

HB 1023 - AS INTRODUCED

2026 SESSION

26-2368

06/05

HOUSE BILL **1023**

AN ACT establishing accessory commercial units by right.

SPONSORS: Rep. Sweeney, Rock. 25; Rep. Alexander Jr., Hills. 29; Rep. Berry, Hills. 44

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill:

I. Authorizes the establishment of accessory commercial units by right on any lot with a lawful principal use, in any zoning district statewide.

II. Defines "accessory commercial unit."

III. Clarifies permitted uses, sets limits on floor area, hours, parking, and signage.

IV. Prohibits municipalities from enacting more restrictive ordinances.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 establishing accessory commercial units by right.

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

1 1 New Section; Accessory Commercial Units Allowed by Right. Amend RSA 674 by inserting
2 after section 72 the following new section:

3 674:72-a Accessory Commercial Units.

4 I. In this section, "accessory commercial unit" means a subordinate commercial space that:

5 (a) Is located on the same lot as a principal residential or commercial use, either within
6 the same structure or in a detached accessory structure;

7 (b) Is clearly incidental and secondary to the principal use of the property; and

8 (c) Provides neighborhood-scale goods or services that do not produce excessive noise,
9 odor, vibration, traffic, or other adverse impacts on surrounding properties.

10 II. Authorization.

11 (a) An accessory commercial unit shall be permitted as of right on any lot containing a
12 lawful principal use in every zoning district in the state.

13 (b) No municipality shall adopt or enforce an ordinance prohibiting the establishment of
14 an accessory commercial unit, except as provided in this section.

15 III. The following uses shall be permitted by right as accessory commercial units in all
16 zoning districts statewide:

17 (a) Coffee shop.

18 (b) Café.

19 (c) Bakery.

20 (d) Deli or sandwich shop.

21 (e) Ice cream shop.

22 (f) Farm stand.

23 (g) Local market or general store (neighborhood scale).

24 (h) Bookstore.

25 (i) Gift shop.

26 (j) Flower shop.

27 (k) Craft shop (handmade goods, local art, artisan items).

28 (l) Clothing alterations and tailoring services.

29 (m) Shoe repair services.

30 (n) Barber shop.

31 (o) Hair salon.

- 1 (p) Nail salon.
- 2 (q) Massage therapy practice.
- 3 (r) Acupuncture practice.
- 4 (s) Yoga studio.
- 5 (t) Pilates studio.
- 6 (u) Martial arts studio.
- 7 (v) Personal training studio.
- 8 (w) Small fitness studio (non-gym scale).
- 9 (x) Professional offices, including:
 - 10 (1) Tax preparation.
 - 11 (2) Accounting.
 - 12 (3) Insurance agency.
 - 13 (4) Real estate agency.
 - 14 (5) Counseling or therapy.
 - 15 (6) Tutoring or educational services.
- 16 (y) Daycare center (home-based scale).
- 17 (z) Preschool (home-based scale).
- 18 (aa) After-school tutoring or learning center.
- 19 (bb) Artist studio.
- 20 (cc) Art gallery.
- 21 (dd) Pottery or ceramics studio.
- 22 (ee) Woodworking or carpentry shop (small-scale, non-industrial).
- 23 (ff) Jewelry-making studio.
- 24 (gg) Maker space or fabrication lab (3D printing, electronics, hobbyist-scale).
- 25 (hh) Community garden with produce sales.
- 26 (ii) Seasonal produce stand or farm products stand.
- 27 (jj) Bicycle repair shop.
- 28 (kk) Small electronics repair shop (phones, computers, appliances).
- 29 (ll) Sewing, knitting, or quilting studio with retail component.
- 30 (mm) Photography studio.

31 IV. Limitations.

- 32 (a) Floor area shall not exceed 1,000 square feet or 25 percent of the gross floor area of
- 33 the principal structure, whichever is greater.
- 34 (b) Accessory commercial units shall comply with local noise ordinances and shall not
- 35 operate between 10:00 p.m. and 6:00 a.m. unless otherwise permitted by municipal ordinance.
- 36 (c) No additional off-street parking shall be required beyond that required for the
- 37 principal use of the property.

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1 (d) Exterior signage shall be limited to one non-illuminated sign not exceeding 6 square
2 feet.

3 V. Municipalities may adopt procedures for the registration and inspection of accessory
4 commercial units, provided such procedures are not more restrictive than the provisions of this
5 section.

6 2 Effective Date. This act shall take effect 60 days after its passage.