

CHAPTER 201
HB 631-FN - FINAL VERSION

20Mar2025... 0667h

2025 SESSION

25-0683
06/11

HOUSE BILL

631-FN

AN ACT permitting residential building in commercial zoning.

SPONSORS: Rep. A. Murray, Hills. 20; Rep. Berry, Hills. 44; Rep. Grill, Hills. 18; Rep. H. Howard, Straf. 4; Rep. Newell, Ches. 4; Rep. Pauer, Hills. 36; Rep. Schultz, Merr. 29; Rep. Seibert, Hills. 21; Rep. Sweeney, Rock. 25; Sen. Watters, Dist 4

COMMITTEE: Housing

AMENDED ANALYSIS

This bill requires municipalities to permit multi-family residential development on commercially zoned land, with stipulations for infrastructure and exemptions for adaptive reuse.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT permitting residential building in commercial zoning.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 201:1 New Subdivision; Multi-Family Residential Development on Commercially Zoned Land.

2 Amend RSA 674 by inserting after section 76 the following new subdivision:

3 Multi-Family Residential Development on Commercially Zoned Land

4 674:77 Definitions. In this subdivision:

5 I. "Commercially zoned land" means land zoned for such commercial activities as retail and office
6 space.

7 II. "Mixed-use" means a type of development that combines residential, commercial, cultural,
8 institutional, or entertainment uses within a single building or development area.

9 III. "Adaptive reuse" means the repurposing of existing buildings or structures in whole or in part
10 for residential purposes.

11 674:78 Amendment to Zoning Regulations.

12 I. Notwithstanding any provision to the contrary, municipalities shall allow multi-family residential
13 development on commercially zoned land, provided that adequate infrastructure, including roads, water,
14 and sewage systems, shall be available or provided to support the development.

15 II. Nothing in this section shall be interpreted to prohibit municipalities from restricting residential
16 development in zones where industrial and manufacturing uses are permitted which may result in impacts
17 that are incompatible with residential use, such as air, noise, odor, or transportation impacts.

18 III. A municipality may require all available ground floor space or a percentage thereof to be
19 dedicated to retail or similar uses.

20 IV. A municipality shall provide an exemption to any requirements regarding setbacks, height, or
21 frontage of a building being converted to multi-family or mixed-use through adaptive reuse, provided that
22 the building's floor area, height, and setbacks do not change.

23 201:2 Effective Date. This act shall take effect July 1, 2026.

Approved: July 15, 2025
Effective Date: July 01, 2026

