

PUBLIC HEARING
Proposed Revision to
Town of Unity Land Use Ordinance

Monday, January 23, 2017 at 7:00PM
Location: Unity Elementary School Library

In order to comply with RSA 674:71 through 674:73 effective June 1, 2017, the Unity Planning Board is proposing the following changes to the Land Use Ordinance:

Article II, added the following:

2.4 Conditional Uses Permitted by the Planning Board:

2.4.1 Pursuant to RSA 674:21 the Planning Board is hereby authorized to grant a Conditional Use Permit to allow for Accessory Dwelling Units (ADU) in accordance with the restrictions and requirements of Section 3.4 and 6.1.

2.4.2 Pursuant to the authority of RSA 674:21, II, and subject to the criteria listed in Section 6.1 of this ordinance, the planning board may grant; a conditional use permit for one (1) dwelling unit per one (1) acre, exclusive of wetlands as defined in RSA 674:55, for the following uses: (This section moved from Article III)

2.4.2.1 Housing that will be available for sale or lease to households earning 80% of or less than the median household income for Sullivan County without spending more than 30% of the household income on housing costs, and by virtue of ownership by a nonprofit housing developer and or covenants approved by the Planning Board that will assure that the housing will remain affordable in perpetuity. In no case shall the number of lots created in a subdivision under this provision increase over the number of lots that could have been created as part of a subdivision not utilizing this provision. No more than 10% of the lots in a subdivision shall be subject to conditional use permit.

Article III, added the following:

3.4 Accessory Dwelling Unit Requirements and Restrictions. (by Conditional Use only)

3.4.1 Not more than one accessory dwelling unit is permitted per single family residence.

3.4.2 Accessory dwelling units must be attached to or within the structure containing the primary dwelling.

3.4.2.1 For the purposes of this ordinance, “attached” means that the accessory dwelling unit must share an adjacent wall with the principal dwelling unit.

Connecting two separate buildings with a covered walkway, breezeway or hallway does not meet the threshold for attached.

- 3.4.3** The applicant for a conditional use permit shall demonstrate adequate provisions for water supply and sewage disposal for the accessory and primary dwelling units in accordance with RSA 485-A:38. Water and wastewater systems for the principal and accessory dwelling units may be combined or separate.
- 3.4.4** An interior door shall be provided between the principal dwelling unit and the accessory dwelling unit. The accessory dwelling unit shall have an independent means of ingress and egress.
- 3.4.5** Residential occupancy standards are covered by State Building Code, health and accessibility standards.
- 3.4.6** Either the principal dwelling unit or the accessory dwelling unit must be owner occupied. The owner must demonstrate that one of the units is their principal place of residence and legal domicile. Both the primary dwelling unit and the accessory dwelling unit must remain in common ownership.
- 3.4.7** The accessory dwelling unit shall have no more than two bedrooms.
- 3.4.8** The accessory dwelling unit may not exceed 750 square feet. The accessory dwelling unit size may not be restricted to less than 750 square feet.
- 3.4.9** A minimum of two parking places are required per dwelling.
- 3.4.9** Accessory dwelling units shall maintain an aesthetic continuity with the principal dwelling unit as a single-family dwelling.
- 3.4.10** A granted Conditional Use Permit shall be recorded with the Sullivan County Register of Deeds.
- 3.4.11** General conditions set forth in Article VI must be met.

Article VI

Added “or the Planning Board” to the last sentence of 6.1.4.

Article VII, Added definition:

Accessory Dwelling Unit (ADU): A residential living unit that meets the definition herein of “dwelling unit” and is within or attached to a single-family dwelling.