

SECTION 3.

TABLE OF PRINCIPAL USES, PRINCIPAL USE DEFINITIONS AND ACCESSORY USE REGULATIONS

Note: This Section of the Bylaw has three major parts; the "Table of PRINCIPAL USES", "PRINCIPAL USE Definitions", and the "ACCESSORY USE Regulations" which should be consulted to determine the PRINCIPAL and ACCESSORY USES or activities which are allowed on any parcel of land in Acton. The Flood Plain District and Groundwater Protection District are overlay districts, which are superimposed on all other zoning districts. The reader is advised to consult the Flood Plain District regulations (see Section 4.1) or the Groundwater Resource Protection District regulations (see Section 4.3) in all cases because they may also apply to the land in question.

Table of PRINCIPAL USES - The Table of PRINCIPAL USES designates which PRINCIPAL land USES are allowed in each zoning district. Each PRINCIPAL USE category listed on the left hand column of the table corresponds to one of the PRINCIPAL USE definitions found in Sections 3.2 through 3.7.

PRINCIPAL USE Definitions - Sections 3.2 through 3.7 contain the definitions of the PRINCIPAL land USES classified by the Bylaw.

ACCESSORY USE Regulations - Section 3.8 contains the regulations applicable to USES which are ACCESSORY to PRINCIPAL land USES permitted in the various districts.

- 3.1 Provisions for Table of PRINCIPAL USES and PRINCIPAL USE Definitions** – No land, STRUCTURE, or BUILDING shall be used except for the purposes permitted in the district as set forth in this section, except where other regulations apply due to overlay districts or special permit provisions as set forth in this Bylaw. The words used to describe each PRINCIPAL USE contained in Sections 3.2 through 3.7, inclusive, are intended to be definitions of such USES.
- A USE is permitted by right in any district under which it is denoted by the letter "Y".
- A USE is prohibited in any district under which it is denoted by the letter "N".
- A USE denoted by the letters "SPA" may be permitted by special permit from the Board of Appeals.
- A USE denoted by the letters "SPP" may be permitted by special permit from the Planning Board.
- A USE denoted by the letters "SPS" may be permitted by special permit from the Board of Selectmen.
- Where any USES permitted by right or by special permit are followed by the letter "R" in the Site Plan Special Permit column, a Site Plan Special Permit is required from the Board of Selectmen in accordance with Section 10.4 and where the letters "NR" appear in the Site Plan Special Permit column, a Site Plan Special Permit is not required.

Note: See Section 10.3 for requirements applicable to special permits, and Section 10.4 for requirements applicable to a site plan special permit.

- 3.1.1** If an activity might be classified under more than one of the PRINCIPAL USE definitions, the more specific definition shall determine whether the USE is permitted. If the activity might be classified under equally specific definitions, it shall not be permitted unless both PRINCIPAL USES are permitted in the district.

TABLE OF PRINCIPAL USES
 PRINCIPAL USES listed in this Table are subject to provisions in corresponding Section 3.

