

## **ARTICLE 7 PARKING & ACCESS REGULATIONS**

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### **SECTION 7.0 GENERAL REQUIREMENTS**

7.00 In all districts except Educational Districts, off-street parking spaces shall be provided and maintained in connection with the construction, conversion or increase in dwelling units or dimensions of buildings, structures or use. The provisions of this section shall apply to parking spaces for cars, vans, light trucks, and similar vehicles used predominantly for personal transportation. Parking for commercial vehicles or vehicles used for private or public transit shall be governed under the provisions of Sections 7.1, 7.3 and 7.5. Except as may be required otherwise by the Permit Granting Board or Special Permit Granting Authority, as applicable, parking spaces shall be provided in at least the following minimum amounts.

7.000 For dwellings, including apartments:

7.0000 Two (2) parking spaces for each dwelling unit.

7.0001 Parking spaces for cars or similar vehicles shall be on a paved surface such as concrete, bituminous asphalt, masonry pavers, oil and stone, gravel, trap rock, or a similar material (see Section 7.101).

7.0002 In any residential district, there shall be a maximum of two (2) cars or similar vehicles allowed to be parked in the front setback of any property. Parking in the front setback shall be on paved surfaces only. Where five (5) or more cars are regularly parked on a given property in association with a residential use, parking in the front setback shall be designed so as to ensure free passage at all times for regular users and unrestricted access for emergency vehicles.

7.001 For all other places with sleeping accommodations, including rooming houses, lodging or boarding houses, fraternity and sorority buildings, hotels, motels, inns, bed and breakfasts, hospitals, and nursing homes - one (1) parking space for each bedroom for single or double occupancy; or, where not divided into such rooms (as in a dormitory or ward) - one (1) space for every two beds. For hostels, one (1) parking space shall be provided for every five (5) beds.

7.002 For places of public assembly, including libraries, museums, clubs, restaurants, theaters, bowling alleys and other amusement centers, funeral establishments, trade schools and bus depots - one (1) parking space for each four (4) seats or, where benches are used, one (1) space for each eight (8) lineal feet of bench. Where no fixed seats are used (as in a museum), there shall be one (1) parking space provided for each 80 square feet of public floor area.

7.003 Religious and Educational Uses

7.0030 For places of public assembly for educational or religious use, one (1) parking space for every four (4) seats, or where benches are used, one (1) space for each eight (8) lineal feet of bench. Where standing room and/or seating on the floor is to be used, there shall be one (1) parking space provided for each 80 square feet of public floor area.

7.0031 For each meeting hall, social center or other similar place(s) of assembly used for religious purposes there shall be at least one (1) parking space for every four (4) seats. These parking spaces shall be in addition to the parking spaces required in Section only if there is substantial regular, concurrent use of the place(s) of assembly on the property.

- 7.0032 Dwelling place of a religious community. For each convent, monastery, or like dwelling place of a religious community, there shall be at least one (1) parking space for every three (3) bedrooms for single or double occupancy, or for every three (3) beds in group sleeping quarters.
- 7.004 For all retail, office and similar uses:
- 7.0040 In the B-G, B-VC, B-N and B-L (abutting B-G and B-VC only) districts, and on any lot within a COM District that abuts a B-VC or R-VC District or is within or abuts a National Historic Register District - 3.3 parking spaces per 1,000 square feet of gross first floor area, plus 2.5 spaces per 1000 square feet of GFA (gross floor area), exclusive of storage space, on all other floors.
- 7.0041 In the B-L and COM Districts (exclusive of those areas cited in 7.0040) and the OP, PRP and LI Districts, the parking requirement shall be the sum of the following:
- 3.3 spaces/1,000 sq. ft. for the first 10,000 sq. ft. of GFA; plus  
2.5 spaces/1,000 sq. ft. for GFA between 10,001-12,500 sq. ft.; plus  
2.0 spaces/1,000 sq. ft. for GFA over 12,500 sq. ft.
- 7.005 For all other permitted uses, including veterinary establishments, day nurseries, farm stands, open lots sales or storage yards, building trades establishments, storage or distribution plants, office uses under Section 3.360, and all other commercial uses, adequate parking spaces to accommodate under normal conditions the cars of occupants, employees, members, customers, clients, and visitors to the premises.
- 7.01 Except in the Office Park (OP), Professional Research Park (PRP) and Light Industrial (LI) Districts, off-street parking spaces required herein shall be provided either on the lot with the principal use, or on any other associated premises within 800 feet. In the OP, PRP and LI Districts, all required off-street parking shall be contained within said Districts.
- 7.02 Within an Educational District, adequate off-street parking shall be provided so that neither curb parking on public streets nor parking on property outside the Education District shall be needed in connection with uses within the Education District.

