

Accessory Dwelling Units (ADUs)

NEWPORT ZONING CODE CHAPTER 17.79



Garage Conversion



Stand-Alone Unit



Basement or Attic Conversion

State ADU Requirements



- **Where ADUs are allowed by right:**

- On a lot that is 20,000+ sq. ft. for which the primary use of the lot is residential, in a residential zoning district. (Applicable to ADUs that are new construction or an expansion)
- On any lot in a residential zoning district where the ADU is located entirely within the existing footprint of a primary or accessory structure.

- **One ADU is permitted per lot.** ADUs are not subject to unit density requirements.

- Per State law, **ADUs are prohibited from use as short-term rentals (STRs).**

- **Ownership:** For any lot on which an ADU is located, all structures on the lot, and all areas of all structures on the lot shall be held in single, joint, common or otherwise undivided ownership.

ADU Size and other Limitations



■ **Size Requirements:**

- ADUs are allowed as studios, one-bedrooms, and two-bedrooms.
- Studios and one-bedrooms are allowed up to 900 sq. ft. and two-bedrooms up to 1,200 sq. ft., or 60% of the floor area of the principal building, whichever is less. Minimum unit size is determined by the building code.



- **Parking** – The City Council established a requirement for 1 on-site parking space per ADU.



- **Ingress and egress:** The ADU shall have separate ingress and egress from the principal unit, either from the exterior of the principal building or from a common interior area
- The City Council accepted staff's recommendation to allow a **100 sq.ft. expansion to the footprint to allow for ingress/egress**

Common ADU Questions

- **Can I demolish and reconstruct an accessory structure as an ADU?**
 - Yes – on a property greater than 20,000 sq.ft.
 - No – on a property less than 20,000 sq.ft. It is considered to be a demolition and new construction.
- **Can I construct a second floor to an existing accessory structure to build an ADU?**
 - Yes – the State law says it must be within the *footprint*, but not strictly within the existing walls. If the accessory structure is non-conforming to setbacks, the vertical expansion will likely trigger a variance to the setbacks, which must be approved by the Zoning Board.
- **Can I build an ADU, move into that, and rent my main house?**
 - Yes – But the main house rental must be for 30 days or greater, or year-round, as STRs are no longer permitted within residential zones, unless grandfathered from prior to 2022.
- **Does Flood Zone code apply to ADUs?**
 - Yes – If the property is located in a flood zone, the ADU must comply with FEMA regulations. If the ADU is located above an existing garage, likely no effect, but if the structure is new, or you are converting an existing garage at ground level, the building will likely need to be raised.

ADU Development Standards in Newport, RI

- A. Number of ADUs on a property: no more than one (1) ADU shall be allowed per lot.
- B. Size: A studio or one-bedroom ADU is allowed to be up to 900 sq. ft., or sixty percent (60%) of the floor area of the principal building, whichever is less; and a two-bedroom ADU is allowed to be up to 1,200 sq. ft., or sixty percent (60%) of the floor area of the principal building, whichever is less. Minimum sizes are determined by the building code.
- C. Ingress and egress: The ADU shall have separate ingress and egress from the principal unit, either from the exterior of the principal building or from a common interior area.
- D. Footprint expansion: A footprint expansion of an existing structure is allowed up to 100 sq. ft. demonstrated to be exclusively for the purposes of ingress and egress. Such expansions shall be compliant with the setbacks established for the applicable zoning district.

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E. Setbacks: ADUs shall be subject to the setback requirements in section 17.100.800.- Accessory uses.

F. Parking: Any parking spaces removed due to the ADU must be offset on site.

G. Density: Accessory dwelling units shall not be subject to density requirements.

H. Ownership: For any lot on which an ADU is located, all structures on the lot, and all areas of all structures on the lot shall be held in single, joint, common or otherwise undivided ownership.

