

DATE: Click or tap here to enter text.CLIENT: Click or tap here to enter text.TOWN: Orleans, MA

Thank you, Click or tap here to enter text., for inquiring into the possibility of building an ADU at Orleans, MA. We conducted some preliminary research based on the conversation we had as to whether your property is eligible to build an ADU. We are happy to provide the following information:

PROPERTY OVERVIEW				
PROPERTY ADDRESS	Click or tap here to enter text.			
YEAR BUILT	Click or tap here to enter text.			
PARCEL ID	Click or tap here to enter text.			
PRIMARY DWELLING (SQ. FT.)	Click or tap here to enter text.			
LOT AREA (SF)	Click or tap here to enter text.			
# OF BEDROOMS				
ZONING DISTRICT	Click or tap here to enter text.			
ZONING OVERLAY DISTRICT(S)	Click or tap here to enter text.			
TYPE OF STRUCTURE				
INTENTION FOR STRUCTURE				

ELIGIBILITY FOR ADU					
PROPERTY MEETS ALL OF	THE FOLLOWING CRITERIA:	See Page for More Information			
	SepticZoning (by right)Setbacks	Pg. 3 Pg. 4 Pg. 4			

Instructions for Hyperlinks in Document: Hold down CTRL button & Click on Link (in bold green font) at same time.



OVERVIEW: Orleans ADU Bylaw

*On May 13, 2024, at Town Meeting, the voters approved an amendment to the ADU bylaws.

The newly adopted Accessory Dwelling Unit (ADU) Bylaw is intended to increase the number of small dwelling units available for rent in Orleans and to encourage greater diversity of the population, with particular attention to young adults, and senior citizens. While the Town voted to approve the bylaw amendment, the State Attorney General's Office has 90 days to review it and give a final approval before they are officially enacted.



Accessory Dwelling Units (ADUs) are now allowed "BY RIGHT" provided they meet all zoning requirements, health codes and conservation regulations.

General Information

The Accessory Dwelling Unit Bylaw is intended to diversify the types of housing available in Orleans and to support a strong, stable, and diverse year-round community. ADU's may be located within the principal residence or in an accessory building on the same property. The dwellings if leased shall be for periods of not less than ninety (90) days. See: § 164-40 5.

Size & Location

- An ADU shall contain no more than ***1,200 square feet of habitable space**.
- Any building addition which is involved shall not increase existing lot coverage by more than two percent (2%) of the lot area.
- Lot area must equal at least 30,000 square feet of contiguous buildable upland.

Preliminary Steps for Property Owner

- 1. Verify property location relative to zoning districts and/or ponds, salt marshes, bogs, etc.
- 2. Verify that the existing septic system is sized appropriately for additional bedrooms to the property.
- 3. Review full Bylaw language.

The material and information contained within this report is for general information purposes only and was obtained through sources available to the public. All data should be verified by the homeowner and/or with the appropriate professionals. You should not rely upon the material or information in this report as a basis for making any business, legal or other decisions. While we endeavor to keep the information up to date and correct, the Lower Cape Housing & ADU Resource Center makes no representations or warranties of any kind, express or implied about the completeness, accuracy, reliability, and suitability with respect to the report, or the information, services, or third parties contained in the report or any purpose. The Lower Cape Housing & ADU Resource Center, Community Development Partnership will not be liable for any false, inaccurate, inappropriate, or incomplete information presented within this report.



PROPERTY RESEARCH – Health and Septic Regulations



additional next steps.



