

**PROPOSED AMENDMENTS TO TOWN COUNCIL ITEM NO. 2025-060:**

**AMENDMENT #1:**

To amend SECTION 2 of Item No. 2025-060 by further amending subsection (C)(1) to insert the words “on a lot” after “ADU”.

**As amended, the section would read as follows:**

- (1) A Special Permit is required if an applicant is seeking more than one ADU **on a lot** in a single-family residential zoning district.

**ALTERNATIVE AMENDMENT #1A:**

To amend Item No. 2025-060 by striking SECTION 2 in its entirety.

By deleting this Section, we would revert back to our existing language which prohibits more than one ADU on a lot. No change would be made to the existing Subsection (C)(1), which reads as follows: “No more than one ADU may be created per lot. This provision is not subject to variance.”

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**AMENDMENT #2:**

To amend SECTION 4 of Item No. 2025-060 by further amending subsection (C)(4) by deleting the first sentence in its entirety and by deleting the words “more than 2 bedrooms and/or” from the third sentence.

**As further amended, section 240-47.2 (C)(4) would read as follows:**

- (4) ~~The ADU shall contain no more than two bedrooms.~~ ADUs, in accordance with the definition, shall have a maximum gross floor area that is not larger than 1/2 of the gross floor area of the principal single-family dwelling unit (exclusive of floor area that converted to the ADU), or 900 square feet, whichever is smaller. ADUs with ~~more than two bedrooms and/or~~ a maximum gross floor area greater than 900 square feet may be permitted by special permit from the Zoning Board of Appeals. Garages, unfinished attics and basements, common entries, porches and decks shall not be included in the floor area calculations.

**ALTERNATIVE AMENDMENT #2(A):**

To amend SECTION 4 of Item No. 2025-060 by further amending subsection (C)(4) by deleting the first sentence in its entirety, by deleting the words “more than 2 bedrooms and/or” from the third sentence, and by adding the following new sentence at the end of said subsection:

“Only existing structures with a gross floor area greater than 900 square feet shall be considered for a special permit.”

**ALTERNATIVE AMENDMENT #2(B):**

To amend SECTION 4 of Item No. 2025-060 by further amending subsection (C)(4) by deleting the first and third sentences in their entirety.

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**AMENDMENT #3:**

To amend SECTION 5 of Item 2025-060 to further amend Subsection (C)(7) of Section 240-47.2 by inserting after the words “bus station” the following:

“, as those terms are defined in 760 CMR 71.02”

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**AMENDMENT #4:**

To amend Item No. 2025-060 by adding the following new SECTION 7:

“SECTION 7

By further amending said Section 240-47.2 by deleting the last sentence of Section (C)(11) and inserting the following new sentence in its place:

The principal dwelling or ADU, or both, may be rented at any given time.”

This would delete the sentence that says: “Either the principal dwelling or ADU, but not both, may be rented at any given time.”

**ALTERNATIVE AMENDMENT #4(A):**

To amend Item No. 2025-060 by adding the following new SECTION 7:

“SECTION 7

By further amending said Section 240-47.2 by deleting the last two sentences of Section (C)(11) and inserting the following new sentences in their place:

Any use of an ADU as a short-term rental, as defined by G.L. c. 64G, § 1, is prohibited.

The principal dwelling or ADU, or both, may be rented at any given time.”

In addition to the change in Amendment #4, this would also delete the sentence that says: “The rental period for an ADU and for a principal dwelling shall not be shorter than 12 consecutive months.”

**ALTERNATIVE AMENDMENT #4(B):**

To amend Item No. 2025-060 by adding the following new SECTION 7:

“SECTION 7

By further amending said Section 240-47.2 by deleting the last two sentences of Section (C)(11) and inserting the following new sentences in their place:

Any use of an ADU as a short-term rental, as defined by G.L. c. 64G, § 1, is prohibited. The principal dwelling or ADU, or both, may be rented at any given time; provided that, if the owner of the principal dwelling chooses to reside in the ADU, the principal dwelling shall not be used as a short-term rental during the period in which the property owner resides in the ADU.”

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**AMENDMENT #5:**

To further amend Item No. 2025-060 by adding the following new SECTION 8:

“SECTION 8

By further amending said Section 240-47.2 by deleting in subsection (B)(1) the following words:

, except that no ADU shall be permitted on a lot at the same time either an affordable accessory apartment exists on that lot pursuant to Chapter 9, Article II, §§ 9-12 through 9-16, of the General Ordinances of the Code of the Town of Barnstable or as a family apartment exists on that lot pursuant to § 240-47.1”

**As amended, section 240-47.2 (B)(1) would read as follows:**

An ADU that conforms to the requirements contained herein shall be permitted as an accessory use to a lawful single-family dwelling use.

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**AMENDMENT #6:**

To amend Item No. 2025-060 by adding the following new SECTION 9:

“SECTION 9

By further amending said Section 240-47.2 by deleting Subsection (C)(5) in its entirety and renumbering Subsections (C)(6) through (C)(12) as new Subsections (C)(5) through (C)(11).”

As amended, the following subsection of Section 240-47.2 would be deleted:

“(C)(5) Occupancy of the ADU shall not exceed two persons; occupancy limitations shall not apply to children ages 18 and under. Occupancy of an ADU by more than two persons over the age of 18 may be permitted by special permit from the Zoning Board of Appeals.”

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**AMENDMENT #7:**

To amend Item No. 2025-060 by adding the following new SECTION 10:

“SECTION 10

By further amending said Section 240-47.2 be deleting “year-round” from Subsection (A)(1).”

As amended, Subsection (A)(1) would read as follows:

“(1) Increase the number of dwelling units available for rental in Town while remaining within our current wastewater capacity limitations.”