



CITY OF CONCORD

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Matthew R. Walsh, Deputy City Manager – Development

DATE: September 29, 2025

SUBJECT: Ordinance amending the Code of Ordinances, Title IV, Zoning Code, Chapter 28, Zoning Ordinance by amending the Glossary.

Recommendation:

Accept this report and set the attached Ordinance amending the Code of Ordinances, Title IV, Zoning Code, Chapter 28, Zoning Ordinance to amend the Glossary for public hearing on November 10, 2025.

Background:

Floor Area Ratio (FAR) is a zoning tool which is used to establish the density of a development by comparing the total gross floor area of a building to the size of the lot where the building is located. The City uses floor area ratio in a variety of contexts, including calculation of density in performance zoning districts.

In 2025, the legislature passed Senate Bill 283 (2025) which amended NH State Law RSA 674:77 and 674:78 relative to Floor Area Ratio. Specifically, SB 283 modified floor area ratio provisions for areas located below grade (i.e. underground), and excludes such areas from being included in density calculations related thereto. Senate Bill 283 was signed by the Governor on August 1, 2025, and took effect on September 30, 2025. A copy of the bill is attached for reference.

Discussion:

As a result of Senate Bill 283, the City must update its Zoning Ordinance by amending the Glossary to include revise the definition “below grade area”, as well as to revise the existing definition of floor area ratio to expressly exclude “below grade” areas for new construction.

The Planning Board reviewed these proposed amendments on September 17, 2025 and unanimously recommended adoption by the City Council.

Approval of these amendments will bring the Zoning Ordinance into compliance with State Law.