

ADU Subcommittee
Proposed Zoning Amendment Language
Final Draft for Planning Board
Discussion on January 3, 2017
(Pending review by Town Counsel)

Proposed in **Bold**:

(Current)

Dwelling Unit: One room or rooms connected together, constituting a separate independent housekeeping establishment for owner occupancy, rental or lease, and physically separated from any other rooms or Dwelling Units which may be in the same structure. For the purpose of this definition, an independent housekeeping establishment includes the following minimum attributes' space devoted to kitchen facilities for the storage, preparation and consumption of food (including counters, cabinets, appliances, and a sink for the washing dishes), space for one or more bedrooms for sleeping, and a bathroom with a tub and/or shower. (A bar equipped with a bar sink and an under counter refrigerator shall not constitute kitchen facilities).

(Proposed)

Dwelling: A Dwelling is a single independent residential unit of living space, with its own living area(s), sleeping area(s), sanitation and cooking facilities (bathroom, kitchen) meeting all the requirements of this ordinance. (A bar equipped with a bar sink and an under counter refrigerator shall not constitute kitchen facilities).

Dwelling, Single-Family:

(Current) *A detached residential Dwelling Unit designed for and occupied by one Family only.*

(Proposed) A Dwelling occupied by a single Family.

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8. c. **ADD "...and/or Accessory Dwelling Unit"** after "Accessory Building" in two locations.

QUESTION???

Do we duplicate the definition as below, or remove from the definitions section?

Page 20: Article III – Definitions

3. **replace** current definition with, "**Accessory Dwelling Unit: A residential living unit that is within or attached to a single family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies.**"

Or delete and leave definition in ADU text?

(Proposed) Accessory Dwelling Unit:

1. **Purpose: The purpose and intent of an Accessory Dwelling Unit is to address the need and desire for more diverse, independent and affordable housing needs. These units will improve the inventory of smaller housing without significantly altering the rural character of the community.**

2. **Definition: A residential living unit that is within or attached to a single family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies.**
3. **Creation of an Accessory Dwelling Unit in accordance with the provisions of this article is permitted through a Conditional Use Permit administered by the Planning Board.**
 - a. **A Conditional Use Permit Application shall contain the following:**
 - i. **A complete application for review that addresses all requirements of this article and any article referenced within**
 - ii. **A written statement indicating the applicants intent and/or purpose for the creation of the Accessory Dwelling Unit**
 - iii. **List and mailing address of all abutters and the applicant**
 - iv. **Fees for notifying abutters and the applicant**
 - v. **Written requests for waivers from any of the requirements or standards**
4. **Accessory Dwelling Units (ADU) shall conform with the following:**
 - a. **Only one ADU shall be allowed per lot**
 - b. ***To the fullest extent permitted by law, (i) there shall be no conveyance of an Accessory Dwelling Unit separate from the principal Dwelling unit by Subdivision, (ii) the Accessory Dwelling Unit shall not have ownership separate from the owner of the Lot on which the principal Dwelling unit is located, and (iii) the Lot and the Structure containing the Accessory Dwelling Unit shall not be converted to a condominium or any other form of legal ownership distinct from the ownership of the principal Dwelling unit. (Pending Town Council input)***
 - c. **All applicable setbacks shall be met**
 - d. **An ADU shall have a separate 9-1-1 address**
 - e. **One of the dwellings shall be the domicile of the property owner**
 - f. **An ADU shall have independent sleeping, cooking and sanitation facilities (bedroom, kitchen and bathroom)**
 - g. **An ADU shall have no more than two bedrooms**
 - h. **An ADU shall not exceed 1000 square feet of Gross Living Area. (Gross Living Area is the total area of finished and habitable space calculated by measuring the outside perimeter of the structure. Unfinished spaces, unheated spaces and unfinished attics are not included in the calculation.**
 - i. **An ADU shall conform to the requirements of a Single Family Dwelling including provisions for water supply and sewage disposal meeting the requirements of this ordinance and applicable state regulations**
 - j. **Off street parking shall be provided; one space per bedroom**
 - i. **Garage space(s) meet this requirement**
 - ii. **Off street parking shall not be within the front yard setback**
 - k. **Attached Accessory Dwelling Units:**
 - i. **Shall have entrances/exits facing the side or rear property lines**

- ii. Shall have an interior door connecting the units**
- iii. Shall not be considered an additional dwelling unit for the purposes of determining minimum lot size or density**