I. Use: Accessory dwelling units established under this chapter shall be maintained as long-term rental units.

ADU's in Historic Districts



Historic District Design Guidelines Section 4.4

- ❖ Retain and preserve garages and accessory structures that contribute to the overall historic character of the individual building site or the district
- ❖ If replacement of a deteriorated element or detail of a historic garage or accessory building is necessary, replace only the deteriorated portion in kind rather than the entire feature. Match the original element or detail in design, dimension, texture, color, and material. Consider compatible substitute materials only if using the original material is not technically feasible.
- ❖ It is not appropriate to introduce an accessory building that is similar in appearance, material, and scale to historic accessory structures but is stylistically consistent with the character of the primary structure on the parcel or with historic accessory structures in the historic district.
- ❖ It is not appropriate to introduce a new garage or accessory building if doing so will detract from the overall historic character of the principal building and the site, or require removal of a significant building element or site feature, such as a mature tree.
- ❖ It is not appropriate to introduce features or details to a garage or an accessory building in an attempt to create a false historical appearance.

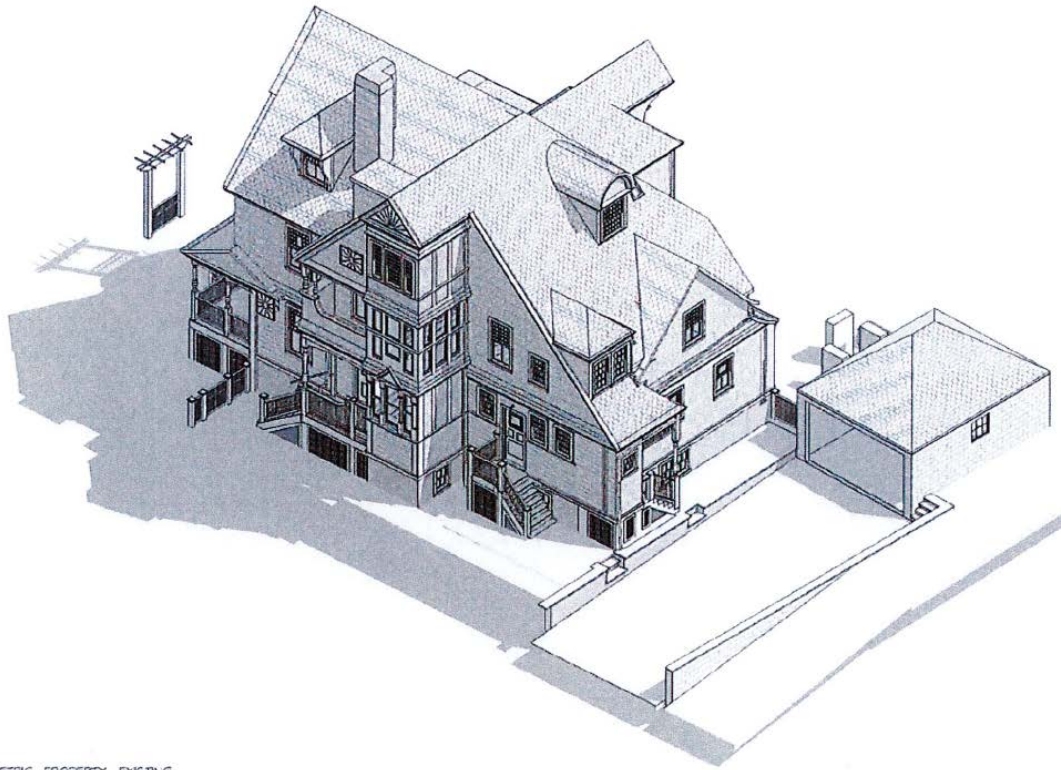
Benefits of ADU's

- ❖ Potential to increase housing affordability (both for homeowners and tenants)
- ❖ Create a wider range of housing options within the community
- ❖ Enable seniors to stay near family as they age
- ❖ Facilitate better use of the existing housing fabric in established neighborhoods.

