

February 3, 2016
2016-0375-EBA
04/09

Enrolled Bill Amendment to SB 146

The Committee on Enrolled Bills to which was referred SB 146

AN ACT relative to accessory dwelling units.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 146

This enrolled bill amendment makes a change to RSA 674:21, IV as inserted by section 4 of the bill to reflect a change in the law made by 2015, 31:1 (SB 143).

Enrolled Bill Amendment to SB 146

1 Amend the bill by replacing section 4 with the following:

2

3 4 Innovative Land Use Controls; Accessory Dwelling Units. Amend RSA 674:21, IV to read as
4 follows:

5 IV. As used in this section:

6 (a) "Inclusionary zoning" means land use control regulations which provide a voluntary
7 incentive or benefit to a property owner in order to induce the property owner to produce housing
8 units which are affordable to persons or families of low and moderate income. Inclusionary zoning
9 includes, but is not limited to, density bonuses, growth control exemptions, and a streamlined
10 application process.

11 (b) ~~["Accessory dwelling unit" means a second dwelling unit, attached or detached,~~
12 ~~which is permitted by a land use control regulation to be located on the same lot, plat, site, or other~~
13 ~~division of land as the permitted principal dwelling unit.~~

14 (e)] "Phased development" means a development, usually for large-scale projects, in
15 which construction of public or private improvements proceeds in stages on a schedule over a period
16 of years established in the subdivision or site plan approved by the planning board. In a phased
17 development, the issuance of building permits in each phase is solely dependent on the completion

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1 of the prior phase and satisfaction of other conditions on the schedule approved by the planning
2 board. Phased development does not include a general limit on the issuance of building permits or
3 the granting of subdivision or site plan approval in the municipality, which may be accomplished
4 only by a growth management ordinance under RSA 674:22 or a temporary moratorium or
5 limitation under RSA 674:23.