## **SECTION 7.1 DESIGN STANDARDS AND LANDSCAPE STANDARDS**

The purposes of these design and landscaping requirements are to provide for: the safe and efficient flow of pedestrian and vehicular traffic; the separation of parking areas from abutting streets; visual relief from expanses of unbroken blacktop and vehicles; proper drainage and snow removal; and general visual enhancement of parking areas. Residential uses of four or fewer units shall be exempt from Sections 7.102 and 7.103.

### **7.10 Design Standards**

- 7.100 For new or altered parking areas consisting of a total of five (5) or more parking spaces, where no Special Permit or Site Plan Review approval is required:
- 7.1000 Parking Plan Required: An accurate scaled site plan shall be submitted to the Building Commissioner demonstrating compliance of the proposed parking with this bylaw with respect to driveways, grading, slope, drainage, design, setbacks, layout, location on the site, circulation, lighting, landscaping, and other pertinent features.
- 7.1001 Waiver or Modification: Where not otherwise provided for under Section 7.90 or other sections of the Bylaw, any provision of Section 7.1 may be waived or modified by the Building Commissioner for compelling reasons of safety or design, except that no such administrative waiver or modification may be granted for maximum lot coverage.
- 7.101 Paving: For the purposes of this bylaw, a paved parking surface shall be considered to be one which has a prepared subgrade and compacted gravel base with a minimum total 12 inch depth, appropriate grading and drainage, and which is surfaced with a minimum 2 inch top coat of concrete, asphalt, masonry pavers, oil and stone, gravel, trap rock, or similar material, as approved or modified by the Town Engineer. To the extent feasible, permeable or porous paving shall be employed in new construction or site renovations or improvements.

- 7.102 Slope: Parking areas used for parking and vehicle maneuvering shall have grades not to exceed five percent slope.

Driveways used exclusively for ingress or egress or interior parking lot circulation shall have slopes not exceeding 12 percent except within 30 feet of the road, in which case the slope shall not exceed 5 percent.

- 7.103 Set back from buildings: except for parking within an enclosed structure, no parking space shall be located within eight feet of a building wall. No access aisle, entrance or exit driveway shall be located within five feet of a building. Loading docks are exempt from this requirement.

- 7.104 Dimensions, Marking & Delineation

The area of all parking areas shall be included in the calculation of maximum lot coverage.

Parking areas shall be clearly delineated and shall be provided with a permanent dust-free surface and adequate drainage. Each parking space shall be at least 9 feet x 18 feet in size, and all parking areas must have adequate access and maneuvering areas. The Zoning Board of Appeals (SP) or the Planning Board (SPR) may allow, upon application, small car parking spaces (8 feet x 16 feet) to be substituted for up to fifty percent of the standard parking spaces. Compact parking spaces shall be designated by clearly visible signs.

In all parking areas of five (5) or more parking spaces, individual spaces shall be painted, marked or otherwise delineated in a manner sufficient to visibly identify said spaces.

Curb radii, driveway width, and other such dimensions shall comply with the "Street and Site Work Construction Standards", adopted by the Select Board, as such standards may be amended, unless otherwise specified in Section 7.1, Design Standards and Landscape Standards.

Ramps between parking areas of different elevations shall not exceed 12 percent slope, with a maximum 5 percent transition slope for a minimum length of 20 feet at the upper and lower end of the ramp slope. All parking plans involving ramps shall be accompanied by profiles showing the ramp, ramp transitions, and overhead and wall clearances.

- 7.105 Lighting: adequate lighting shall be provided for all parking areas of 5 spaces or more if these areas are to be used at night. All exterior site lighting associated with parking areas shall be downcast and shall be directed or shielded to eliminate light trespass onto any street or abutting property and to eliminate direct or reflected glare perceptible to persons on any street or abutting property and sufficient to reduce a viewer's ability to see.