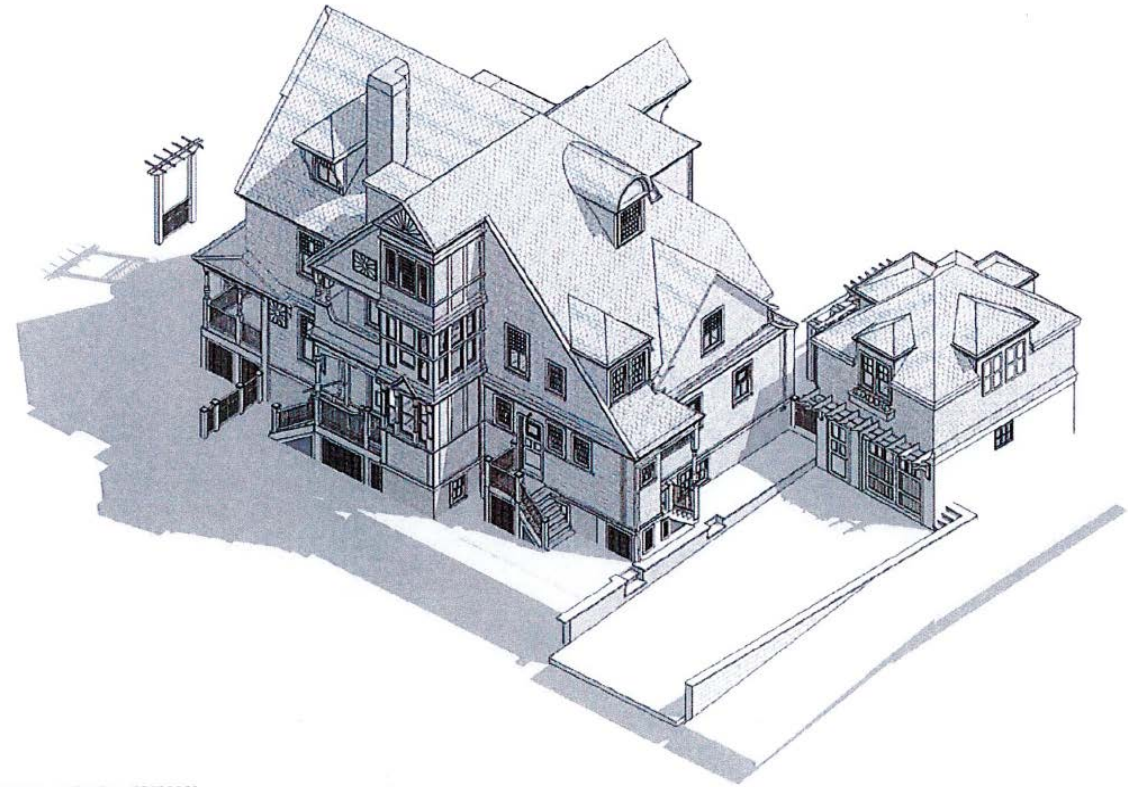
HDC Considerations

- ❖ The Historic District Commission is *not* required to approve ADU proposals that are brought before the commission
- ❖ ADU proposals should be approved/denied on a case-by-case basis in accordance to the existing Standards for Contributing Structures, Non-Contributing Structures, and New Construction.
- ❖ The HDC may choose to create additional guidance on design, size, and scale as it relates to the construction of a new ADU or the adaptive reuse of an existing accessory structure.