PROPERTY RESEARCH - Zoning, Buildability and Setbacks

FINDINGS:

RESIDENTIAL BUILDING PROVISIONS

TOWN OF ORLEANS - MINIMUM YARD DIMENSIONS							
District	Min. Size (SF)	Min. Frontage (Feet)	Front Setbacks (Feet)	Side Setbacks (Feet)	Rear Setbacks (Feet)	Maximum Building Height (Feet)	Maximum Lot Shape Number
R Residential	40,0005	150 ¹²	25	25	25	30	22
RB	100 ¹ 25		25	25	25	30	N/A
LB			25	10	10	30	N/A
GB	GB 25		10	10	30	N/A	
VC	vc		See § <u>164-</u> <u>22</u> , Subsection 1	30	30 ¹²	N/A	

¹ Refer to § <u>164-22H.</u>

⁵ The building coverage in a Residential District shall not exceed fifteen percent (15%) of the buildable upland. However, building coverage in a Residential District shall not exceed four thousand (4,000) square feet without the issuance of a Special Permit under the provisions of § <u>164-44</u>. In no event shall the Board of Appeals be authorized to grant a Special Permit which would result in building coverage which exceeds fifteen percent (15%) of the buildable upland.

In all zoning districts, all construction, with the exception of water-dependent facilities, such as piers, docks, floats, boathouses, structures used in conjunction with fishing and shell fishing and structures used for agricultural purposes, shall be set back a minimum distance equal to one and one-half (1 1/2) times the building height from any coastal bank, coastal beach, coastal dune, salt marsh, inland pond, lake or inland bank bordering on any pond or lake. "Building height, for the purpose of this section, shall be the vertical distance from the preexisting natural grade at the foundation on the side of a building facing the coastal bank, coastal beach, coastal dune, salt marsh, inland pond, lake or inland bank bordering on any pond or lake. "Building height, for the purpose of this section, shall be the vertical distance from the preexisting natural grade at the foundation on the side of a building facing the coastal bank, coastal beach, coastal dune, salt marsh, inland pond, lake or inland bank bordering on any pond or lake, as defined herein, to the highest point of the building(s). Notvithstanding anything contained in this section, no building shall be required to be set back more than fifty (50) feet from any coastal bank, coastal beach, coastal dune, salt marsh, inland pond, lake or inland bank bordering on any pond or lake. The terms "coastal bank," "coastal beach, "coastal dune," "salt marsh, "inland bank," "pond" or "lake," as used in this section, shall be defined as in the Massachusetts Wetlands Protection Act, MGL C. 131, § 40, and the regulations issued thereunder, 310 CMR 10.04, as of May 2008. [Added 5-5-1987 ATM, Art. 44; amended 5-11-2009 ATM, Art. 25] See: § 164-21



Click Here to watch a brief video offering an overview on Building Setbacks



PROPERTY RESEARCH - Zoning, Buildability and Setbacks

ZONING: Accessory Uses Chart (see below or view 164 Attachment 1)

P= Use Permitted | O= Use Prohibited | A= Use allowed: A, under Special Permit by the Board of Appeals as provided in section 164-44



ACCESSORY USE	R	RB	LB	GB	VC ⁶	Ι	CD ⁶	SC	MB
Accessory dwelling (See § 164-40A) [ATM 5/6/85 Article 63]	P	Р	Р	P	Р	P	0	0	Р
Accessory scientific use (see § 164- 16) [ATM 5/1/78 Article 48]	Α	Α	Α	Α	Α	Α	Α	Α	Α
Building for the raising, boarding or breeding of dogs or livestock by principal occupant of agricultural premises	A	Р	A	0	0	0	0	0	0
Garage, barn and boathouse for the principal occupant of residential premises [STM 6/8/72 Article 16]	P	P	P	Α	Α	0	0	0	Р
Guest House	Ρ	P ⁴	Р	0	0	0	0	0	P ⁴
Roadside stand, for products raised on the premises, less than 100 s.f. in area	P	Р	Р	Р	Р	P	Р	Р	Р
Shed or other building to house maintenance equipment and supplies for apartment complex [ATM 5/6/82 Article 49]	0	A	A	A	A	0	0	0	0
Storage Trailers	0	0	0	0	0	\mathbb{P}^9	0	0	0
The use of a room or rooms in a dwelling, the use of premises or buildings thereon by resident occupants for a recognized profession and for customary home occupations as defined in § 164-4 NOTES.	A	Р	Р	0	0	0	0	0	P

NOTES:

