



PLANNING BOARD

Report to Town Meeting

**Article 26. Zoning – Small House Development  
(Planning Board)**

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To see if the Town will amend Section 3.3, Articles 5 and 12 of the Zoning Bylaw by deleting the ~~lined-out~~ language and adding the language in ***bold italics***, as follows:

~ SEE WARRANT ~

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Recommendation

The Planning Board voted 7-0, with 2 members absent, to recommend that Town Meeting REFER Article 26 back to the Planning Board for further study and development. Further assessment of Amherst's residential neighborhoods is ongoing, and design standards and appropriate permit requirements remain to be resolved.

Background

Article 26 is another zoning amendment addressing housing needs in Amherst. Article 26 proposes to create zoning regulations specifically for “small houses”—one family and two family dwelling units that are smaller and more compact than the average new home. These proposed amendments are part of the ongoing attempt to provide increased housing in Amherst in ways that:

- Make housing more affordable (smaller units cost less to build, heat or cool, and live in)
- Provide housing efficiently (use less land to build on and fewer resources to operate)
- Ensure that new housing is environmentally responsible (produces less waste per dwelling unit, creates a smaller carbon footprint)
- Promotes convenience (smaller houses are easier to clean and care for), and
- Have a lower impact on their surroundings in terms of size, architecture, and intensity of use.

There is a growing movement promoting the development of smaller homes. In addition to the reasons previously cited, the trend toward smaller houses is also a response to demographic changes—the aging of the population and the steadily shrinking size of families and households. Couples are having fewer children. Younger people are staying single longer. There are more single women households. More seniors live alone, as couples, or with live-in help.

According to the U.S. Census, average household size in Amherst has declined consistently since 1960:

<u>Year</u>	<u>Persons/Unit</u>
1960	6.99
1970	5.4
1980	4.5
1990	4.2
2000	3.8
2010	4.1

The small uptick in average household size in 2010 was more a reflection of Amherst’s worsening lack of sufficient housing than it was an increase in household size for larger demographic reasons. Amherst’s population grew 8.4% (increased UMass enrollment, more people trying to live in Amherst) as the housing supply remained relatively static. That same year (2010), average household size in Hampshire County was only 2.7 persons/housing unit, Massachusetts had 2.3 persons/housing unit, and the U.S. average was 2.8 persons/housing unit.

Community Objectives

Article 26 seeks to implement specific objectives and recommendations from the Amherst Master Plan, Housing Production Plan, and Amherst Housing Market Study. They also reflect the recommendations of the Housing and Sheltering Committee and the Planning Board.

What Article 26 Would Do

Article 26 proposes amendments governing the development of Small Houses as infill development, i.e., development that “fills in” in vacant lots or underused space in existing neighborhoods, one small dwelling unit at a time.

*A New Definition*

Article 26 proposes to define a small house as having interior habitable space of between 350 sq. ft. (the current minimum size in the Zoning Bylaw for converting an existing outbuilding to a residence) and 1,000 sq. ft., a common, modest size for a one- to two-bedroom dwelling unit. Under the Mass. Building and Sanitary Codes, even “micro” dwelling units with little as 170 sq. ft. of

habitable space would be possible (for a single occupant). No dwelling that small is proposed under Article 26.

Amherst has its own unique historical and modern patterns for residential homes. With space needs for children, visitors, storage, etc., it would be very unusual for more than one or two adults to occupy a dwelling unit smaller the proposed minimum of 350 sq. ft.

*Individual Lots for New Small Houses*

Article 26 proposes to create and apply different (smaller) dimensions—minimum lot frontage and lot area requirements—for small houses, to allow and encourage such infill development in Amherst’s two most densely settled residential zoning districts—the R-G and R-VC Districts.

Amherst has a wide diversity of residential neighborhoods built at different times during the community’s history. When lots and houses in many of Amherst’s older neighborhoods are examined closely, the size and pattern of original buildings become apparent. Original buildings frequently began as small buildings. Current building size is often the result of steady expansion over the generations in response to family needs or economic circumstances.

