



PLANNING BOARD

Report to Town Meeting

**ARTICLE 29. Zoning Bylaw - Residential Parking Requirements
(Planning Board)**

To see if the Town will amend Sections 7.00 and 7.1 of the Zoning Bylaw, as follows:

~ SEE ATTACHMENT ~

Recommendation

The Planning Board voted unanimously (8-0) to recommend that Town Meeting adopt Article 29.

Background

Article 29 is another of the initiatives—zoning, other regulatory and enforcement—that the Town is undertaking to address the increasing problems associated with poorly controlled student group housing in Amherst’s residential neighborhoods. One of the most visible indicators of informal student housing in neighborhoods throughout Amherst is the presence of numerous cars parked on lawns and in other inappropriate locations. Article 29 proposes to establish requirements for parking on paved areas and standards for parking areas.

Additionally, the goals, objectives and strategies in Amherst’s Master Plan encourage the reduction of parking in existing settled areas—village centers and center neighborhoods—to reduce pavement, to recognize residents’ ability to walk to services, and to take advantage of proximity to available public transit. Article 29 would lower the ‘default’ requirement for the number of parking spaces required per dwelling unit in selected areas and for selected uses.

Article 29 proposes to amend the zoning regulations governing residential parking in several ways:

Reducing Parking Requirements – Currently, the default parking requirement for residential uses is two (2) parking spaces per dwelling unit. Article 29 proposes to reduce that requirement to one (1) parking space per unit in the following areas:

- Mixed-use center districts (B-G, B-L abutting B-G, B-VC, and B-N)
- Adjacent center neighborhood zoning districts (R-G and R-VC)

- All zoning districts, for multi-unit developments (apartments and town houses), mixed uses, and selected accessory residences (supplemental apartments and property manager/caretaker units).

The two (2) parking space per dwelling unit requirement would remain unchanged in the outlying residential districts (R-N, R-O and R-LD).

Parking on Paved Surfaces – In all zoning districts, for all new residential uses, parking could only occur on paved surfaces. Parking in the front setback (usually on driveways) would have to be on paved and marked space, situated so as to not obstruct passage by emergency vehicles.

Prepared Paved Areas – Article 29 would establish requirements for paved areas, requiring a minimum 12 inch deep prepared subgrade and compacted gravel base, with appropriate grading and drainage. Paving could consist of “concrete, asphalt, masonry pavers, oil and stone, gravel, trap rock, or similar material.” To the extent feasible, permeable paving which recharges run-off on site would be encouraged. The Town Engineer would be given authority to review and approve, or to modify, the requirements for any specific parking area.

Marking & Delineation – In parking areas of 8 or more spaces, all spaces would have to be marked or delineated in some clear fashion.

Lighting – For parking areas of 8 spaces or more (the previous threshold was 10 spaces), standards would be established for adequate parking area lighting, such that the parking areas receive enough lighting for safe use and security, but so that off-site light trespass and hours of illumination are minimized.

It should be understood that, as with all zoning, the parking for existing uses is grandfathered, and cannot be required to be changed or improved until some other change occurs in the associated use which requires a new or revised land use permit. The Planning Board is working on an amendment to the General By-Laws of the Town of Amherst for the Fall 2011 Special Town Meeting to create requirements specifically for parking for residential rental properties of the kinds found in residential neighborhoods. There would be no grandfathering for those regulations, which would apply to all such properties and require conformance with the new regulations.

Public Hearing

The Planning Board held a public hearing on Article 29 on Wednesday, March 16, 2011. The Board heard a report and recommendation from the Zoning Subcommittee. There was no public comment. After discussion, the Planning Board voted unanimously (8-0) to recommend that Town Meeting adopt Article 29.

ATTACHMENTARTICLE 29 RESIDENTIAL PARKING REQUIREMENTS
(Zoning Bylaw – Planning Board)

To see if the Town will amend Sections 7.00 and 7.1 of the Zoning Bylaw, as follows:

A. Amend Section 7.00 by reorganizing sentences, deleting the ~~lined-out~~ language, and adding the language in *bold italics*, as follows:

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. such 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 Residential parking required:

- 1. In the B-G, B-L abutting B-G, B-VC, B-N, R-G and R-VC districts - One (1) parking space per dwelling unit, except in the Municipal Parking District or as may be otherwise provided under this Bylaw.*
- 2. In all districts where the following residential uses are allowed - One (1) parking space per dwelling unit for accessory supplemental apartments, caretaker/manager apartments accessory to commercial uses, town houses, apartments, and buildings containing dwelling units in combination with stores or other permitted business or commercial uses.*
- 3. In the R-N, R-O, and R-LD Districts - Two (2) parking spaces for each dwelling unit, except as provided for under 2., above.*

7.0001 Parking spaces for cars or similar vehicles parked in the front set-back shall be shall be on a parking paved surface such as concrete, bituminous asphalt, masonry pavers, oil and stone, gravel, trap rock, or a similar material (see Section 7.100).

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. Any such parking shall be in marked or delineated parking spaces on paved surfaces and located so as to not obstruct or unreasonably constrict access for regular use and emergency vehicles.

- B. Amend Section 7.1 by deleting the ~~lined-out~~ language and adding the language in *bold italics*, by adding a new Section 7.100, and by renumbering the remaining sections accordingly, as follows:**

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 ~~7.100~~ ***7.101*** and ~~7.101~~ ***7.102***.

7.10 Design Standards

7.100 ***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.***

7.101 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.

7.102 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.

7.103 Dimensions, ***Marking & Delineation***

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 8 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.

- 7.104 Lighting: adequate lighting shall be provided for all parking areas of ~~40~~ 8 spaces or more if these areas are to be used at night. ~~Any illumination, including security lighting, shall be arranged so as to reflect away from adjoining properties and rights of way. Residential projects containing eight or fewer dwelling units are exempt from 7.103.~~ ***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.***