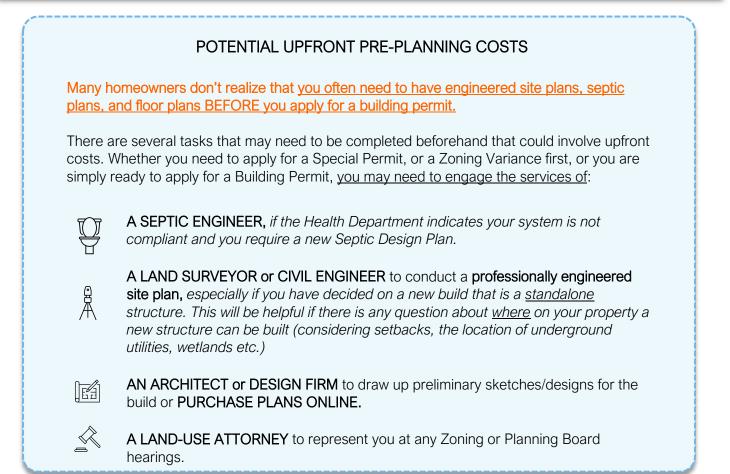
(1) Intending that the retail business be incidental to and directly related to permitted use. [ATM 3/13/73 Article 46]

- (2) Total retail business floor area, exclusive of storage and office space, shall be limited to 1,500 sq. ft. per business. No parking within the Front and Side yard setbacks is permitted.
- (3) Must conform to minimum lot size currently in force in the Residential District. Any lot which existed prior to March 9, 1971 which contains 15,000 sq. ft. but less than the current minimum area may be used for a single-family dwelling but not for a two-family dwelling or a guest house, or any lot which existed prior to August 2, 1973 containing at least 20,000 sq. ft. but less than the current minimum area may be used for a single-family dwelling but not for a two-family dwelling or a guest house.
- (4) Except "A" if creating more than 2,500 square feet of gross floor area in commercial use whether through new construction, addition, or change of use. Such special permits are subject to § 164-38 and § 164-39. The calculation of the total gross floor area in commercial use shall include all existing and proposed floor area.
- (5) See § 164-19.1 for possible exclusions in the VC District.

The material and information contained within this report is for general information purposes only and was obtained through sources available to the public. All data should be verified by the homeowner and/or with the appropriate professionals. You should not rely upon the material or information in this report as a basis for making any business, legal or other decisions. While we endeavor to keep the information up to date and correct, the Lower Cape Housing & ADU Resource Center makes no representations or warranties of any kind, express or implied about the completeness, accuracy, reliability, and suitability with respect to the report, or the information, services, or third parties contained in the report for any purpose. The Lower Cape Housing & ADU Resource Center, Community Development Partnership will not be liable for any false, inaccurate, inappropriate, or incomplete information presented within this report.

