



Land Use Committee

Date: Friday, September 2, 2022
Time: 9:00 AM
Location: Municipal Complex, Conference Room A
Subject: Land Use Committee Meeting

CALL TO ORDER – Councilor Beth Moreau

- I. Review of the updated redline drafted ADU Ordinance
- II. Discussion of drafted changes
- III. Public Input
- IV. Adjournment

**Members of the public also have the option to join this meeting over Zoom using the link below:*

Join Zoom Meeting

<https://us06web.zoom.us/j/83460934737>

Meeting ID: 834 6093 4737

Passcode: 199403

Section 10.440 Table of Uses – Residential, Mixed Residential, Business and Industrial Districts

Use	R	SRA SRB	GRA GRB	GRC (A)	GA/ MH	MRO CD4- L1	CD4- L2	MRB	CD5 CD4	GB	G1	G2	B CD4- W	WB	...
1. Residential Uses															
1.10 Single family dwelling	P	P	P	P	N	P	P	P	P	N	P	P	N	N	...
1.20 Accessory dwelling unit															
1.21 Attached	CU	CU	CU	CU	N	CU	CU	CU	CU	N	CU	CU	N	N	...
1.21 Attached accessory dwelling unit (AADU)															
<u>1.211 Up to 750 sq. ft. GFA and entirely within an existing single-family dwelling</u>	P	P	P	P	N	P	P	P	CU	N	CU	CU	N	N	...
<u>1.212 More than 750 sq. ft. GFA, or in an addition to or expansion of an existing single-family dwelling</u>	CU	CU	CU	CU	N	CU	CU	CU	CU	N	CU	CU	N	N	...
1.22 Detached	CU	CU	CU	N	N	N	N	N	N	N	N	N	N	N	...
1.22 Detached accessory dwelling unit (DADU)															
<u>1.221 Up to 600 sq. ft. GFA and entirely within an existing accessory building.</u>	P	P	P	P	N	P	P	P	P	N	N	N	N	N	...
<u>1.222 Within an existing accessory building expanded up to a total floor area of not more than 600 sq. ft. GFA</u>	CU	CU	CU	CU	N	CU	CU	CU	CU	N	N	N	N	N	...

Use	R	SRA SRB	GRA GRB	GRC (A)	GA/ MH	MRO CD4- L1	CD4- L2	MRB	CD5 CD4	GB	G1	G2	B CD4- W	WB	...
<u>1.223 Up to 750 sq. ft. GFA and complying with all lot and building dimensional standards for a single-family dwelling</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>N</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>...</u>
<u>1.224 More than 750 sq. ft. GFA, or nonconforming to any zoning standard, or requiring any variance to construct the DADU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>...</u>
1.25 Garden Cottage	CU	CU	CU	CU	N	CU	CU	CU	CU	N	N	N	N	N	...
1.30 Two-family dwelling	N	N	P	P	P	P	P	P	P	N	P	P	N	N	...
1.40 Townhouse	N	N	S	P	P	P	P	P	P	N	P	P	P	N	...
...

NOTES:

(1) DADU uses no. 1.221 and 1.222 replace Garden Cottages.

(2) In the “Supplemental Regulations” column, insert the following reference for uses 1.211, 1.221 and 1.222:

“10.814.60 (administrative approval)”

Section 10.520 Residential and Mixed Residential Districts

10.521 Table of Dimensional Standards – Residential and Mixed Residential Districts ¹

	R	SRA	SRB	GRA	GRB	GRC	GA/MH	MRO	MRB
Minimum Lot Dimensions									
Lot area	5 acres	1 acre	15,000 sf	7,500 sf	5,000 sf	3,500 sf	5 acres	7,500 sf	7,500 sf
Lot area per dwelling unit	5 acres	1 acre	15,000 sf	7,500 sf	5,000 sf	3,500 sf	10,000 sf	7,500 sf	7,500 sf
Continuous street frontage	NA	150'	100'	100'	80'	70'	N/A	100'	100'
Depth	NA	200'	100'	70'	60'	50'	N/A	80'	80'
Minimum Yard Dimensions									
Front	50'	30'	30' ²	15'	5'	5'	30' ^{2,4}	5'	5' ²
Side	20'	20'	10'	10'	10'	10'	25'	10'	10'
Rear	40'	40'	30'	20'	25'	20'	25'	15'	15'
Maximum Structure Dimensions									
Structure height									
Sloped roof	35'	35'	35'	35'	35'	35' ³	35' ^{3,4}	40'	40'
Flat roof	35'	30'	30'	30'	30'	30'	35' ^{3,4}	30'	30'
Roof appurtenance height	8'	8'	8'	8'	8'	8'	8'	10'	10'
Building coverage	5%	10%	20%	25%	30%	35%	20% ⁴	40%	40%
Minimum open space	75%	50%	40%	30%	25%	20%	50%	25%	25%

