



New Hampshire Legislative Toolkit

Planning, Zoning, and Housing Bills 2026

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2026 PLANNING, ZONING, & HOUSING BILLS

Summary

This toolkit is intended to provide general guidance for municipalities in the SRPC region. Your community may or may not require applicable amendments. Please note that the description of each bill is meant to be a high-level overview and should not be taken to represent the bill in its entirety. Municipalities should review the full text of each applicable bill to ensure thorough understanding and should consult legal counsel when preparing amendments.

The table below provides a quick index of key bills enacted during the 2026 legislative session and their potential municipal impacts, while the following pages summarize each bill and identify actions municipalities may need to take.

Note: For bills highlighted in orange, SRPC has funding to support municipal ordinance amendments that reflect the new legislative requirements.



Bill	Topic	Zoning Change	Land Use Regulation Change*	Procedure Change	Building Code	Other	Effective Date
HB 244	Municipal enforcement of NH's building and fire codes				X		01-Jul-26
HB 1010	Multi-family residential development on commercially zoned land	X					01-Jul-26
HB 1079	ADUs within/attached to non-conforming structures	X		~			31-Aug-26
HB 1093	Public Chartered Schools and Land Use Exemptions		X	X			04-Aug-26
HB 1103	Expanding the use of RSA 79-E					X	31-Aug-26
HB 1588	Accessory parking; multi-family housing within commercial districts; special assessment districts	X	X			~	13-Sept-2026
HB 1195	Child Care Providers	X		X			01-Jul-26
HB 1246	Planning Board Members Serving on Other Boards			X			21-Jun-26
HB 1468	Flood resilience section of municipal master plans					X	18-Aug-26
HB 1681	Tiny Houses and Yurts	X			X		13-Sept-26
SB 502	BEA and OPD reference updates; changes to committees and commissions participation and operation					X	18-Aug-26



Bill	Topic	Zoning Change	Land Use Regulation Change*	Procedure Change	Building Code	Other	Effective Date
SB 564	Prohibition of municipal restrictions including maximum road length, housing lots on dead-end roads, and utilities within open-space and perimeter buffer areas		X				01-Apr-27
SB 592	Habitat strongholds and wildlife corridors; Winnepesaukee River Basin					X	Sections 337:5 and 337:6 Effective 15-Jul-26 Section 337:7 effective 1-Nov-26 Remainder effective 13-Sept-26

* Site Plan/Subdivision Regulation Changes

~ Changes/updates may be needed.

X Changes/updates will very likely be required.



HB 244 Municipal Enforcement of the Building and Fire Code

Title	<i>An act updating and recodifying the municipal enforcement of the building and fire code.</i>
Description	Reorganizes the state building and fire code by repealing it from certain parts of the RSA and reenacting it with some modifications in RSA 155-A. Highlights include: • Moves building-code enforcement authority and related provisions from portions of the planning/zoning statutes into RSA 155-A, the building-code chapter. • Establishes a dedicated building code and fire code appeals framework within RSA 155-A. • Replaces references that formerly pointed to RSA 674 and related land-use statutes with references to RSA 155-A.
Actions to Take	• Building officials and inspectors, land use boards, select boards, and municipal staff should be aware of the new legislation and clearly distinguish the roles of planning and zoning officials from those of code enforcement officials. • Ordinances and other administrative materials, including permit forms and applications, should be reviewed and updated as needed. • Municipalities may need to update references to the New Hampshire State Building Code in their zoning ordinances.
Status	Signed by Governor: July 15, 2026 Effective Date: July 1, 2026
Chaptered Final Version	<u>Chapter 318</u>

HB 1010 Multi-Family Residential Development on Commercially Zoned Land

Title	<i>An act relative to multi-family residential development on commercially zoned land.</i>
Description	Amends RSA 674:80, which requires municipalities to allow multi-family dwelling units on commercially zoned land subject to local planning board review of infrastructure adequacy*. Specifically, it: • Adds detailed standards for determining whether road, water, and sewer infrastructure is adequate to support a proposed development.



