

ZONING BYLAW ARTICLE

ARTICLE # _____

**RE: General Regulations and
Parking Requirements
Update**

To see if Town Meeting will vote to amend the Zoning Bylaw Article VII, General Regulations, by deleting, amending and renumbering (~~striketrough~~ to be removed, **underlined and bold** is new) as follows.

ARTICLE VII: GENERAL REGULATIONS

SECTION 7.1.0. ACCESS THROUGH OTHER DISTRICTS

- 7.1.1.** No access to or egress from any other zoning district, except OS, through the RO district shall be permitted.
- 7.1.2.** No access or egress from the BN, BL, BG, BT, I, IR, IG, and PD districts shall be permitted in or through the RG or RC districts.
- 7.1.3.** No access to or egress from residentially zoned land in a contiguous municipality shall be permitted, except over public ways, and private ways in use as public ways on January 31, 1977.

SECTION 7.2.0. PARKING REQUIREMENTS AND STANDARDS

7.2.1 Purpose

- a) To promote traffic safety by assuring the adequate storage of motor vehicles off the public street and for their orderly access and egress to and from the public street;
- b) To prevent the creation of surplus amounts of parking spaces which contribute to additional Single Occupancy Vehicle (SOV) trips, traffic congestion and traffic service level deterioration on roadways;
- c) To advance the efficiency of vehicular traffic on Burlington streets to reduce excessive delay and/or congestion;
- d) To consider and allow for safe and convenient routes for pedestrians and bicyclists;
- e) To permit emergency vehicles to reach homes and businesses with a minimum of delay and to reduce motor vehicle and pedestrian accidents on Town streets;
- f) To prevent, reduce, and mitigate the impacts of development on parking demands, transportation system, neighborhood livability, public safety and the environment through the use of Transportation Demand Management (TDM) measures;

- g) To promote shared parking as a means to reduce the need for an excess pavement in an effort to curtail the heat island effect.

7.2.2. Applicability

1. **General No permit for the construction, reconstruction, extension, or alteration of any building, structure, or use of land, and no building or land, or any part of any building or land, may be occupied or used until parking has been provided in accordance with the requirements of this section.**
2. **Additions**
 - a) **A building or site may be renovated or repaired without providing additional parking, provided there is no increase in gross floor area or improved site area.**
 - b) **When a building, use or site is increased in gross floor area or improved site area, parking is required for the additional floor or site area only.**
 - c) **When the gross floor area or improved site area is increased by more than 50% cumulatively, both the existing use and the additional floor or site area must conform to the parking requirements of this section.**
3. **Change in Use**
 - a) **A change in use must comply with the parking requirements unless the use has the same or a lesser parking demand than the previous use.**
 - b) **Where parking spaces required for the new use exceed the required parking spaces for the existing use, additional parking is only required for the difference between the current parking spaces required and the parking spaces required for the new use.**

7.2.3. Parking Space and Isle Dimensions

1. **Standard Car Space. Parking spaces and aisles shall have the following dimensions unless otherwise allowed by the Town Engineer:**

FIGURE 7.1. PARKING SPACE AND AISLE DIMENSIONAL STANDARDS				
Dimension	Parallel	45 Degrees	60 Degrees	90 Degrees
Stall Width (min)	8 feet	9 feet	9 feet	9 feet
Stall Length (min)	20 feet	18 feet	18 feet	18 feet
Drive Aisle, 1 Way (min)	12 feet	12 feet	14 feet	20 feet
Drive Aisle, 2 Way (min)	20 feet	n/a	n/a	24 feet
Vertical Clearance	7'6" (min)	7'6" (min)	7'6" (min)	7'6" (min)

2. **Compact Car Space:** Eight (8) feet by fifteen (15) feet.
3. **Retail Use Car Space:** Nine (9) feet by eighteen (18) feet or width to be determined by the Town Engineer.