So for many Amherst neighborhoods their original historic character is determined by the architecture and settlement patterns of small, modest homes, whether those are the homes of 18<sup>th</sup> century farmers, 19<sup>th</sup> century millworkers, or the subsidized homes of returning veterans laid out along new connector streets or in suburban subdivisions. Small Houses are not something new for Amherst. In many neighborhoods, they were the rule.

Alternative Dimensions

The proposed dimensions are based not only on examination of Amherst’s existing neighborhoods, but on the minimum sizes established for building lots under state laws governing the grandfathering of residential building lots.

Small House Lots - The following lot and building dimensional requirements are proposed for stand-alone one family detached dwellings qualifying as Small Houses, in the R-G and R-VC Districts only:

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	<b><u>Proposed</u></b>	<u>R-G</u>	<u>R-VC</u>
Basic Minimum Lot Area (sq. ft.) <sup>h</sup>	<b>5,000</b>	12,000 <sup>m</sup>	15,000
Additional Lot Area/ Family (sq. ft.)	<b>1,500</b>	2,500 <sup>am</sup>	4,000
Basic Minimum Lot Frontage (ft.)	<b>50</b>	100	120
Basic Minimum/Maximum Front Setback (ft.) <sup>an</sup>	<b>15</b>	15	15
Basic Minimum Side and Rear Yards (ft.) <sup>g</sup>	<b>10</b>	10 <sup>d</sup>	15 <sup>d</sup>
Maximum Building Coverage (%)	<b>25<sup>a</sup></b>	25 <sup>a</sup>	25 <sup>a</sup>

Maximum Lot Coverage (%) <sup>o</sup>	<b>40</b>	40	40
Maximum Floors <sup>a</sup>	<b>2</b>	3	3
Minimum/Maximum Height (ft.) <sup>an</sup>	<b>25</b>	40	35

Notice that while the lot size and frontage requirements are reduced, setbacks and building/lot coverage limitations remain the same. Maximum floors are reduced to two (2) and maximum height is 10-15 feet lower than the current maximums.

### Permit Requirements

Under long tradition and a substantial history of case law, where single family homes are permitted, they are allowed by right in Massachusetts. Small Houses may be different in size, but they nonetheless remain single family homes, so consideration for the rights of property owners must be in new zoning for such houses.

Because new Small Houses might be proposed in neighborhoods with large homes and large lots, they require a Special Permit. If this were the only option, this amendment might be legally problematic. So Article 26 provides another option. If the Building Commissioner can certify that the proposed Small House meets the criteria in the principles and standards for design review (Section 3.204) and has “an external appearance, siting, and orientation compatible in terms of its design with those of other one family detached dwellings in the surrounding neighborhood”, then the Commissioner can waive the Special Permit requirement and issue an administrative permit for the Small House. To ensure appropriate evaluation of this standard, the Building Commissioner could require an applicant to undergo an advisory review by the Design Review Board.

The Planning Board believes that further work is needed to create dimensional regulations and design criteria for new Small Houses allowed by right under administrative review which will ensure that new homes are compatible with their surroundings, while not restraining architectural creativity or financial feasibility. Small Houses are completely appropriate in some residential neighborhoods, but in other neighborhoods might require more definitive design standards.

### Public Hearing

The Planning Board held a public hearing on Article 26 on Wednesday, April 2. The Zoning Subcommittee presented the proposed amendment, noting there was a consensus of support for the article but recommending 4-1 that it be referred back for further study. Further assessment of Amherst’s neighborhoods is needed, and design standards and appropriate permit requirements remain to be resolved. The dissenting member felt the article was ready in its current form.

There was no public comment.

After further discussion, the Planning Board voted 6-0-1, with 2 members absent, to recommend that Town Meeting refer Article 26 back to the Planning Board for further study and development.