

2026 Warrant Article 2 - Legislative Compliance

Warrant Article Text

Article 2: Are you in favor of amending the Town of Canterbury Zoning Ordinance to comply with 2025 New Hampshire Legislative changes related to local regulation of accessory dwelling units?

This amends Article 2.8.D. and Article 5.3.C; amends and replaces Article 18; and removes Article 5.2.D.3.b.1.

Planning Board Explanation

This article updates the Zoning Ordinance to comply with recent changes in New Hampshire state law, RSA 674:71–73. The amendments align local regulations with state requirements related to accessory dwelling units (ADUs), including parking minimums and permitted residential uses.

Full Changes to Zoning Ordinance

To amend Article 2.8.D. in the following manner:

~~Two spaces are~~ One space is required for each dwelling unit and/or for each 400 feet of non-residential floor space, unless amended by the Board of Adjustment.

To remove Article 5.2.D.3.b.1.

To amend the Table of Uses in Article 5.3.C. to show that “Multi-family dwelling” is Allowed in the Commercial Zone.

To amend the Table of Uses in Article 5.3.C. to show that “ADU Detached from a principal residence” is Allowed in all zones except for the Industrial Zone.

To amend Article 18.1 in the following manner:

An Accessory Dwelling Unit is intended to be secondary and accessory to a principal single family-dwelling unit and may be either attached or detached to the principal dwelling unit as follows:

~~A. Attached Accessory Dwelling Unit: located within or attached (bumped out) to a single family residence, such as an attached garage or barn that is part of the structure. Permitting of Attached Accessory Dwelling Units shall be via the building permit process in accordance with the provisions of this Article.~~

~~B. Detached Accessory Dwelling Unit: located within an existing detached accessory structure such as a barn or garage, or as a new standalone structure. Permitting of Detached Accessory Dwelling Units shall be via a CU Permit application process administered by the Planning Board in accordance with the provisions of this Article.~~

To replace Article 18.2 with the following new definitions:

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"Accessory dwelling unit" means a residential living unit that is located on a lot containing a single-family dwelling 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. Accessory dwelling units may be constructed at the same time as the principal dwelling unit.

"Attached unit" means a unit that is within or physically connected to the principal dwelling unit, or completely contained within a preexisting detached structure.

"Detached unit" means a unit that is neither within nor physically connected to the principal dwelling unit, nor completely contained within a preexisting detached structure.

To amend Article 18.3.1.D. in the following manner:

At least one parking space must be provided for the Accessory Dwelling Unit and at least ~~two~~ one for the Single Family Home. Required parking spaces may be provided either on-site or at a legally dedicated off-site location, at the property owner's discretion.

To amend Article 18.3.1.E. in the following manner:

The ADU shall not increase any nonconforming aspect of any existing structure, ~~excluding setback and lot coverage.~~

To amend Article 18.3.1.F. in the following manner:

The Accessory Dwelling Unit shall either be connected to municipal sewer and water, or an onsite well and septic system approved ~~for the total occupancy of all dwelling units~~ by the NH Dept. of Environmental Services.

To replace Article 18.3.2.C. with the following:

Attached accessory dwelling units shall have either an independent means of ingress and egress or ingress and egress through a common space shared with the principal dwelling.

To remove Article 18.3.3.A., 18.3.3.B., and 18.3.3.E.

To remove Article 18.5.