

# HB 631 “Homes Near Jobs”

## Potential impact on the Seacoast:

- Encourages housing near existing jobs and transit
- Makes better use of underutilized commercial property
- Reduces sprawl, traffic, pressure on open spaces and infrastructure costs

## Sample Scenario: From dead asphalt to housing — the K-Mart lot

The shuttered K-Mart/Market Basket block on Lafayette Rd already sits in the G1 Gateway Neighborhood Mixed Use Corridor, so a developer can file for a 4-storey, 50-ft mixed-use building with apartments today. HB 631, however, would lift that cap to 65 ft, scrap the 10 % open-space quota, bar any density limit, and guarantee a 60-day administrative review.

Practical upshot: the same lot could jump from roughly **180-220 units under present rules** to **250-300 units under HB 631**, while the statewide affordability bonus ( $\geq 80$  % AMI  $\rightarrow +2$  units;  $\leq 60$  % AMI  $\rightarrow +3$  units) sweetens the pro-forma without city subsidies. [Note: AMI = Annual Median Income]

**Bottom line:** HB 631 is the fastest legal path to turn empty asphalt like the K-Mart lot into mixed-income homes wrapped around new storefronts instead of letting them rot for another decade.

## What the bill fixes

New Hampshire lets offices and shopping plazas sprawl across “commercial” zones but then bans apartments on the same land. HB 631 flips that. Takes effect Jan 1, 2026.

## Core rule

In every U.S. Census urban area (Portsmouth qualifies), any parcel that already has public water & sewer and is zoned commercial must also allow multifamily or mixed-use housing by right. If your site plan meets code, the town must sign off—no variance, no special-use permit, no neighborhood shoot-out.

## Local limits that are off the table

- Density caps
- Height caps lower than **65 ft**
- Setbacks over **10 ft**
- Extra open-space or lot-size mandates
- Design-review delays beyond 60 days

## What towns can still require

- Up to **20 %** of the ground floor for storefront/retail
- On-site parking (developer chooses layout & count)
- Standard impact fees and building-code compliance

## Affordability bonus

- Deed-restrict a unit at  $\leq 80$  % AMI  $\rightarrow$  add **+2** market units
- Deed-restrict at  $\leq 60$  % AMI  $\rightarrow$  add **+3** market units