Adjacent properties shall be protected from light intrusion through the use of cut-off luminaries, light shields, lowered height of light poles, screening or similar solutions. All exterior site lighting shall be kept extinguished outside of normal hours of use, except for lighting necessary for site security and the safety of employees and visitors, which lighting shall be activated and controlled through motion sensors or similar technology.

- 7.106 Entrance and exit driveways: the minimum width of entrance and exit drives shall be 10 feet wide for one-way use and 18 feet wide for two-way use. The minimum curb radius shall be 15 feet. The maximum width of such driveways at the property line shall be 24 feet. The permit granting board may modify these width and radius limitations to facilitate traffic flow and safety.

Driveways shall be located and designed so as to minimize conflict with traffic and provide clear visibility and sight distances for the observation of approaching pedestrian and vehicular traffic. The design and layout of driveways and circulation serving parking areas of 5 or more spaces shall prevent vehicles from backing into a street in order to exit the site. Circulation design, layout, and signs associated with non-residential uses shall direct exiting vehicles in a safe and convenient manner toward main thoroughfares and away from secondary streets passing through adjacent residential neighborhoods. No portion of the driveway at the edge of the street pavement shall be closer than 75 feet from an intersection, unless allowed by the Special Permit Granting Authority or Permit Granting Board.

7.11 Landscape Standards

- 7.110 Parking areas of 10 or more spaces shall provide a minimum of 10 percent of the total parking area as landscaped open space (this may be included in the calculation of open space area under Table 3: Dimensional Regulation: Maximum Lot Coverage).
- 7.111 Parking areas of 25 or more spaces shall provide landscaped islands of a minimum width of four feet, with raised curbs, throughout the parking area for the purposes of: a) defining parking lot entrances, b) defining the ends of a portion of the parking aisles, c) defining the location and pattern of primary internal access drives, d) separating parking spaces within long rows of spaces, and e) separating some of the rows of parking spaces from other rows.
- 7.112 Screening: parking areas with 5 or more spaces shall provide effective screening of the parking area from adjacent streets or properties. Such screening may be accomplished by: depressions in grade 3 feet or more; a hedge or wall; or any type of appropriate natural or artificial permanent division. Any required screening barrier shall not be less than 3 feet high. Screening shall not be located to obstruct driver visions so as to impair safety at intersections or driveway entrances or exits.

**SECTION 7.2 SHARED OR LEASED PARKING**

7.20 Parking spaces required for one use shall not be considered as providing the required facilities for any other use, except as hereinafter provided. Any existing parking above 120% of parking otherwise required for all uses on a property may be shared or leased by right. Where existing parking spaces are more than 100% but less than 120% of parking otherwise required for all on-site uses, applicants for a Site Plan Review approval or Special Permit may request to share and/or lease the parking spaces, based on the following conditions:

- 7.200 Shared Parking: Where it has been demonstrated to the satisfaction of the permit granting authority that one or more of the following conditions is met:
  - 7.2000 Parking spaces to be shared represent the difference between peak parking needs generated by on-site uses occurring at different times. This may include reductions in parking use resulting from employees, tenants, patrons or other parking users of the site being common to and shared by more than one different use on the site, and/or;
  - 7.2001 Parking spaces to be shared represent the difference between current levels of peak parking utilization and anticipated lower future levels of peak parking utilization, said difference to be generated in whole or in part by a parking management plan approved by the permit granting authority. Said plan shall include and implement measures such as car and van pooling, bicycling and public transit. The permit granting authority may require periodic documentation of reductions in parking utilization realized as a result of the parking management plan.
- 7.201 Leased Parking: In the B-G, B-VC, B-N, B-L, COM and R-VC Districts the lease of spaces for on- or off-site uses shall be by Site Plan Review, unless otherwise required. In the R-G, R-N, R-F, R-O and R-LD districts, the lease of more than two existing parking spaces shall require a Special Permit, unless requested as part of a Site Plan Review application for an associated use on the property. Any lease of parking spaces for on- or off-site uses may only be permitted under the following conditions:
  - 7.2010 The parking is suitably located in the neighborhood in which it is proposed, as deemed appropriate by the permit granting authority.
  - 7.2011 Adequate and appropriate facilities, including but not limited to appropriate paving, landscaping, screening, lighting, curbing or wheel stops, are provided for the proper operation of the proposed leased parking. Special attention shall be paid to ensuring safe vehicular circulation on the site and at the intersection with abutting streets.
  - 7.2012 The permit granting authority may require the preparation and submittal of a study to provide evidence of parking utilization levels.