4. Accessible Parking Space: Thirteen (13) feet by eighteen (18) feet and designed in accordance with the standards set forth in the Rules and Regulations of the Architectural Access Board.

7.2.4. Minimum and Maximum Parking Space Requirements

1. Parking Ratios

- a) Off-street parking spaces in the amounts specified in Figure 7.2 below shall be provided for all uses and buildings.
- b) No spaces required by this section of the by-law shall be assigned to specific persons or tenants, or rented or leased to anyone, except for those employees, customers and residents for whom the parking spaces were designed to serve except as outlined in Section 7.2.5.1.
- c) At the determination of the Zoning Enforcement Officer, any subsequent change in the use of the site will require compliance with the parking requirements of this section.

2. Multiple Uses on Site

Where the Gross Floor Area of a building or buildings is divided among various uses, the Planning Board shall apply such parking space requirements and ratios specified in Figure 7.2 which most appropriately apply to the character and proportion of uses within such building or buildings.

3. Parking Ratio Waiver

The Planning Board may approve a parking waiver which contains up to 10% lower or 10% greater than the parking space requirements and ratios in Figure 7.2, provided it makes the following findings and determinations:

- a) The amount of parking provided is adequate for the type and nature of the use proposed.
- b) The applicant shall undertake appropriate provisions, to the satisfaction of the Planning Board, to ensure that the subject site would have adequate area for additional parking if greater parking demands arise from the current or future use of such site, and that such additional parking could be constructed in conformity with the Impervious Surfaces requirements in Section 8.3.8.4 of Article VIII of this bylaw, and any other requirements of this bylaw.

FIGURE 7.2 – PARKING REQUIREMENTS

Principal Use	Parking Space Minimum	Parking Space Maximum	Notes
A. RESIDENTIAL			
One-Family Dwelling	2 per unit	-	Exterior spaces may be within the lot setbacks
Two-Family Dwelling	2 per unit	-	May include indoor parking and be within the lot setbacks
Multi-Family Dwelling	1.5 per unit	1.5 per unit	
Housing for Older Persons – Attached	1 per unit	1.5 per unit	
Independent Living, Elderly Housing (public)	1 per unit	1.7 per unit	
Assisted Living, Congregate Living, Continuing Care Retirement Living	1 per every 4 units	1 per every 3 units	Plus one space for every two (2) employees during the largest shift
Dormitory	1 for every 3 beds	1 for every 3 beds	
B. EDUCATIONAL, INSTITUTIONAL, RECREATIONAL			
Day Care – Adult and Child, Preschool	3 per 1,000 sq. ft.	3 per 1,000 sq. ft.	
Elementary and Middle Schools	2 per classroom	2 per classroom	Plus, for the floor area within the building not occupied by classrooms, the parking space requirements for “Places of Assembly” and “Office” shall apply
High School	4 per classroom	4 per classroom	Plus, for the floor area within the building not occupied by classrooms, the parking space requirements for “Places of Assembly” and “Office” shall apply
College, University, Technical School	5 per classroom	5 per classroom	Plus, for the floor area within the building not occupied by classrooms, the parking space requirements for “Places of Assembly”, “Office” and “Laboratory/Research” shall apply
Religious Institutions	1 for every 4 seats	1 for every 4 seats	
Libraries, Museums, and other non-recreational public facilities	1 for every 700 sq. ft.	1 for every 1000 sq. ft.	
Public Parks, Athletic Fields, Tennis, Aquatic, Other Public Institutional Uses	-	-	

