

Amendment No. 1

Are you in favor of the adoption of Amendment No.1 as proposed by the Planning Board for the Candia Zoning Ordinance to amend Article III Definitions, Section 5.02 and Section 15.04 E to redefine the term “accessory dwelling unit” to include detached accessory dwelling units, for the first accessory dwelling unit to be permitted by right in the residential and mixed use districts, and to allow a second accessory dwelling unit by special exception in the residential and mixed use districts as follows:

(bold language is added, strikethrough is deleted)

ARTICLE III: DEFINITIONS

Accessory Dwelling Unit: A second dwelling unit attached **or detached** which is permitted by a land use control regulation to be located on the same lot, plat, site or other division of land as the principal dwelling unit. RSA 674.21. (2019)

Section 5.02: Table of Use Regulations: In this table for each use and each District:

- (P) Shall denote a use PERMITTED BY RIGHT
- (S) Shall denote a use PERMITTED ONLY BY SPECIAL EXCEPTION granted by the Board of Adjustment
- (C) Shall denote a use PERMITTED ONLY BY CONDITIONAL USE PERMIT granted by the Planning Board
- (-) a dash shall denote a use that is EXPRESSLY PROHIBITED

Type of Land Use	Zoning Districts				
A. Residential:	R	C	MX	LI-1	LI-2
1. One-family dwelling	P	-	P	-	-
2. First Accessory Units, subject to provisions of 15:04E (2003)	P S	-	P S	-	-
3. Second Accessory Units subject to provisions of 15:04E (2003)	S	-	S	-	-

Section 15.04 E.

Any single family dwelling in the residential or mixed use districts may be converted, **modified** or constructed to provide for ~~one accessory dwelling unit subject to conformance with Section 15.02, Special Exception Standards and any additional requirements imposed by the Board of Adjustment under Section 15.03, Special Exception Conditions and subject to the following~~

~~restrictions~~ **a maximum of two accessory dwelling units . The initial accessory dwelling unit is permitted as per section 5.02. A second accessory dwelling unit shall be permitted as a special exception per section 15.04 E.** All accessory dwelling units are subject to the following restrictions:

~~There shall be no more than one accessory dwelling unit for any single family dwelling.~~

Accessory dwelling unit may be within, attached or detached to the main dwelling.

There shall be no more than two, **with a maximum of one detached**, accessory dwelling units for any single-family dwelling.

There shall be no more than two bedrooms in the accessory dwelling unit.

Adequate sewer and water service shall be provided in accordance with the State of New Hampshire Septic System Regulations. (2022).

Adequate water supply shall be available. Sewer disposal service shall be provided in accordance with the State of New Hampshire Department of Environmental Services as applicable.

There shall be a maximum of ~~750~~ **850** square feet for the accessory dwelling unit **nor shall it exceed 75% of the square footage of the primary dwelling.**

On-site parking shall ~~for one additional vehicle shall be provided~~ **be provided in overall compliance with Article IX for the main dwelling and any accessory dwelling units on the premises.**

All existing setback requirements shall be met.

Architectural enhancements will be employed for the purpose of maintaining aesthetic continuity with the principal dwelling unit resulting in ~~attached~~ **both** units appearing as a single family dwelling unit **and detached unit appear to be similar to main dwelling.**

Either the primary or accessory dwelling unit shall be occupied by the owner of the property.

The current State Building and Fire Codes for two family dwelling shall apply to attached units.

Detached units shall be within 100 feet of the primary dwelling unit.

Accessory dwelling unit must use the existing entrance(s) from the street and share the primary dwelling.