU Law and Regulations – Key Highlights



- In the past, many MA municipalities had **ADU zoning in place** with various types of restrictions but saw limited new units.
- Section 8 of Chapter 150 of the Acts of 2024 allows **accessory dwelling units (ADUs) under 900 square feet to be built by-right** in single-family zoning districts, defined as “**protected use ADUs**” in the new ADU regulations.
- ADU provisions in the Zoning Act were **effective February 2, 2025**, and the ADU Regulations were finalized and published by HLC based on feedback from public comments prior to February 2, 2025.



ADU Law and Regulations – Key Highlights



- **Dover Amendment** - ADU Regulations have been added to Section 3 of the MGL Zoning Act as part of the other Dover Amendments. ADUs are added to a list of **protected uses** that have been deemed important enough to justify state-level protection from local regulation. There is existing case law that covers the Dover Amendments.
- **State Health and Safety Law** - Nothing in the regulations “is intended to supersede state health and safety laws and regulations, such as, but not limited to the **Building Code**, Fire Code, M.G.L. c. 111, § 189A: Massachusetts Lead Law, or any federal laws.”

ADU Law and Regulations – Key Highlights



- **1 Protected Use ADU per lot by right in single-family zoning districts**
- **Single-Family Zoning District** – Includes any district where single-family homes are allowed by-right or by special permit, regardless of how it is named.
- **Principal Dwelling** – This includes any structure with a dwelling unit in a single-family zoning district (i.e., duplexes, triple-deckers, and multi-units).
- **Protected Use ADU** – Includes (1) Separate entrance (2) Not larger than 900 square feet (3) Subject to additional restrictions by the municipality that are reasonable



ADU Law and Regulations – Key Highlights



- **Dimensional Standards** – Cannot be more restrictive than for a single-family home, the Principal Dwelling, or Accessory Structure, whichever is more permissive for each of the standards.
- **Pre-existing ADUs** – If a pre-existing ADU meets the standards of a Protected Use ADU, prior conditions may not be continued.
- **Address Assignment** – All ADU's shall be assigned an address consistent with the most current [Address Standard published by MassGIS](#).

Note: Please review the ADU Regulations to better understand all the rules.

ADU Law and Regulations – Key Highlights



- **Prohibited ADU Regulations:** Cannot be applied to a Protected Use ADU (e.g., owner-occupancy, parking restrictions, type of ADU restriction, use and occupancy restrictions, unit and density caps)
- **Unreasonable ADU Regulations:** Reflect Massachusetts Case Law on Section 3 (Dover) Protected Uses. Gives municipalities a clear statement of the standard and legal test to apply to regulations to determine reasonableness and provides limitations for various categories of zoning requirements and regulations including but not limited to: Utilities, Safety, and Emergency Access, Environmental Regulation, Impact Analysis, Studies and Fees, and Site Plan Review. **Applies to municipality-wide requirements and individual properties.**



FAQs & Resources

FAQs answered so far



- **Local Zoning & Regulations** ➡ Type of allowable principal dwellings, # of ADUs allowed per lot, more permissible ADUs, short-term rental ADUs, septic capacity requirements, # of bedroom restrictions, minimum lot size requirements, dimensional standard requirements, manufactured housing, gross floor area, and more!
- **Permitting and Development Process** ➡ Property specific questions, how to get an ADU permit, denied ADU permits, condos & ADUs, definition of by-right, fees, separate or common utility connections, and more!
- **Other Impacts & Related Policies** ➡ Financing ADUs, ADUs and the SHI, ADUs & HOAs, and more!
- **Resources & Technical Assistance** ➡ Training opportunities, model ADU by-law, funding for ADU planning activities

[Accessory Dwelling Unit \(ADU\) - FAQs | Mass.gov](#)

Webinars



- Title 5 Webinar with EOHLC and MA DEP coming soon.

Webinar	Recording	Slides
ADU Law and Regulation Pre-Recorded Webinar	YouTube Recording of Webinar	ADU Law and Regulations Slide Deck
ADU Model Zoning Webinar - EOHLC, in partnership with MAPC and MHP will share information about the ADU Model Zoning and discuss how Cities and Towns can use this tool.	YouTube Recording by MAPC	ADU Model Zoning Webinar Slide Deck
CPTC session offered by EOHLC staff during the 2025 Annual Conference.	N/A	ADU CPTC Presentation



New Initiatives and Progress

ADU Design Challenge



- Goal to spread awareness about ADUs, inspire ADU development, and lower design costs
- Open **Dec. 15 – Feb. 27**, winners announced **April 2026**
- Following the challenge, HLC will produce:
 - Ready-to-use ADU floor plans and elevations available to the public
 - A design guidebook featuring winning designs and standout submissions
 - Mass.gov resources that explain how to choose, adapt and permit ADUs

Prizes thanks to our generous sponsors:

- **All-Challenge 1st Place: \$20,000**
- **All-Challenge 2nd Place: \$15,000**
- **All-Challenge 3rd Place: \$10,000**
- **Category Awards: \$3,000 each:**
 - Exceptional compact ADU
 - Exceptional standard ADU
 - Exceptional sustainable ADU
 - Exceptional accessible ADU
 - Exceptional innovative construction

