

Add “One Single-Family Dwelling Unit with a Single Accessory Dwelling Unit” to Principally permitted uses within residential zoning districts:

Definition

Accessory Dwelling Unit

A secondary single-family dwelling unit with its own kitchen, bedroom, bathroom, and living area that shares the parcel of a larger, primary dwelling. The Accessory Dwelling unit is a stand-alone single-family dwelling unit but may utilize the water and power connections of the primary single-family dwelling. The term accessory dwelling shall not be deemed to include recreational vehicles, trailers, or other similar non-permanent living quarters.

New Code Section

§xxx-xx Accessory Dwelling Units

A. It is the intent of this section to allow a single accessory dwelling unit, with no smaller than 600 square feet and no greater than 1400 square feet of habitable space, as a principally permitted use in residential districts while recognizing the substantial governmental goal of preserving and maintaining the residential atmosphere, appearance, and character of residential districts.

B. An Accessory Dwelling Unit, as defined in Chapter xxx, Article xxx, of the Town Code, shall first require site plan approval by the Planning Board. The Planning Board may condition or restrict the approval for an accessory dwelling unit if, in the Board's judgment, such restriction is required to minimize the impact of the use upon the neighborhood or district. No approval shall be granted unless the Planning Board makes a finding that, in addition to compliance with the general requirements in § xxx-xxx of this article, all the following criteria have been met:

- (1) The property is in full compliance with the provisions of the Town Code.
- (2) The Accessory Dwelling Unit is determined to be clearly subordinate to the permitted principal residential use of the premises.
- (3) No site preparation or construction shall commence until final site plan approval been granted by the Planning Board.
- (4) The accessory dwelling unit may not create a need for more than two additional off-street parking spaces.
- (5) The Board must find that the accessory dwelling unit does not create additional waste products that are not properly contained within receptacles normally associated with the principal residential use of

the premises. No dumpsters or other such garbage/refuse containers shall be visible from the public right-of-way or adjacent parcels.

(8) An accessory dwelling unit shall only be permitted on a parcel with a minimum size of two acres.

(9) Neither the primary dwelling or associated accessory dwelling unit shall be utilized as a short-term rental or other such transient use. Prior to the issuance of a Certificate of Occupancy, the owner(s) must file a signed and notarized deed restriction agreeing to such, with the Ontario County Clerk. Agreement shall run in perpetuity with the parcel and dwellings.

(10) Accessory dwelling unit shall be located in the rear yard of the principal dwelling unit and must be effectively screened from adjacent properties and the public right-of-way.

(11) Accessory dwelling unit shall abide by yard setback requirements for primary structures within the underlying zoning district.

(12) In applying for an accessory dwelling unit, the Planning Board may consider the following:

(a) The size of the lot (i.e., acreage, lot width and depth, shape, etc.);

(b) The density and/or character of the neighborhood and the proximity of neighboring properties and residences.

(c) The necessity for screening and/or buffering of the accessory dwelling unit from adjacent properties or public rights-of-way

C. Application. Each building permit application for an accessory dwelling unit shall be:

(1) Accompanied by an application for site plan approval from the Town of Bristol Planning Board;

(2) Accompanied by a complete professionally prepared site plan, drawn to scale, showing the location of all existing and proposed buildings, structures, utilities on the premises in compliance with site plan application; and

(3) Accompanied by all associated application fees, in the amounts established by the Bristol Town Board, prior to the issuance of the permit.