



# How to Create an ADU in the Town of Barnstable

*The purpose of this guide is to provide people interested in creating an Accessory Dwelling Unit (ADU) with information about the program requirements and expectations in the permitting process.*

**The Accessory Dwelling Unit (ADU) program is intended to:**

- Increase the number of dwelling units available for year-round rental in Town while remaining within our current wastewater capacity limitations;
- Adapt single-family residential properties so they are supportive of residents at a variety of stages in their life cycle;
- Encourage greater diversity and support of all populations with particular attention to young adults and senior citizens;
- Encourage a more economic and efficient use of the Town's housing supply while maintaining the appearance and character of the Town's single-family neighborhoods; and
- Provide homeowners with a means of obtaining rental income to defray housing costs.

## RENTAL REQUIREMENTS

*What to know going in:*

- Either the principal dwelling or the ADU, *but not both*, may be rented at any given time.
- The rental period cannot be shorter than 12 consecutive months.
- There can be no rentals of any other duration on the property, including vacation/short-term rentals.
- An ADU may be located within the principal residence, or in an accessory, detached building on the same property. While an ADU has certain limitations on size and requires year round occupancy, there are no income or family restrictions placed on the tenant.

## ADDITIONAL RESOURCES & CONTACTS

**Planning & Development Department**  
508-862-4678

*To explore ADU finance assistance contact Housing Assistance Corporation:*

**Jodi Keegan, Housing Assistance Corporation—  
My Home Plus One**  
508-364-9305 • [jkeegan@haconcapecod.org](mailto:jkeegan@haconcapecod.org)

## SEPTIC CAPACITY

*Consider this first if your property has a septic system:*

To add an ADU to a property with a septic system, you will need to contact the Health Division at (508) 862-4644 or [health@town.barnstable.ma.us](mailto:health@town.barnstable.ma.us) and ask to speak to a Health Inspector to verify the capacity of your septic system and determine how many bedrooms the system can support. You may consider eliminating bedrooms from the principal dwelling to allow for bedrooms in an ADU.

## NEW CONSTRUCTION OR ADDITIONS

*ADUs may be attached to the principal dwelling, or in a detached accessory structure. The following requirements apply:*

- New construction must comply with setback and height requirements for the zoning district in which the property is located.
- An ADU shall be designed so that, to the maximum extent practical, the appearance of the property on which it is to be located remains that of a single-family residential property. Any addition or new construction shall be consistent in design with the principal single-family dwelling, considering the following: architectural details, roof design, building spacing and orientation, door and window location, and building materials.
- ADUs must have a separate entrance either directly from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code for safe egress.
- If the primary entrance of an ADU is not proposed to be shared with that of the principal dwelling, such entrance shall be less visible from the street view of the principal dwelling than the main entrance of the principal dwelling.

## DETERMINE PERMIT REQUIREMENTS

How many bedrooms?	Studio, (1) bedroom or (2) bedrooms	Greater than (2) bedrooms
What size?	½ the habitable floor area of the principal dwelling or 900 square feet, whichever is smaller	Greater than ½ habitable floor area or greater than 900 square feet
How many occupants?	Maximum of (2) persons <sup>1</sup>	Greater than (2) persons <sup>1</sup>
<p style="background-color: #92d050; padding: 5px;">If your project checks ALL of these boxes, you can proceed to obtaining a building permit</p>		<p style="background-color: #0070c0; color: white; padding: 5px;">If your project checks ANY of these boxes, please contact the Planning Department for information on applying for a Special Permit from the Zoning Board of Appeals</p>

<sup>1</sup> Occupancy limitations do not apply to children ages 18 and under

## ZONING REQUIREMENTS

- Only one ADU is allowed per lot.
- An ADU must be kept in common ownership with the principal dwelling and the lot on which it is located (no creation of condominiums).
- Parking for the ADU must be provided on-site.
- An ADU is limited by the number bedrooms, floor area, and occupancy unless a Special Permit is granted from the Zoning Board of Appeals to exceed the establishment limitations.

## Permits & Applications Checklist

### Old Kings Highway (if applicable)

**Certificate of Appropriateness**

If the proposed construction is within the Old King's Highway Regional Historic District (all properties located north of Route 6/Mid-Cape Highway).

**CONTACT:** Erica Brown, Planning & Development Department  
508-862-4787 • [erica.brown@town.barnstable.ma.us](mailto:erica.brown@town.barnstable.ma.us)  
[www.townofbarnstable.us/boardscommittees/OldKingsHighway/](http://www.townofbarnstable.us/boardscommittees/OldKingsHighway/)

### Zoning Board of Appeals (if applicable)

**Special Permit**

If the proposed ADU triggers the need for a permit from the Zoning Board of Appeals due to size or occupancy per the limitations defined above.

**CONTACT:** Anna Brigham, Planning & Development Department  
508-862-4682 • [anna.brigham@town.barnstable.ma.us](mailto:anna.brigham@town.barnstable.ma.us)  
[www.townofbarnstable.us/boardscommittees/ZoningBoard/](http://www.townofbarnstable.us/boardscommittees/ZoningBoard/)

### Building Permit

A building permit can be applied for through the online permit system accessed [here](#). Once a complete application has been submitted, all relevant Town departments will review the proposal to ensure it conforms with all applicable Federal, State, and local laws and regulations. In addition to building permit submission requirements, the following must be included in the permit application:

- Site plan identifying location of off-street parking for the ADU
- Floor plans, labeled sufficiently to demonstrate compliance with square footage limitations
- Exterior Elevations for new construction and detached ADUs demonstrating consistency with the requirements to minimize view of a separate entrance (attached ADUs) and consistency in design with principal single-family dwelling

### Wastewater

**Septic**

If the property is served by an on-site septic system, a determination by the Health Division that adequate septic capacity is available to serve the additional unit will be required. See [Options for Resolving Your Bedroom Count Issue](#) for further insight.

**CONTACT:** Health Inspector  
508-862-4644 • [health@town.barnstable.ma.us](mailto:health@town.barnstable.ma.us)

**Sewer**

If the property is served by municipal sewer, a determination by the Department of Public Works confirming adequate capacity is available to serve the additional unit is required.

**CONTACT:** Town Engineer  
508-790-6400 • [griffin.beaudoin@town.barnstable.ma.us](mailto:griffin.beaudoin@town.barnstable.ma.us)

- **Sewer Assessment Ordinance:** A \$10,000 maximum sewer betterment assessment per dwelling unit may apply, including for ADUs. Contact Mark Milne, Director of Finance, at 508-862-4660 or email [mark.milne@town.barnstable.ma.us](mailto:mark.milne@town.barnstable.ma.us) for more information.

- **Sewer Connection Costs:** Property owners are responsible for paying the cost to connect to the public sewer system.

### Rental Registration & Affidavit:

Once construction is complete and you are ready to occupy your ADU, you must:

- Obtain a Rental Certificate through the Town's Health Division's Rental Registration Program.

**CONTACT:** Tamara Froes  
508-862-4072 • [thamara.froes@town.barnstable.ma.us](mailto:thamara.froes@town.barnstable.ma.us)

- A Rental Affidavit shall be provided to the Town annually stating the unit is leased consistent with the provisions of the ADU ordinance.