NA = Not Applicable NR = No Requirement

Notes:

1. See Article 5A and Article 5B for dimensional standards in Character and Gateway Neighborhood Mixed Use Districts.
2. See Section 10.533 for special front **yard** requirements on Lafayette Road.
3. Within the General Residence C and Garden Apartment/Mobile Home Park districts an additional 8' of height may be added to the maximum **structure** height in order to provide for **multifamily dwellings** that include vehicular parking spaces located within the residential **building** itself, if the additional height results in increased **open space** when compared to a site plan showing what **open spaces** would remain if required parking spaces were located in the open and in **accessory structures**.
4. See Section 10.816 for requirements within a **manufactured housing park**.

Section 10.570 Accessory Buildings, Structures and Uses

- 10.571 No **accessory building, structure** or **use** shall be located in any required **front yard**, or closer to a **street** than the **principal building**.
- 10.572 In a Character, Business or Industrial district, all **accessory buildings** and **structures** shall conform to the **side yard** and **rear yard** requirements of the applicable zoning district.
- 10.573 In a Residential or Mixed Residential district, an **accessory building** or **structure** may be located in a required **side yard** or **rear yard** subject to the following:
 - 10.573.10 An **accessory building** or **structure** not more than 10 feet in height and not more than 100 square feet in area shall be set back at least 5 feet from any **lot line**.
 - 10.573.20 An **accessory building** or **structure** more than 10 feet in height or more than 100 square feet in area shall be set back from any **lot line** at least the height of the **building** or the applicable **yard** requirement, whichever is less.
- 10.574 All **accessory buildings** and **structures** shall be included in the computation of **building coverage**.
- 10.575 No dumpster shall be located within 20 feet of a Residential or Mixed Residential zoned **lot** nor within 10 feet of any **lot line**. (See also Section 10.1130, Landscaping and Screening.)
- 10.576 An **accessory use** that does not include a **structure** shall be set back at least 10 feet from a side or **rear lot line**.

Article 8 Supplemental Use Standards

10.814 Accessory Dwelling Units

10.814.10 One, and only one, **accessory dwelling unit** shall be allowed on any **lot** containing a **single-family dwelling**. An **accessory dwelling unit** shall not be allowed under this Section 10.814 on a **lot** that contains more than one **dwelling unit**.

10.814.20 Except as provided elsewhere in this Section 10.814, in order for a **lot** to be eligible for an **accessory dwelling unit**, the **lot** and all proposed **structures** and additions to existing **structures** shall conform to all zoning regulations as follows:

10.814.21 Any municipal regulation applicable to **single-family dwellings** shall also apply to the combination of a **principal dwelling unit** and an **accessory dwelling unit** including, but not limited to, ~~lot area, yards, open space, off-street parking, building coverage, and building height~~the dimensional standards set forth in Sec. 10.521 and the off-street parking requirements set forth in Sec. 10.1112.30. Notwithstanding the above, the combination of a **principal dwelling unit** and an **accessory dwelling unit** does not need to comply with the minimum lot area per dwelling unit for the zoning district, but must comply with the minimum lot area for the district.

10.814.22 An **attached accessory dwelling unit** is permitted on existing **nonconforming lots** and within existing **nonconforming buildings** as long as there is ~~no increase in building height or building footprint for any portion of the existing building~~ and no increase to ~~or extension of the any existing~~ nonconformity and no new nonconformity is created.

10.814.23 A **detached accessory dwelling unit** is not an **accessory building** or **structure** for the purposes of this Ordinance, and therefore shall be governed by the applicable minimum **yard** dimensions in Section 10.521 for a **principal building** or **structure** and not by the **side yard** and **rear yard** standards applicable to an **accessory building**.

10.814.24 Notwithstanding all of the above provisions, an **accessory building** existing on the effective date of this ordinance may be converted to a **detached accessory dwelling unit** as provided in Section 10.440, uses 1.221 and 1.222, and as further provided in this Section 10.814.

