

Accessory Dwelling Units

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

Amend SECTION 2 DEFINITIONS to add a definition for accessory dwelling unit:

Accessory Dwelling Unit: An accessory dwelling unit is a wholly-contained dwelling unit located within a single-family, two-family, or duplex dwelling existing as of January 1, 2021. The accessory dwelling unit is subordinate in size to the principal dwelling unit, and physically separated from it, with its own kitchen, bathroom, and two means of egress, and held under common ownership with the primary dwelling unit. See Section 5.9.2 for additional standards.

Amend SECTION 5.4.3. USE REGULATIONS FOR RESIDENTIAL DISTRICTS to include the use in the table of uses:

Class of Use	R0	R1	R2	R3	R4	R5	R6	R7
Accessory Uses								
Accessory dwelling unit	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

Amend SECTION 5.5.3. USE REGULATIONS FOR BUSINESS DISTRICTS to include the use in the table of uses:

Class of Use	B1	B2	B2A	B3	B4	B5
Accessory Uses						
Accessory dwelling unit	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

Create a new section, SECTION 5.9.2. ACCESSORY DWELLING UNITS, containing standards for accessory dwelling units:

5.9.2 Accessory Dwelling Units

- A. Accessory dwelling units are allowed within existing single-family, two-family, or duplex dwellings existing as of January 1, 2021. No more than one accessory dwelling unit is allowed per building.
- B. The lot area shall be at least the minimum required under Section 5 of the Zoning Bylaw.
- C. The gross floor area of an accessory dwelling unit cannot exceed 33% of the gross floor area of a single-family, two-family, or duplex dwelling as defined in Section 2. In no case shall the gross floor area of the accessory dwelling unit exceed 750 square feet.
- D. The accessory dwelling unit must be contained within the gross floor area of the principal dwelling existing, except for the addition of a second means of egress or other modification to meet the State Building Code. The principal dwelling unit shall not be otherwise expanded.
- E. The owner(s) of the structure in which the accessory dwelling unit is located must claim one of the dwelling units as their principal residence.
- F. No additional off-street parking spaces are required.
- G. The dwelling shall continue to be treated as a single-family, two-family, or duplex dwelling after the addition of the accessory dwelling unit.

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- H. Prior to the issuance of a Certificate of Occupancy, the owner shall submit to the Building Inspector a notarized affidavit on a form provided by the Town signed under pains and penalties of perjury stating that the owner currently occupies one of the dwelling units on the premises as the owner's principal residence.
- I. When a dwelling containing an accessory dwelling unit is sold or otherwise conveyed, the Certificate of Occupancy for that accessory dwelling unit shall remain in force only if all requirements of this section continue to be met and the new property owner submits to the Building Inspector a notarized affidavit on a form provided by the Town, signed under the pains and penalties of perjury, stating that the new owner intends to occupy one of the units in the structure as their principal residence, and will continue to do so, except for temporary absences of up to 3 months in any 60-month period. The dwelling unit and accessory unit shall not be sold or otherwise conveyed separately.