Principal Use	Parking Space Minimum	Parking Space Maximum	Notes
Indoor Athletic and Exercise Facilities, Recreation Centers	4 per 1,000 sq. ft.	6 per 1,000 sq. ft.	
Outdoor Athletic Facilities	5 per 1,000 sq. ft.	6 per 1,000 sq. ft.	
C. COMMERCIAL			
Places of Assembly	1 per 4 seats	1 per 4 seats	
Motels, Hotels, Motor Hotels (No Function Space and/or Eating Establishments)	1 per sleeping room	1 per sleeping room	
Motels, Hotels, Motor Hotels (Including Function Space and/or Eating Establishments)	1 per sleeping room	1 per sleeping room	Plus floor area not occupied by sleeping rooms, the parking ratio for "Places of Assembly" and "Eating Establishments" shall apply
Medical/Dental/Veterinary – Out-Patient	5 per 1,000 sq. ft.	5 per 1,000 sq. ft.	
Hospital	2 per bed	4 per bed	
Office	2.5 per 1,000 sq. ft.	3 per 1,000 sq. ft.	
D. RETAIL			
General Retail/Shopping Center	4 per 1,000 sq. ft.	4.5 per 1,000 sq. ft.	
Hardware/Paint Store	3 per 1,000 sq. ft.	4 per 1,000 sq. ft.	
Supermarket	3.5 per 1,000 sq. ft.	4.5 per 1,000 sq. ft.	
Convenience Store	4 per 1,000 sq. ft.	4 per 1,000 sq. ft.	
Convenience Store w/ Fueling Station	4 per 1,000 sq. ft.	4 per 1,000 sq. ft.	
Automotive Sales and Service	5 per 1,000 sq. ft.	5 per 1,000 sq. ft.	
Personal Services	2 per 1,000 sq. ft.	3 per 1,000 sq. ft.	
Full Service Restaurant	1 per every 3 seats	1 per every 3 seats	
Fast-Order Food Establishment	1 per every 3 seats	1 per every 3 seats	

Principal Use	Parking Space Minimum	Parking Space Maximum	Notes
E. INDUSTRIAL			
General Industrial, Light Industrial, Manufacturing	2.5 per 1,000 sq. ft.	2.5 per 1,000 sq. ft.	
Laboratory/Research	1.25 per 1,000 sq. ft.	1.25 per 1,000 sq. ft.	
Storage/Warehouse	1 per 1,000 sq. ft.	1 per 1,000 sq. ft.	
F. OTHER USES			
When a use is proposed to be developed or implemented, and is not described or specified in the parking space requirements and ratios listed above, the Planning Board shall determine the minimum and maximum parking space ratio and requirement based on the character of the use proposed.			

7.2.5. Parking Reduction Methods

- 1. The Planning Board may grant a special permit to reduce the parking space requirements specified on Figure 7.2 by more than ten percent (10%) where a development site includes a combination of uses with variation in peak parking demand times; shared parking lots on site; have shared parking agreements with proximate properties where uses have offset peak demand times; have a reasonable rate of parking turnover; or evidence of similar uses and location situations operating successfully with lower amounts of parking.**

- 2. In considering a shared parking reduction in a mixed use development where shared parking is proposed, the Planning Board may require that the applicant prepare an evaluation of shared parking potential. Applicants are encouraged to follow the procedures of the Urban Land Institute (ULI) Shared Parking Manual (latest edition), the Institute of Transportation Engineers (ITE) Shared Parking Guidelines (latest addition), or other approved procedures as determined by the Planning Board.**

- 3. On-Site Shared Parking**
 - i. Non-competing Uses: In mixed-use developments, applicants may propose a reduction in parking requirements based on an analysis of peak demands for non-competing uses. Up to 75% of the requirements for the predominant use may be waived by the Planning Board if the applicant can demonstrate that the peak demands for two (2) or more uses do not overlap. An applicant may use the latest peak demand analyses published by the Institute of Traffic Engineers (ITE) or other source acceptable to the Planning Board.

 - ii. Competing Uses: In mixed-use developments, applicants may propose a reduction in parking requirements where peak demands do overlap. In these cases, the Planning Board may reduce the parking requirements of the predominant use by up to 15%.