	• Authorizes planning boards to deny applications for multi-family dwelling units on commercially zoned land in certain circumstances when applicable infrastructure standards cannot be met. • Clarifies the adaptive reuse exemption for conversions that do not alter a building's dimensions. * For clarification, HB 1010: • Applies in commercial districts where there is water, road, <u>and</u> public sewer available. • Doesn't apply in commercial districts which also permit industrial and manufacturing uses, "which may result in impacts that are incompatible with residential use, such as air, noise, dust, glare, vibration, odor, or transportation impacts."
Actions to Take	• Municipal staff and land use boards should be made aware of this change. • Municipalities should review and update ordinances, particularly those specific to commercial zones.
Status	Signed by Governor: July 15, 2026 Effective Date: July 1, 2026
Chaptered Final Version	Chapter 319

HB 1079 ADUs Within or Attached to Non-Conforming Structures

Title	<i>An act allowing accessory dwelling units to be built within or attached to certain non-conforming structures.</i>
Description	Amends RSA 674:71, II-III and 674:72, XI, relative to ADUs. Specifically, it: • Amends the definitions of attached and detached ADUs. • Requires municipalities to allow ADUs to be converted from existing structures, including detached garages, that were in existence on or before July 1, 2025, regardless of whether such structures violate current dimensional requirements for setbacks or lot coverage. • Provides that any structure containing an ADU approved and built after July 1, 2025, shall receive protection from future zoning changes, provided the structure meets the time periods for reaching active and substantial development, and substantial completion, under RSA 674:39. • Allows municipalities to determine the eligibility for placement of an ADU within an existing structure that does not comply with current dimensional requirements for setbacks and lot coverage. • Clarifies that converting an existing structure to an ADU shall not constitute a change of use.
Actions to Take	Municipalities should:



	• Review ADU regulations and definitions to ensure consistency with updates to current state law. • Ensure ordinances allow ADUs within existing structures, including detached garages existing on or before July 1, 2025, regardless of current setback or lot coverage requirements. • Update permitting and other relevant procedures for ADU applications as needed.
Status	Signed by Governor: July 2, 2026 Effective Date: August 31, 2026
Chaptered Final Version	Chapter 210

HB 1093 Public Charter Schools and Governmental Land Use Exemptions

Title	<i>An act relative to public charter schools and governmental land use exemptions.</i>
Description	Amends RSA 194-B:3, I (a) and RSA 674:54, relative to “Chartered Public Schools” to: • Grant them governmental use status. • Include them within the definition of “governmental land uses.” • Require these to comply with applicable notification requirements when proposing a substantial new use or substantial change in use.
Actions to Take	Municipalities should: • Make staff and boards aware that chartered public schools are now treated as governmental uses. • Review and update any relevant local land use review procedures and documents.
Status	Signed by Governor: June 5, 2026 Effective Date: August 4, 2026
Chaptered Final Version	Chapter 118

HB 1103 Expanding the Use of RSA 79-E

Title	<i>An act allowing municipalities to utilize community revitalization tax relief credits on a wider variety of properties and structures.</i>
Description	Amends RSA 79-E, the enabling statute for the Community Revitalization Tax Relief Incentive, to:



	• Allow municipalities to adopt the program to grant RSA 79-E relief for the conversion of office, commercial, or industrial buildings to residential use (previously limited to office buildings). • Remove the statutory requirement that one-third of units in a Housing Opportunity Zone meet affordability criteria. With the new bill, municipalities may instead establish their own affordability criteria. • Changes the duration of tax assessment relief to create a stronger incentive for workforce housing (up to 7 years of relief if no workforce housing is created; up to 15 years of relief if workforce housing is created).
Actions to Take	Municipalities that have adopted RSA 79-E should: • Review their existing program and make necessary updates in alignment with the updated legislation. • Review and update application materials and other administrative procedures, as necessary.
Status	Signed by Governor: June 23, 2026 Effective Date: August 31, 2026
Chaptered Final Version	Chapter 212

HB 1246 Planning Board Members Serving on Other Boards

Title	<i>An act relative to planning board members serving on other local boards.</i>
Description	This bill mandates that a member of a planning board, who also serves on a zoning board, may only participate and vote on one board when an application or development project is heard by both boards.
Actions to Take	Municipalities should: • Review and update local rules of procedure and bylaws and ensure planning and zoning board members are aware of this change.
Status	Signed by Governor: April 22, 2026 Effective Date: June 21, 2026
Chaptered Final Version	Chapter 33



HB 1588 Accessory Parking; Multi-Family Housing Within Commercial Districts; Special Assessment Districts