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10.814.30 All **accessory dwelling units** shall comply with the following standards:

10.814.31 The **principal dwelling unit** and the **accessory dwelling unit** shall not be separated in ownership (including by condominium ownership).

10.814.32 Either the **principal dwelling unit** or the **accessory dwelling unit** shall be occupied by the owner of the **dwelling** as his or her principal place of residence. The owner shall provide documentation demonstrating to the satisfaction of the City that one of the units is his or her principal place of residence.

10.814.321 When the property is owned by one or more trusts, one of the **dwelling units** shall be the principal place of residence of the beneficiary(ies) of the trust(s).

10.814.33 Neither the **principal dwelling unit** nor the **accessory dwelling unit** shall be used for any business, except that the property owner may have a **home occupation** use in the unit that he or she occupies as allowed or permitted elsewhere in this Ordinance.

10.814.34 Where municipal sewer service is not provided, the septic system shall meet NH Water Supply and Pollution Control Division requirements for the combined system demand for total occupancy of the premises.

10.814.40 An **attached accessory dwelling unit (AADU)** shall comply with the following additional standards:

10.814.41 An interior door shall be provided between the **principal dwelling unit** and the **accessory dwelling unit**.

10.814.42 The **accessory dwelling unit** ~~shall not have more than two bedrooms and~~ shall not be larger than 750 sq. ft. **gross floor area** ~~except as permitted as-of-right or through a conditional use permit as provided in Section 10.440. In no case shall the AADU be larger than 1,000 sq. ft. gross floor area.~~ For the purpose of this provision, **gross floor area** shall not include existing storage space, shared entries, or other spaces not exclusive to the **accessory dwelling unit**.

10.814.43 The **AADU** shall be subordinate to the **principal dwelling unit** in scale, height and appearance, as follows:

10.814.431 ~~Any exterior changes to the **single-family dwelling** shall maintain the appearance of a **single-family dwelling**.~~ If there are two or

more doors in the front of the **principal dwelling unit**, one door shall be designed as the principal entrance and the other doors shall be designed to appear to be secondary.

~~10.814.44~~ No portion of the **AADU** shall be closer to the **front lot line** than the existing front wall of the **principal dwelling unit**.

~~10.814.45~~ An **AADU** that is attached to the **single-family dwelling** (i.e., created by an expansion of the existing **structure**) shall comply with the following:

~~10.814.451432~~ An exterior wall of the **AADU** that faces a **street** on which the **lot** has **frontage** shall comprise no more than 40 percent of the width of the total visible **façade** area of the **principal dwelling unit** as seen from that **street**. For the purpose of this provision, "façade" means the side of a **building** facing a **principal front yard**.

~~10.814.433~~ An addition to or expansion of an existing **building** for the purpose of creating an **AADU** shall be recessed or projected at least 18 inches from the existing front wall of the **principal dwelling unit**. Where the addition includes the construction of an attached, **street-facing garage**, it shall be set back at least 10 feet from the front wall of the **principal dwelling unit**.

~~10.814.452~~ The addition to or expansion of the existing **single-family dwelling** may include an increase in **building height** only as an upward expansion of the existing **principal building** with no increase in building footprint.

~~10.814.453434~~ The **building height** of any addition or expansion that includes an increase in **building footprint** shall be no greater than 75% of the height of the existing **building** or, in the case of a **single-story building**, such addition or expansion may include an additional story to the existing **building** or a single story addition at the same height as the existing **building**, at least 6 inches less than the **building height** of the existing **principal building dwelling unit**.

10.814.45444 The ~~exterior design of an An~~ addition to or expansion of an existing building for the purpose of creating an AADU shall be architecturally consistent with the principal dwelling unit using the following architectural design guidelines:

- Massing – Massing elements, such as the shape or form of the footprint, roof or any projecting elements, should match the principal structure.
- Architectural Style – The architectural style should match the design, quality and character of the principal structure.
- Roof – The roof forms, slopes, and shingling materials should match the principal structure.
- Siding – Siding material, texture, and profile should match the principal structure.
- Windows – Windows should match the principal structure with similar spacing, shapes, proportions, style, and detailing.
- Doors – Doors shall match the principal structure in style, material, and detailing.
- Trim Details – Window and door casings, cornices, soffits, eaves, dormers, shutters, railings or other similar design elements should match the principal structure.
- Projections – If provided, dormers, porticos, bays, porches, door canopies, or other similar projects should match the proportions, materials, style and trim of the principal structure.
- Garage Doors – Garage doors should be limited to 9 feet in width.
- Exposed Foundations – Foundation material should match the principal structure in material and profile.
- Other Design Elements – If provided, chimneys, balconies, railings, gutters, shutters and other similar design elements shall be consistent with such features on the principal structure.

