

DEFINITIONS related to Accessory Apartments and ADU's

§ 173-2 Terms defined. In this chapter, the following terms shall have the following meanings unless other meanings as required by the context or are specifically prescribed:

ACCESSORY APARTMENT A second dwelling unit either in or added to an owner-occupied, detached single-family dwelling ("interior unit"), or in a separate accessory structure on the same lot as the principal dwelling ("exterior unit"), for use as a complete living unit, with provisions for cooking, eating, sanitation, and sleeping within the accessory apartment. Both the principal residence and the accessory apartment shall be in the same ownership. [Added 5-1-2017 ATM, Art. 17]

ACCESSORY BUILDING OR USE A building not attached to any principal building, or a use customarily incidental to and located on the same lot with the principal building or use.^[1]

ACCESSORY DWELLING UNIT The following dwelling units are classified as Accessory Dwelling Units: [Added 10-29-2018 STM by Art. 11]

A. ACCESSORY DEPENDENT DWELLING UNIT An Interior Dwelling Unit that is occupied by one or more persons: 1) related by blood, marriage or adoption to the occupant(s) of the primary single-family dwelling unit; 2) functionally dependent (for medical or other reasons) on the occupant(s) of the primary single-family dwelling unit; or 3) upon whom the resident of the primary single-family dwelling unit is functionally dependent (for medical or other reasons).

B. ACCESSORY APARTMENT An Interior Dwelling Unit provided with permanent fire rated separation, two separate means of egress and a Title V compliant septic system.

C. DETACHED ACCESSORY APARTMENT A separate accessory dwelling unit, detached from a primary single-family dwelling.

DWELLING A building or part of a building used exclusively as the living quarters for one or more families.^[2] ^[2] *Editor's Note: The former definition of "dwelling, single-family," which immediately followed this definition, was repealed 10-30-2017 STM, Art. 5.*

DWELLING, MULTIFAMILY A building designed or intended or used as the residence of three or more families, each occupying a separate dwelling unit and living independently of each other, and who may have a common right in halls and stairways; with the number of families in residence not exceeding the number of dwelling units provided. [Added 10-30-2017 STM, Art. 5]

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Sections that cannot be enforced are highlighted.

DWELLING, SINGLE-FAMILY A dwelling other than a mobile home, singly and apart from any other building, used exclusively for residential purposes for one family except as permitted pursuant to Article **XIII**, Accessory Dwelling Units. [Added 10-29-2018 STM by Art. 11]

DWELLING, SINGLE-FAMILY DETACHED A dwelling other than a mobile home, singly and apart from any other building, designed or intended or used exclusively as the residence of one family. [Added 10-30-2017 STM, Art. 5]

DWELLING, TOWNHOUSE OR SINGLE-FAMILY ATTACHED A residential building of at least three but not more than eight single-family dwelling units sharing at least one common or party or fire wall, and with each building having at least one floor at ground level with a separate entrance. [Added 10-30-2017 STM, Art. 5]

DWELLING, TWO-FAMILY A detached residential building designed or intended or used exclusively as the residence of two families. A two-family dwelling shall not include a detached single-family dwelling with an accessory apartment. [Added 10-30-2017 STM, Art. 5]

FAMILY Any number of individuals living and cooking together as a single housekeeping unit, plus no more than three boarders or lodgers. [Amended 9-14-1992 STM, Art. 13]

FUNCTIONALLY DEPENDENT With respect to a person, shall mean an individual who is dependent upon another for assistance relative to at least one activity of daily living, such as bathing, dressing, eating, mobility or similar self-care tasks, who is dependent upon another for assistance relative to other instrumental activities of daily living, such as managing money, shopping, taking medication, house cleaning, laundry, or cooking, or who is providing child care or au pair services. [Added 10-29-2018 STM by Art. 11]

INTERIOR DWELLING UNIT A secondary dwelling unit that is within or created as an addition to a primary single-family dwelling. [Added 10-29-2018 STM by Art. 11]

LOT A continuous parcel of land, in single or joint ownership, with legally definable boundaries.

MOBILE HOME A movable or portable dwelling unit on a chassis, designed for connection to utilities when in use and designed without the necessity of a permanent foundation for year-round living.