

HB 382 - AS INTRODUCED

2025 SESSION

25-0888

09/05

HOUSE BILL           **382**

AN ACT               removing authority for municipalities to regulate mandatory on-site parking requirements.

SPONSORS:       Rep. Sweeney, Rock. 25; Rep. Alexander Jr., Hills. 29; Rep. Berry, Hills. 44; Rep. Grill, Hills. 18; Rep. A. Murray, Hills. 20; Rep. Osborne, Rock. 2

COMMITTEE:       Housing

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ANALYSIS

This bill eliminates the authority of municipalities to adopt or enforce regulations that mandate minimum parking requirements.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Five*

AN ACT removing authority for municipalities to regulate mandatory on-site parking requirements.

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

1 1 Purpose. To promote flexibility in land use, encourage sustainable development, and reduce  
2 barriers to housing and economic growth, this act eliminates the authority of municipalities to adopt  
3 or enforce regulations that mandate minimum parking requirements.

4 2 Local Land Use Planning and Regulatory Powers; Zoning; Grant of Power. Amend RSA  
5 674:16, II to read as follows:

6 II. The power to adopt a zoning ordinance under this subdivision expressly includes the  
7 power to adopt innovative land use controls, **except for parking standards**, which may include,  
8 but which are not limited to, the methods contained in RSA 674:21.

9 3 Local Land Use Planning and Regulatory Powers; Zoning; Grant of Power. Amend RSA  
10 674:16, VII to read as follows:

11 VII. [~~In its exercise of the powers granted under this subdivision, the local legislative body of~~  
12 ~~a city, town, or county in which there are located unincorporated towns or unorganized places may~~  
13 ~~regulate accessory parking for vehicles, but shall not require more than 1.5 residential parking~~  
14 ~~spaces per unit for studio and one bedroom units under 1000 square feet that meet the requirements~~  
15 ~~for workforce housing under RSA 674:58, IV, and shall not require more than 1.5 residential parking~~  
16 ~~spaces per unit for multi-family developments of 10 units or more.] **Notwithstanding any**  
17 **provision of this chapter, municipalities shall not adopt or enforce any ordinance,**  
18 **regulation, or provision requiring a minimum number of off-street parking spaces for any**  
19 **land use or development. This limitation shall apply to all zoning ordinances and land**  
20 **use regulations under this chapter.**~~

21 4 New Paragraph; Zoning; Innovative Land Use Controls. Amend RSA 674:21 by inserting after  
22 section II the following new paragraph:

23 II-a. Nothing in this section shall be interpreted to authorize municipalities to regulate or  
24 require minimum parking standards or enforce parking minimums for any land use.

25 5 New Paragraph; Site Plans; Site Plan Review Regulations. Amend RSA 674:44 by inserting  
26 after paragraph III the following new paragraph:

27 III-a. Planning boards shall not impose parking minimum requirements as a condition of  
28 site plan review for any non-residential or multi-family residential development.

29 6 Repeal. RSA 674:16-a, relative to on-site parking requirements, is repealed.

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- 1           7 Applicability. All municipal ordinances, bylaws, or regulations in effect as of the effective date
- 2 of this act that impose parking minimums are hereby declared null and void.
- 3           8 Effective Date. This act shall take effect 60 days after its passage.