

# Accessory Dwelling Unit Ordinance Updates

DETACHED ADU

ATTACHED ADU

Amend Article III-A – Accessory Dwelling Units to Single-Family Dwellings as follows:

Section 3- A.4 Occupancy Requirements to add a new Subsection “f” regarding accessory dwelling units that are used exclusively as the primary or secondary residence of related individual(s); Section 3-A.5 - Site Location and Size to modify the existing requirements as to which detached structures may be utilized for a detached accessory dwelling unit and to provide screening requirements from same; Section 3-A.7 - Dimensional Requirements to delete the existing restrictive language involving preexisting lots of record and expanding the footprint of a principal dwelling; Section 3-A.10 Impact Fees to cross-reference new Subsection 3-A.4f; and Section 3-A.11 Removal of an Accessory Dwelling Unit to delete the existing Use Change requirement while maintaining the existing Building Permit requirement. Also amend Article VI - Parking, Section 6.3 - Parking Requirements (new Subsection 6.3.1b) to require an accessory dwelling unit to have at least one unobstructed 9’ x 18’ parking space on-site, instead of two parking spaces as currently required.

INTERIOR (CONVERTED GARAGE) ADU

INTERIOR (UPPER FLOOR) ADU

Purpose: To update the Accessory Dwelling Unit (ADU) Ordinance to offer greater flexibility, including for detached ADU's, to help provide additional housing opportunities in the Town of Hampton.

- Section 3-A.4f clarifies that the rental occupancy requirements do not apply in situations where an ADU is exclusively used as the primary or secondary residence of individual(s) related to the owner.

- Section 3-A.5c provides for the following (re: detached ADU's):

A detached structure, legally existing prior to March 12, 2024, to be utilized for an ADU consistent with the Ordinance.

A detached structure, legally constructed on or after March 12, 2024, to be utilized for an ADU consistent with the Ordinance, provided that the footprint of the structure does not exceed 5% of the total lot area.

For the Planning Board to require screening with mature deer-resistant evergreen plantings (at least 6 feet in height at the time of planting) and/or fencing to provide a sufficient buffer with adjoining residential lots.

- Section 3-A.5d states that the enlargement of any structure which already contains a detached ADU, and/or the enlargement of its foundation, is prohibited.
- In Section 3-A.7, complicated restrictive language involving pre-existing lots of record and expanding the footprint of a principal dwelling is deleted.
- In Section 3-A.10, it is clarified that impact fees are not required for ADU's that are not conventional rentals (relates to Section 3-A.4f).
- In Section 3-A.11, the existing Use Change requirement for removal of an ADU is deleted while maintaining the existing Building Permit requirement.
- In Article VI, Section 6.3.1, the parking requirements are modified to require at least one unobstructed 9' x 18' parking space on-site for an ADU (rather than two spaces).