



Accessory Dwelling Units

O-2023-06
Joint Committee
April 10, 2023

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List of Terms

- Dwelling, Single Family (LDC Article 28) – A free-standing building containing only 1 dwelling unit on a single lot, which is designed, occupied, or intended for occupancy by 1 family
- Nonconforming Use (LDC Article 28) – The use of any building, structure or land existing at the time of the enactment of the LDC, or any amendments thereto, which does not conform in whole or in part to this LDC or its amendments.

List of Terms cont.

- ADU - Accessory Dwelling Unit
- Attached ADU – An ADU that is physically connected to or incorporated into the principal single-family dwelling
- Detached ADU – An ADU that is physically separate from the principal single-family dwelling, either in an existing or new accessory structure

History

- ADU Law – RSA 674:41-43 adopted 2017
- Keene ADU Ordinance adopted 2003
 - Updated to reflect RSA 674:41-43 in 2017
- Approximately 10 permitted ADUs since 2017

1: Proposal - Section 1.3.3 “Setbacks & Build-To Dimensions”

e. The following structures may encroach up to 10-ft from the rear lot line of lots in residential zoning districts.

i. Pools, either above- or in-ground

ii. Decks, either detached or attached

iii. Garages, either detached or attached

ADD:

iv. Accessory Dwelling Units, either detached or attached

2: Proposal – Section 8.4.2.A “Accessory Dwelling Unit (ADU)” – “Defined”

a. Defined. An independent living unit ancillary to a single-family dwelling ~~unit~~ and under the same ownership as the principal dwelling unit. The unit may be an attached Accessory Dwelling Unit (ADU), located within or attached to the principal dwelling unit, or a detached ADU, located in or as a detached accessory building on the property.

3: Proposal – Section 8.4.2.2 “Use Standards”

c. Attached ADUs

i. Attached ADUs shall only be permitted in the Agriculture, Rural, Low Density, Low Density-1, Medium Density, High Density, High Density-1, Neighborhood Business, Office, Residential Preservation, and Downtown-Transition Districts.

ii. Attached ADUs shall have a minimum gross floor area of 400-sf. In no case shall the gross floor area exceed 800-sf.

REPLACE:

ADUs shall be permitted in any district and on any lot that contains a single-family dwelling. This shall include any legal non-conforming single-family dwelling.

4: Proposal – Section 8.4.2.2 “Use Standards”

d. Detached ADUs

i. Detached ADUs shall only be permitted in the Agriculture and Rural Districts.

ii. Detached ADUs shall have a minimum gross floor area of 400-sf, and, in no case, shall the floor area be greater than 50% of the gross floor area of the principal dwelling unit or greater than 1,000-sf, whichever is less.

REPLACE:

ADUs shall not exceed a maximum gross floor area of 1000-sf.

5: Proposal – Section 8.4.2.2 “Use Standards”

f. No more than 2 parking spaces shall be permitted for an ADU

REPLACE:

Only 1 parking space shall be required for an ADU.

6: Proposal – Section 8.4.2.2 “Use Standards”

ADD:

k. An ADU is subject to the same overlying zoning district’s dimensions & siting, buildout, and height requirements, as permitted by RSA 674:72, that would be required for a single-family dwelling without an ADU. In the case of zoning districts that do not allow a single-family dwelling, the zoning district’s dimensions & siting, buildout, and height requirements shall apply.

i. An ADU may encroach up to 10-ft from the rear lot line of any lot where an ADU is permitted.



Conclusion

CHANGE IN DENSITY, NOT IN INTENSITY