

5.1 OFF-STREET PARKING AND LOADING.

5.1.1 Purpose.

The objectives of this section are as follows:

1. Promote traffic safety by assuring adequate places for storing of motor vehicles and for their orderly access and egress to and from the streets;
2. Increase the traffic-carrying capacity of streets and highways ~~in the town~~ and obtain a more efficient utilization of parking;
3. Reduce hazards to pedestrians, sidewalks, and bicyclists;
4. Promote clean air, and sustainability, and reduce reliance on fossil fuels; and
5. Protect adjoining lots and the public from nuisances and hazards such as:
 - a. Noise, glare of headlights, dust, and fumes resulting from the operation of motor vehicles;
 - b. Glare and heat from parking lots;
 - c. A lack of visual relief from expanses of paving; and
 - d. Accelerated runoff of surface water from land covered by impervious materials.

5.1.2 Applicability.

No building permit or certificate of occupancy shall be issued for the construction of a new building, the enlargement of an existing building, the development of a use not located in a building, the redevelopment of an existing building, or the change from one type of use to another, unless off-street parking is provided in accordance with this Section 5.1.

5.1.3 Interpretation of this Section.

The following rules for interpretation of this section shall apply:

1. *Fractional Numbers.* In the computation of required parking spaces, only the fraction of 1/2 or more shall be counted as one space.
2. *Number of Employees.* Where the parking requirement is based on the number of employees, the number shall be based on the number of employees on the largest shift.
3. *Change of Use.* For the purposes of this section 5.1, a change of use shall be a change in part or all of an existing building or lot from one use category to another as permitted in the Table of Use Regulations.

4. *Maximum Rate Occupancy.* The maximum floor area allowances permitted per occupant as required in the Massachusetts State Building Code.

5.1.4 Parking Space Requirements.

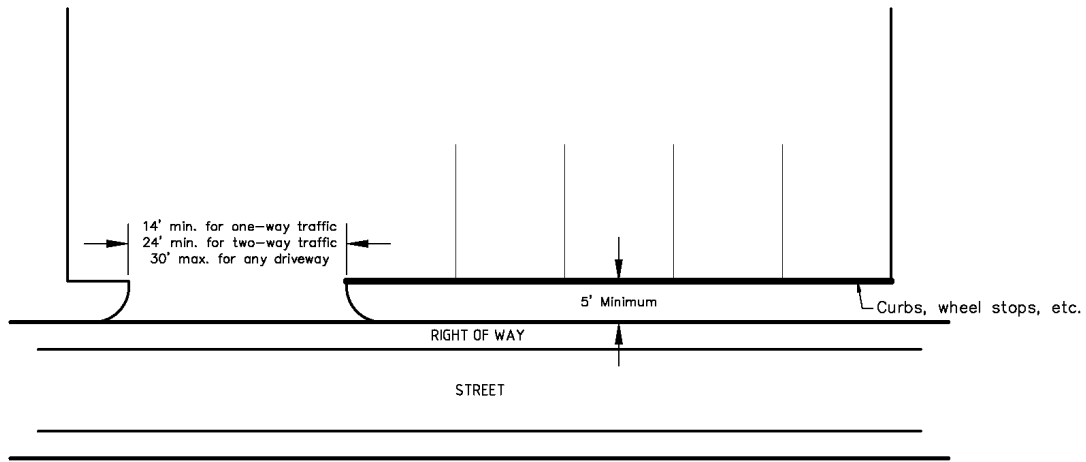
Appendix A, Table 3, Off-Street Parking Requirements, establishes the minimum number of parking spaces required for the corresponding type of use. Where a use is not specifically included in Table 3, the regulations for the most nearly comparable use, as determined by the Building Commissioner, shall apply.

5.1.5 Design Standards.

The following design standards shall apply to vehicular parking areas for uses other than a one-family or two-family dwelling:

1. *Parking Dimensions.* The minimum dimensions of parking spaces and maneuvering aisles shall be as shown in Appendix A, Table 4, Parking Dimensions.
2. Parking Layout.
 - a. Access to and egress from all parking areas shall be only via driveways that meet the design standards of Section 5.1.5.4;
 - b. All portions of all parking spaces, loading areas, and maneuvering aisles shall be set back a minimum of five feet from any street or way and a minimum of five feet from any property line. Curbs, wheel stops, screening, or similar barriers shall be installed along the setback line for parking and loading to prevent vehicles from being parked or driven within required setback areas or required landscaped areas;
 - c. Each required off-street parking space and loading area shall be designed so that any motor vehicle may proceed to and from it without requiring the moving of any other vehicle or the passing over any other parking space or loading area;
 - d. The circulation system in each parking area shall be designed so that all vehicles may exit from and enter into the adjacent street or way by being driven in a forward direction and no vehicle shall be required to enter or leave by backing out; and
 - e. All required parking areas shall be paved, use a permeable system, or combination of the two in order to achieve an all weather surface that is load bearing, can be plowed, supports stormwater management, and will be free of dust and debris. All parking spaces shall be marked to delineate parking spaces and aisles;. and
 - f. Snow storage areas shall be designed in the parking lot layout. They shall not be placed in such a way as to prevent clear sight lines along the exit or entrance.

SECTIONS
5.1.5.2a
5.1.5.2b
5.1.5.4b



3. Parking for People with Disabilities.

- a. Parking facilities shall provide parking spaces designed for people with disabilities in accordance with the rules and regulations of the Massachusetts Architectural Access Board (AAB);
- b. Each parking space shall be clearly marked by a sign and shall be located near the entrance of the building served.

4. Driveways.

- a. The maximum number of driveways permitting entrance to and exit from a lot shall be limited to two per street line;
- b. The minimum width of a driveway used for two-way traffic shall be 24 feet. The minimum width of a driveway used for one-way traffic shall be 14 feet. The maximum width shall not exceed 30 feet;
- c. Driveways shall be located to minimize conflict with traffic on the street and where good visibility and sight distances are available to observe approaching pedestrian and vehicular traffic.

5. Loading Areas.

- a. An adequate number of off-street loading areas shall be provided for any use that may be serviced by delivery vehicles;
- b. Loading areas shall be located in the side or rear yards only;

- c. Each loading area shall be located separately from employee and customer parking and shall be designed to protect pedestrian and bicycle safety and avoid traffic conflicts with vehicles within, without, and entering and leaving the lot where the loading area is located;
 - d. No area may be utilized and counted as both a required parking space and a required loading area; and
 - e. Each loading area shall consist of a bay measuring at least 30 feet long, 12 feet wide, and 14 feet high if covered and a maneuvering space equal to the length of the bay.
6. *Maintenance.* Parking areas, loading spaces, and landscaping shall be continuously maintained, and whenever necessary, surfacing, lighting, parking space markings, and plantings shall be replaced or repaired, and drainage structures maintained. Failure to adequately maintain parking facilities shall be deemed a violation of this bylaw.
7. *Electric Vehicle (EV) Charging Stations.* In any residential or nonresidential development EV charging stations shall be installed as may be required by 780 CMR (Massachusetts State Building Code).
8. *Bicycle Parking.* The following requirements shall apply to bicycle parking:
 - a. For purposes of this bylaw, a bicycle parking space is an area within which one intact bicycle may be conveniently and securely stored and removed in an upright position with both wheels resting on a stable surface without requiring the use of a kickstand, and without requiring the movement of other parked bicycles, vehicles, or other objects to access the space;
 - b. Long-term bicycle parking is intended primarily to serve residents, employees, or other people who would require storage of a bicycle for a substantial portion of the day, for an overnight period, or for multiple days. Short-term bicycle parking is intended primarily to serve visitors, such as retail patrons making trips of up to a few hours to a particular use;
 - c. The Planning Board may adopt rules and regulations and guidelines for the design and placement of bicycle racks for long-term and short-term bicycle parking.
9. *Pedestrian Access and Walkways.*
 - a. Pedestrian access shall be provided through improved pathways, stairway access, or other physical improvements, and shall be clearly marked;
 - b. Direct and vital pedestrian access shall be provided to other abutting commercial properties or open space or other recreation facilities, and shall serve to improve safe pedestrian circulation;

- c. Walking and biking paths shall be provided to connect the parking lot and sidewalks or open space or other recreation facilities in a manner that safely accommodates pedestrian, bicycle, and vehicular traffic.

10. Landscaping.

- a. Each parking area shall have interior and perimeter landscaped areas ~~planted primarily with native species which~~ that meet the design guidelines or as specified in the bylaw provisions of the Zoning Bylaw and associated design guidelines;
- b. The Planning Board may adopt rules and regulations and design guidelines for parking area landscaping.