Title	<i>An act relative to the regulation of accessory parking for vehicles by local legislative bodies and multi-family housing within commercial districts by municipalities; establishing special assessment districts; and relative to expanding the housing infrastructure municipal grant program and making an appropriation therefor.</i>
Description	Reduces local parking mandates; limits municipal restrictions affecting multi-family housing in commercial districts; creates special assessment districts; and expands state funding tools for housing-related infrastructure. Specifically, it: • Allows municipalities to regulate accessory parking but prohibits them from requiring more than one residential parking space per dwelling unit or requiring that the space be garaged. • Requires multi-family housing to be permitted as a matter of right in commercial districts existing, created, or expanded after July 1, 2026. Municipalities may impose frontage, setback, and height standards only if those do not differ from what is applicable to commercial development. Municipalities may not enforce additional requirements unless authorized by the statute. • Requires municipalities to allow pre-existing non-conforming structures to be converted to multi-family dwelling units or mixed use development provided that the structure's envelope is not altered to further violate zoning district dimensional requirements. • Authorizes an award of reasonable attorney's fees in certain circumstances when an applicant litigates after a municipality improperly denies a qualifying multi-family housing application or imposes requirements not permitted by state law. • Authorizes municipalities to establish special assessment districts to help finance infrastructure improvements associated with new development. * For clarification, HB 1588: • Applies in commercial districts where there is water, road, <u>and</u> public sewer available. • Doesn't apply in commercial districts which also permit industrial and manufacturing uses, "which may result in impacts that are incompatible with residential use, such as air, noise, dust, glare, vibration, odor, or transportation impacts."
Actions to Take	Municipalities should: • Review and amend parking regulations in zoning, site plan, and subdivision regulations to ensure they do not require more than one parking space per dwelling unit and that it is not required to be garaged. • Review multi-family housing standards in commercial districts as needed.



	Evaluate special assessment districts and expanded Housing Infrastructure Municipal Grant opportunities.
Status	Signed by Governor: July 15, 2026 Effective Date: September 13, 2026 Note: Section 329:2 will not take effect pursuant to the contingency provision in Section 329:7.
Chaptered Final Version	Chapter 329

HB 1195 Child Care Providers

Title	<i>An act relative to municipal zoning requirements for child day care providers.</i>
Description	Amends RSA 674:16 to: - Allow home-based child care (family day care homes and family group day care homes as defined in RSA 170-E:2, IV (a) and (b)) by right on any lot where residential use is permitted, including in a primary structure or an existing accessory structure, provided that all DHHS licensing requirements are met. - Remove the optionality for municipalities to require a Conditional Use Permit for home-based child care, as previously allowed in HB 1567 (2024). Such uses are still exempt from Site Plan Review. - Require child care centers (as defined in RSA 674:81, I) to be permitted by right on commercially zoned land so long as the requirements of RSA 170-E and rules adopted thereunder, regarding licensure and operation of a child day care, are met. Child care centers with a licensed capacity of 30 or fewer children shall not be subject to Site Plan Review. - Prohibit municipalities from adopting or enforcing child care specific rules and requirements that differ from RSA 170-E and DHHS licensing requirements. - Allow municipalities to restrict the operation of child care centers in zones where industrial and manufacturing uses are permitted, unless a child care center is for the exclusive use of employees of a business located in those zones. - Require municipalities to allow existing buildings, or a portion thereof, to be converted to a child care center, provided the exterior dimensions of the building are not changed.
Actions to Take	Municipalities should: Review and update zoning ordinances to ensure alignment with new state legislation. Municipalities that recently revised their regulations to align



	with HB 1567 (2024) may need further updates if home-based child care is currently allowed pursuant to a Conditional Use Permit. Municipalities will also need to address the new rules for center-based care in commercial zones. • Review and update tables of permitted uses and, when applicable, home-based business regulations. • Consider conducting public education and outreach as a best practice. Note: SRPC has funding available to assist municipalities with ordinance updates to comply with state legislation related to child care.
Status	Signed by Governor: July 2, 2026 Effective Date: July 1, 2026
Chaptered Final Version	Chapter 217

HB 1468 Flood Resilience Section of Municipal Master Plans

Title	<i>An act relative to a flood resilience section in municipal master plans.</i>
Description	Amends RSA 674:2, III (Master Plan Purpose and Description) to add a new optional "Flood Resilience Section" to the list of elements that may be included in a municipal master plan.
Actions to Take	No immediate action is required at this time. Municipal staff, land use boards, conservation commissions and other relevant committees should be aware that municipalities may now include an optional flood resilience section in their master plans.
Status	Signed by Governor: June 19, 2026 Effective Date: August 18, 2026
Chaptered Final Version	Chapter 170

