

SB 283 - AS INTRODUCED

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

---

ANALYSIS

This bill requires municipalities to exclude below-grade areas from floor-area-ratio (FAR) calculations and review and adjust height limitations as needed to maximize capacity and height potential for new construction.

-----

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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           III. Municipal planning boards and zoning boards of adjustment are authorized to review  
19 and approve new construction projects in compliance with this subdivision and other applicable local  
20 regulations.

21       674:79 Height Limitation. To maximize height potential for new construction, municipalities  
22 shall review and, if necessary, revise height limitations to align with the goals of this subdivision.

23       2 Effective Date. This act shall take effect 60 days after its passage.