

AMEND:

§ 305-3 Word usage and definitions

ACCESSORY DWELLING UNIT (ADU)

A residential living unit that is located on a plot containing a single-family dwelling (SFD) that provides independent living facilities for one or more persons, and includes provisions for sleeping, eating, cooking and sanitation. The ADU shall only be located on the parcel of land that contains one SFD. No more than one ADU is permitted on any parcel containing a SFD. The ADU may be constructed at the same time as the SFD.

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ADD:

§ 305-13 Permitted uses, special exceptions and special use permits.

“Accessory Dwelling Unit” Permitted in RR, RS, R-1, R-2, R-3, C, LP

REMOVE:

§ 305-13 Permitted uses, special exceptions and special use permits.

“Family Apartment” allowed by *Special Exception* in RR, RS, R-1, R-2, R-3, B-2, C, LP

(see attached Use Table for details)

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AMEND:

§ 305-29.8 Accessory Dwelling Units.

A. Purpose. This zoning provision is intended to:

- (1) Increase the supply of affordable housing units without the need for more infrastructure or further land development;
- (2) Provide flexible housing options for residents and their families;

- (3) Integrate affordable housing into the community with minimal negative impact; and
- (4) Provide elderly citizens with the opportunity to retain their homes and age in place.

B. Permitting. The creation of an Accessory Dwelling Unit (ADU) requires the submission of an ADU application form. If all of the conditions and criteria are satisfied, then the Planning and Zoning Director can issue a letter of authorization. If the Director determines that the conditions and criteria are not being satisfied, then a letter of denial will be issued, and the owner can, if so desired, file for a conditional use permit from the Planning Board. If a building permit is required, then the occupancy/use permit shall be issued at the same time as the issuance of the letter of authorization. If no building permit is required, then the owner shall schedule, and pay the fee for, an inspection by the Building Inspector to determine if the living space meets all applicable fire and life safety codes. Any code deficiencies must and shall be corrected prior to the issuance of a letter of authorization.

C. Criteria for approval.

- (1) Only one ADU shall be permitted on a parcel that contains a single-family dwelling. ADUs are permitted only on parcels that contain single-family uses.
- (2) The owner(s) of the property shall reside in either the principal unit or the ADU. At the time when a building permit or application is filed for the creation of the ADU, the owner must submit a notarized statement which documents that he/she will reside in one of the units.
- (3) Manner of access.
 - a) The ADU shall have either an independent means of ingress and egress or ingress and egress through a common space shared with the principal dwelling.
- (4) Any proposed addition to the structure necessary to create the ADU shall conform to the setback requirements of § 305-14 (or any setbacks required by the Planning Board as part of a separate permit process), be approved through the provisions of § 305-18, or receive a variance.
- (5) No ADU shall be established in a condominium, or converted to condominium ownership.
- (6) The ADU:
 - a) Shall not exceed 950 square feet in size
 - b) Shall have a minimum of 750 square feet in size.
- (7) Parking for the combination single-family dwelling and ADU shall comply with the parking requirements in § 305-19 of the Zoning Ordinance.

- (8) Prior to the issuance of a building permit for the creation of the ADU, the owner/applicant shall provide evidence to demonstrate adequate provisions for water and sewage disposal for the principal dwelling unit and the ADU in compliance with RSA 485-A:38 (or its successor statute or regulation).
- (9) All City ordinances and regulations applicable to the single-family dwellings shall also apply to the ADU.