11. Lighting.

- a. Lighting shall provide safety and security for users and shall be designed and installed so as to prevent glare or overspill from the light source onto adjacent property or into public ways. The direction of lighting, intensity of lighting, and selection of fixtures and bulbs shall be consistent with Dark Sky best practices except where standard industry practices related to security measures for individual uses require more intense temporary lighting measures, and shall be Dark Sky compliant;
- b. Light fixtures shall be provided in the parking area for safe vehicular and pedestrian travel. The height and placement of fixtures shall be designed to distinguish parking areas from pedestrian walkways or sidewalks, and shall be placed so as to prevent conflict with landscaping.

5.1.6 Parking in Apartment Districts (APT).

The following parking requirements shall apply to APT districts:

1. Location. Required spaces shall be located either in an off-street paved area or in a garage or carport.
2. Proximity to Dwelling. The spaces shall be located within 200 feet from the outside entrance to the dwelling unit served.
3. Driveway. Any spaces located in a driveway providing access to more than one dwelling unit shall not reduce the effective width of the driveway to less than 12 feet.
4. Applicability of Minor Residential Ways. Any way or driveway providing principal access to six or more dwelling units or eight or more parking spaces shall conform to applicable provisions of the Planning Board regulations for minor residential ways. To confirm the extent of conformity, the Zoning Board of Appeals shall request a report from the Planning Board before granting a special permit.
5. Landscaping. Each paved parking area shall have interior landscaping areas, primarily

planted with shade trees, equivalent in size to at least 5 percent of the parking area's total pavement area. The Planning Board may approve a smaller amount of interior landscaping where an alternative design better achieves the purposes of the Zoning Bylaw including, but not limited to, the use of landscaping as part of a stormwater management system.

5.1.7 Parking in General Business Districts (GB).

The following parking requirements shall apply to GB Districts:

1. *Location.* The required number of off-street spaces shall be provided on the same lot as the use or uses in question except as provided below or unless the Planning Board grants a special permit for a change in parking space requirements pursuant to Section 5.1.9+2.
2. *No Additional Spaces.* No additional parking spaces shall be required for a proposed use in an existing building if:
 - a. The change of use or rearrangement of uses does not result in an increase in the number of required parking spaces;
 - b. The total number of parking spaces required for a particular use, including a particular use in an existing multi-use building, is six spaces or less. This shall not apply to proposals involving the total renovation/redevelopment of a structure; and
 - c. Having applied subsections a. and b. above, a proposed change of use results in a net increase of 10 spaces or less. If the change of use results in a net increase of more than 10 spaces, then the total number of parking spaces shall be provided.
3. *Multiple Uses Sharing a Common Parking Lot.* For two or more uses on a common lot, the minimum required number of spaces shall be 75 percent of the sum of the spaces required for each use individually. The required number of spaces on a common lot may be further reduced by a special permit under Section 5.1.9+2 if it can be shown that a lower total number of spaces will serve all uses adequately, as determined by the Planning Board or special permit granting authority.
4. *Extension or Alterations of Nonconforming Buildings and Uses.* Extensions or alterations of a preexisting, nonconforming building or use that requires a special permit under Section 9.4 shall provide only the additional number of parking spaces that would be required for the extension or alteration.
5. *Replacement After Catastrophe.* The following parking requirements shall apply to a building or structure that has been damaged by fire, explosion, or other catastrophe:
 - a. If a building or structure that did not conform to Table 3, Off-Street Parking Requirements, is rebuilt not to exceed its pre-catastrophe size and if no change in use occurs, continuance of that nonconformance will be allowed;

- b. Any change in use shall require the building or structure to conform to Table 3, Off-Street Parking Requirements;
 - c. If a building or structure is rebuilt to exceed its pre-catastrophe size, the additional number of parking spaces that would be required for the excess floor area must be provided.
6. *Compact Car Spaces.* In parking lots of more than 40 parking spaces, up to 30 percent of the spaces may be designed for compact cars to service all-day parkers in accordance with the design standards of Appendix A, Table 4. Compact car stalls shall be grouped in one or more contiguous areas and conspicuously identified by signs or pavement markings.

