



## S.B. 146: ADUs, and You

 Nashua Regional Planning Commission

November 2016

### Community Action Items

- Review your ordinance to see if you are compliant with S.B. 146. If so, make sure regulations now reference RSA 674:71-73 instead of RSA: 674:21
- Law does not take effect until June 1, 2017
- Towns with March town meetings will need to have public hearings on any zoning changes no later than January 2017
- If a town does not update their ordinance in compliance with S.B. 146 by June 2017, internal or attached ADUs will be permitted as a matter of right, with no permits or conditions required other than a building permit or zoning compliance permit
- Contact your RPC for questions about S.B. 146 or a review of your proposed ordinance revision

### S.B. 146: Accessory Dwelling Units

Accessory Dwelling Units (ADUs), commonly known as in-law apartments or granny flats, are defined as “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.”

As of June 1, 2017, S.B. 146 will take effect, which requires every New Hampshire municipality with a zoning ordinance to allow attached or internal ADUs as a matter of right, by conditional use permit, or by special exception in all zoning districts that permit single-family dwellings.

For more information on what the law means for your community, please see:

#### [Accessory Dwelling Unit \(ADUs\) Resources](https://www.nh.gov/oep/planning/resources/accessory-dwellings.htm)

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#### [Planning for Accessory Dwelling Units](https://www.nh.gov/oep/planning/resources/documents/planningfor-accessory-dwellings.pdf)

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### ADU Ordinance Language

The new law also provides guidance on what authority communities have for how they can regulate ADUs. As always, with any new town ordinance, please make sure to have your town counsel analyze it for legal soundness.

For more information on drafting the ordinance language, please see:

#### [The New Law on Accessory Dwelling Units](https://www.nh.gov/oep/planning/resources/documents/nhma-adu-handout.pdf)

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#### [Accessory Dwelling Unit Model Ordinance](http://www.rpc-nh.org/application/files/4314/7524/1047/RPC_ADU_Model_Ordinance_20160929.pdf)

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