10.814.50 A detached accessory dwelling unit (DADU) shall comply with the following additional standards:

10.814.51 — ~~In a General Residence district, the combination of the principal dwelling and the DADU shall comply with the minimum lot area per dwelling unit specified for the district. (For example, the required lot area for a single-family dwelling with a DADU in the GRA district is 7,500 sq. ft. per dwelling unit multiplied by 2 dwelling units, or 15,000 sq. ft.) In a Single Residence or Rural district, a lot with a DADU shall comply with the minimum lot area for the district, but need not comply with the minimum lot area per dwelling unit.~~

10.814.5251 The **DADU** ~~shall not have more than two bedrooms and~~ shall not be larger than 750 sq. ft. gross floor area; ~~except that the maximum gross floor area shall be 1,000 sq. ft. if the lot area is 2 acres or more, except as permitted through a conditional use permit as provided in Section 10.440.~~

10.814.511 In no case shall a **DADU** be larger than 1,000 sq. ft. **gross floor area**.

10.814.512 In no case shall a **DADU** that is created from an existing **accessory building** that does not comply with the minimum **yard** requirements for a **principal structure** be larger than 600 sq. ft. **gross floor area**.

10.814.52 A **DADU** that is created from an existing **accessory building** that does not comply with the minimum **yard** requirements for a **principal structure** shall comply with the following additional requirements:

10.815.521 The existing **accessory building** shall not be expanded either vertically or horizontally, other than through the addition of a front entry not to exceed 50 sq. ft., or a side or rear deck not to exceed 300 sq. ft.; except that the Planning Board may grant a conditional use permit to allow the gross **floor area** of the **accessory building** to be expanded up to a total of 600 sq. ft. as provided in Section 10.440.

10.815.522 A **DADU** that is within a required **side yard** or **rear yard** setback for the zoning district shall not have any windows or doors higher than eight feet above grade facing the adjacent property.

10.814.5353 The **DADU** shall be clearly subordinate to the principal **single-family dwelling** in scale, height and appearance.

10.814.55531 The front wall of the **DADU** that is not created within an existing accessory building shall be set back at least 10 feet further from the **front lot line** than the existing front wall of the **single-family principal dwelling unit**.

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~~10.814.531~~⁵³² The width of the façade area of the **DADU** that faces a **street** on which the **lot** has **frontage** shall be no more than 40 percent of the combined widths of the visible façade areas of the principal **single-family dwelling unit** and the **DADU** facing the same **street**. For the purpose of this provision, “façade” means the side of a **building** facing a **principal front yard**.

~~10.814.532~~⁵³³ The **building height** of the **entire structure** containing the **DADU** shall be ~~less no~~ greater than ~~45~~²⁵ feet or 75 percent of the **building height** of the principal **single-family dwelling unit**, whichever is greater.

~~10.814.534~~ The **building footprint** of the **entire structure** containing the **DADU** shall be no greater than 750 SF.

~~10.814.535~~ The **building volume** of the **entire structure** containing the **DADU** shall be no greater than 2,000 SF GFA or 75 percent of the **building volume** of the principal **dwelling unit**, whichever is less.

~~10.814.536~~ The **DADU** may include roof dormers provided they occupy no greater than 33% of any individual roof surface.

~~10.814.537~~ The **DADU** shall comply with the drainage requirements listed under Section 10.1320.

~~10.814.538~~ The **DADU** shall comply with the lighting requirements listed under Section 10.1140.

- ~~10.814.533~~⁵⁴ The **exterior design** of the **façade** of the **DADU** shall be architecturally consistent with the **façade** of the principal **dwelling unit** through using the following architectural **design guidelines**:
- **Massing** – Massing elements, such as the shape or form of the footprint, roof or any projecting elements, should match the principal structure.
 - **Architectural Style** – The architectural style should match the design, quality and character of the principal structure.
 - **Roof** – The roof forms, slopes, and shingling materials should match the principal structure.

