



# CITY OF CONCORD

## REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Matthew R. Walsh, Deputy City Manager – Development

DATE: April 13, 2026

SUBJECT: Zoning Ordinance Amendments – Modifications of definitions for certain types of dwelling units as set forth within the Glossary, as well as elimination of certain supplemental standards for lot area and frontage requirements for duplexes / two-family dwellings

### **Recommendation:**

1. Accept this report; and,
2. Set the attached Ordinance amending the Code of Ordinances, Title IV, Zoning Code, Chapter 28, Zoning Ordinance for public hearing on May 11, 2026, which will implement the following revisions:
  - a. Relocates and revises the definitions of “Accessory Dwelling Unit”, “Attached accessory dwelling unit”, and “Detached accessory dwelling unit” as set forth in the Glossary;
  - b. Clarifies the definition of “Attached Dwelling Unit” as set forth in the Glossary;
  - c. Clarifies the definition of “Two Family Dwelling” as set forth in the Glossary;
  - d. Eliminates supplemental standards pertaining to extra lot size and frontage requirements for Duplexes / Two-Family Dwellings as set forth in Article 28-5-2.

### **Background:**

On October 14, 2025, the City Council adopted Ordinance #3186 which:

- Modified the definition of accessory dwelling unit, added definitions for attached and detached accessory dwelling units;
- Amended the table of accessory uses to make accessory dwelling units permitted by right in all zoning districts where single family detached dwellings are permitted; and,
- Overhauled supplemental standards for accessory dwelling units contained within Article 28-5-52 of the Zoning Ordinance.

These amendments were initiated due to changes to NH State Law RSA 674:71 and 674:72 pertaining to accessory dwelling units, which were enacted in 2025 by the State.

Specifically, adoption of Ordinance #3186 resulted in the following:

- Accessory dwelling units are allowed in 10 of the City’s 18 zoning districts (all districts where single family-detached units are permitted)

- Accessory dwelling units are permitted to be up to 950 square feet in size; however, the Ordinance also allows for the size of ADUs to be increased to 50% of the single-family unit with a maximum cap of 1,250 square feet. (These square footages are more permissive than the 750 square foot minimum set forth in State Law).
- There is no requirement in the City’s ADU ordinance for either the single-family detached dwelling or the accessory unit to be occupied by a property owner. This is also more permissive than State Statute.
- There are no supplemental requirements for increased lot size or frontage requirements for accessory dwelling units, as such requirements are prohibited by NH State Law 674:72.

Presently, Article 28-5-2 of the Zoning Ordinance contains supplemental standards for duplexes / two-family dwellings. In accordance with those standards, properties where duplexes are located must have 150% of the minimum lot area and frontage required in the applicable zoning district.

On December 11, 2024, the City was designated a Housing Champion by the State of New Hampshire. Currently, housing is permitted in 15 of the City’s 18 zoning districts (or 95% of the City’s total land area). From 2022-2025, 511 housing units (gross) were constructed. The City has consistently been one of the top housing producers in the State, as chronicled NH Department of Business and Economic Affairs. In October 2025, Realtor.com reported that Concord had the 14<sup>th</sup> “hottest housing market” in the United States (Nashua-Manchester was ranked #7).

**Discussion:**

The “Economic and Community Development” section of the City Council’s 2026-2027 City priorities includes the following focus area: *“Remove barriers to commercial and residential development through regulatory and administrative reform.”*

As such, staff is providing the attached proposed zoning amendment. If adopted, the attached amendment will implement the following:

1. Relocates and amends the definitions of “Accessory Dwelling Unit”, “Attached accessory dwelling unit”, and “detached accessory dwelling unit” as set forth in the Glossary. Specifically, these definitions will be relocated to appear under “Dwelling” in the Glossary (rather than standalone definitions elsewhere in the Glossary), for improved continuity with other definitions, thus improving ease of ordinance interpretation;
2. Modifies the definition of “attached dwelling” to clarify that “attached units” are multifamily buildings which contain 3 or more dwelling units. This will improve coordination with Article 28-4-5 (development of attached and multifamily dwellings), and eliminate definitional confusion regarding attached units vis-à-vis duplexes / two-family dwellings. Also, further clarifies the definition by adding the term “townhouse”, which will improve continuity with other City Ordinances and regulations.
3. Modifies the definition of “two-family dwelling”. Removes the concept of “detached” two-family units from the definition, and adds language to distinguish two-family dwellings from properties with accessory dwelling units.
4. Revises supplemental standards set forth in Article 28-5-2 for Duplex / Two-Family Dwellings by removing requirements for duplexes to be located on lots that have 150% of the minimum lot area and 150% of the frontage for said zoning districts.

Presently, duplexes are permitted in 8 zoning districts. Coincidentally, accessory dwelling units are permitted in the same 8 districts as duplexes. In light of the City's recently adopted accessory dwelling unit ordinance which permits large accessory units (950-1,250 square feet), does not require owner occupancy of any of the units, and does not require extra lot area or frontage standards beyond minimum requirements in said districts, it is the opinion of staff that continuing to require extra lot area and frontage requirements for duplexes is no longer appropriate.

As such, the attached amendment eliminates the 150% lot area and frontage requirements for duplexes.

Requirements for minimum lot area for duplexes in a performance district are maintained to be consistent with the RD District (which requires 7,500SF lot area with 5,000SF buildable area). Staff notes that duplexes are only permitted in one performance district [the Civic Performance District (CVP)]. The CVP does not have a minimum lot size; hence use of the RD District lot size for duplexes. Additionally, maintaining this provision keeps continuity with Article 28-5-3 and 28-5-7 of the Zoning Ordinance, which pertain to conversion of existing structures for the purposes of creating dwelling units.

**Summary:**

Eliminating the existing supplemental lot area and frontage requirements for duplexes is appropriate given the recently adopted changes to the accessory dwelling unit standards.

These proposed amendments will eliminate confusion and improve ease of interpretation of the zoning ordinance, as well as facilitate development of duplexes in the 8 zoning districts where they are already permitted, thus expanding "missing middle" housing opportunities in the City.