5.1.8 Parking in Industrial Districts.

The following parking requirements shall apply to Industrial Districts:

1. Adequate off-street parking must be provided on the premises to service all parking demand created by new construction, whether through new structures or through additions to existing ones, or by change of use creating higher parking demands.
2. In applying for building or occupancy permits, the applicant must demonstrate that the minimum parking requirements set forth below shall be met for the new demand without counting existing parking.
3. Only one driveway or entranceway will be permitted in any 150 feet of frontage unless the frontage is less, in which case, only a driveway or entrance way to the property will be permitted.
4. Each parking area shall contain no more than 240 parking spaces.
5. There shall be no more than 30 parking spaces in any uninterrupted row.
6. Each parking area shall be enclosed (except for access points) by a landscaped buffer not less than 12 feet wide, planted with shade trees.
7. Each parking area shall have interior landscaping areas, primarily planted with trees, equivalent in size to at least 5 percent of the parking area's total pavement area. [The Planning Board may approve a smaller amount of interior landscaping where an alternative design better achieves the purposes of the Zoning Bylaw including, but not limited to, the use of landscaping as part of a stormwater management system.](#)
8. The size of a parking space may be reduced to a compact car space as presented in Appendix A, Table 4, for those spaces serving all-day parkers. Uses that generate frequent parking space turnover shall be required to have the standard size parking spaces.

9. In the Industrial D District, no off-street parking shall be located within 50 feet of the street line of any public way or internal access road on which the building fronts.

5.1.9 Parking Requirement Special Permit

1. The Planning Board may grant a special permit to reduce the number of parking spaces required if the applicant satisfactorily demonstrates one or more of the following:
 - a. *Shared Private Parking Facilities.* Shared private parking facilities for different buildings or uses:
 - i. Up to 50 percent of the parking spaces serving a building may be used jointly for other uses not normally open, used, or operated during similar hours. The applicant shall have the burden of proof with respect to the suitability for uses to share a common parking facility.
 - ii. A written common parking facility agreement defining the joint use acceptable to the Planning Board shall be executed by all parties concerned and approved by the Planning Board as part of the special permit process. The agreement shall be recorded with the Northern Essex Registry of Deeds; and
 - iii. Any subsequent change in land uses for which the shared parking proposal was approved, and that results in the need for additional parking spaces, shall require a new special permit application under this subsection.
 - b. *Remote (Satellite) Parking Areas:*
 - i. The satellite parking spaces will be used solely by the employees and, where practicable, clientele of the commercial use; and
 - ii. The off-site parking spaces shall be located to adequately serve the proposed use and shall be within 600 feet of the building served for clientele of the commercial use. Off-site parking for employees of the business may be located within 1,200 feet unless shuttle vehicle arrangements are provided as a condition of the special permit. The parking distance shall be measured by the shortest route of pedestrian access, entrance to entrance.
 - c. *Reserve Parking.* The petitioner shall present a site plan showing that all parking spaces needed to meet the requirements of Appendix A, Table 3 could be built on the site. The spaces to be waived shall be marked "Reserve Parking Area(s)" on the plan, which shall be kept on file with a copy of the Planning Board's special permit decision. The reserve parking area(s) shall be maintained as landscaped areas unless the Planning Board determines within 2 years of the issuance of the final certificate of occupancy that the additional parking spaces are required, in which case the spaces shall be constructed. No improvement other than parking spaces will ever be allowed in this area except open air amenities for employee use, such as outdoor recreation

facilities, park benches, and the like.

- d. *Alternative Parking Lot Design.* The design of a parking lot may differ from the requirements of Appendix A, Table 4 if approved by the Planning Board under Site Plan Review, provided that such design satisfies the objectives of Section 5.1. and the design is prepared by a professional engineer or landscape architect.
2. *Special Permit Decision.* Remote parking lots, shared parking lots, or any enforceable alternatives that the Planning Board deems reasonable may be allowed based on the following criteria and other applicable provisions presented in this subsection:
 - a. The capacity, location, and current level of use of existing parking facilities, both public and private;
 - b. The efficient and maximum use of the General Business District in terms of parking needs and services provided;
 - c. The relief of traffic and parking congestion;
 - d. The safety of pedestrians;
 - e. The provision of reasonable access either by walking distance or shuttle vehicle arrangements; and
 - f. The maintenance of the character of the area.

5.1.10. Parking in Single-Family Residential A (SRA).

For the creation of new multifamily dwellings, family dwelling units, or the conversion to two-family or multifamily dwellings in the SRA District, all parking spaces shall be located in a side yard, rear yard, or garage. Only driveways may be located in the front yard. (Single-family houses are excluded from this regulation.)