- Siding – Siding material, texture, and profile should match the principal structure.
- Windows – Windows should match the principal structure with similar spacing, shapes, proportions, style, and detailing.
- Doors – Doors shall match the principal structure in style, material, and detailing.
- Trim Details – Window and door casings, cornices, soffits, eaves, dormers, shutters, railings or other similar design elements should match the principal structure.
- Projections – If provided, dormers, porticos, bays, porches, door canopies, or other similar projects should match the proportions, materials, style and trim of the principal structure.
- Garage Doors – Garage doors should be limited to 9 feet in width.
- Exposed Foundations – Foundation material should match the principal structure in material and profile.
- Other Design Elements – If provided, chimneys, balconies, railings, gutters, shutters and other similar design elements shall be consistent with such features on the principal structure.

~~10.814.5455~~ The **DADU** shall ~~be separated from the single-family dwelling by at least 20 feet~~ **comply with the minimum separation requirements established by the Building Code.**

~~10.814.55~~ The front wall of the **DADU** shall ~~be set back at least 10 feet further from the front lot line than the existing front wall of the single-family dwelling.~~

~~10.814.56~~ No portion of the **DADU** shall be located in any required **front yard**, regardless of the location of the **single-family dwelling**.

10.814.60 When Section 10.440 indicates that an **attached or detached ADU** is permitted (“P”), the determination as to whether the **ADU** complies with all requirements shall be by administrative approval by the Planning Director.

~~10.814.6070~~ When Section 10.440 requires ~~Before granting~~ a conditional use permit for an **attached or detached ADU**, the Planning Board shall make the following findings ~~before granting approval~~:

10.814.71 The **ADU** complies with all applicable standards of this Section 10.814.

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10.814.~~64~~72 ~~The~~ Exterior design of the **ADU** is consistent with the existing principal **dwelling** on the **lot**.

10.814.~~62~~73 The site plan provides adequate and appropriate **open space, landscaping** and **off-street parking** for both the **ADU** and the primary-principal dwelling unit.

10.814.~~63~~74 The **ADU** will maintain a compatible relationship to **adjacent** properties in terms of location, design, and **off-street parking** layout, and will not significantly reduce the privacy of **adjacent** properties.

~~10.814.64 — The ADU will not result in excessive noise, traffic or parking congestion.~~

10.814.~~70~~80 In granting a conditional use permit for an **accessory dwelling unit**, the Planning Board may modify a specific standard set forth in Sections 10.814.40 or 10.814.52 through 10.814.~~56~~54, including requiring additional or reconfigured **off-street parking** spaces, provided that the **Board** finds such modification will be consistent with the required findings in Section 10.814.~~60~~70.

10.814.~~80~~90 Documentation of the conditional use permit approval shall be recorded at the Rockingham County Registry of Deeds.

10.814.~~90~~95 A certificate of use issued by the Planning Department is required to verify compliance with the standards of this Section, including the owner-occupancy and principal residency requirements. Said certificate shall be issued by the Planning Department upon issuance of a certificate of occupancy by the Inspection Department and shall be renewed annually upon submission of such documentation as the Planning Department may require to verify compliance. A certificate of use shall not be issued prior to recording of documentation as required by this 10.814.~~80~~95.

~~10.815 — Garden Cottages~~

~~10.815.10 — One garden cottage, and only one, shall be allowed on any lot containing a single-family dwelling.~~

~~10.815.20 — Relationship to other provisions of this Ordinance:~~

~~10.815.21 — No garden cottage shall be allowed on the same lot as an accessory dwelling unit authorized under this Ordinance.~~

~~10.815.22 — The establishment of a garden cottage results in two dwelling units on the property and thus makes the property ineligible to establish an accessory dwelling unit under RSA 674:72-73 and this Ordinance. As a condition of receiving a conditional use permit for a garden cottage, the~~

property owner shall waive all rights under RSA 674:72 and RSA 674:73.