5 Champlin St. (approved at June 10th HDC meeting)



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A3.035

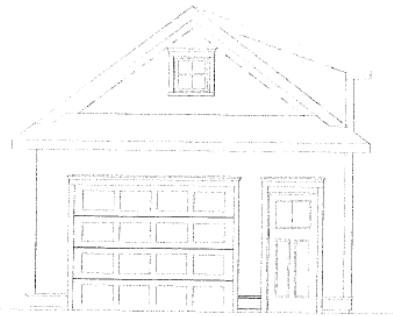


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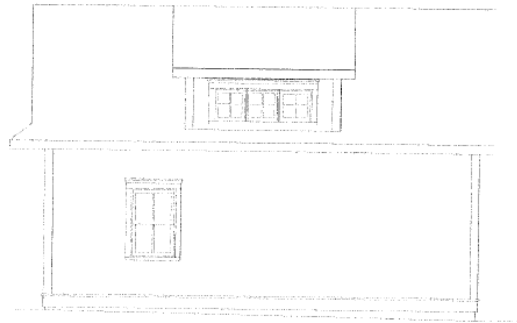
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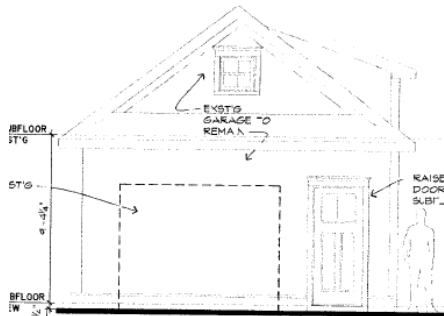
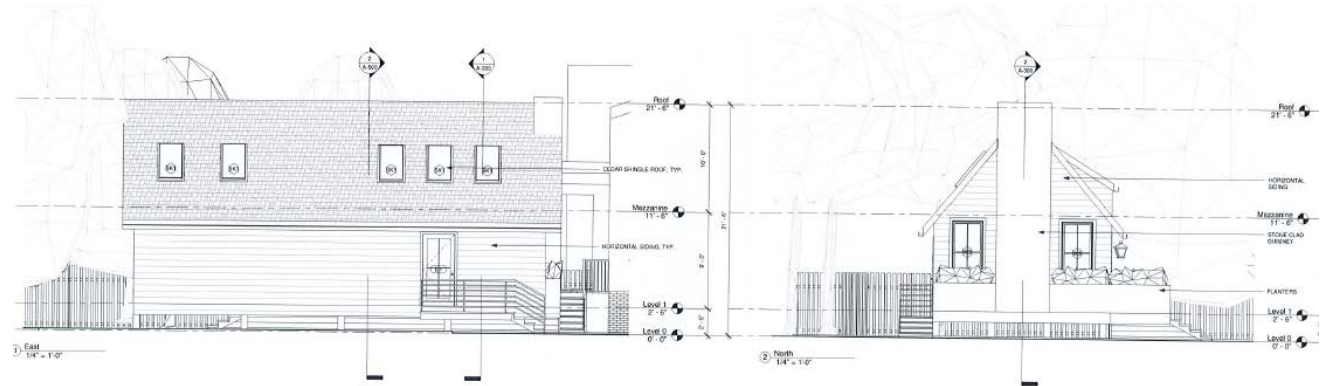
Newport National Historic Landmark



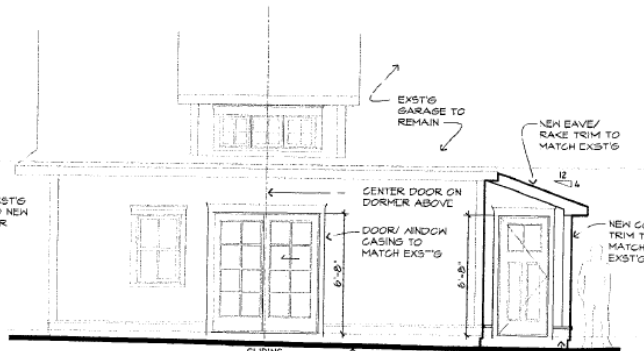
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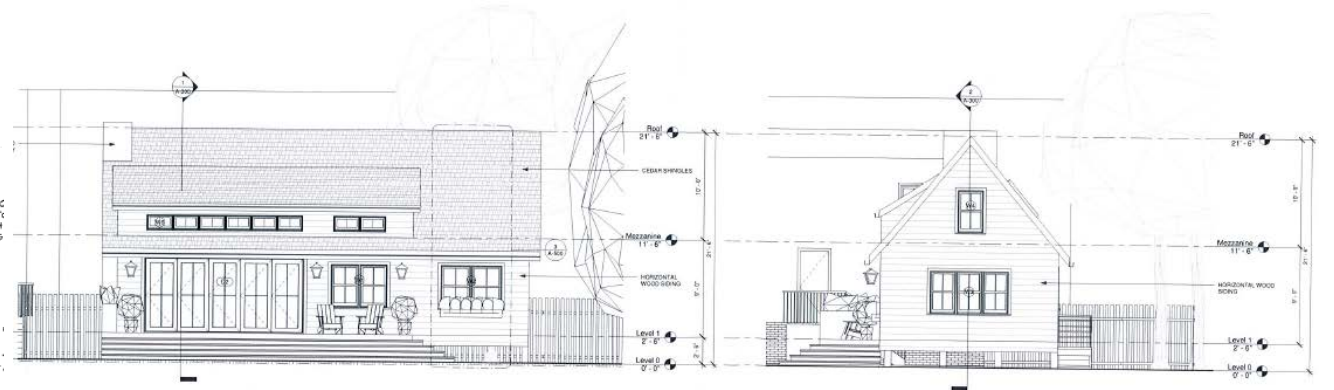
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PROPOSED
NORTH ELEVATION
SCALE: 1/4" = 1'-0"



PROPOSED
WEST ELEVATION
SCALE: 1/4" = 1'-0"



Ocean Drive/ Bellevue