HB 1681 Tiny Houses and Yurts

Title	<i>An act relative to the definition, inspection, and local approval of tiny houses and yurts as innovative housing structures.</i>
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Description	Creates RSA 674:81, relative to innovative housing structures, establishing statewide rules for tiny houses, tiny houses on wheels (THOWs), and yurts. Specifically, this bill: • Defines and recognizes tiny houses, tiny houses on wheels, and yurts as innovative housing structures that may be used as residential dwellings. • Authorizes municipalities to allow these structures as either principal single family dwellings or accessory dwelling units (ADUs) on a lot where single family dwellings are allowed, subject to local land use requirements. • Requires that, when permitted by the municipality, innovative housing structures be treated as single family dwellings or ADUs for zoning purposes, and comply with drinking and wastewater requirements. • Establishes standards for construction document review, inspection, and certification for innovative housing structures, including acceptance of inspections performed by qualified third-party inspectors or the state modular building program in certain cases. • Addresses transportation of innovative housing structures and wastewater treatment and disposal requirements. Note: This bill does not require municipalities to allow these structures. Municipalities retain authority over whether and where they may be permitted under local land use regulations.
Actions to Take	Municipalities <u>may</u> amend their zoning to allow innovative housing structures including tiny houses on wheels and yurts, but aren't required to do so. Therefore, municipalities should: • Decide whether and where they want to permit innovative housing structures. • Update local land use regulations accordingly.
Status	Signed by Governor: July 15, 2026 Effective Date: September 13, 2026
Chaptered Final Version	Chapter 330

SB 502 BEA and OPD Reference Updates; Changes to Committees and Commissions Participation and Operation

Title	<i>An act removing outdated references to the Department of Business and Economic Affairs and the Office of Planning and Development, and making various changes to how certain committees and commissions participate or operate.</i>
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Description	This bill: • Replaces outdated references to the Office of Planning and Development (OPD) with references to the Department of Business and Economic Affairs (BEA) or its Division of Planning and Community Development (DPCD) throughout state law. • Clarifies the structure and purpose of the Department of Business and Economic Affairs, including its economic development, planning and community development, and travel and tourism functions. • Clarifies that planning regions (RPC boundaries) are delineated and administered by the Division of Planning and Community Development rather than former OPD while maintaining the Division's role in reviewing regional plans and adjusting RPC boundaries after consultation with RPCs.
Actions to Take	None at this time. Municipalities should just be aware. Impacts, if any, are administrative in nature and may include replacing outdated references to the Office of Planning and Development with references to the Department of Business and Economic Affairs, or its Division of Planning and Community Development, as appropriate.
Status	Signed by Governor: June 19, 2026 Effective Date: August 18, 2026
Chaptered Final Version	Chapter 190

SB 564 Prohibition of Municipal Restrictions

Title	<i>An act prohibiting certain municipal development restrictions.</i>
Description	Prohibits certain municipal subdivision and road design restrictions to reduce barriers to housing construction. Specifically, this bill: • Prohibits municipalities from imposing maximum road-length limits, provided the road complies with the state fire code, including emergency access and life safety requirements. • Prohibits caps on the number of lots served by a dead-end road, unless the cap is consistent with state fire code and NFPA 1141, provided the lots comply with applicable zoning requirements. • Requires municipalities to permit utilities (including but not limited to septic systems, wells, electric distribution, drainage structures, stormwater management structures, and other utilities) within or along perimeter buffers, residential buffers, setbacks, and open space areas of a subdivision or lot, provided the areas are not wetlands or protected shoreland; and to allow these utilities within wetland buffers and conservation areas through a Special Exception or Conditional Use Permit. • Prohibits municipalities from imposing additional building or lot size requirements on affected properties beyond those in effect before the law's effective date.



	Preserves municipal health, safety, environmental, and building standards and planning and conservation commission review authority.
Actions to Take	Municipalities should: - Review and amend subdivision and site plan regulations that address maximum road length standards, caps on lots served by dead end roads, and utilities in open space or buffer areas. - Municipalities may wish to use the term “conservation areas” versus “open space,” where appropriate, to preserve the option of requiring a Conditional Use Permit.
Status	Signed by Governor: July 10, 2026 Effective Date: April 1, 2027
Chaptered Final Version	Chapter 316

SB 592 Habitat Strongholds and Wildlife Corridors; Winnepesaukee River Basin

Title	<i>An act enabling regional, conservation, and energy source planning for habitat strongholds and wildlife corridors and creating a commission to study transferring ownership of the Winnepesaukee River Basin program to an alternative authority.</i>
Description	The bill: - Integrates habitat strongholds and wildlife corridors into conservation, regional planning, and state energy planning processes. - Establishes a study of potential future ownership changes for the Winnepesaukee River Basin Program (WRBP) while creating a director position within the Department of Environmental Services.
Actions to Take	- Conservation commissions should update their Natural Resource Inventories to include habitat strongholds and wildlife corridors. - RPCs may wish to incorporate wildlife corridor information into future regional plans.
Status	Signed by Governor: July 15, 2026 Effective Date: - Section 337:5 and 337:6 (relative to the WRBP) effective July 15, 2026 - Section 337:7 (relative to the WRBP) shall take effect November 1, 2026 - Remainder of this act shall take effect September 13, 2026
Chaptered Final Version	Chapter 337

