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.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 New Subdivision; Maximum Capacity and Height Potential for New Construction. Amend RSA 674 by inserting after section 76 the following new subdivision:

Maximum Capacity and Height Potential for New Construction

674:77 Definitions. In this subdivision:

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

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

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

674:78 Amendment to Zoning Regulations.

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

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

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

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