

TOWN OF TEMPLE, NH

2017 PROPOSED AMENDMENT TO ZONING ORDINANCE

Modify existing language to ensure compliance
with state laws regarding

ACCESSORY DWELLING UNITS (ADU's) (formerly known as Accessory Apartments)

ARTICLE II: Definitions (Add definition)

ARTICLE IV: General Provisions (Replace existing language for)

Section 7: Multiple Dwellings

Section 7A: Attached accessory dwelling units

Section 7B: Detached accessory dwelling units

Proposed changes to Accessory Dwelling Unit section of Temple Zoning Ordinance to comply with RSA 674:71, 674:72 & 674:73.

ARTICLE II: Definitions (add the following definition)

Accessory dwelling unit: a residential living unit that is within or attached to a single-family dwelling, or detached, 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 principal dwelling unit it accompanies.

ARTICLE IV (Replace the existing Sections 7, 7A and 7B with the following text)

Section 7: Multiple Dwellings

- 7.10 Multiple dwellings shall not be allowed, except as allowed in Article IV Sections 7A, 7B, 19 and 26
- 7.20 There shall be no more than one dwelling on a lot plot or parcel, except as allowed in Article IV Sections 7A, 7B, 19 and 26
- 7.30 Accessory dwelling units are permitted in all residential districts. The intent of this section is to allow the elderly to have caretakers or renters to share a home, as a source of affordable housing in Temple, and to allow home owners to generate extra income. One accessory dwelling unit may be attached or detached, as allowed by Section 7A or Section 7B.

Section 7A: Attached accessory dwelling units:

- 7A.10 Only one accessory dwelling unit is permitted per lot and must be attached to and part of the primary residence.
- 7A.20 Manufactured housing units are not eligible for subdivision into accessory dwelling units.
- 7A.25 The owner must be a legal resident of the property at the time of application.
- 7A.30 The accessory dwelling unit shall have a minimum floor area of 400 square feet, but in no case shall the floor area comprise more than 40% of the floor area of the combined residences. Floor area of dwellings for the purposes of this section shall be calculated as follows:
- Finished living areas with full headroom shall be measured from the outside face of the structure.
 - The area of attics and half floors shall be measured by the area with at least four feet of headroom.
 - The full area of a useable basement may be included.
 - Garages are not to be counted as part of the living area of the residences.
- 7A.40 Written state approval of adequate septic capacity required or state approved plan in case of failure of existing system.
- 7A.50 Applicant must show adequate water supply.
- 7A.60 Adequate provision shall be made for additional off street parking for at least one car.
- 7A.70 The accessory dwelling unit shall be attached to or within the existing primary residence. In no case shall a “detached” unit be allowed, except as noted in Section 7B below.

- 7A.75 An interior door shall be provided between the principal dwelling unit and the accessory dwelling unit, but it is not required that it remain unlocked.
- 7A.80 Building permits are required before construction and Occupancy permits are required before use as an accessory dwelling unit.
- 7A.90 Accessory dwelling units shall not be allowed in Planned Residential Developments.

Section 7B: Detached accessory dwelling units:

- 7B.10 A detached accessory dwelling unit shall be permitted on lots that are at least twice the minimum lot size for that district.
- 7B.20 Neither primary residence nor accessory apartment may be manufactured housing.
- 7B.30 The accessory dwelling unit shall have a minimum floor area of 400 square feet, but in no case shall the floor area comprise more than 67% of the floor area of the primary residence. Floor area of dwellings for the purposes of this section shall be calculated as follows:
- Finished living areas with full headroom shall be measured from the outside face of the structure.
 - The area of attics and half floors shall be measured by the area with at least four feet of headroom.
 - The full area of a useable basement may be included.
 - Garages are not to be counted as part of the living area of the residences.
- 7B.40 Written state approval of adequate septic capacity is required or a state approved plan in case of failure of existing system.
- 7B.50 Applicant must show adequate water supply.
- 7B.60 Adequate provision shall be made for off street parking as defined in 7A.60 above.
- 7B.70 Building permits are required before construction and Occupancy permits are required before use as a detached accessory dwelling unit.
- 7B.80 Only one detached accessory dwelling unit is allowed per lot.
- 7B.90 Detached accessory dwelling units shall not be allowed in Planned Residential Developments.