

### **ACCESSORY DWELLING UNIT**

Accessory Dwelling Units are a permitted use in the residential districts, subject to the review of the Code Enforcement Officer and adherence to the following standards:

1. The owners of the principal structure must reside on the property either in the principal structure, or the Accessory dwelling unit.
2. The Accessory Dwelling unit shall not be greater than 800 square feet of living area. The minimum ADU size shall be 410 square feet.
3. The Accessory dwelling unit may be located either in the principal dwelling unit, attached to the existing Dwelling unit or as a separate structure. The accessory dwelling unit may share the septic system with the principal dwelling unit or provide a sperate septic system that meets the requirements of the State Subsurface Wastewater rules Title 30-A Section 3428. on-site well may be shared with the principal dwelling unit or provide a separate well for the Accessory Dwelling unit where public water is not available. Said new septic system must only be used to service the proposed accessory dwelling unit and not for the purpose of serving any other independent dwelling. Subject to the terms above, the septic system on the property in question shall be functioning properly at the time of application for the permit approval by the Code Enforcement Officer. In addition, the applicant must submit a newHHE-200 form as documentation that suitable soil exists on the property to be used for septic system repair or replacement in the event of failure of the original system. If a combined system is proposed the main system must demonstrate that it is functioning properly prior to permitting the expansion for the ADU.
5. The parking requirements of the Waterboro Land Use Ordinance shall not be considered when adding an accessory dwelling unit.
6. Proper ingress and egress shall be provided to the accessory unit.
7. Should the owners of the principal structure be found in non-compliance of the standards contained in this section, the non-compliance shall be considered a violation of this ordinance and subject to fines and penalties and the accessory unit shall be discontinued and the Certificate of Occupancy revoked.
8. An accessory dwelling unit which complies with the requirements of this subsection shall not be considered an additional dwelling unit when calculating lot area per family under the dimensional requirements of the ordinance.
9. Only one accessory dwelling unit shall be permitted on a lot.
10. The HHE-200 form, after review and approval by the Code Enforcement Officer, shall be recorded at the York County Registry of Deeds when the system is designed but not established in case of failure to the current system occurs.
11. The Town shall require an applicant to place a deed restriction on the main parcel and enter into a consent agreement assuring that the lot will not be split in the future separating the dwelling unit and the ADU. Ownership of the ADU shall also remain in the same ownership as the principal structure.
12. ADU's Shall not be used as a Short-Term rental unit and must have a lease agreement for no less than 6 consecutive months with the same party.