

Amendment No. 1 (August 28, 2016) to the Town of Pittsfield Zoning Ordinance:

Amend zoning ordinance **article 2, Interpretation Rules and Definitions,**

ACCESSORY APARTMENT, as follows: Renumber current subparagraph (c), (2), as subparagraph (c), (5), and insert new subparagraphs (c), (2), (3), and (4), as shown but without the underlining:

ACCESSORY APARTMENT:

- (a) In this definition of “ACCESSORY APARTMENT,” “house” means a DETACHED DWELLING.
- (b) “ACCESSORY APARTMENT” means the ACCESSORY DWELLING UNIT in a house that contains one PRINCIPAL DWELLING UNIT, one ACCESSORY DWELLING UNIT, and no other DWELLING UNITS.
- (c) Except as provided in article 4, section 3, Nonconforming Uses, every permissible ACCESSORY APARTMENT shall satisfy the following conditions and all other applicable conditions in the zoning ordinance:
 - (1) The ACCESSORY APARTMENT shall share a common wall with or be under the same roof with the PRINCIPAL DWELLING UNIT.
 - (2) The ACCESSORY APARTMENT shall have an interior door between the PRINCIPAL DWELLING UNIT and the ACCESSORY APARTMENT, but this door is not required to remain unlocked. (RSA 674:72, III.)
 - (3) The ACCESSORY APARTMENT shall have a floor area that is less than or equal to 75 percent of the floor area of the PRINCIPAL DWELLING UNIT unless 75 percent of the floor area of the PRINCIPAL DWELLING UNIT is less than 750 square feet. If 75 percent of the floor area of the PRINCIPAL DWELLING UNIT is less than 750 square feet, then the ACCESSORY APARTMENT shall have a floor area that is less than or equal to 750 square feet. (See RSA 674:72, VII.) In this condition, “floor area” of a DWELLING UNIT means the sum of the areas of all floors of the DWELLING UNIT, as measured from the exterior faces of the walls or from the center line of a wall separating the two DWELLING UNITS.
 - (4) The ACCESSORY APARTMENT shall be in a DWELLING that the owner of the DWELLING occupies. The owner may occupy either the PRINCIPAL DWELLING UNIT or the ACCESSORY DWELLING UNIT. (See RSA 674:72, VI.)
 - (5) The ACCESSORY APARTMENT shall not be rented.