HB 631 creates two new zoning mandates. First, the new law requires municipalities to allow multi-family residential development on commercially zoned land, provided that adequate infrastructure is available to support that development. Municipalities may still restrict residential development in zones where industrial and manufacturing uses are permitted "which may result in impacts that are incompatible with residential use, such as air, noise, odor, or transportation impacts." Nevertheless, municipalities may require that the ground floor space in the commercially zone property may be required to be dedicated in whole or in part to retail or similar uses.

Second, where an existing building is being repurposed for adaptive reuse for residential purposes, municipalities are required to afford exemptions to setbacks, height or frontage of a building, provided the dimensional elements of the building do not change.

PROPOSED Article 8:J Multifamily Development on Commercially Zoned Land

I. a. "Commercially zoned land" means land zoned for such commercial activities as retail and office space. *(Article 15: Commercial A use primarily concerned with the making of profit from the sale of goods or services.)*

b. "Mixed-use" means a type of development that combines residential, commercial, cultural, institutional, or entertainment uses within a single building or development area.

c. "Adaptive reuse" means the repurposing of existing buildings or structures in whole or in part for residential purposes.

II. Pursuant to RSA 674:80, the Town of Belmont shall allow multi-family residential development on commercially zoned land, provided that adequate infrastructure, including roads, water, and sewage systems, shall be available or provided to support the development.

III. Residential development is not permitted where industrial and manufacturing uses are permitted which may result in impacts that are incompatible with residential use, such as air, noise, odor, or transportation impacts.

IV. All available ground floor space must be dedicated to retail or similar uses.

V. Adaptative reuse of an existing building is exempt from requirements regarding setbacks, height, or frontage of a building being converted to multi-family or mixed-use through adaptive reuse, *provided that the building's floor area, height, and setbacks do not change.*

Short Term Lodging: Table of Permitted Uses

	Commercial	Industrial	Residential Multi-Family	Residential Single Family	Rural	Village
Residential Uses						
Short Term Lodging	N	N	P	P	P	P

Definition:

Short Term Lodging:
Short-term lodging: any individually or collectively owned single-family house or dwelling unit or any unit or group of units in a condominium, cooperative, or timeshare, or owner occupied residential home, that is offered for a fee and for less than 30 consecutive days.

Proposed Article 8:K Short Term Lodging

All short-term lodging units must provide documentation that the dwelling unit meets the following criteria:

a. The dwelling unit has the following life safety features:
    1. Smoke and carbon monoxide detectors must be installed in areas defined by the Town's adopted codes and must be functioning;
    2. All windows or doors designed to open must be able to be opened to provide emergency egress;
    3. No basement space must be used as sleeping areas unless there are properly sized egress windows and/or doors conforming to the Town's adopted codes;
    4. A functional fire extinguisher must be visibly installed in all kitchen areas.
b. No on-street parking is allowed;
c. The owner and all tenants must adhere to the Noise Ordinance.
d. No signage advertising the property as a short-term rental is permitted.
e. The owner must display their Meals and Rooms (Rentals) license issued by the New Hampshire Department of Revenue Administration in accordance with State laws and regulations.
f. The owner of a short-term lodging unit is responsible for the removal of trash in accordance with the Town's ordinance.