

Key: **New text is shown in BOLD**  
Deleted text is ~~struckthrough~~

Amend SECTIONS II (Definitions) and IV (Residential and Rural Zones)

### SECTION II.C. DEFINITIONS

~~Accessory Apartment. A second dwelling unit in an existing single family detached dwelling for use as a complete, independent living facility with provisions within the accessory apartment for cooking, eating, sanitation and sleeping. Such a dwelling is an accessory use to the main dwelling.~~

**Accessory apartment. An accessory apartment is a second dwelling unit, either within the existing principal single-family dwelling or separate from such dwelling and is used as a complete, independent living facility with provisions within the accessory apartment for cooking, eating, sanitation and sleeping. A single accessory apartment is an accessory use to the main dwelling.**

### SECTION IV. RURAL AND RESIDENTIAL ZONES

#### IV.A. 3. Accessory uses

- f. One accessory apartment may be constructed within the existing principal single-family dwelling (excluding garage) and occupied, provided such accessory apartment is subordinate and incidental to the principal single family dwelling, and provided further that, such construction and use complies with the requirements of Section IV.A.4.q. 2 – 9, 12 – 16. Any addition to the principal single family dwelling shall not increase the square footage of such dwelling by more than 25%.**

#### IV.A.4. Special Exceptions

- ~~q. Incorporation of one attached accessory apartment, which is subordinate and incidental to a principal single family dwelling, or an accessory dwelling unit detached from the principal dwelling unit provided that:~~

**The conversion of all or a portion of an existing garage or the construction of a detached structure (excluding manufactured mobile homes and mobile home vehicles) for use as an accessory apartment, provided it is subordinate and incidental to a principal single-family dwelling, provided further that:**

- (1) In addition to standards set forth in Section VIII of these regulations, the following standards/criteria must be met:

- (2) The lot conforms to the various requirements for the zone in which it is located, and all proposed accessory structures must meet applicable setbacks.
- (3) The accessory apartment may be contained within the principal single-family dwelling after modification(s) as may be permitted under (4) (a-c) (below), or it may be detached from the principal single-family dwelling as permitted below. A maximum of **only one attached or detached** accessory apartment per lot is permitted.
- (4) The following area requirements must be met:
  - (a) The accessory apartment may not exceed 25% of the **primary single family** dwelling after modification(s) **if any**. ~~as may be permitted under (c) (below).~~
  - (b) The accessory apartment must contain at least 400 square feet, but not exceed 1,000 square feet in habitable area with a maximum of two bedrooms.
  - (c) ~~Any additions to the single family dwelling may not increase the square footage of the single family dwelling by more than 10%.~~
  - (c) The Commission may modify the above area requirements by a maximum of 10% when, in the opinion of the Commission, such modification will preserve the public health, safety and welfare, and provide a more practical layout of the principal or accessory living unit.
- (5) The gross ground floor area (after modification(s), **if any**) **and the accessory apartment** ~~whether the accessory apartment is attached or detached~~ shall not exceed the maximum lot coverage regulation of the zone.
- (6) The total living area in the principal dwelling unit (after modification(s), **if any**) **and the accessory unit** shall conform to the living area requirements of these regulations and shall meet all applicable fire and building codes.
- (7) **An owner of the real estate must occupy either the principal single-family dwelling or the accessory apartment as their permanent residence.** ~~At least one of the dwelling units is occupied by an owner of the property as their permanent residence.~~
- (8) All applicable sanitary requirements for the **accessory apartment** ~~additional dwelling unit~~, as enumerated in the Connecticut Public Health Code are met.
- (9) Adequate parking facilities are provided on site for both dwellings. A minimum of one parking space shall be provided for the accessory **apartment** ~~dwelling unit~~.
- (10) **Any garage or detached accessory apartment shall be designed so that, to the degree reasonably feasible, the appearance of the principal single-family dwelling remains that of a one-family residence. In general, any new entrances shall be located on the side or in the rear of the building. Any garage or new detached accessory apartment shall be appropriately designed so as to be compatible with or to improve the existing site architecture.** ~~The accessory dwelling unit shall be designed so that, to the degree reasonably feasible, the appearance of the principal building remains that of a one-family residence. In general, any new entrances shall be located on the side or in the rear of the building. Any new detached dwelling unit shall be appropriately designed so as to be compatible with or to improve the existing site architecture.~~

- (11) The Commission may require that the design of the accessory **apartment** ~~dwelling unit~~, both interior and exterior, be such that conversion back to a single-family dwelling may be readily accomplished when it is no longer needed.
- (12) Approvals for any accessory **apartment** ~~dwelling unit~~ shall be valid for two years from the date of approval ~~by the Commission~~. If the accessory **apartment** ~~dwelling unit~~ has not received a Certificate of Occupancy within two years, an extension of time must be requested from the Commission or the permit shall become void.
- (13) **The accessory apartment shall not be used for short-term rentals or vacation/entertainment stays/uses. For purposes of this section rentals must be longer than 30 days and no more than three (3) rentals may be permitted in each calendar year. The accessory dwelling unit is recommended to be rented or leased as an affordable housing unit in accordance with Connecticut General Statutes 8-39a.**
- (14) **The owner of the real estate shall not have both an accessory apartment and home occupation – major. A home occupation – minor and accessory apartment is permissible.**
- (15) **The real estate containing an accessory apartment may not be subdivided or converted to condominiums to separate the principal single-family dwelling from the accessory apartment.**
- (16) **The owner of the real estate should consider renting or leasing the accessory apartment as an affordable housing dwelling in accordance with CT General Statutes, as amended, Section 8-39a.**
- (17) **Manufactured mobile homes and mobile home vehicles are not to be used as detached accessory apartments.**