New ADU programs



- **ADU Incentives Program**

- Supported by \$10 million over two years from the Governor's fiscal 2026–2030 [Capital Investment Plan](#), MHP is developing a statewide ADU Incentive Program to promote ADU construction and support homeowners through the predevelopment and construction process.
- **This program is still in development.**

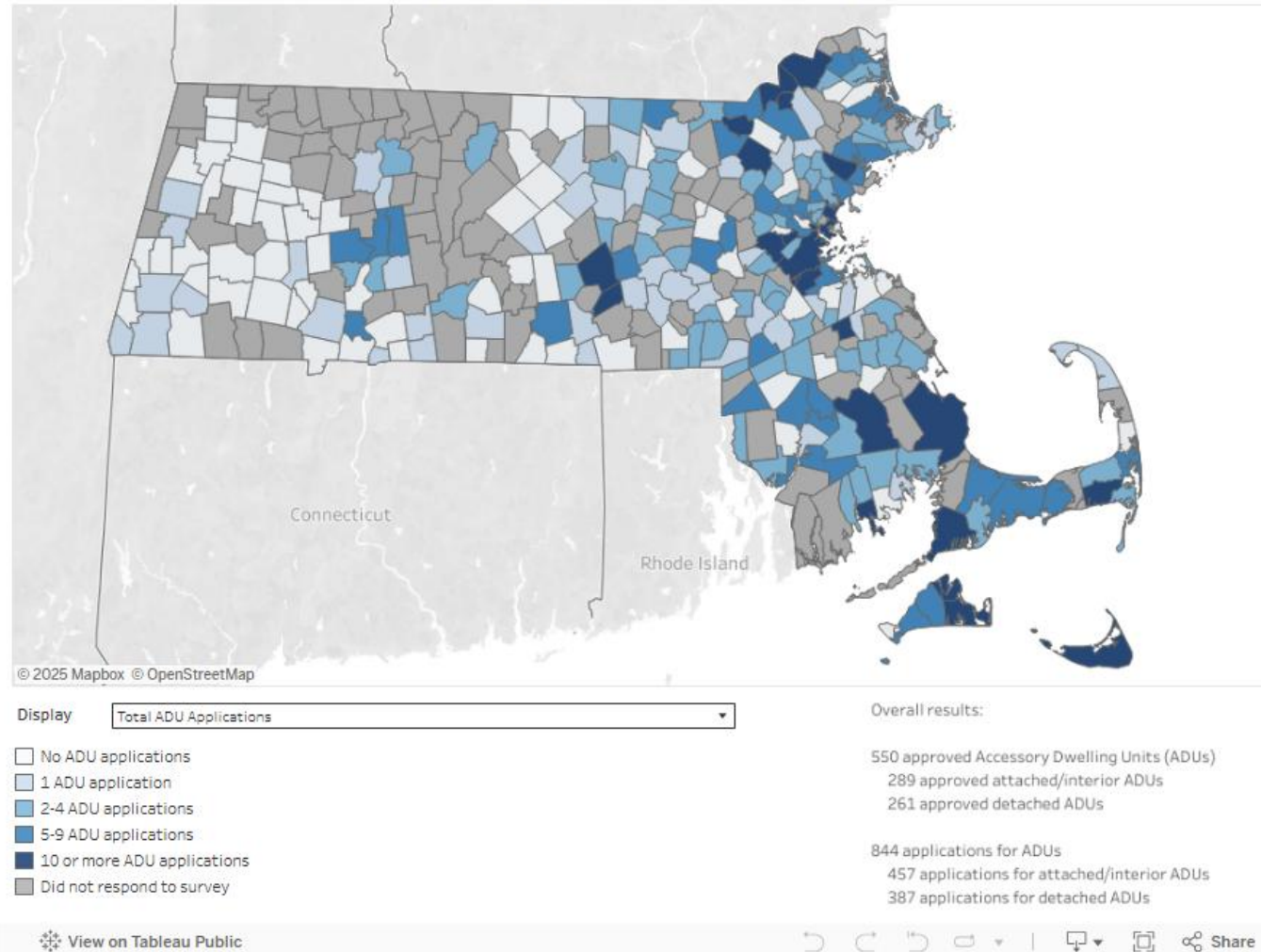
- **MassHousing ADU loan program**

- This month, MassHousing authorized up to \$20 million for mission-oriented homeownership activities, a portion of which will support the ADU loan program.
- This financial support is anticipated to be available in early 2026.

Data Collection & Progress



Results of EOHLC Accessory Dwelling Unit (ADU) Survey
Survey administered to municipal building inspectors July 9th-August 1st 2025.
Application and permitting numbers for the period January 1st-June 30th, 2025.



From January 1 – June 30 2025, over 500 **ADUS have been approved** in Massachusetts based on survey responses from municipalities

FOR MORE INFORMATION

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www.mass.gov/adu

www.mass.gov/aduchallenge

