



## **DRAFT Local Law 2023**

### **Accessory Dwelling Unit Bristol New York**

#### **A. Purpose and Intent:**

In keeping with the goals and intentions set by our Comprehensive Plan  
Section 3.2.5 Housing (H)

Policy Statement:

*The Town will encourage and promote a variety of housing options that meet the needs of current and future residents-from first-time homeowners/renters, to long-time, aging and/or disabled residents who may need alternative housing or special accommodations.*

Objectives:

- A. Encourage affordable-moderate housing development for both purchase and rental.*
- B. Support initiatives and avenues for aging and/or disabled residents who want to remain independent in their homes.*
- C. Provide information to help residents save on home ownership costs.*

#### **B. Definitions.**

As specifically apply to this subsection:

##### **ACCESSORY BUILDING**

A detached building on the same lot with and of a nature customarily incidental and subordinate to the principal structure.

**ACCESSORY DWELLING UNIT**

An accessory dwelling unit (ADU) is an independent residential dwelling unit located on the same lot as a stand-alone (i.e., detached or encompassed within) single-family home. See H. (Maximum gross floor area.)

**ACCESSORY USE**

A use on the same lot with and of a nature customarily incidental and subordinate to the principal use.

**DWELLING UNIT**

One or more rooms with provision for living, cooking, sanitary and sleeping facilities arranged for the use of one family.

**DWELLING, MULTIFAMILY**

A building containing three or more dwelling units.

**DWELLING, ONE-FAMILY**

A building containing one dwelling unit.

**DWELLING, TWO-FAMILY**

A building containing two dwelling units.

**OWNER OCCUPIED**

A house or apartment used as a dwelling by the owner.

**C. Authorization.**

The town Zoning Board of Appeals may, through the Special Use Permit process, provided for in §350-7 of the Bristol Town Code, authorize an Accessory Dwelling Unit. To apply for a Special Use Permit, the Accessory Dwelling Unit shall be located on the same parcel as the principal residential dwelling unit. In the determination of permitting, the construction or conversion intended to create an Accessory Dwelling Unit shall demonstrate that is clearly incidental and secondary to the principal residential dwelling unit to preserve the appearance of the principal dwelling and the single-family character of the neighborhood.

One Accessory Dwelling Unit is permitted per parcel.

**D. Zoning Districts.**

Accessory Dwelling Units as defined herein shall be permitted in all residential zoning districts and must meet all standards of the schedule of district regulations, as well as those in the Special Use Permit.

**E. Prohibitions.**

Accessory Dwelling Units shall be prohibited on parcels utilized for two family or multifamily dwelling units.

**F. Owner Occupancy.**

The owner of the parcel on which an Accessory Dwelling Unit is located shall maintain their primary domicile in either the principal dwelling unit or the Accessory Dwelling Unit. Both dwelling units must be owned by the parcel owner.

**G. Certificate of Occupancy.**

An Accessory Dwelling Unit may not be located on a parcel where a current building (or zoning) violation exists unless the legalization or creation of the Accessory Dwelling Unit will cure the violation. All Accessory Dwelling Units shall be on a permanent foundation.

**H. Maximum gross floor area.**

An Accessory Dwelling Unit shall contain a minimum of 360 sq. ft and shall not exceed a maximum of 900 sq. feet. The Accessory Dwelling Unit shall be subordinate to the principal dwelling unit and shall not exceed 40% of the gross floor area of the principal dwelling unit or 900 square feet, whichever is more restrictive (lesser), subject to the minimum square footage.

**I. Number of Accessory Units.**

A maximum of one Accessory Dwelling Unit shall be permitted on each qualifying parcel.

**J. Septic & Water.**

See § 350-74 of the Bristol Town Code.

**K. Parking.**

No additional driveway (curb cut) shall be created for the primary purpose of servicing the Accessory Dwelling Unit. Adequate off-street parking as required by § 350-31 C. and § 350-32 of the Bristol Town Code.

**L. Severability**

If any part or provision of this local law is judged invalid by any court of competent jurisdiction, such judgment shall be confined in application to the part or provision directly on which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Law or the application thereof to other persons or circumstances. The Town hereby declares that it will have enacted the remainder of this Law even without such part or provision or application.

**M. Effective Date**

This local law shall become effective immediately upon the filing in the office of the New York Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

History

Presented:

Discussion:

Amendments:

SEQRA:

Referrals:

Public Hearing:

Vote: