

Rep. D. Paige, Carr. 1
May 6, 2025
2025-1950h
08/09

Amendment to SB 163

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT repealing the temporary moratoria and limitation on residential building permits
4 and the approval of subdivisions and site plans and permitting in all residentially
5 zoned areas by right the construction of manufactured housing.
6

7 Amend the bill by replacing all after the enacting clause with the following:

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9 1 Temporary Moratoria and Limitations on Building Permits and the Approval of Subdivisions
10 and Site Plans. Amend RSA 674:23, I to read as follows:

11 I. Upon recommendation of the planning board, the local legislative body may adopt or
12 amend an ordinance establishing a moratorium or limitation on the issuance of building permits or
13 the granting of subdivision or site plan approval for ***non-housing developments for*** a definite
14 term. ***No moratorium or limitation shall apply to residential housing projects.***

15 2 Temporary Moratoria and Limitations on Building Permits and the Approval of Subdivisions
16 and Site Plans. Amend RSA 674:23, III(d) to read as follows:

17 (d) A list of the types or categories of ***non-housing*** development to which the ordinance
18 applies.

19 3 Manufactured Housing Definition. RSA 674:31 is repealed and reenacted to read as follows:

20 674:31 Definition. As used in this subdivision, "manufactured housing" means any structure,
21 transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width
22 and 40 body feet or more in length, or when erected on site, is 320 square feet or more, and which is
23 built on a permanent chassis and designed to be used as a dwelling with or without a permanent
24 foundation when connected to required utilities, which include plumbing, heating, and electrical
25 heating systems contained therein. Manufactured housing as defined in this section shall not
26 include campers or recreation vehicles as defined in RSA 216-I:1 or RSA 259:84-a; pre-site built
27 housing as defined in RSA 674:31-a; or modular buildings as defined in RSA 205-C:1, XI.

28 4 New Section; Allowing Manufactured Housing in Residential Zones. Amend RSA 674 by
29 inserting after section 31-a the following new section:

30 674:31-b Permitting Manufactured Housing in Residential Zones.

31 I. Notwithstanding any other provision of law to the contrary, manufactured housing shall
32 be permitted as a matter of right in all land areas and lots in districts zoned to permit residential
33 uses within every municipality in the state.

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1 II. Municipal zoning ordinances shall be amended to comply with this statute, ensuring that
2 manufactured housing is treated as a permitted use in all residential zones.

3 III. If a zoning ordinance contains no provisions pertaining to manufactured housing, it shall
4 be deemed permitted as a matter of right, and no municipal permits or conditions shall be required
5 other than a building permit, if necessary.

6 IV. No municipality shall adopt or enforce any zoning ordinance, regulation, or policy that
7 discriminates against manufactured housing by prohibiting or unreasonably restricting its
8 placement in residential zones.

9 V. All municipalities shall amend their zoning ordinances to comply with this statute within
10 one year of its effective date.

11 5 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill repeals the authority for a local legislative body to adopt an ordinance establishing a temporary moratoria and limitations on residential building permits and the approval of subdivisions and site plans.

This bill also updates the definition of manufactured housing, and establishes the requirement that manufactured housing must be permitted in all residential zoned areas within every municipality in the state, overriding any local zoning ordinances that prohibit or unreasonably restrict its placement.