**SECTION 7.3 LOADING AREAS**

Adequate off-street loading and receiving areas shall be provided for all business, commercial and industrial uses.

**SECTION 7.4 MUNICIPAL PARKING (MP) DISTRICT**

7.40 General

The Municipal Parking District is an overlay district and shall be superimposed on other districts established by this Bylaw. Restrictions and prohibitions of land use in the underlying district shall remain in full force and shall not be modified by the conditions of the MP District unless superseded by the restrictions and prohibitions of the MP District.

7.41 Establishment of District

The Municipal Parking District shall consist of those geographic areas shown for this district on the Official Zoning Map. This District is configured to include those lands which constitute the developed core of the downtown business area and immediately abutting residential areas.

7.42 Purpose

The purpose of this district is to encourage the dense development of mixed-use buildings and pedestrian spaces in Amherst Town Center. Toward that end, provision of off-street parking is not required for selected uses within the MP District.

7.43 Regulation

Notwithstanding the other provisions of Section 7.0, off-street parking spaces need not be provided for any principal or related accessory uses under the following categories of Section 3.3, Use Chart: Residential Use (Section 3.32), Retail Business and Consumer Service Use (Section 3.35), and Research and Industrial Use (Section 3.37), located within the Municipal Parking District as herein defined. The following uses shall be required to meet the parking requirements of this Bylaw within the MP District: dormitory or similar college residence hall, hotel or motel, inn and all other principal and accessory uses under other categories of Section 3.3, Use Chart.

**SECTION 7.5 PARKING FOR ACCESSORY USES**

For regulations governing parking associated with accessory uses, see Section 5.015, Garaging or Parking of Motor Vehicles.

**SECTION 7.6 HANDICAPPED PARKING**

Parking spaces shall be provided for the physically handicapped according to the following table:

10-20 spaces	1 handicapped space
21-30 spaces	2 handicapped spaces
31-50 spaces	3 handicapped spaces
51-100 spaces	4 handicapped spaces
101 or more	refer to Rules and Regulations of Architectural Access Board.

Parking spaces for the physically handicapped shall be designed in accordance with the Rules and Regulations of the Architectural Access Board of the Commonwealth of Massachusetts Department of Public Service, as such standards may be amended. Handicapped spaces shall be clearly identified by a sign stating that such spaces are reserved for physically handicapped persons. The handicapped spaces shall be located in the portion of the parking lot nearest the entrance to the use or the structure which the parking lot serves. Adequate access for the handicapped from the parking area to the structure shall be provided.

## **SECTION 7.7 ACCESS REQUIREMENTS & DRIVEWAYS**

### **7.70 Flag Lots**

- 7.701 Unimpeded access shall be provided across either the access strip or an easement at least twenty (20) feet wide.
- 7.702 The driveway within the access strip or easement shall have adequate drainage and shall not exceed 5% grade within fifty (50) feet of the intersection of the driveway and the paved or otherwise improved section of the street.
- 7.703 In all instances where either two or three flag lots are created with their access strips adjacent to each other at the street line, access to the lots shall be provided by a single common driveway.
- 7.704 Flag lot common driveways shall meet the requirements of Section 7.71.

### **7.71 Common and Individual Driveways**

- 7.710 Common driveways shall not be considered public ways and shall not provide lot frontage.
- 7.711 Common driveways shall not provide access to more than four frontage and/or flag lots.
- 7.712 Common driveways shall be not less than sixteen (16) feet in width and with all curve radii adequate for fire and other emergency vehicles; constructed with bituminous asphalt, concrete, oil & stone, compacted gravel, or other similar material according to accepted construction standards; and shall include two (2) foot wide shoulders on each side free of obstructions such as trees, fences, poles and bushes. An individual driveway shall be constructed in accordance with the same standards, but shall be not less than twelve (12) feet in width, and need not provide clear shoulders.