PRINCIPAL USES	RESIDENTIAL DISTRICTS				VILLAGE DISTRICTS				OFFICE DISTRICTS			BUSINESS DISTRICTS				INDUSTRIAL DISTRICTS				SP. DIST.	SITE PLAN
	R-2 R-4 R-8 R-8/4 R-10 R-10/8	R-A R-AA VR	EAV EAV-2 NAV SAV WAV	OP-1 OP-2	KC LB PM	GI LI SM(1)	TD	ARC													
3.2 GENERAL USES																					
3.2.1 Agriculture	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NR	
3.2.2 Conservation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NR	
3.2.3 Recreation	SP	SPP	SPP	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	NR	
3.3 RESIDENTIAL USES																					
3.3.1 Single FAMILY Dwelling	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NR	
3.3.2 Single FAMILY Dwelling with one Apartment	Y(2)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NR	
3.3.3 Two-FAMILY Dwelling	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NR	
3.3.4 Dwelling Conversions	SPA	SPA	SPA	SPA	SPA	SPA	SPA	SPA	SPA	SPA	SPA	SPA	SPA	SPA	SPA	SPA	SPA	SPA	SPA	NR	
3.3.5 Multifamily Dwelling	N	SPS	Y	SPA(3)	Y(3)	Y(3)	N(4)	Y(3)	N	N	N	N	N	N	N	N	N	N	N	R	
3.4 GOVERNMENT INSTITUTIONAL & PUBLIC SERVICE USES																					
3.4.1 Municipal	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NR	
3.4.2 Educational	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NR	
3.4.3 Religious	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NR	
3.4.4 Nursing Home	SPS	SPS	SPS	SPS	N	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	R	
3.4.5 Public or Private Utility Facilities	N	N	N	N	SPS	SPS	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	R	
3.4.6 Child Care Facility	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NR	
3.4.7 Other Public Use (5)	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	R	
3.4.8 Full Service Retirement Community	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	R	
3.4.9 Assisted Living Residence (6)	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	N	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	R	
3.4.10 Wireless Communication Facility (7)	SPP	SPP	N	N	N	SPP	N	N	SPP	N	SPP	SPP	SPP	N	SPP	SPP	SPP	SPP	SPP	NR	
3.4.11 Commercial Education or Instruction	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	R	
3.5 BUSINESS USES																					
3.5.1 Retail Store	N	N	N	Y(8)	SPS(11)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	R	
3.5.2 Office	N	N	N	Y(8)	SPS(11)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	R	
3.5.3 Health Care Facility	N	N	N	N	Y	SPS(11)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	R	
3.5.4 Hospital, Medical Center	N	N	N	N	N	N	N	N	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	R	
3.5.5 Restaurant (9)	N	N	N	N	SPS(8)	SPS	SPS	SPS	N	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	R	
3.5.6 Combined Business & Dwelling	N	N	N	N	Y(8)	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	R	
3.5.7 Hotel, Motel, Inn, Conference Center	N	N	N	N	SPS	SPS	SPS	SPS	N	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	R	

NOTES FOR TABLE OF PRINCIPAL USES

- (1) See also Section 10.4.3.12 - Special Provisions Applicable in the SM District, for special USE restrictions in oversized BUILDINGS.
- (2) A Single FAMILY Dwelling with one Apartment shall require a Special Permit from the Board of Appeals, if located on a LOT with less than 15,000 square feet in LOT area, or if the Apartment is located in a detached BUILDING. See Sections 3.3.2.9 and 3.3.2.10 of USE Definitions.
- (3) Not more than four DWELLING UNITS shall be permitted per multifamily dwelling. In the VR District a Site Plan Special Permit shall not be required. In the SAV district, the Board of Selectmen may by Special Permit allow more than four DWELLING UNITS per Multifamily Dwelling.
- (4) Multifamily dwellings created under the provisions of Section 5.4 and Section 5.5 shall be permitted.
- (5) If the proposed USE will be located in the Floodway Fringe, as defined in Section 4.1, or Zones 1, 2 or 3 of the Groundwater Protection District, as defined in Section 4.3, before granting a special permit under this Section the applicant shall submit the information required under Sections 4.1 or 4.3 and the Board of Selectmen shall find that the proposed USE complies with the requirements of Sections 4.1.8.1 and 4.1.9, and 4.3.8 through 4.3.10 respectively.
- (6) Assisted Living Residences with 10 or fewer residents shall not require a Special Permit or Site Plan Special Permit.
- (7) Refer to Section 3.10 for specific standards for Wireless Communication Facilities and for certain categorical exemptions from the requirements set forth in the Table of PRINCIPAL USES.
- (8) Provided that the owner of the property resides on the property, the business USE is limited to 500 square feet of NET FLOOR AREA, and all parking spaces are provided to the rear or side of the BUILDING. For purposes of this footnote, the owner shall be defined as one or more individuals residing in a DWELLING UNIT who hold legal or beneficial title and for whom the DWELLING UNIT is the primary residence for voting and tax purposes. The business USE hereunder shall not be deemed a home occupation. Home occupations are authorized separately under Section 3.8.1.2. Site Plan Special Permit shall not be required. Hours of business operation shall be limited to 7 AM to 9 PM Monday through Saturday, except hours of retail sale shall be limited to 7 AM to 7 PM Monday through Saturday. Exterior lighting fixtures for the business USE shall not be illuminated except during hours of business operation.
- (9) No Special Permit shall be required for a Restaurant with 10 seats or less.
- (10) No Special Permit shall be required for Commercial Recreation facilities with a NET FLOOR AREA of less than 2,000 square feet.
- (11) No Special Permit shall be required for this USE if its NET FLOOR AREA is 5000 square feet or less.