

Draft Planning Commission Recommendation for Defining Gross Floor Area

Adopted by the Menlo Park Planning Commission August 11, 2008

The Menlo Park City Council asked the Planning Commission to recommend revisions to the definition of Gross Floor Area. The Council's goal is to eliminate ambiguity and eliminate the possibility for "creep" in building square footage (SF). At the same time, the Council asked the Commission to consider the merits of possible exclusions. The Mayor has asked the Commission for a written summary.

Proposed Exclusions

The commission is aware that the community does not want spurious exclusions which merely benefit the developer. But we are also aware that Council wanted us to consider cases where public benefits are available from allowing exclusions. As an overarching concept, the commission's recommendation allows exclusions that meet two tests:

- The exclusion would create public benefit, such as reducing noise or visual impacts on neighbors or providing greater building amenity to the community,
- The exclusion is not expected to significantly increase use intensity over what would otherwise be expected.

The Commission recommends the following significant exclusions. These exclusions are largely consistent with previous implementation of GFA.

Noise Generating Mechanical Areas

The commission recommends that the GFA definition exclude "areas that house noise-generating building mechanical systems." As reference, a building's mechanical equipment may easily be located outside, either on the roof top or on the ground, and meet our Noise Ordinance (<50db at the property line during 10pm-7am; <60db daytime). And yet, locating the equipment inside the building would create significantly less noise impact on neighbors. All of Menlo Park's commercial zoning districts limit the amount of square feet (SF) that can be built on a lot. A property owner is unlikely to place the equipment indoors where it will count against the SF limit when they can put the equipment outside and make the SF useable. The Commission believes that without the exclusion the equipment will be located outside, so allowing extra SF to enclose the equipment will not increase use intensity. And, exempting areas that enclose mechanical equipment creates the community benefit of reducing noise below the Noise Ordinance threshold.

Stairwell Shafts

The commission recommends that the GFA definition count stairwells only once, rather than once per floor. Property owners have a strong incentive to minimize shaft space inside a building if it counts against the allowed maximum SF, because shafts are not counted as rentable space. Stairwells play two roles in a building; they provide required fire egress and daily access for users. Egress codes typically require stairwells on multiple sides of a building. And egress codes can be met by using steel stairways attached to the exterior of the building, where it is open to the elements but would not count against GFA. In our mild climate, main entry stairs are frequently located on the exterior of a building where they do not count against allowed SF. The Commission believes that without this exclusion egress and main stairwells will virtually always be provided outside, so allowing extra SF to enclose stairways will not increase use intensity. Yet, exempting

these stairways can provide the community with a wider variation of building appearances, and buildings catering to less vigorous persons will have some incentive to provide stairways sheltered from the elements. Stairs that are attractive generally to more users year round encourage use over elevators.

Elevator Shafts

Since Menlo Park's commercial zoning districts typically limit building height to two stories, building owners typically attempt to meet the need for upper-story access with exterior stairways, which do not count against total SF. Therefore, without this exclusion, we expect buildings won't have elevators, so allowing additional SF to provide elevators will not increase use intensity. Yet, many uses, such as medical office buildings that cater to the elderly and nicer "class A" offices, would serve the community better if equipped with elevators. If elevator shafts are counted on every floor, then we can expect elevators only where mandated. Counting elevator shafts only once will encourage property owners to better serve the community. Note: elevator lobbies would still count on each floor.

Other Non Occupiable Spaces

Similar to noise generating spaces, the Commission recommends exempting several other types of space that offer visual amenity to the community. Notably, these include covered parking and trash/recycle rooms. Parking enclosed or provided below grade is very expensive but greatly improves aesthetics. Trash and recycle rooms may be less obtrusive within a building, but require more space than a "trash enclosure" in a parking lot.

Note on Bulk

Although adding elevators and enclosing stairs will likely increase a building's volume, prohibiting the aforementioned exclusions would not be an effective control over bulk. Several buildings in town, notably the Casa Mills building at 200 Middlefield Rd., have very large unenclosed center courtyards that greatly increase building bulk without increasing GFA. If the City wishes to control bulk, it would be better to do that with an explicit bulk control, rather than by precluding the potential benefits of the above exclusions.

Handling Pre-existing Conditions

If the Council agrees with the Commission and adopts all of the exclusions identified above, then the discrepancies between the new and old rules will be very small. In that case, the Commission recommends a simple, low-overhead, approach to allowing exceptions for pre-existing conditions; in fact, the Commission believes that processing can be greatly simplified by simply precluding exceptions from the new rule. However, if Council does not adopt all the above exclusions, then there will likely be a number of properties where the change in GFA will cause a significant change in a property owner's allowed GFA; and the Commission would recommend that Council adopt staff's recommended means of honoring pre-existing conditions.

Environmental Review

The Commission recommends that Council make the finding that none of the above exclusions require additional CEQA review because they are substantially the same as what staff had used as the definition of GFA and do not significantly increase use intensity.