

Proposed 2026 Zoning Ordinance Changes

Updated 2026-01-19

ARTICLE III

Definitions

“Accessory Dwelling Unit” means either an attached or detached residential living unit that is appurtenant to a single-family dwelling, and that provides independent living facilities for one or more persons, which includes provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies. An accessory dwelling unit may be attached to the principal dwelling unit. *[Amended March 2026]*

ARTICLE IV

General Provisions

F. Use Permit: No permit for the erection, exterior alteration, moving or repair of any building, or accessory dwelling unit, shall be issued until an application has been made for the certificate of zoning compliance, and the certificate shall be issued in conformity with the provisions of this ordinance. *[Amended March 2026]*

ARTICLE XIV-B

Accessory Dwelling Units

[Amended March 2026 as per RSA 674:72]

Requirements for Accessory Dwelling Units:

- A. The Accessory Dwelling Units shall be clearly incidental to the primary use of the property. *[Amended March 2026]*
- B. Only one Accessory Dwelling Unit may be constructed per single-family dwelling, per lot. *[Amended March 2026]*
- C. Any Accessory Dwelling Unit, whether an addition to or contained within the single-family dwelling or accessory building, shall have an area of no less than 300 square feet and no more than 1,000 square feet. *[Amended March 2026]*
- D. An Accessory Dwelling Unit may be a new structure or converted from an existing structure. Such structures shall not increase the nonconformity or introduce new nonconformities. *[Amended March 2026]*
 - 1. Accessory Dwelling Units shall comply to setback requirements and all applicable regulations for the Town of Warner and the District in which

the lot is located. [*Amended March 2026*]

- E. Conveyance of any Accessory Dwelling Unit separate from that of the primary dwelling unit shall be prohibited. [*Adopted March 2026*]
- F. An Accessory Dwelling Unit shall be allowed by right on any lot where single-family housing is permitted or is already in existence. [*Amended March 2026*]
- G. The owner shall not separately lease both the primary dwelling unit and the Accessory Dwelling Unit at the same time. [*Amended March 2026*]
- H. Accessory Dwelling Units may not be established in association with manufacture housing or townhouse-style dwelling units (i.e., attached single-family dwellings). [*Amended March 2026*]

TABLE 1
Use Regulations

Buildings, structures, or land shall be used as permitted by this ordinance. Any use NOT listed in this ordinance is prohibited. [Amended March 2026]

RESIDENTIAL

USES	R-1	R-2	R-3	B-1	C-1	OC-1	INT	OR
1. One-family detached dwelling [Amended March 2012]	P	P	P	P	S	P		P
2. Two-family dwelling [Amended March 2012]	P	P	S	P	S			
3. Multi-family dwelling [Amended March 2012]	P	P	S	P	S			
4. Conversion of existing dwelling structure to multifamily dwelling	P	P	S	P	P	S		
5. Accessory Dwelling Unit [Adopted March 2012; Updated March 2026]	P	P	P	P		P		P
6. Multi-Family Workforce housing [Amended March 2021]	P	P	S	P	S		S	

S (Special Exception) P (Permitted)