

Article 21 Amend Article XIII A - Accessory Dwelling Units, to permit both attached and detached Accessory Dwelling Units associated with single-family homes as required by recent changes to State Law.

Amend Section 334-73.3 to be as follows (language to be removed shown in ~~bold-strikeout~~; language to be added shown in ***bold italics***):

§ 334-73.3 Provisions.

An ADU shall be permitted in zoning DISTRICTS that permit single-family dwellings, and only in accordance with the following provisions:

- A. An ADU is allowed only in single-family dwellings. An ADU is not allowed in two- or multifamily dwellings or in any nonresidential uses.
- B. An ADU is ~~not~~ allowed as *either* a freestanding detached STRUCTURE or as part of any STRUCTURE which is ~~detached from~~ *attached to* the principal dwelling. MANUFACTURED HOUSING, RECREATIONAL VEHICLES or trailers may not be erected or added to the principal dwelling as an ADU.
- C. Either the principal DWELLING UNIT or the ADU must be occupied by the owner of record of the principal dwelling. Upon request of the Zoning Administrator or other official with the authority to enforce this ordinance, the owner of record shall demonstrate that one of the units is his or her principal place of residence.
- D. The front face of the principal dwelling STRUCTURE is to appear as a single-family dwelling after any alterations to the STRUCTURE are made to accommodate an ADU. Any additional separate entrances must be located on the side or rear of the STRUCTURE.
- E. ~~At least one common interior access between the principal DWELLING UNIT and an ADU must exist.~~ Two external means of egress (common or separate) from both a principal DWELLING UNIT and an ADU must exist.

~~Separate utility service connections and/or meters for the principal DWELLING UNIT and an ADU shall not exist. (This does not preclude using a type of heating system for an ADU different from the type for the principal DWELLING UNIT.) Separate service connections for common areas shall be as required by building and electrical codes.~~

- F. A minimum of ~~four~~ *two* off-street paved parking spaces shall be provided to serve the combined needs of the principal DWELLING UNIT and an ADU. ~~There shall not be a separate driveway for the ADU.~~

- G.** The size of an ADU shall not be less than 350 square feet nor greater than ~~750~~ **950** square feet. The size of the principal dwelling shall not be reduced to less than 850 square feet in order to accommodate the creation of an *attached* ADU. ***An ADU may not be greater in size than the primary dwelling.*** Measurement of size shall be consistent with Town Assessor's practices. [2-2-2019 ATM, Art. 05, adopted 3-12-2019]
- H.** An ADU shall not have more than two bedrooms.
- I.** A building permit for an ADU must be approved and issued prior to the construction of an ADU or conversion of existing space into an ADU.
- J.** The house number for the ADU shall be the same as that of the primary DWELLING UNIT, and there shall not be a separate mailbox for the ADU.
- K.** Multiple ADUs are not permitted on any LOT in any DISTRICT.
- L.** The maximum number of unrelated persons occupying an ADU shall not exceed two ***per bedroom.***
- M.** An ADU shall have an interconnected fire alarm system with the principal DWELLING UNIT.
- N.** An ADU shall make provision for adequate water supply and sewage disposal in compliance with RSA 485-A: 38 and regulations adopted by the New Hampshire Department of Environmental Services, but separate systems shall not be required for the principal STRUCTURE and ADU. Verification of compliance with RSA 485-A:38 shall be filed with the Town prior to issuance of a building permit. [2-2-2019 ATM, Art. 05, adopted 3-12-2019]