

(Note: Current Articles XV-XVIII to be renumbered accordingly)

**ARTICLE XV: ACCESSORY DWELLING UNITS**

A. Purpose:

Pursuant to RSA 674:71-73, the purpose of this article is to allow Accessory Dwelling Units (ADUs) in appropriate zoning districts in order to:

1. increase the supply of affordable housing without the need for more infrastructure or further land development;
2. provide the opportunity for small rental housing units to meet the housing needs of single persons and couples, recent college graduates, aging homeowners, caregivers and disabled persons;
3. improve the inventory of affordable housing;
4. allow the efficient use of the Town's existing stock of dwellings and accessory buildings;
5. provide elderly citizens with the opportunity to live in a supportive family environment with both independence and dignity; and
6. protect and preserve the rural one-family residential character of the Town.

B. Definition:

An Accessory Dwelling Unit (ADU) is a dwelling unit that is accessory to a single-family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation, on the same parcel of land as the single-family dwelling it accompanies.

C. Provisions:

1. Only one (1) ADU shall be permitted for each single-family dwelling.
2. An ADU shall not be permitted on lots with more than one existing dwelling unit.
3. The ADU shall provide independent facilities for sleeping, eating, cooking and sanitation.
4. Unless a Special Exception is granted by the Board of Adjustment, the ADU shall be attached to or within the single-family dwelling. An attached ADU shall share a common wall and connecting door between the single-family dwelling and the ADU.
5. The ADU shall have an independent means of ingress and egress, or shall have ingress and egress through common space such as a shared hallway to an exterior door.
6. The entrance to the ADU shall be from the side or rear of the building unless it is from the inside of the main entrance. A Special Exception for a second front entrance for handicapped access may be granted by the Board of Adjustment if no other option is available for handicapped access.
7. Except in the Forest and Agriculture (FA) District, the Board of Adjustment may grant a Special Exception for a detached ADU. Any such detached ADU shall comply in all other respects with the purposes and requirements of this Article. No new structure shall be built for the principal purpose of constructing a detached ADU.
8. Either the ADU or the single-family dwelling shall be the primary residence of the property owner.
9. The ADU and the single-family dwelling shall permanently remain under common ownership.
10. The size of the ADU (in square footage measured from the outside) shall be restricted as follows:
  - a. The size of an attached ADU shall not exceed the lesser of fifty percent (50%) of the size

of the single-family dwelling or one thousand (1000) square feet.

- b. The size of a detached ADU shall not exceed the lesser of fifty percent (50%) of the size of the smaller of the lot's single-family dwelling or of the detached building in which the ADU is to be located, or one thousand (1000) square feet.
- c. Notwithstanding the limitations set out in the subparagraphs (a) and (b) above, no ADU is required to have, but may have, a size less than seven hundred fifty (750) square feet.

- 11. There shall be no more than two bedrooms in an ADU.
- 12. An ADU shall be provided with at least one (1) off-street parking space of not less than two hundred (200) square feet on the lot on which it is located.
- 13. The external appearance of the single-family dwelling and ADU, and of any detached building in which an ADU is permitted, shall be consistent with the rural one-family residential character of the neighborhood and the Town.
- 14. There shall be adequate water supply and sewage disposal for the ADU together with the single-family dwelling in compliance with RSA 485-A:38 and regulations adopted by the New Hampshire Department of Environmental Services.
- 15. A Building Permit and a Certificate of Completion are required in accordance with Article VII. No ADU shall be occupied without a Certificate of Completion.

D. Minimum Lot Dimension and Similar Requirements:

- 1. All provisions of this Zoning Ordinance applicable to a single-family dwelling shall also apply to the combination of a single-family dwelling and an ADU.
- 2. A single-family dwelling with an attached ADU shall not be required to meet additional requirements for lot area, frontage, space limitations, or other controls beyond what would be required for a single-family dwelling without an ADU.
- 3. In the case of a single family dwelling with a detached ADU, the Board of Adjustment may require a minimum lot size, minimum frontage, space limitations, or other controls in determining whether or not to grant a Special Exception, or may assign such conditions for approval thereof.
- 4. Without limitation of the foregoing, an ADU and any construction in connection with an ADU shall comply with all structure setback requirements.