



City of Revere
City Council

City Council Order No. 22-152

Date: July 11, 2022

Offered by Revere City Council

AN ORDINANCE FURTHER AMENDING THE ZONING ORDINANCE OF THE CITY OF REVERE FOR THE CREATION OF ACCESSORY DWELLING UNITS WITHIN THE RA, RA1, RB, AND RB1 DISTRICTS

Be it ordained by the City of Revere as follows:

Section 1. Title 17 of the Revised Ordinances of the City of Revere is hereby amended by adding Chapter 17.25, entitled "Accessory Dwelling Units Within the RA, RA1, RB and RB1 Districts", which includes the following Sections:

17.25.000 Purpose.

Accessory dwelling units are allowed within the RA, RA1, RB and RB1 Districts under certain situations to:

Create new housing units while respecting the character and scale of single and two family homes.

Increase the housing stock of existing neighborhoods in a manner that is less intense than alternatives.

Allow more efficient use of existing housing stock and infrastructure.

Provide a mix of housing that responds to changing family needs and smaller households.

Provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services.

Provide a broader range of accessible and more affordable housing.

17.25.010 Definition of Accessory Unit.

Accessory dwelling unit means a dwelling unit containing no more than one bedroom and comprising no less than 350 square feet and no more than 600 square feet within an owner-occupied single family located within the RA and RA1 District and no more than 2 bedrooms comprising no less than 350 square feet and no more than 900 square feet or no more than 40% of the gross floor area (whichever is less) of a single family structure within the RB and RB1 District which is in compliance with parking, building and fire safety codes and in compliance with the requirements of Section 17.25.020.

17.25.020 Requirements for all Accessory Units.

All accessory units within a single-family dwelling must meet the following requirements:

1. The owner of the property on which the accessory unit is to be created shall occupy either the principal dwelling unit or accessory unit for a minimum of two years. Proof of owner occupancy can be established by two of the following documents:

- a. A Valid, Unexpired Massachusetts ID.
 - b. A Valid Unexpired Massachusetts Driver's License.
 - c. Car Registration.
 - d. A Voter Registration Card.
2. There shall be no boarders or lodgers allowed in either dwelling unit.
 3. There shall be no more than one (1) legally occupied dwelling unit in a structure that is seeking to create an accessory dwelling unit.
 4. No structure that is not connected to the public water and sanitary sewer systems shall have an accessory unit.
 5. No accessory dwelling unit shall be permitted below the FEMA 100-year base flood elevation established on the FEMA 100-year flood hazard map for the City of Revere.
 6. The accessory unit shall be located within the principal structure.
 7. The maximum gross floor area of an accessory dwelling unit shall not be less than 350 gross square feet and no more than 600 gross square feet with no more than one bedroom within the RA and RA1 District.
 8. The maximum gross floor area of an accessory dwelling unit shall not be less than 350 square feet and not more than 900 gross square feet and no more than 40% of the gross floor area (whichever is less) of the existing structure with not more than two bedrooms within the RB and RB1 District.
 9. There shall be no enlargements or extensions of the dwelling in connection with the creation of an accessory unit except for minimal additions necessary to comply with building, fire safety, or health codes, or enclosure of an entryway, or for enclosure of a stairway to a second story. Any enlargements or extensions for these purposes must conform to the dimensional controls of this Title.
 10. No accessory dwelling units shall be allowed within a duplex or townhouse dwelling or condominium.
 11. Accessory dwelling units cannot have separate ownership.
 12. Commercial use is prohibited within an accessory dwelling unit.
 13. The accessory dwelling unit must comply with all building, fire safety and health codes and shall be designed so that the appearance of the principal structure maintains that of a single-family dwelling.

17.25.030 Off Street Parking Requirements.

1. There shall be no parking required for an accessory dwelling unit in cases where the accessory dwelling unit is within a single-family dwelling that is located within one half mile radius of an MBTA transit station, and the existing single-family dwelling meets the required parking of two off-street parking spaces.
2. For single-family dwellings that are located further than one half mile radius from an MBTA transit station, there shall be one additional parking space required for the accessory dwelling unit in addition to the two off-street parking spaces required for the single family. An accessory unit parking space may not be created within the front yard but may be created within the side yard to allow up to three vehicle tandem parking.

17.25.040 Transfer of Ownership.

Upon the transfer of ownership of a property that contains an accessory dwelling unit, a covenant must be signed by the new owner and recorded in the Suffolk County Registry of Deeds that states that the accessory dwelling unit must conform with the requirements of this Title as an accessory dwelling unit within an owner-occupied property. Owner shall provide permission to the City Municipal Inspections Department and Fire Department to inspect the property annually

and agrees to provide full and voluntary access to the residence on 48 hours' notice from the City.

17.25.050 Enforcement and Penalties.

1. Any person who (i) offers an accessory unit within a single-family dwelling as an accessory dwelling unit where such unit is not an eligible accessory dwelling unit, (ii) fails to occupy either the principal dwelling unit or accessory dwelling unit for a minimum of two years, (iii) neglects to provide proof of owner occupancy, or (iv) fails to comply with other provisions of this Chapter shall be fined \$300.00 per violation per day. Each day's failure to comply with a notice of violation or any other Order shall constitute a separate violation. In addition to fines described in this section, the City may seek an injunction from a court of competent jurisdiction to enjoin the offering, advertising, or using of the unit as an accessory dwelling unit.
2. The provisions of this Chapter shall be enforced in accordance with R.R.O. Chapter 1.12, Article II, Article III, or by seeking to restrain a violation by a court-ordered injunction.

June 27, 2022 Ordered to a first reading.


July 11, 2022 Ordered to a second reading, as amended.

July 11, 2022 Ordered on a second, third, and final reading, as amended.

July 11, 2022 Ordered Engrossed and Ordained, as amended, on a Roll Call.

In City Council, July 11, 2022. ORDERED ENGROSSED AND ORDAINED on a Roll Call: Councillors Cogliandro, Keefe, McKenna, Morabito, Novoselsky, Rizzo, Rotondo, Serino, and Council President Visconti voting "YES". Councillor Silvestri was absent. Attest: Ashley E. Melnik, City Clerk

Approved by:

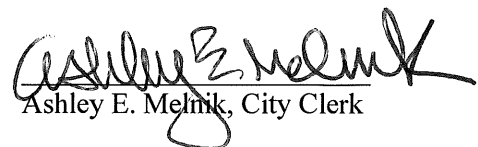


Mayor Brian M. Arrigo

7.19.22

Date

Attest:



Ashley E. Melnik, City Clerk