

**A LOCAL LAW AMENDING CHAPTER 325, ARTICLES V AND XIII
OF THE CITY OF HUDSON CODE**

**BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF HUDSON AS
FOLLOWS:**

SECTION 1. TITLE This Local Law shall be known as Local Law No. A for the year 2025, Accessory Dwelling Units.

SECTION 2. LEGISLATIVE FINDINGS, INTENT AND PURPOSE

It is the intent of the Common Council of the City of Hudson in adopting Local Law _ for the year 2025, Accessory Dwelling Units to allow for expanded residential housing opportunities through the creation and development of residential dwellings as an accessory to a principal residential use. New accessory dwelling units (ADUs) will increase the City of Hudson's housing supply, benefit homeowners by providing an extra income stream, and facilitate efficient use of the City's housing stock.

SECTION 3. STATEMENT OF AUTHORITY

This local law is authorized by the Municipal Home Rule Law (Chapter 36-a of the Consolidated Laws of the State of New York).

SECTION 4. AMENDMENT Chapter 325 of the Hudson City Code is hereby amended as follows:

I. Chapter 325, Article V is hereby amended by adding the following:

§325-22.1

A. Dwelling Unit, Accessory. An Accessory Dwelling Unit (ADU) is permitted in all zoning districts as an accessory use to One-Family Dwellings and shall be subject to the following provisions:

(1) General Requirements.

(a) At the time of application for a Building Permit, the parcel on which the ADU is proposed to be located must be the primary domicile of the property owner. The property owner shall maintain their primary domicile in either the principal dwelling or the ADU for at least continuous 12 months from the time the certificate of occupancy is issued for the ADU.

(b) An ADU shall require a building permit and certificate of occupancy issued by the Building Department for the City of Hudson. The principal dwelling unit and ADU shall be commonly owned with the Applicant for the ADU being the owner-occupant of the principal dwelling unit. ADU must remain part of the same tax lot as the principal dwelling unit.

- (c) There shall be only one ADU per building lot.
 - (d) An ADU shall not be permitted on a parcel where a current building violation exists unless the creation of the ADU will cure the violation.
 - (e) All ADUs shall be on a permanent foundation.
 - (f) No new driveway access from the lot to the street separate from that servicing the principal dwelling shall be permitted.
 - (g) Alteration to the principal residence to accommodate an ADU shall be designed to retain its exterior appearance as a single-family dwelling as viewed from the Street. Any structure that is locally landmarked by the Historic Preservation Commission must obtain a certificate of appropriateness under §169-5 of City Code of the City of Hudson.
 - (h) An ADU shall meet the minimum square footage as meets the requirements of Chapter 325, Article V, § 325-22 (H) and (I) and shall not exceed the gross floor area of the principal dwelling.
 - (i) Provision for adequate water and sewage disposal shall be provided in accordance with the standards provided by the Columbia County Department of Health.
- (2) Lot Requirements and Setbacks.
- (a) An ADU shall be permitted on a pre-existing non-conforming lot with regards to lot size.
 - (b) With the exception of §325-22.1(A)(2)(a) and (3), an ADU shall adhere to all setbacks, height and parking requirements of a one-family dwelling for the zoning district in which it is located.
- (3) ADU in a Pre-Existing Non-Conforming Accessory Structure. An ADU proposed in an existing non-conforming accessory structure shall be permitted and is excepted from the restrictions set forth in Chapter 325, Article VI provided that the footprint of the pre-existing non-conforming accessory structure is not enlarged and all requirements set forth in (A)(1) of this Article have been met.

II. Chapter 325, Article XIII is hereby amended to add the following:

DWELLING UNIT, ACCESSORY (ADU): A subordinate dwelling unit located either within a principal residential dwelling, (inclusive of garage if attached to the principal residential dwelling), or within an approved detached accessory structure, having its own ingress and egress and providing independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation. All ADUs shall meet the requirements of habitable space as defined by the New York State Uniform Fire Prevention and Building Code.

DWELLING, PRINCIPAL: The primary residential building of a parcel arranged, intended, designed or used as living quarters, including kitchen facilities.

SECTION 5. SEVERABILITY.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this chapter or

any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The Common Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective.

SECTION 6. EFFECTIVE DATE

This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.