

To see if the Town will vote to amend the zoning bylaw as follows:

*(Suggested changes from previous draft in bold italic/strikethrough)*

A. Delete Sections 1.3.7, definition of Gross Floor Area, and 1.3.8, definition of Net Floor Area, and replace them with new Sections 1.3.7 and 1.3.8 as follows:

1.3.7 FLOOR AREA,  
GROSS:

The total of all horizontal areas in all floors of a BUILDING, including without limitation basements, attics, and other storage areas, measured from the exterior faces of exterior walls, or from the centerline of a wall separating two attached BUILDING units, minus interior parking facilities, garages, and any space where the floor-to-ceiling height is less than six feet.

1.3.8 FLOOR AREA,  
NET:<sup>1</sup>

*The total of all floor areas in all floors of a BUILDING, minus:*

- *Areas not counted in GROSS FLOOR AREA.*
- *Exterior walls.*
- *Staircases with landings and platforms necessary for continuous circulation from one floor to another.*
- *Elevator and stair wells.*
- *Restrooms / bathrooms.*
- *Common hallways in multi-tenant BUILDINGS.*
- *BUILDING service areas.*
- *Unfinished attics accessible only via a hatch or opening measuring not more than 22 x 30 inches.*

---

<sup>1</sup> The attached spreadsheet shows a list of recent projects that were reviewed for Net Floor Area (NFA) and Gross Floor Area (GFA). The numbers are compiled from plan information, calculations, or estimates depending on how the information was presented in the project applications. In this sample, NFA comes to 79% of GFA on average. There are significant differences in the averages of residential, commercial, and industrial buildings. The spread is greater than 20 percentage points between residential and industrial. Also, striking is the difference in the NFA/GFA ratios between buildings that are historic, emulate historic design and appearance, or have otherwise a more “interesting design” externally and/or internally (in the spreadsheet: Spruce Corner, WAVE, Wetherbee Plaza II - #115, Exchange Hall, Bravo, Powers Gallery) – 74%, and the others – 81%.

These results lead me to suggest not using the 80% NFA/GFA ratio or any other formula approach. It would simply not be justice to the variety of buildings and the uses that they are designed for, and it would not be a zoning change with a neutral outcome or insignificant change. Further, it would seem to me that a formula approach might have the unintended consequence of discouraging better design by pushing building designers to maximize the NFA/GFA ratio.

While the proposal to set an 80% NFA/GFA ratio was on target for the average and would have greatly simplified zoning compliance reviews, I do not think it would have served the community well. Instead I am simply suggesting a rewrite of the GFA and NFA definitions to formalize the ZEO’s interpretation of the existing language, with the only significant change being the exclusion of attics from NFA if the attics are only accessible by a hatch with an opening that does not exceed the maximum building code requirement. This eases plan compliance review a little bit (not as much as the formula approach), because we would no longer have to calculate attic NFA based on ceiling height. However, attics that are accessible by regular stairs, elevators, or pull-down ladder (most standard ones require larger openings) would still have to count towards NFA to the extent the floor to ceiling height exceeds 6 feet or more.

- **Areas used for a Child Care Facility as defined in Section 3.4.6 of this Bylaw provided that such Child Care Facility is accessory to a PRINCIPAL USE located in the same BUILDING or on the same LOT.**

**For purposes of determining NET FLOOR AREA, measurements to, from, or along interior walls shall be made on the centerlines of such walls.**

~~Eighty percent (80%) of the GROSS FLOOR AREA as defined in Section 1.3.7, minus any areas used for a Child Care Facility as defined in Section 3.4.6 of this Bylaw provided that such Child Care Facility is accessory to a PRINCIPAL USE located in the same BUILDING or on the same LOT.~~

*[Note – Sections 1.3.7 and 1.3.8 currently read:*

*1.3.7 FLOOR AREA, GROSS: The sum of the gross horizontal areas of the several floors of a BUILDING measured from the exterior face of exterior walls, or from the centerline of a wall separating two BUILDINGS, but not including interior parking spaces, loading space for motor vehicles, or any space where the floor-to-ceiling height is less than six feet.*

*1.3.8 FLOOR AREA, NET: The total of all floor areas of a BUILDING including basement and other storage areas, but not including stairways, elevator wells, rest rooms, common hallways and BUILDING service areas, and not including areas used for a Child Care Facility as defined in Section 3.4.6 of this Bylaw provided that such Child Care Facility is accessory to a PRINCIPAL USE located in the same BUILDING or on the same LOT.]*

- B. In Section 7 4.1, insert the words “EXTERIOR or FREESTANDING” before the first appearance of the word “SIGN”.

*[Note – Section 7.4.1 currently reads:*

*7.4.1 Design – In the Village Districts no visible portion or exterior surface of any SIGN shall be made of plastic, other petroleum based products, or sheet metal, except that in the EAV District such materials may be used provided that the visible portions and exterior surfaces of a SIGN have a wooden appearance.]*

- C. In Section 8.2.3.1 delete the words “in BUILDING area” in each of its Sub-sections a) and b).