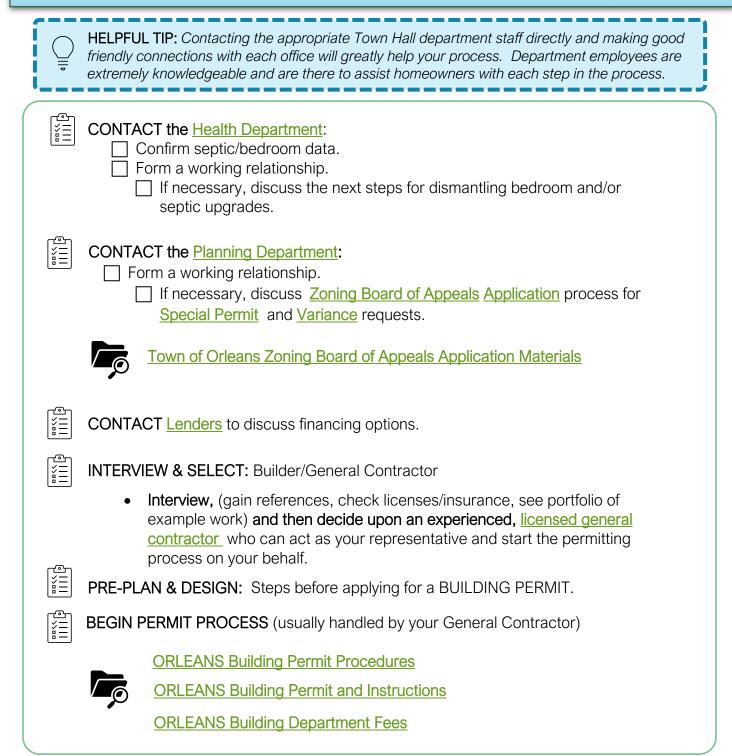


KEEP IN MIND....





POTENTIAL NEXT STEPS...





HELPFUL CONTACT INFORMATION

Orleans Town Hall

Main Number 508-240-3700 Monday- Friday 8:30-4:30

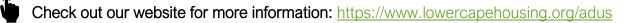


TOWN STAFF DIRECTORY

Meservey, George	Director of Planning and Community Development	<u>Contact George</u> <u>Meservey</u>	508-240-3700, ext. 2335
Jenkins, Elizabeth	Assistant Director of Planning and Community Development	<u>Contact Elizabeth</u> Jenkins	508-240-3700, ext. 2310
Sharpless, Karen	Administrative Assistant	Contact Karen Sharpless	508-240-3700, ext. 2334
Fitch, Alexandra	Health Agent	Contact Alexandra Fitch	508-240-3700, ext. 2450
Messier, Kelly	Interim Health Agent	Contact Kelly Messier	508-240-3700, ext. 2450
Campbell, Bonnie	Principal Clerk	<u>Contact Bonnie</u> <u>Campbell</u>	508-240-3700, ext. 2450
Baci, Leah	Principal Clerk	Contact Leah Baci	508-240-3700, ext. 2450
Nelson, John	Water/Sewer Program Coordinator	Contact John Nelson	508-240-3700, ext. 2319

As you progress further through this process, the ADU Resource Center has information to support you along the way, including:

- Lists of Site Engineers, Architects, Contractors and other professionals
- Loans and financing options.





ADDITIONAL USEFUL INFORMATION

Attached Documents		Related Notes or Links
1	FIELD / PROPERTY CARD	Attached
2	ZONING MAP	https://www.town.orleans.ma.us/DocumentCenter/View/659/2 018-Town-of-Orleans-Zoning-Map-PDF?bidId= & attached
3	ORLEANS ZONING BYLAW 164.401	Attached -old version – new version to be approved by Attorney General in Fall 2024
4	ORLEANS ZONING BYLAWS (Full Document)	https://www.town.orleans.ma.us/364/Zoning-Bylaws- Regulations_ old version – new version to be approved by Attorney General in Fall 2024
	ORLEANS BUILDING PERMIT PROCEDURES	https://www.town.orleans.ma.us/DocumentCenter/View/178/B uilding-Permit-Procedures-PDF & attached
6	ORLEANS BUILDING PERMIT INFO & APPLICATION	https://www.town.orleans.ma.us/DocumentCenter/View/176/1- and-2-Family-Building-Permit-Applications-PDF & attached
7	ORLEANS SCHEDULE OF USE REGULATIONS	https://www.town.orleans.ma.us/DocumentCenter/View/183/S chedule-of-Use-Regulations-PDF & attached
8	ORLEANS SPECIAL PERMIT	Attached
9	ORLEANS ZONING BOARD OF APPEALS APPLICATION PROCESS	Attached
10	ORLEANS BUILDING CODE- SETBACKS, LOT SIZE	https://ecode360.com/14200318 & attached
11	ORLEANS HOUSING PROFILE – CAPE COD COMMISSION	https://capecodcommission.org/resource- library/file/?url=/dept/commission/team/Website Resources/ho using/town_profiles/Orleans-Housing-Profile.pdf & attached
12		

Prepared By: Talitha Abramsen

If you have any questions, please feel free to contact us at the ADU Resource Center: 508-290-0119 or Talitha@capecdp.org

HOMEOWNER'S NOTES