

Londonderry Housing Opportunity Accessory Zoning Amendments

“2.3.1.7 Accessory Dwellings

To increase housing alternatives while maintaining neighborhood aesthetics and quality, one accessory dwelling is permitted on any property containing an owner-occupied single-family dwelling, provided the following conditions are met:

- A. Accessory Dwellings shall be permitted only on properties containing an owner-occupied single-family dwelling.
- B. There shall be not more than one accessory dwelling per lot.
- C. An accessory dwelling shall not be considered to be an additional dwelling unit for the purposes of determining minimum lot size (of Section 2.3.1.3) or development density of the property.
- D. The owner of a property containing an accessory dwelling shall reside in either the principal or the accessory dwelling, as of the date of the permit approval.
- E. The accessory dwelling shall contain fully self-sufficient living quarters, consisting of adequate sleeping, bathing, and eating accommodations.
- F. The maximum size for an Accessory Dwelling shall not exceed 40% of the living area of the principal dwelling, and shall include no more than 2 bedrooms.
- G. The accessory dwelling shall be subsidiary in size and function to the principal dwelling and be consistent with the principal dwelling in appearance, design, colors, and materials.
- H. The accessory dwelling may be located within or added to the principal structure, or attached to an accessory structure such as a free-standing garage, or may itself be a free-standing accessory structure.
 - 1. If contained within or added to the principal structure, exterior entry to the accessory dwelling shall not face the street as a second door.
 - 2. If a free-standing structure or attached to a free-standing structure, the accessory dwelling shall be located only in the side or rear yard of the property.
- I. All required setbacks shall be complied with.
- J. If the accessory dwelling is not on public water and sewer, then well and septic provisions shall comply with New Hampshire Department of Environmental Services regulations.
- K. There shall be one parking space in the rear or side yard for the accessory dwelling and no additional curb cut.
- L. The structure and lot shall not be converted to a condominium or any other form of legal ownership distinct from the ownership of the principal single-family dwelling.
- M. Every Accessory Dwelling shall be deemed a unit of workforce housing for purposes of satisfying the municipality’s obligation under RSA 674:59.”

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Accessory Apartments Text *Superseded* by Accessory Dwellings Text

Retained or rephrased provisions shown in regular black
Deleted provisions shown in ***bold underlined italics***

“2.3.1.7 Accessory ***Apartments***

- A. Maximum of one (1) accessory apartment per lot.
- B. The property owner must occupy one of the two units.
- C. The exterior appearance and entrances of the dwelling unit shall be consistent with a single-family residence.
- D. Only one (1) bedroom is permitted in the accessory apartment and to qualify as an accessory apartment under this section, the apartment may not exceed 750 square feet of floor area.***
- E. Where municipal sewer is not provided, the total number of bedrooms shall not exceed the capacity of the septic system.
- F. Off-street parking shall be provided for at least four (4) vehicles. Garage and “piggy-back” parking is encouraged.***
- G. The structure and the lot shall not be converted to a condominium or any other form of legal ownership distinct from the ownership of the existing single-family dwelling. ***Accessory apartment use shall be recorded by deed addendum.***
- H. The accessory apartment shall be allowed only within an existing building which has been certified for occupancy for at least three (3) calendar years prior to the date of application.***
- I. No accessory apartment shall be permitted on a lot created as part of a back-lot development per the requirements of Section 3.4.1.3. (G) of this ordinance.”***

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“2.3.3.6 Small Workforce Housing Developments

- A. Single-family, duplex, triplex, or quadriplex workforce dwellings are permitted in the AR-1 Agricultural and Residential zoning district, according to the following:
 - 1. Provisions of Section 2.3.1.3 to the contrary notwithstanding, minimum area of a lot containing 1 to 4 units shall comprise:
 - a. A minimum of one (1) acre per unit for lots served by public water and sewer, or
 - b. The minimum area necessary to comply with NH Code of Administrative Rules Chapter ENV-Ws 1000 (ENV-Ws 1005.03 Minimum Lot Sizes) Latest Revision, if the property is not serviced by either public water or sewer or both, but not less than one acre per unit.
 - 2. The proposed development must be of a scale and architectural character that is compatible with the surrounding residential neighborhood.
- B. A minimum of 50 % of the units shall be workforce housing and subject to all the provisions of this Ordinance.
- C. A minimum of 51% of the Workforce dwelling units shall contain at least two bedrooms.
- D. All height and setback dimensional requirements of the AR-1 zoning district shall apply.
- E. Small Workforce housing developments with three (3) or four (4) dwelling units shall have 40% open space.
- F. No parking shall be located between the front lot line and the front plane of the building(s) closest to the existing Town street.
- G. Reconstruction or additions to an existing structure shall be directed to the rear of the building as practical.
- H. A Conditional Use Permit is required for Small Workforce Housing Developments, and shall be through application to the Planning Board. Approval of a Conditional Use Permit is contingent upon successful demonstration to the Planning Board that the proposed development is compatible with the surrounding neighborhood.”

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“2.3.3.7 Live-Work Units

The business component of live/work units are intended for use by entrepreneurs and professionals in occupations including but not limited to : accountants; architects; artists and artisans; attorneys, computer software and multimedia-related professionals; consultants; engineers; fashion, graphic, interior and other designers; hair stylists; insurance, real estate and travel agents; one-on-one instructors; photographers; and for light manufacturing/assembly and similar occupations;

- A. Live/work units are permitted by Conditional Use Permit in the Commercial and Industrial Zones.
- B. In addition to the permitted uses above, the zoning administrator may authorize other uses using reasonable discretion, as long as such other uses are not otherwise precluded by law;
- C. The residential and the commercial space must be occupied by the same tenant, and no portion of the live/work unit may be rented or sold separately;
- D. Residential areas are permitted above the commercial component, to the side or in back of the business component, provided that there is internal access between the residential and commercial space;
- E. The commercial component as designated on the floor plan approved through the conditional Use Permit shall remain commercial and cannot be converted to residential use;
- F. The residential component as designated on the floor plan approved through the Conditional Use Permit shall remain residential and cannot be converted to commercial use;
- G. The commercial component shall be restricted to the unit and shall not be conducted in the yard, garage or any accessory structure;
- H. Signage intended to promote on-site commercial uses shall be restricted to a single four-square foot signs permanently affixed to the door or wall of the business component;
- I. The live/work unit shall be required to provide parking at least 3 spaces per unit.”

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