

# Accessory Dwelling Units

## Current Version with Possible Changes

**Page 33 – Currently permitted in the following Districts: Central Business; Village Neighborhood; Highway Mixed Use; Compact Residential; Rural Residential; Forest Reserve;**

### **Section 4.2 Accessory Dwelling**

- (A) A dwelling unit may be allowed as an accessory to another principal use, subject to the following provisions:
- (1) One attached or detached dwelling unit that is an accessory to ~~an owner-occupied~~ **a multifamily structure or a single family dwelling on an owner-occupied lot**, located outside of the flood hazard areas defined in Section 5.3, shall be allowed as a permitted use. Such accessory dwelling shall not exceed ~~800~~ **900** square feet or 30% of the total existing living area of the principal dwelling, whichever is greater, and shall meet other applicable requirements under subsections (3) and (4), below.
  - (2) One caretaker's apartment which is accessory to a nonresidential use may be approved as an accessory to another use by the Development Review Board in accordance with Section 5.2. A caretaker's apartment shall be located within the Industrial District, be occupied by the owner or an employee of the principal use, and shall not exceed ~~800~~ **900** square feet.
  - (3) All accessory dwellings shall:
    - i. meet setback requirements for ~~principal~~ **accessory** structures for the district in which they are located; for nonconforming structures, the degree of nonconformance shall not be increased by the addition of an accessory apartment or dwelling;
    - ii. have adequate potable water and wastewater systems in accordance with applicable municipal and state regulations; ~~and~~
    - iii. be provided with **no more than one** off-street parking for the residents of the dwelling. ~~in accordance with Section 3.13 ; and~~ **(Could remove this section per recommendations).**
    - iv. **be excluded from the minimum lot area per unit in the Village Neighborhood zoning district, the Forest Reserve zoning district, and the Rural Residential zoning district.**
  - (4) Any zoning permit issued for an accessory dwelling shall clearly state that the dwelling is permitted only as an accessory to the principal use of the property and shall be retained in common ownership. An accessory dwelling to a single-family dwelling may be subdivided and/or converted for conveyance or use as a principal dwelling only if it is found to meet all current municipal regulations applying to a two family dwelling, or to two single family dwellings if detached, including all density and dimensional requirements for the district in which it is located. All applicable municipal permits and approvals shall be required prior to conversion to, or conveyance as, a principal dwelling.

**The Town is allowed to make the ADUs larger than 900 sf – 900 is the minimum that can be allowed.**

**Most reviews suggest completely removing the off-street parking requirement (3 iii).**

**AARP suggests completely removing the owner-occupied requirement (this requirement can impact the ability to finance a property's purchase).**