

TOWN OF BURRILLVILLE

Office of Town Clerk

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The Town Council of the Town of Burrillville hereby ordains as follows:

The Revised General Ordinances, Town of Burrillville, Rhode Island, 2004 as amended, Chapter 30 entitled Zoning, is hereby amended as follows:

Sec. 30-3. – Definitions.

Repeal in its entirety:

Accessory family dwelling unit means an accessory dwelling unit for the sole use of one or more members of the family of the occupant or occupants of the principal residence, but need not have a separate means of ingress and egress.

And replacing with:

Accessory dwelling unit (ADU) means a residential living unit on the same parcel where the primary use is a legally established single-unit or multi-unit dwelling. An ADU provides complete independent living facilities for one or more persons. It may take various forms including, but not limited to: a detached unit; a unit that is part of an accessory structure, such as a detached garage; or a unit that is part of an expanded or remodeled primary dwelling.

Repeal *Sec. 30-158. - Accessory dwelling units purpose and standards* in its entirety and replacing with, the following:

Sec. 30-158. - Accessory dwelling units purpose and standards.

(a) Accessory dwelling unit.

(1) *Purpose.* The intent and purpose of this section is to allow the creation of independent and quasi-independent living spaces that provide accommodations for additional family members or other tenants.

Nothing in this section shall infringe upon the right of an individual to add living space to a home in accordance with existing regulations and codes.

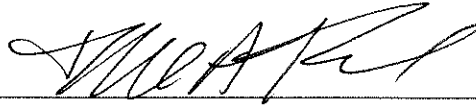
(2) *Standards.* An accessory dwelling unit, limited to no more than 800 square feet of building area and one bedroom, may be permitted, by right, in any residential zoning district with the following limitations:

- a. Accessory dwelling units are only allowed on a lot with one single-family or multi-family dwelling as the principal dwelling and must be clearly subordinate to that principal dwelling. The ADU shall be no more than 1/2 the size of the existing home or in case of multi-family shall be no more than 2/3 of the largest unit. In any case shall not be larger than 800 square feet.
- b. Only one ADU may be allowed per lot, either within or attached to the principal dwelling or located in a new or existing accessory structure. Said accessory structure must meet all other dimensional requirements.
- c. Units located within or attached to the principal dwelling may be accessible either through the same means of ingress and egress as the principal dwelling or a separate entrance located to the side or the rear.
- d. Either the principal dwelling or the ADU must be owner occupied.
- e. At least one (1) off-street parking space will be provided in addition to the required parking spaces of the primary use.
- f. Accessory dwelling units located within or attached to the principal dwelling will meet all the requirements of article IV, zoning district dimensional regulations, as they pertain to the principal dwelling.
- g. Accessory dwelling units located in a new or existing accessory structure will meet all the requirements of article IV, zoning district dimensional regulations, including all applicable requirements for accessory structures in section 30-111 Table of dimensional regulations and section 30-112(3) Yard exceptions. Except that, in no case can an ADU be located in the front yard. However, only where an ADU is proposed to be located on the second floor of an accessory structure such as a garage or workshop, the maximum height of the accessory structure may be increased from 15 feet to 25 feet.
- h. The ADU will comply with all applicable state and local regulations.
- i. Special Use Permit. A request for an accessory family dwelling unit which does not comply with the above conditions may be allowed by the zoning board of review subject to the issuance of a Special Use Permit that takes into consideration a recommendation by the Planning Board.
- j. Only in the R-20, R-40, F-2, and F-5 zoning districts, where the proposed ADU is located within the existing footprint of the principal dwelling or the existing footprint of an accessory attached or detached structure and does not expand the footprint of the structure, applications for such ADUs that are not part of a larger development proposal shall be reviewed by the Zoning Official and shall not, by themselves, be reviewed as minor land developments, major land developments, or special use permits.

k. Length of occupancy. All ADUs must be made available for long-term occupancy whether for a family member or through a long-term lease (one-year or more) with a tenant.

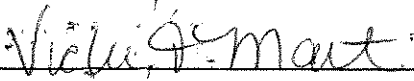
These amendments shall take effect upon passage.

Adopted this 22nd day of March, 2023.



Donald A. Fox, President
Burrillville Town Council

ATTEST:



Vicki T. Martin, Town Clerk

