

Amendment to HB 1010

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

2

3 1 Multi-Family Residential Development on Commercially Zoned Land; Amendment to Zoning
4 Regulations; Conversion of Multi-Family Dwelling Units Permitted. Amend RSA 674:80 to read as
5 follows:

6 674:80 Amendment to Zoning Regulations.

7 I. Notwithstanding any provision to the contrary, municipalities shall allow **by right** multi-
8 family ~~[residential development]~~ **dwelling units, as defined in RSA 674:43, I** on commercially
9 zoned land, provided that adequate infrastructure, including roads, water, and sewage systems,
10 shall be available ~~[or provided]~~ to support the development. **Where infrastructure is not**
11 **adequate it may be provided by the applicant in accordance with regulations. In**
12 **determining whether infrastructure is adequate, the planning board may:**

13 (a) **For road infrastructure, require a traffic impact study to ascertain the**
14 **potential impacts to the existing traffic conditions in the vicinity of the project, including**
15 **but not limited to, the ability of existing road infrastructure to accommodate increased**
16 **vehicular traffic, the availability of sidewalks, and infrastructure to ensure pedestrian**
17 **safety.**

18 (b) **For water infrastructure, require that the applicant receive permission from**
19 **the owner of a public water system to connect to the system or, in the absence of a public**
20 **water system, develop a water supply in accordance with RSA 482-B and RSA 485 as**
21 **applicable.**

22 (c) **For sewage infrastructure, require that the applicant receive permission**
23 **from the operator of a public sewer within the boundary prescribed by RSA 147:8 or as**
24 **negotiated between the applicant and operator to connect to the system.**

25 II. **The planning board may deny an application submitted pursuant to paragraph**
26 **I, if the planning board determines that:**

27 (a) **The volume of traffic is not supported by the road design at the conclusion of**
28 **construction, or the developments layout and design does not ensure pedestrian safety;**

29 (b) **The applicant is unable to secure a source of water; or**

30 (c) **The applicant is unable to dispose of wastewater and sewage in accordance**
31 **with regulations.**

Amendment to HB 1010

- Page 2 -

1 **III.** Nothing in this section shall be interpreted to prohibit municipalities from restricting
2 residential development in zones where industrial and manufacturing uses are permitted which may
3 result in impacts that are incompatible with residential use, such as air, noise, **dust, glare,**
4 **vibration,** odor, or transportation impacts.

5 ~~III.~~ **IV.** A municipality may require all available ground floor space or a percentage thereof
6 to be dedicated to retail or similar uses.

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

10 2 Effective Date. This act shall take effect July 1, 2026 at 12:01 a.m.