



CITY OF CONCORD

New Hampshire's Main Street™
Community Development Department

Michael Santa
Code Administrator

Effective **June 1, 2017** Accessory Dwelling Units (ADU) are permitted in accordance with the following:

Accessory Dwelling Unit (ADU). A residential living unit that is within or attached to a single-family detached 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. A single-family detached dwelling with an ADU shall constitute two dwelling units as defined in this Zoning Ordinance.

1) ADU's are permitted by **Special Exception** in the following districts:

Residential Open Space (RO)
Residential Medium Density (RM)
Residential Single Family (RS)
Residential Neighborhood (RN)
Residential Downtown (RD)
Residential High Density (RH)
Neighborhood Commercial (CN)
Civic Performance (CVP)
Institutional (IS)
Urban Transitional (UT)

2) **Floor Area**. The maximum gross floor area of an ADU shall not be greater than seven hundred-fifty (750) square feet and the minimum gross floor area shall not be less than six hundred square feet.

3) **Bedrooms**. An ADU shall have no more than two (2) bedrooms.

4) **Connectivity**. ADUs shall have a common wall between the single-family detached dwelling and the ADU, and a minimum of one (1) interior door connecting habitable living space of the dwelling units. (Note: the connecting door must be fire rated)

Habitable Space. A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, garages, storage or utility spaces and similar areas are not considered habitable spaces.

ADU Requirements Cont.

- 5) **Minimum Lot Size.** For the conversion or construction of a single-family detached dwelling with an ADU, the building shall be located on a lot which meets the requirement for the minimum lot size, as specified in Section 28-4-1(h), Table of Dimensional Regulations, of this Zoning Ordinance, for the District in which the lot is located.
- 6) **Other Dimensional Requirements.** The development of a single-family detached dwelling with an ADU under this Zoning Ordinance shall comply with all other minimum dimensional requirements, including frontage, yards, lot coverage, and building height, as specified in Section 28-4-1(h), Table of Dimensional Regulations, of this Zoning Ordinance, for the District in which the lot is located. Where an existing building is non-conforming with respect to one or more of the minimum yard requirements, the expansion or conversion may occur provided that there is no increase in the extent of non-conformity.
- 7) **Development Design Guidelines.** Any development of a single-family detached dwelling with an ADU requiring a Building Permit for exterior modifications shall be subject to Development Design Guidelines and Review in accordance with section 28-9-4(f), Architectural Design Review, of this Ordinance.
- 8) **Ownership and Occupancy.** The owner of a single-family detached dwelling with an ADU shall provide documentation showing that either the single-family detached dwelling or the ADU is his or her principal place of residence.
- 9) **Leasing and Occupancy.** An ADU property may only be occupied as a principal place of residence in accordance with this Zoning Ordinance. (An ADU property may not be used for transient short term rentals)
- 10) **Condominium Conversion Prohibited.** A single family detached dwelling with an ADU shall not be converted to a condominium form of ownership.
- 11) **Parking.** All single-family detached dwellings with an ADU must provide a minimum of two (2) parking spaces plus one (1) additional space for each bedroom within the ADU.
- 12) **Address and Mail.** All single-family detached dwellings with an ADU shall have a separate and distinct address and mail receptacle.

Other Requirements:

- 1) **Fire Separation.** Fire separation between dwelling units is required.
- 2) **Septic Tanks.** Where municipal sewer is not available separate septic tanks are required for each dwelling. Common leach fields are permitted in accordance with NHDES regulations.
- 3) **Utilities.** Common utilities are not required.