

SB 283 - VERSION ADOPTED BY BOTH BODIES

22May2025... 1596h
06/26/2025 2910EBA

2025 SESSION

25-1093
06/02

SENATE BILL **283**

AN ACT relative to the calculation of floor-area-ratios under local building ordinances.

SPONSORS: Sen. Murphy, Dist 16; Sen. Innis, Dist 7; Sen. Perkins Kwoka, Dist 21; Sen. Pearl,
Dist 17; Rep. Osborne, Rock. 2; Rep. Alexander Jr., Hills. 29

COMMITTEE: Commerce

AMENDED ANALYSIS

This bill requires municipalities to exclude below-grade areas from floor-area-ratio (FAR) calculations, but allows developers to utilize below-grade areas for certain purposes without impacting the calculation of FAR for the building.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the calculation of floor-area-ratios under local building ordinances.

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

1 1 New Subdivision; Maximum Capacity and Height Potential for New Construction. Amend
2 RSA 674 by inserting after section 76 the following new subdivision:

3 Maximum Capacity and Height Potential for New Construction

4 674:77 Definitions. In this subdivision:

5 I. "Floor-area-ratio (FAR)" means the ratio of a building's total floor area to the size of the
6 parcel of land upon which it is built.

7 II. "Below-grade area" means any part of a building that is entirely or partially below the
8 ground level, including basements, cellars, and sublevels.

9 III. "New construction" means any newly constructed building or structure, including those
10 that are newly erected or created by major renovations.

11 674:78 Amendment to Zoning Regulations.

12 I. Notwithstanding any provision to the contrary, municipalities with floor-area-ratio (FAR)
13 limitations shall exclude below-grade areas from the calculation of FAR for new construction
14 projects.

15 II. Developers may utilize below-grade areas for purposes such as parking, storage,
16 mechanical spaces, and additional facilities, without impacting the calculation of FAR for the
17 building.

18 2 Contingency. If HB 631 of the 2025 general legislative session becomes law, RSA 674:77 and
19 674:78 as inserted by section 1 of HB 631 shall be renumbered as RSA 674:79 and 674:80,
20 respectively.

21 3 Effective Date. This act shall take effect 60 days after its passage.