

Accessory Dwelling Unit Bylaw – Jan 11, 2022 approved draft

01.1 Purpose and Intent: The intent of permitting accessory dwelling units is to:

1. Provide older homeowners with a means of obtaining rental income, companionship, security, and services, thereby enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave;
2. Add moderately priced rental units to the housing stock to meet the needs of smaller households and make housing units available to moderate income households who might otherwise have difficulty finding housing;
3. Develop housing units in our single-family neighborhoods that are appropriate for households at a variety of stages in their life cycle’
4. Provide housing units for persons with disabilities’
5. Protect stability, property values, and the residential character of a neighborhood.

02.0 Definitions:

1. Accessory Dwelling Unit (ADU): A self-contained housing unit incorporated within a single-family dwelling or within another structure.
2. Building, attached: A building having any portion of one or more walls in common or within five (5) feet of an adjacent building.
3. Building, Detached: A building having a five feet or more of open space on all sides
4. Dwelling, Single-Family: A building designed or used exclusively as a residence and including only one dwelling unit.
5. Dwelling Unit: One or more rooms designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household. This definition does not include a trailer, however mounted.
- 6, Primary Residence: A building in which is conducted the principal use of the lot on which it is located. For residentially zoned lots, such a building would be a dwelling.

03.0 Procedural Requirements:

1. Review Procedure: All ADU’s shall require a building permit. All ADU’s shall require adequate septic capacity for the number of bedrooms in the ADU.

04.0 Use and Dimensional Regulations:

1. The issuance of a Building Permit shall follow the requirement in Section 03.0 and in addition meet the following conditions:
 - (a) The unit shall be a complete, separate housekeeping unit containing both kitchen and bath.
 - (b) Only one ADU may be created withing a single-family house or house lot.

(c) The gross floor area of an ADU (including any additions) shall not be greater than the largest of 900 sq feet or 30% of the principal residence size, but in no case greater than 1200 sq feet, but must be sufficiently large to include kitchen, bath, and at least one bedroom.

(d) An ADU may not be occupied by more people than allowed by existing septic capacity.

(e) The construction of any ADU must conform to all applicable health, building and other codes.

(f) Sufficient off-street parking shall be available for both primary residents and ADU occupants.

2. In order to encourage the development of housing units for disabled or handicapped individuals and persons with limited mobility, the SPGA may allow reasonable deviation from the stated conditions where necessary to install features that facilitate access and mobility for such persons.

3. Prior to issuance of a permit, a floor plan must be submitted showing the proposed interior and exterior changes to the building.

05.0 Administration and Enforcement

1. It shall be the duty of the Building Inspector to administer and enforce the provisions of this Bylaw.

2. No building shall be constructed or changed in use or configuration, until the Building Inspector has issued a permit. No permit shall be issued until a sewage disposal works permit, when applicable, has first been obtained from the Board of Health and the proposed building and location thereof conform with the town's laws and bylaws. Any new building or structure shall conform to all adopted state and town laws, bylaws, codes and regulations. No building shall be occupied until a certificate of occupancy has been issued by the Building Inspector where required.

3. The Building Inspector shall refuse to issue any permit, which would result in a violation of any provision of this chapter or in a violation of the conditions or terms of any special permit or variance.

4. The Building Inspector shall issue a cease and desist order on any work in progress or on the use of any premises, either of which are in violation of the provisions of this chapter.

5. Construction or use according to a building permit or special permit shall conform to any subsequent amendment of this chapter unless the construction or use is begun within a period of not more than six months after the issuance of a permit granted before the effective date of the amendment. To qualify for this exemption, construction must be completed in a continuous and expeditious manner.