*[Note – Section 8.2.3.1 currently reads:*

*8.2.3.1 In a Residential District a nonconforming USE may not be extended in area, except that,  
a) nonconforming Two-FAMILY Dwellings may be extended in BUILDING area by right, and  
b) nonconforming Multifamily Dwellings may be extended in BUILDING area by special permit from the Board of Appeals.]*

, or take any other action relative thereto.

## SUMMARY

- A. This part

***(a) clarifies the definitions of Gross Floor Area and Net Floor Area consistent with years of interpretation practice of the existing language and (b) slightly eases zoning compliance reviews by adding a provision that attics without full access shall not be counted as Net Floor Area.***

~~*(a) clarifies the definition of Gross Floor Area consistent with years of interpretation practice, and (b) simplifies the definition of Net Floor Area to ease administration, plan review, and zoning enforcement.*~~

Net Floor Area is the dimension used in the Zoning Bylaw for determining Floor Area Ratio, which is used in many zoning districts and special land use provisions to regulate buildings’ densities and overall massing relative to the lots they sit on. Gross Floor Area plays a lesser role

in the Zoning Bylaw. It is used only for regulating the sizes of accessory apartments, and setbacks and separation standards for certain larger buildings in Planned Conservation Residential Communities (PCRCs). ~~While buildings' designs, purposes, and uses vary, the areas currently excluded from Net Floor Area – exterior wall space, stairways, elevator wells, rest rooms, common hallways, and building service areas – on average make up about 20% of a building's Gross Floor Area.~~

- B. The change to the sign regulations would exempts interior signs – such as internally affixed window signs – from the material standards applicable in village districts.
- C. The change would allow that extensions of non-conforming uses (by right for nonconforming two-family dwellings; by special permit for non-conforming multi-family dwellings) are not solely limited to the building. In a recent case before the ZEO, the addition of a modest off-street parking space for a non-conforming two-family dwelling may have technically not been approvable because it was not an extension of the building itself. However, an extension or addition of a garage would have been clearly covered under the current language of section 8.2.3.1.

Direct inquiries to: Roland Bartl, Planning Director: [planning@acton-ma.gov](mailto:planning@acton-ma.gov) / (978) 264-9636  
Selectman assigned:

**Board of Selectmen:**  
**Finance Committee:**  
**Planning Board:**

ARTICLE ZA (2011ATM) # AMEND ZONING BYLAW - CLARIFICATIONS, CORRECTIONS & MINOR CHANGES; Part A. (GFA v. NFA)

Recent Projects

Name	Location		GFA (sf)	NFA (sf)	NFA/GFA
Spruce Corner	West Acton - Arlington/Spruce	corner bldg.	9419.00 plan	7451.00 calc	79% mixed use
		U 4&5	5090.00 plan	3685.00 calc	72% residential
		U 6&7	6026.00 plan	4642.00 calc	77% residential
		Total	20535.00	15778.00	77% mixed use
Cappizzi	820 Main St.		4000.00 plan	3725.00 est	93% storage building
WAVE	West Acton - Mass. Ave./Spruce		49237.00 plan	33045.00 plan	67% commercial
TD Bank			2951.00 plan	2497.00 est	85% commercial
Wetherbee Plaza II	Great Road - East Acton	#107	6780.00 est	6125.00 plan	90% commercial
		#113	7200.00 est	5700.00 est	79% mixed commercial/residential
		#115	2614.00 est	1850.00 plan	71% commercial
		Total	16594.00	13675.00	82% mixed use
Millwright Bldg.	77 Powder Mill Rd.		15744.00 calc	13829.00 calc	88% commercial
McDonalds - East Acton	55 Great Rd.		5862.00 calc	5109.00 plan	87% commercial
Bella Famiglia (with Gy)	59 Great Rd.		8629.00 est	8262.00 plan	96% commercial
CSM & Co.	525 Main St.		11824.00 est	10725.00 est	91% commercial
Mini Warehouse Realty	133 Great Rd.		10980.00 est	7407.00 plan	67% commercial
Sorrento's (before addit)	253 Main St.		4042.00 est	3700.00 est	92% commercial
Exchange Hall	2 School St		10122.00 est	7809.00 plan	77% commercial
Bravo	288 Main St		16508.00 est	13852.00 est	84% residential
Powers Gallery	144 Great Rd		5637.00 plan	3773.00 plan	67% commercial
Mini Warehouse Realty	864 Main St		9266.00 plan	8695.00 plan	94% industrial
Quarry Road - Lot 1	29 Quarry Rd		3166.00 calc	2047.00 calc	65% residential
		31 Quarry Rd	3166.00 calc	2047.00 calc	65% residential
		33 Quarry Rd	3166.00 calc	2047.00 calc	65% residential
		35 Quarry Rd	3166.00 calc	2047.00 calc	65% residential
Average Overall					79%
Average Residential					70%
Average Commercial					81%
Average Industrial					93%
Average Mixed Use					79%
Average - "interesting design" or historic					74%
Average - simple design/not historic					81%