

HB 1010 - VERSION ADOPTED BY BOTH BODIES

19Feb2026... 0274h
05/14/2026 1712s
4Jun2026... 2075CofC
4Jun2026... 2185EBA

2026 SESSION

26-2305
06/05

HOUSE BILL **1010**

AN ACT relative to multi-family residential development on commercially zoned land.

SPONSORS: Rep. Kuttub, Rock. 17; Rep. Mandelbaum, Rock. 21; Rep. Rhodes, Ches. 17; Sen. Birdsell, Dist 19

COMMITTEE: Housing

AMENDED ANALYSIS

This bill:

I. Requires municipalities to allow multi-family dwelling units on commercially zoned land, subject to the local planning board confirming the infrastructure is adequate.

II. Authorizes the local planning board to deny applications to build multi-family dwelling units on commercially zoned land in certain circumstances.

III. Removes the ability for municipalities to provide an exception for requirements relative to the conversion of structures into multi-family dwelling units, and replaces such exception to permit the waiver of requirements so long as the converted dwelling unit is not altered to further violate zoning dimensional requirements.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to multi-family residential development on commercially zoned land.

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

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

4 674:80 Amendment to Zoning Regulations.

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

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

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

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

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

25 (a) *The volume of traffic is not supported by the road design at the conclusion of*
26 *construction, or the development's layout and design do not ensure pedestrian safety;*

27 (b) *The applicant is unable to secure a source of water or the owner of an*
28 *abutting well is able to demonstrate that their well will be unable to meet existing demand;*
29 *or*

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

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

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

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

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