

**Purpose:** *To revise the existing ordinance in anticipation of new zoning requirements set by NH Senate Bill 146, allowing for the creation, location, standards, review and approval of Accessory Dwelling Units, sometimes referred to as “in-law apartments, student, or workforce housing.”*

## ARTICLE 9

### **ACCESSORY DWELLING UNITS**

#### 9.1 Purpose

To offer a diversity and range of affordable housing, in recognition of the growing necessity for, and societal benefits of:

- a) households where adults wish to give care and support to their parents in a semi-independent living arrangement,
- b) elderly and disabled citizens in need of independent living space for caregivers,
- c) recent college graduates saddled with significant student loan debt,
- d) persons or families of low and moderate income,

where these regulations shall provide additional housing opportunities, without the requisite for further land development, additional buildings, and increased roads and infrastructure in the Town of Chester.

#### 9.2 Approval Process

The addition of a single dwelling unit within or attached to a single-family dwelling existing at the time of application shall be permitted by special exception issued by the Zoning Board of Adjustment in any residential district, if the requirements of Article 9.4 and Article 11.4 of the Chester Zoning Ordinance are satisfied.

#### 9.3 Definitions

9.3.1 Accessory Dwelling Unit: A residential dwelling unit that is within or attached 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 lot the principal single-family dwelling unit is located.

#### 9.4 Requirements

Accessory dwelling units shall comply with the following requirements:

9.4.1 Setbacks and Dimensional Area Requirements: Attached accessory dwelling units shall comply with all setbacks and dimensional area requirements of Articles 4 and 5, and Tables 1 and 2, of the Chester Zoning Ordinance.

9.4.2 Interior Door: An interior connecting door shall be provided between the principal dwelling unit and the accessory dwelling unit.

9.4.3 Parking: The applicant(s) shall provide adequate onsite parking for residents of both the existing single-family dwelling and the accessory dwelling unit. Additional parking may be required, such as in the case of a Home Business etc.

9.4.4 Sewage Disposal: The applicant(s) shall obtain a NH DES approved plan pursuant to the requirements of NH RSA 485-A:38, to meet the anticipated increased demand created by the proposed accessory dwelling unit.

9.4.5 Residency: One of the two dwelling units shall be occupied by the owner(s) of the property as his and/or her principal place of residence, except for bona-fide temporary absences, and the owner shall provide such proof of residency annually to the Tax Assessor's Office.

9.4.6 Minimum Area of the Accessory Dwelling Unit: The total square footage of the accessory dwelling unit shall be at least six-hundred (600) square feet, whether within or attached to, or a combination thereof, the primary dwelling.

9.4.7 Maximum Area of the Accessory Dwelling Unit: The total square footage of the accessory dwelling unit shall not exceed one thousand (1,000) square feet, whether within or attached to, or a combination thereof, the primary dwelling.

9.4.8 Aesthetic Standards: The exterior of an attached accessory dwelling unit shall maintain aesthetic continuity (doors, windows, siding and trim type and color, and roofing.) with the existing single-family dwelling. The intent of this provision is so the attached accessory dwelling unit shall not detract from the overall character of the neighborhood.

9.4.9 Maximum Number of Bedrooms: The accessory dwelling unit shall be limited to a maximum of two (2) bedrooms.

9.4.10 Code Requirements: The accessory dwelling unit shall meet the same life, health and safety code requirements as other new multifamily dwelling units, including Article 3.1.1.1 of the Town of Chester's Building Code.

9.4.11 Impact Fees: The accessory dwelling unit shall be subject to the Town of Chester's impact fees. Said impact fees shall be paid prior to the issuance of a building permit.

9.4.12 Detached Accessory Dwelling Units: Detached accessory dwelling units are not authorized or permitted by this Article.