

CHAPTER 301
SB 283 - FINAL VERSION

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 struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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:

1 301:1 New Subdivision; Maximum Capacity and Height Potential for New Construction. Amend RSA
2 674 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 parcel
6 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 ground
8 level, including basements, cellars, and sublevels.

9 III. "New construction" means any newly constructed building or structure, including those that
10 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 projects.

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

16 301:2 Contingency. If HB 631 of the 2025 general legislative session becomes law, RSA 674:77 and
17 674:78 as inserted by section 1 of HB 631 shall be renumbered as RSA 674:79 and 674:80, respectively.

301:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: August 01, 2025
Effective Date: September 30, 2025