#### **7.713 Driveway Lengths**

- 7.7130 The maximum length of a common driveway shall be four hundred (400) feet. A common driveway shall be measured along its centerline from its point of intersection with the paved or otherwise improved section of the street to the most distant portion of its turnaround.
- 7.7131 The length of an individual driveway originating at a common driveway plus the length of the common driveway measured from the point of intersection of the center lines of the individual and common driveways to the paved or otherwise improved section of the street, shall not exceed twelve hundred (1200) feet. Measurement of the individual driveway shall be along its centerline from its point of intersection with the center line of the common driveway to its termination at the building it serves, or to the portion of the vehicle storage area closest to said building.
- 7.7132 Longer driveways may be allowed by the Planning Board in accordance with Section 7.722.
- 7.7133 The length of an individual driveway originating at a street shall not be limited.
- 7.714 Common driveways shall not exceed a 5% grade within fifty (50) feet of the intersection of the driveway and the paved or otherwise improved section of the street.
- 7.715 The maximum grade of any common or individual driveway shall be 10%. Short sections may exceed 10% with the approval of the Planning Board in accordance with Section 7.722, but in no event shall any section exceed 15%. Individual driveways not over two hundred (200) feet long, extending directly from a street, and not exceeding 15% grade are not subject to this requirement.
- 7.716 The intersection angle between a common driveway center line and the street center line shall not be less than sixty (60) degrees.
- 7.717 The curb radii of a driveway at its intersection with the streets shall be in accordance with the Regulations of the Amherst Department of Public Works.

- 7.718 There shall be a turnaround located at the end of the common driveway adequate for fire and other emergency vehicles.
- 7.719 Street addresses for all dwelling units on a common driveway shall be posted in a manner sufficient for public safety purposes both at the intersection of the common driveway and the street and at the intersection of the common driveway and each individual driveway.
- 7.720 An agreement providing access over the common driveway to all lots and making all lots served by the common driveway jointly responsible for its maintenance and repair, including snowplowing, shall be recorded at the Hampshire County Registry of Deeds. Evidence of the recording shall be submitted to the Building Commissioner prior to the issuance of a building permit for any lot served by the common driveway.
- 7.721 The Planning Board may require engineered plans for the driveways and drainage if it deems such plans necessary.
- 7.722 For any lot within a Definitive Subdivision Plan, the Planning Board may allow a driveway longer than specified in Section 7.713 or may allow a section of a driveway to exceed 10% grade provided that such modification meets the provision of Sections 6.330-6.335.

For Subdivision Approval Not Required lots, the Planning Board may grant a Special Permit to allow a driveway longer than specified in Section 7.713 or may allow a section of a driveway to exceed 10% grade provided that such modification meets the provisions of Sections 6.330-6.335.

#### **SECTION 7.8 BICYCLE RACKS**

For all uses classified under Section 3.3 that are required to provide, or do provide, 10 or more parking spaces, the installation of bicycle racks shall be required. The bike racks shall be designed to provide for the locking of the bicycles to the racks. The design, location and number of bike racks shall be approved by the permit granting board as part of an approval of the permit request.

#### **SECTION 7.9 WAIVERS**

- 7.90 Any section or subsection of Article 7.0, Parking Regulations, may be waived or modified by the Permit Granting Board or Special Permit Granting Authority authorized to act under the applicable section of the Bylaw for compelling reasons of safety, aesthetics, or site design.
- 7.91 Parking space requirements under Section 7.0 may be modified when one or more of the following conditions are met to the satisfaction of the Permit Granting Board or Special Permit Granting Authority:
- 7.910 Peak parking needs generated by on-site uses occur at different times.
- 7.911 A significant number of employees, tenants, patrons or other parking users of the site are common to and shared by more than one use on the site.
- 7.912 A parking management plan approved by the Permit Granting Board or Special Permit Granting Authority is implemented with occupancy of the building or buildings. Said plan shall include the implementation of such measures as car and van pooling, bicycling and public transit use sufficient to reduce the need for parking. Periodic documentation of reductions in vehicle trips and parking utilization as a result of the parking management plan may be required as a condition of any permit granted under this section.