

HB 189 - AS INTRODUCED

2021 SESSION

21-0369

10/04

HOUSE BILL **189**

AN ACT relative to accessory dwelling units.

SPONSORS: Rep. Vann, Hills. 24; Rep. Caplan, Merr. 6; Rep. Conley, Straf. 13

COMMITTEE: Municipal and County Government

ANALYSIS

This bill allows as a right the addition of up to 3 accessory dwelling units on a single-family dwelling.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to accessory dwelling units.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Local Land use Planning and Regulatory Powers; Accessory Dwelling Units. Amend RSA
2 674:72, I and II to read as follows:

3 I. A municipality that adopts a zoning ordinance pursuant to the authority granted in this
4 chapter shall allow accessory dwelling units as a matter of right or by either conditional use permit
5 pursuant to RSA 674:21 or by special exception, in all zoning districts that permit single-family
6 dwellings. [~~One~~] **Up to 3** accessory dwelling [~~unit~~] **units on a single-family dwelling** shall be
7 allowed without additional requirements for lot size, frontage, space limitations, or other controls
8 beyond what would be required for a single-family dwelling without an accessory dwelling unit. The
9 municipality is not required to allow more than [~~one~~] **3** accessory dwelling [~~unit~~] **units** for any
10 single-family dwelling. The municipality may prohibit accessory dwelling units associated with
11 multiple single-family dwellings attached to each other such as townhouses, and with manufactured
12 housing as defined in RSA 674:31. Subsequent condominium conveyance of any accessory dwelling
13 unit separate from that of the principal dwelling unit shall be prohibited, notwithstanding the
14 provisions of RSA 356-B:5, unless allowed by the municipality.

15 II. If a zoning ordinance contains no provisions pertaining to accessory dwelling units, then
16 [~~one~~] **up to 3** accessory dwelling [~~unit~~] **units** shall be deemed a permitted accessory use, as a matter
17 of right, to any single-family dwelling in the municipality, and no municipal permits or conditions
18 shall be required other than a building permit, if necessary.

19 2 Effective Date. This act shall take effect 60 days after its passage.