

HB 44 - AS AMENDED BY THE HOUSE

23Feb2023... 0029h

2023 SESSION

23-0084

10/08

HOUSE BILL **44**

AN ACT relative to permissible residential units in a residential zone.

SPONSORS: Rep. McWilliams, Merr. 30; Rep. Gilman, Rock. 11; Rep. Yokela, Rock. 32; Rep. Preece, Hills. 17

COMMITTEE: Municipal and County Government

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ANALYSIS

This bill requires that local legislative bodies permit by right certain single-family lots in residential districts to be used for up to 4 residential units.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Three*

AN ACT relative to permissible residential units in a residential zone.

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

1 1 New Paragraph; Zoning; Grant of Power; Single Family Lots. Amend RSA 674:16 by inserting  
2 after paragraph V the following new paragraph:

3 VI. In the exercise of the powers granted under this subdivision, the local legislative body of  
4 a city, town, or county in which there are located unincorporated towns or unorganized places, shall  
5 allow as a matter of right any single-family lot in a residential zoning district served by municipal  
6 water and sewer to be used for 4 residential dwelling units. These may be configured as a single 4-  
7 unit building, 2 duplex units, 4 single units, or 4 townhouses. The lot and yard standards, setbacks,  
8 and lot coverage shall comply with but be no more restrictive than those required for a single family  
9 dwelling. Parking requirements shall be based on per unit requirements for single family dwellings.  
10 All relevant building code and fire code requirements shall still apply. This paragraph shall apply to  
11 new construction or rehabilitation of existing buildings.

12 2 Effective Date. This act shall take effect July 1, 2024.