4. Off-Site Parking

Separate from, or in conjunction with Shared Parking provisions, an applicant may use off-site parking to satisfy their parking requirements. As part of the review process, the applicant shall provide the Planning Board with the necessary information to comply with the following standards:

- a) Off-site parking shall **be located** within a 500-foot **walking distance, measured from the nearest point of the off-site parking area along paved public or private walkways to the principal building entrance served.**
 - b) Off-site parking may only be provided if the off-site lot has an excess number of spaces or if the applicant can demonstrate that the on-site and off-site uses have non-competing peak demands.
 - c) The amount of required parking spaces being reduced on-site shall be equal to the amount being provided off-site and can account for up to 100% of the minimum required on-site parking.
 - d) **A lease, recorded covenant, or other comparable legal instrument, executed and filed with the Town of Burlington, guaranteeing long-term use of the parking area site provided to the Planning Board.** The Planning Board may condition their approval on the continued existence of the written and binding shared parking agreement, the failure of which may render the permit null and void and subject to enforcement by the Inspector of Buildings.
 - e) On-street parking spaces that intersect or are completely contained within the frontage of the property may be counted toward the minimum parking requirements.
 - f) Uses sharing a parking facility shall provide for safe, convenient walking between uses and parking, including safe, well-marked pedestrian crossings, signage, and adequate lighting.
5. **Proximity to Public Parking Facility Where a development site is within reasonable walking distance to a municipally-controlled parking facility which is publicly-available during hours of operation of uses on site, has sufficient capacity, is not allocated for residential uses, and is connected by public sidewalk.**
 6. **Car-Sharing Program The Planning Board may approve a parking reduction where an active car-sharing program is made available to residents and/or employees on a development site; and where cars for the car-share program are available on the site or within a 700-foot walking distance of the site.**
 7. **Public Transportation Off-Set On a public street where a regular MBTA bus route is established and where a bus stop is located within 150 feet of the main entrance of a development site, the Planning Board may grant a parking reduction.**
 8. **Public Parking Reserve In lieu of providing the total on-site parking required, the Planning Board may accept a permanent easement on the property for the purpose of constructing public parking for all or a portion of the required on-site parking spaces. The reserve easement shall be subject to review and approval by the Planning Board.**

7.2.6. Special Permit to Increase the Required Parking Space Ratio

- 1.** The Planning Board may grant a special permit to increase the parking space requirements specified on Figure 7.2.4 by more than ten percent (10%) if the Planning Board determines that all of the following findings and conditions are met:
 - a)** The applicant, site operator, or owner has submitted data and evidence to the Planning Board, including but not limited to parking accumulation and utilization data that demonstrate the demand for additional parking spaces for such use or buildings, the latest edition of the Institute of Transportation Engineers (ITE) Parking Manual, **the Urban Land Institute (ULI) Shared Parking Manual**, or other comparable manual or document acceptable to the Planning Board.
 - b)** The applicant, site operator, or owner who obtains a special permit to increase the number of parking space shall agree to reduce the estimated trip generation rates related to the subject development or use in both the a.m. and p.m. peak hours by 20%, based upon the latest edition of ITE Trip Generation manual, or other comparable manual or document acceptable to the Planning Board. The method or methods by which such a reduction is accomplished is subject to the approval of the Planning Board. The Planning Board may determine compliance with this condition by monitoring traffic movements at the site after project completion and occupancy. The applicant, site operator, or owner shall fund this monitoring program in an amount agreed upon when the waiver is issued.

