

Amendment to HB 1588-FN

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

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3 AN ACT relative to the regulation of accessory parking for vehicles by local legislative bodies
4 and multifamily housing within commercial districts by municipalities.

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

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8 1 Zoning; Grant of Power; Parking Ordinances. Amend RSA 674:16, VII to read as follows:

9 VII. In its exercise of the powers granted under this subdivision, the local legislative body of
10 a city, town, or county in which there are located unincorporated towns or unorganized places may
11 regulate accessory parking for vehicles, but shall not require more than one residential parking
12 space per unit ***or require that the parking space per unit be garaged.***

13 2 Multi-Family Residential Development on Commercially Zoned Land; Amendment to Zoning
14 Regulations; Conversion of Multi-Family Dwelling Units Permitted. Amend RSA 674:80, IV to read
15 as follows:

16 IV. A municipality [~~shall provide an exemption to any requirements regarding setbacks,~~
17 ~~height, or frontage of a building being converted to multi-family or mixed-use through adaptive~~
18 ~~reuse, provided that the building's floor area, height, and setbacks do not change]~~ ***shall not impose***
19 ***additional requirements for multifamily housing proposed to be located within commercial***
20 ***districts in existence as of July 1, 2026, or expanded or created after that date, beyond those***
21 ***specifically allowed under this section, except for frontage, setbacks, and height***
22 ***requirements; provided that such requirements shall not differ from what is allowed for***
23 ***commercial development.***

24 V. ***A municipality shall allow pre-existing nonconforming structures to be***
25 ***converted to multi-family dwelling units or mixed use provided that the structure's***
26 ***envelope is not altered to further violate zoning district dimensional requirements.***

27 VI. ***Any owner of commercially-zoned property improperly denied an application for***
28 ***multi-family housing, or who is subjected to requirements beyond those allowed in this***
29 ***section, and who is thereby required to file suit against the municipality in order to***
30 ***exercise the property rights thus recognized, shall be entitled to be reimbursed reasonable***
31 ***attorney's fees incurred as a direct result.***

32 3 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill:

I. Allows local legislative bodies to regulate accessory parking for vehicles so long as they do not require that the parking space per unit be garaged.

II. Prevents municipalities from imposing additional requirements for multifamily housing within commercial districts in existence as of July 1, 2026, with some exceptions.