

20~~2017~~

**TOWN OF RINDGE
NEW HAMPSHIRE**

**ACCESSORY DWELLING UNIT
ORDINANCE**

ADOPTED MARCH 14, 2006

Amended

March 8, 2016

March 18, 2017

December 1, 2020

**TOWN OF RINDGE
ACCESSORY DWELLING UNIT ORDINANCE**

Section 1: Authority

Pursuant to the authority granted under RSA 674:16 and RSA 674:21, the Town of Rindge hereby adopts the following Accessory Dwelling Unit Ordinance.

Section 2: Purpose

For the purpose of providing expanded housing opportunities and flexibility in household arrangements to accommodate family members or non-related people of a permitted, owner occupied, single family dwelling, while maintaining aesthetics and residential use compatible with homes in the neighborhood. Accessory Dwelling Units (ADU) shall be permitted by Special Exception granted by the Zoning Board of Adjustment in the Residential, Residential/Agricultural, ~~and Village~~ and College Districts.

Section 3: Requirements/Limitations

- A. ADUs shall be secondary and accessory to a single family dwelling unit.
- B. In granting a Special Exception, the Board of Adjustment must find that the ADU is developed in a manner which does not alter the character or appearance of the principal dwelling unit and accessory buildings as a single family residence.
- C. Only one ADU shall be allowed per principal dwelling unit and/or lot.
- D. An ADU shall only be permitted for in a principal dwelling unit in which the owner of record of the property will personally reside in either the principal dwelling unit or the ADU, except for bona fide temporary absences.
- E. For attached ADU's ~~Any~~ necessary additional entrances or exits shall be located to the side or rear of the building whenever possible.
- F. An ADU shall not be considered to be an additional dwelling unit for the purpose of determining minimum lot size (i.e. not multi-family).
- ~~G. Attached ADUs shall be designed to allow for possible reincorporating into the principal dwelling unit.~~
- ~~H.G. At least one (1) common, interior access between the principal dwelling structure and the ADU shall be maintained. A second Two (2) means of egress from the ADU shall be provided.~~
- I.H. The gross living area of an ADU shall not be less than 300 square feet or shall not be greater than 750 square feet for principal dwelling units less than 2, 250 square feet or shall not be greater than one third (33.3%) of the total floor area of the principal dwelling for the principal dwelling units 2,250 square feet or greater.
- J.I. A building permit for an ADU must be approved and issued prior to its construction. An ADU shall have an interconnected fire alarm system and shall meet all life safety and building codes.
- K.J. Adequate off-street parking shall be provided to serve the combined needs of the principal dwelling unit and the ADU, minimum of one (1) parking space per unit.
- L.K. Adequate provision must exist or be made for motor vehicle ingress or egress and turning of vehicles within the site.
- M.L. The existing or proposed septic system must be certified by a licensed septic designer or engineer as adequate to support the ADU and principal dwelling unit in accordance with New Hampshire RSA 485A:38.

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Section 4: Accessory Dwelling Unit Certificate of Occupancy

If a property containing an approved ADU is conveyed and the new owner wishes to maintain the accessory unit, the new owner shall apply for a Certificate of Occupancy for the ADU. The purpose of this section is to ensure that one of the two dwelling units is owner-occupied.

Section 5: Procedural Requirements

An application for Special Exception approval under the auspices of this Section shall require that all plans submitted with any application for an ADU building permit denote, describe and/or identify the intended ADU area ~~within the principal dwelling unit as such.~~

Section 6: Failure to Comply

If the owner fails to comply with the requirements of this section, the use of the ADU shall be terminated within 6 months of the date of notice from the Board of Selectmen or designee. The owner shall be subject to penalty under RSA 676:17 for each day the ADU fails to comply with the requirement of this section after March 14, 2006.

Section 7: Enforcement Authority

The Board of Selectmen or their designee shall be the final authority on compliance and enforcement issues of this article.