7.2.7. Special Surface Parking Types and Standards **The following special parking types are intended to facilitate a smaller and more efficient parking footprint, multi-mobility, and context-based placement of parking.**

1. Stacked and Valet Parking

The Planning Board may allow valet or stacked parking if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, a valet parking plan and a lease, recorded covenant, or other comparable legal instrument must be filed with the Town of Burlington ensuring that an attendant will always be present when the lot is in operation. The requirements for minimum or maximum spaces continue to apply for stacked parking. Valet and stacked parking spaces do not require individual striping and may be permitted on-site or off-site as a means of satisfying the applicable off- street parking requirements where:

- a) Adequate assurance of the continued operation of the valet car park is provided.**
- b) An equivalent number of valet spaces is available to replace the number of required off-street parking spaces.**
- c) The design of the valet parking area will not cause queuing in a vehicular travel lane.**
- d) The valet parking area is not located adjacent to the front entrance of the building and or business.**

- e) **An attendant is provided to park vehicles during hours of operation.**
- 2. **Tandem Parking The Planning Board may allow tandem parking under the following conditions:**
 - a) **To be used to meet parking requirements for residential units only.**
 - b) **Tandem spaces shall be assigned to the same dwelling unit.**
 - c) **Tandem parking shall not be used to provide guest parking.**
 - d) **Two parking spaces in tandem shall have a combined minimum dimension of 9 feet in width by 30 feet in length.**
 - e) **Up to 75% of the total off-street parking spaces provided may incorporate tandem parking.**

7.2.8. Structured Parking Development and Design Standards

The Planning Board shall authorize all parking structures or garages for more than three (3) vehicles pursuant to Article XI, Section 9.2 “Special Permit”.

1. Placement and Scale Structured parking may be constructed above ground and below ground, and attached or detached from the primary building and uses that it serves.

2. Pedestrian access to structured parking must lead directly to a public or private sidewalk and to the primary building. Structured parking that is attached directly to the primary building shall provide pedestrian access directly into the building.

3. General Development Standards

- a) Any parking structure or garage which is authorized by Planning Board shall not be included in the Maximum Aggregate Building-to-Ground Area Percentage pursuant to Section 5.2.0 of Article V of the district within which it is built.
- b) The use of Parking Structures in the BG District shall not be allowed unless ALL of the following criteria are met:
 - i. The parcel boundary within which a Parking Structure is located cannot be within two hundred (200) feet of a Residential District.
 - ii. The lot area must be a minimum of 150,000 sf
 - iii. The Parking Structure must be an accessory use to a restaurant with a Function Facility having a minimum occupancy of 400.
 - iv. Parking Structures shall not be allowed in the BG District unless the parcel within which the Parking Structure is located has an equivalent square footage of Green Space equal to 200% of the footprint of the Parking Structure, unless through a finding of the Planning Board pursuant to a “Site Plan” or “Special Permit” as described in Section 9.2.0 and 9.3.0 of Article IX, they determine an alternative

public benefit; or to act in any other manner in relation thereto.

4. General Design Standards The street facing facade of any story of a building occupied by motor vehicle parking must be designed as follows:

- a) **Fenestration and facade openings must be vertically and horizontally aligned and all floors fronting on the facade must be level (not inclined).**
- b) **Windows must be back-lit during evening hours and internal light sources must be concealed from the view from public sidewalks.**
- c) **The facade area masking the floors occupied by motor vehicle parking must be seamlessly integrated into the architectural design of the building's facade.**