~~10.815.23 — A **garden cottage** that complies with the standards of this section is exempt from the residential density standards of the Zoning Ordinance. A second **dwelling unit** on a lot that does not comply with the standards of this section shall be considered to be either a second primary **dwelling** or an **accessory dwelling unit** and shall comply with the applicable standards and provisions of the Ordinance.~~

~~10.815.30 — **Garden cottages** shall comply with the following standards:~~

~~10.815.32 — A **garden cottage** shall not be larger than 600 sq. ft. **gross floor area**.~~

~~10.815.31 — The existing **accessory building** shall not be expanded either vertically or horizontally, other than through the addition of a front entry not to exceed 50 sq. ft., or a side or rear deck not to exceed 300 sq. ft.~~

~~10.815.32 — A **garden cottage** shall not be larger than 600 sq. ft. **gross floor area**.~~

~~10.815.33 — A **garden cottage** that is within a required **yard** for the zoning district shall not have any windows or doors higher than eight feet above grade facing the **adjacent** property.~~

~~10.815.34 — The **principal dwelling unit** and the **garden cottage** shall not be separated in ownership (including by condominium ownership); and either the **principal dwelling unit** or the **garden cottage** shall be occupied by the owner of the property. The owner shall provide documentation demonstrating to the satisfaction of the City that one of the units is his or her principal place of residence.~~

~~10.815.341 — When the property is owned by one or more trusts, one of the **dwelling units** shall be the principal place of residence of the beneficiary(ies) of the trust(s).~~

~~10.815.35 — Where municipal sewer service is not provided, the septic system shall meet NH Water Supply and Pollution Control Division requirements for the combined system demand for total occupancy of the premises.~~

~~10.815.40 — Before granting a conditional use permit for a **garden cottage**, the Planning Board shall make the following findings:~~

~~10.815.41 — Exterior design of the **garden cottage** is consistent with the existing **single-family dwelling** on the lot.~~

- ~~10.815.42 — The site plan provides adequate and appropriate **open space, landscaping, and off-street parking** for both the **garden cottage** and the **primary dwelling**.~~
- ~~10.815.43 — The **garden cottage** will maintain a compatible relationship to **adjacent** properties in terms of location and design, and will not significantly reduce the privacy of **adjacent** properties.~~
- ~~10.815.44 — The **garden cottage** will not result in excessive noise, traffic or parking congestion.~~
- ~~10.815.50 — In granting a conditional use permit for a **garden cottage**, the Planning Board may modify a specific dimensional or parking standard set forth in Section 10.815.30, including requiring additional or reconfigured **off-street parking** spaces, provided that the Board finds such modification will be consistent with the required findings in Section 10.815.40.~~
- ~~10.815.60 — Documentation of the conditional use permit approval shall be recorded at the Rockingham County Registry of Deeds.~~
- ~~10.815.70 — A certificate of use issued by the Planning Department is required to verify compliance with the standards of this Section, including the owner-occupancy and principal residency requirements. Said certificate shall be issued by the Planning Department upon issuance of a certificate of occupancy by the Inspection Department and shall be renewed annually upon submission of such documentation as the Planning Department may require to verify compliance. A certificate of use shall not be issued prior to recording of documentation as required by 10.815.60.~~

Article 11 Site Development Standards

Section 10.1110 Off-Street Parking

10.1111 General

- 10.1111.10 The purposes of Section 10.1110 are to manage parking supply to serve development needs without compromising community character or contributing to increased housing development costs. These purposes will be achieved by calibrating **off-street parking** requirements to demands, promoting shared parking arrangements for complementary uses, and providing for flexibility in the administration of **off-street parking** standards.
- 10.1111.20 All new **buildings** and **structures**, as well as additions to or changes in **use** or intensification of **use** in existing **buildings** and **structures**, shall be provided with **off-street parking** spaces in accordance with this Section.
- 10.1111.30 A **use** that is **nonconforming** as to the requirements for **off-street parking** shall not be enlarged or altered unless **off-street parking** is provided for the original **building, structure** or **uses** and all expansions, intensifications or additions sufficient to satisfy the requirements of this Section.

10.1112 Number of Required Parking Spaces

10.1112.10 General Requirements and Interpretation

- 10.1112.14 The Planning Board may grant a conditional use permit to allow a **building** or **use** to provide less than the minimum number of **off-street parking** spaces required by Section 10.1112.30, Section 10.1112.61 or Section 10.1115.20, as applicable, or to exceed the maximum number of **off-street parking** spaces allowed by Section 10.1112.51.
- 10.1112.141 An application for a conditional use permit under this section shall include a parking demand analysis, which shall be reviewed by the City's Technical Advisory Committee prior to submission to the Planning Board, demonstrating that the proposed number of **off-street parking spaces** is sufficient for the proposed **use**.
- 10.1112.142 An application for a conditional use permit under this section shall identify permanent evidence-based measures to reduce parking demand, including but not limited to provision of rideshare/microtransit services or bikeshare station(s) servicing the property, proximity to

public transit, car/van-pool incentives, alternative transit subsidies, provisions for teleworking, and shared parking on a separate **lot** subject to the requirements of 10.1112.62.

