HB 1588-FN - AS AMENDED BY THE SENATE

05/07/2026 1720s

2026 SESSION

26-3234
07/06

HOUSE BILL ***1588-FN***

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

SPONSORS: Rep. Sweeney, Rock. 25

COMMITTEE: Housing

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.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

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

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

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

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

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

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

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

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

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

LBA
26-3234
05/08/2026

HB 1588-FN- FISCAL NOTE

AS AMENDED BY THE SENATE (AMENDMENT #2026-1720s)

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

FISCAL IMPACT:

Estimated Political Subdivision Impact				
	FY 2026	**FY 2027**	**FY 2028**	**FY 2029**
Local Expenditures	$0	Indeterminable		

METHODOLOGY:

The bill may result in a possible indeterminable increase in municipal expenditures. The bill indicates that any owner of commercially-zoned property who is improperly denied an application for multi-family housing is entitled to reimbursement of reasonable attorney's fees if legal action is required to exercise the property rights established in the RSA 674:80. Because the number of improper denials and amount of reimbursable legal costs cannot be predicted, the fiscal impact on municipalities is indeterminable.

AGENCIES CONTACTED:

None