

TOWN OF MARLOW ACCESSORY DWELLING ORDINANCE

SECTION I / PURPOSE:

The purposes of the Accessory Dwelling Unit Ordinance are to fulfill:

A growing need for more diverse affordable housing opportunities for New Hampshire citizens;

The desire of adult children to provide semi-independent living arrangements for aging parents;

The need for independent living space for caregivers for elderly and disabled citizens;

The need to increase the supply of affordable housing without the need for more infrastructure or further land development;

Benefits for aging homeowners, single parents, college graduates with high student debt, caregivers and disabled persons;

Integrating affordable housing into the community with minimal negative impact; and

Providing elderly citizens with the opportunity to live in a supportive family environment with both independence and dignity.

SECTION II / DEFINITION:

RSA 674:71; "Accessory Dwelling Unit" means a residential living 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 parcel of land as the principal dwelling unit it accompanies.

SECTION III / ESTABLISHMENT:

This ordinance, adopted pursuant to the authority of RSA 674:71 through :73, shall be known as the Town of Marlow Accessory Dwelling Ordinance.

One Accessory Dwelling Unit (ADU) shall be allowed by conditional use permit in all zoning districts that permit single-family dwellings. One accessory dwelling unit shall be allowed without additional requirements for lot size, frontage, space limitations, or other controls beyond what would be required for a single family dwelling without an accessory dwelling unit.

Pursuant to RSA 674:21 the Planning Board is hereby authorized to grant a Conditional Use Permit to allow for Accessory Dwelling Units.

SECTION IV / PROCEDURE:

Each accessory dwelling unit shall require an Accessory Dwelling Unit Conditional Use Permit, issued by the Planning Board and a Building Permit issued by the Building Inspector, in accordance with the standards and requirements of Section V / Standards.

Accessory Dwelling Unit Conditional Use Permit may be obtained by completing an Accessory Dwelling Unit Conditional Use Permit Application and approval of the Planning Board. Applications can be obtained at the town office.

Building Permits may be obtained at the town office or directly from the building inspector in accordance with the Land Use Regulations of The Town of Marlow, Standard Procedure For Obtaining A Building Permit.

SECTION V / STANDARDS:

The following standards shall apply.

- A. The occupant of either the ADU or primary residence shall be the owner of the entire property. Only one unit shall be used for rental occupancy. The sale or ownership separate from the principal dwelling is prohibited.

- B. The maximum size of the ADU shall be 40% of the existing dwelling or 750 square feet whichever is larger and cannot be larger than the size of the existing dwelling.
- C. One off-street parking space shall be provided in addition to those required for the principal dwelling.
- D. The ADU shall be located within, or added to the principal dwelling or pursuant to RSA 674: 73 detached as a free standing structure. A detached ADU shall comply with all requirements of the Town of Marlow Land Use regulations
- E. The ADU shall provide independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation, and shall have no more than two bedrooms.
- F. The ADU shall have independent exterior access or access through a common space such as a hallway to an exterior door. An ADU located within or attached to principal dwelling shall have a connecting door between the ADU and principal dwelling.
- G. The ADU shall make adequate provisions for water supply and sewage disposal in accordance with RSA 485 and Town of Marlow Land Use Regulations. Separate utility connections are not required.

SECTION VI / : ENFORCEMENT:

The Board of Selectman shall enforce the provisions of this ordinance in the name of the town under penalty of the provisions of Land Use Regulations of the Town of Marlow.

SECTION VII / EFFECTIVE DATE:

This permanent ordinance shall take effect on June 1, 2017 and remain in force in Marlow upon its adoption by ballot vote of a majority of the voters present at the annual town meeting.