10.1112.143 The Planning Board may grant a conditional use permit only if it finds that the number of **off-street parking** spaces required or allowed by the permit will be adequate and appropriate for the proposed **use** of the property. In making this determination, the Board may accept, modify or reject the findings of the applicant's parking demand analysis.

10.1112.144 At its discretion, the Planning Board may require more **off-street parking** spaces than the minimum number requested by the applicant, or may allow fewer spaces than the maximum number requested by the applicant.

10.1112.20 Calculation of Number of Required Spaces

10.1112.21 The number of required **off-street parking** spaces shall be the sum of the requirements for the various individual **uses** on a **lot** computed separately.

10.1112.22 Where the computation of required **off-street parking** spaces results in a fractional number, the computation shall be rounded up to the next whole number.

10.1112.30 Off-Street Parking Requirements

10.1112.31 Parking Requirements for Residential Uses

10.1112.311 The required minimum number of **off-street parking** spaces for **uses** 1.10 through 1.90, including **dwelling units** in mixed-use developments, shall be based on the gross floor area of each **dwelling unit**, as follows:

Dwelling Unit Floor Area	Required Parking Spaces
Less than 500 sq. ft.	0.5 spaces per unit
500-750 sq. ft.	1.0 space per unit
Over 750 sq. ft.	1.3 spaces per unit

10.1112.312 In addition to the **off-street parking** spaces provided in accordance with Sec. 10.1112.311, any **dwelling** or group of **dwelling**s on a **lot** containing more than 4 **dwelling units** shall provide one visitor parking space for every 5 **dwelling units** or portion thereof.

10.1113 Location of Vehicular Use Facilities

10.1113.20 Location of Parking Facilities on a Lot

Required **off-street parking** spaces shall not be located in any required **front yard**, or between a **principal building** and a **street** (including on a **corner lot**). This restriction shall not apply to required **off-street parking** for a **single-family dwelling** (including the combination of a **single-family dwelling** and an **accessory dwelling unit**) or **two-family dwelling**.

Article 15 Definitions

Section 10.1530 Terms of General Applicability

A

Accessory building or structure

A subordinate **building** located on the same **lot** with the principal **building**, occupied by or devoted to an **accessory use**. Where an **accessory building** is attached to the main **building** in a substantial manner, as by a wall or roof, such **accessory building** shall be considered part of the main **building**. For the purpose of this Ordinance, a **detached accessory dwelling unit** that is not created within an existing accessory building is not an **accessory building** or **structure**.

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Accessory dwelling unit (ADU)

A **dwelling unit** that is constructed on the same **lot** as a **single-family dwelling** and complies with the standards for **accessory dwelling units** set forth in this Ordinance.

Attached accessory dwelling unit (AADU)

An **accessory dwelling unit** that is constructed within or attached to a **single-family dwelling**. For the purpose of this definition, “attached” means:

- (a) located within the **dwelling** and separated from the **principal dwelling unit** either horizontally or vertically, or
- (b) sharing a common wall for at least 25 percent of the length of the side of the **single-family dwelling**.

“Attached” does not include connection to the **single-family dwelling** solely by an unenclosed **structure** (such as a breezeway) or by an enclosed but unconditioned space.

Detached accessory dwelling unit (DADU)

An **accessory dwelling unit** that is constructed within an accessory, a detached building on a **lot** containing one **single-family dwelling**. A **detached accessory dwelling unit** may be connected to the **single-family dwelling** by an unenclosed **structure** (such as a breezeway) or by an unconditioned space.

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Accessory use

A **use** that is incidental and subordinate to the **principal use** and located on the same **lot** with such **principal use** or **building**.

G

Garden cottage

~~A **dwelling unit** that is constructed through conversion of an **accessory building** on the same **lot** as a **single-family dwelling** and complies with the standards for **garden cottages** set forth in the Ordinance.~~

Gross floor area (GFA)

The sum of the areas of the several floors of a **building** or **buildings** as measured by the exterior faces of the walls, but excluding the areas of fire escapes, unroofed porches or terraces, and areas such as basements and **attics** exclusively devoted to **uses** accessory to the operation of the **building**. If the exterior walls are greater than 6 inches thick, then the **gross floor area** shall be adjusted to a maximum of a 6-inch thick wall.