

CHAPTER 89  
HB 265 - FINAL VERSION

8Mar2017... 0420h

2017 SESSION

17-0635  
03/05

HOUSE BILL                    **265**

AN ACT                    relative to accessory dwelling units.

SPONSORS:            Rep. Matthews, Rock. 3; Rep. Hunt, Ches. 11; Sen. Fuller Clark, Dist 21

COMMITTEE:          Municipal and County Government

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AMENDED ANALYSIS

This bill authorizes a municipality to limit the right to have an accessory dwelling unit for certain single-family dwellings and prohibits condominium conveyance of an accessory dwelling unit.

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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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Seventeen*

AN ACT                   relative to accessory dwelling units.

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

1           89:1 Accessory Dwelling Units. Amend RSA 674:72, I to read as follows:

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

89:2 Effective Date. This act shall take effect upon its passage.

Approved: June 05, 2017  
Effective Date: June 05, 2017