

## ARTICLE 27

### ACCESSORY APARTMENTS

*(Amended 3/14/17)*

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#### A. Purpose

1. Provide older homeowners with an opportunity to secure rental income, companionship, security and services, and thereby allow them to stay more comfortably in their homes and neighborhoods they might otherwise have to leave for economic reasons.
2. Add inexpensive rental units to the house supply to meet the needs of smaller households, both young and old, and to meet the needs of moderate income families or individuals.
3. Protect stability, property values, and the single-family residential character of a neighborhood by ensuring accessory apartments are installed only in owner occupied houses and under additional conditions required under this Article.

#### B. Where Allowed

Accessory ~~Dwelling apartment~~ units may be permitted within the Low Density Residential District, the Medium Density Residential District and the Urban Residential District. All Requirements of the District must be met. In addition, accessory ~~dwelling apartments are~~ units are restricted to single family, owner-occupied dwellings.

#### C. General

1. Only one (1) ADU shall be permitted for each single-family dwelling.
2. The ADU must provide independent living facilities for one or more persons containing the four elements of sleeping, eating, cooking, and sanitation.
3. The ADU shall be attached to the principal dwelling unit. In order to be considered an attached ADU, there must be a common wall between the principal dwelling unit and the ADU. Detached accessory dwelling units are prohibited.
4. Either the ADU or the principal dwelling unit shall be the principal residence and legal domicile of the owner of the property.
5. The ADU shall not exceed 750 square feet in habitable floor area.??????
6. An ADU shall be provided a minimum of one (1) off-street parking space.
7. An ADU shall make provision for adequate water supply and sewage disposal service in compliance with RSA 485-A:38 and regulations adopted by the New Hampshire Department of Environmental Services. Separate systems shall not be required for the principal and accessory dwelling units.

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~~8. The structure and lot shall not be converted to a condominium of any other form of legal ownership distinct from the ownership of the principal single-family dwelling.~~

~~9. Every Accessory Dwelling shall be deemed a unit of workforce housing for purposes of satisfying the municipality's obligation under RSA 674:59.~~

~~10. The aesthetic continuity with the principal dwelling unit as a single-family dwelling shall be maintained.~~

~~1. Any accessory unit must be contained within the existing primary structure.~~

~~2. Access to the accessory unit must be through the primary unit. In the case of basement units, a secondary access must be supplied.~~

~~3. If municipal sewer is not available to service the primary unit, the septic system must be certified (approved) by the New Hampshire Department of Environmental Services — Division of Water Supply and Pollution Control as to adequacy (capacity). Municipal sewer and municipal water required for Urban Residential District. (Amended 5/13/08)~~

~~4. The accessory unit may occupy no more than 30 percent of the primary structure and may not be treated as a special case and approvals of units done on a case-specific basis.~~

~~5. No home occupations will be allowed within an accessory unit.~~

~~6. Two (2) parking spaces for the primary unit and one (1) parking space for the accessory unit are required.~~

~~7. No more than one (1) accessory unit will be allowed within a single family residential unit.~~

~~8. The design of the accessory unit must conform to all applicable health, building, and other codes.~~

#### D. Permit Required

1. An accessory unit shall be permitted only upon application to the Code Enforcement Officer by the owner of the primary unit.

2. The following information must accompany the application:

a) A letter of application from the owner(s) of the primary unit stating that he/they will occupy one of the dwelling units on the premises except for bonafide temporary absences.

b) A floor plan showing proposed changes to the building.

c) A site plan.

e) d) Sign offs by Hooksett Sewer Department and applicable Water Precinct

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⊕ e) A fee, in an amount determined by the Code Enforcement Officer, to cover the costs of processing the application and code inspections.

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(End of Article 27)

## ARTICLE 22

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### DEFINITIONS

**Accessory Dwelling Units (Adopted 3/14/17):** A residential living unit that is within 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 principal dwelling unit it accompanies.

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### **Amendment No. 1**

**Are you in favor of the adoption of Amendment No.1, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to rezone Map 6, Lot 15, Lots 22-1 through 22-70, 22-72 through 22- 73, 22-77 from Mixed Use District 5 (MUD5) to Medium Density Residential (MDR); to rezone Map 6, Lots 22-71, 22-75 and 22-76 from Mixed Use District 5 (MUD5) to High Density Residential (HDR); to rezone Map 19, Lot 4-1 from Mixed Use District 5 (MUD5) to Commercial (COM); to rezone Map 25, Lot 80-3 from Mixed Use District 5 (MUD5) to Performance Zone (PZ); and to rezone Map 24, Lots 32, 36-3 and 36-6 from Mixed Use District 5 (MUD5) to Industrial (IND).**

**The purpose of this amendment is to rezone the lots listed above, which were previously developed under the Mixed Use District 5 (MUD5) to the zoning districts that conform to their present use.**

**The above rezones (in order):**

**Carriage Hill to Medium Density Residential**

***Carriage Manor to High Density Residential***

***Jensen's to Commercial***

***Legends Golf to Performance Zone***

***Outdoor World, Huttig and Sewer Commission lot to Industrial***

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