7.2.9. Bicycle Parking

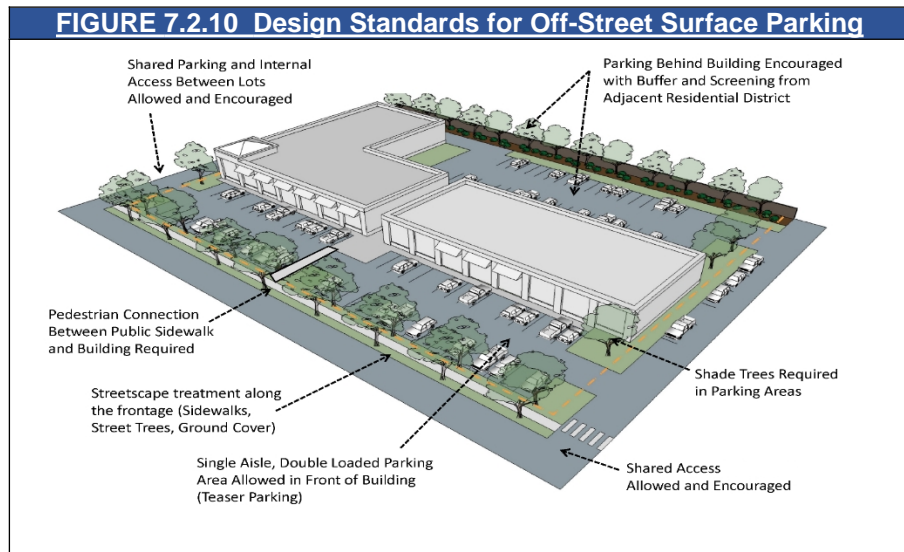
To facilitate bicycle use, the following bicycle parking regulations shall apply:

- 1. Multi-Family and Mixed-Use Developments. Developments with 5 or more multi-family units shall provide at least one indoor covered bicycle parking area with space for 5 bicycles for every 5 dwelling units unless an alternative standard is approved by the Planning Board.**
- 2. Non-Residential Uses Non-residential uses shall provide the following minimum bicycle parking spaces unless an alternative standard is approved by the Planning Board.**

FIGURE 7.3 - BICYCLE PARKING REQUIREMENTS	
Size of Use	Required Spaces
<u>5,000 to 10,000 square feet of gross floor area</u>	<u>4</u>
<u>10,001 to 30,000 square feet of gross floor area</u>	<u>10</u>
<u>30,001 square feet or more of gross floor area</u>	<u>14</u>

- 3. Placement Required bicycle parking spaces may be placed on private property or on a sidewalk along the curb, provided that at least 5 feet of sidewalk remains clear for pedestrian use. Required bicycle parking shall be publicly accessible and located within 100 feet of the building entrance.**

7.2.10. Design Standards for Off-Street Surface Parking Facilities



1. Access.

- a) All off-street parking must have direct access to a public street from a driveway, maneuvering aisle, or permanent access easement.
- b) Where off-street parking facilities of 30 spaces or more are provided, a publicly accessible driveway must have a minimum width of eighteen (18) feet for vehicle access and 5-foot sidewalk connecting to the public street to the parking facility.
- c) Shared driveways are permitted and encouraged.
- d) Shared internal access between adjacent private parking lots is encouraged and shall be explored in accordance with Section 9.3.0 “Site Plan” of this Bylaw.

2. Circulation.

- a) Parking lots and structures must be designed so that vehicles enter or exit the lot or structure onto a public street in a forward direction rather than backing out into the roadway except for single family dwellings.

7.2.11. Surfacing

1. Impervious Materials. Where on-site facilities are provided for parking or any other vehicular use areas, they must be surfaced with asphalt bituminous, concrete, or other types of dustless material, and maintained in a smooth, well-graded condition. The site plan must also conform with the Impervious Surfaces requirements intended to protect the Town’s water supply as outlined in Section 8.3.8.4 of Article VIII of this bylaw.
2. Pervious Materials. Pervious or semi-pervious parking area surfacing materials may be approved by the Planning Board in consultation with the Town Engineer. Permitted materials may include, but are not limited to grass, grasscrete, ring and grid systems

used in porous or grid pavers, or recycled materials such as glass, rubber, used asphalt, brick, block and concrete and other impervious material.

3. Curbs and Drainage.

- a) **All surface parking areas must be graded and drained to collect, retain, and infiltrate surface water accumulation on-site to the greatest extent practicable.**
- b) **Curbs or parking blocks are required at the edges of perimeter and interior landscaped areas. Curbing may have openings to allow drainage to enter and percolate through the landscaped areas taking into account size and soil conditions.**

SECTION 7.3.0 GENERAL LOADING REQUIREMENTS AND PURPOSE

Loading space dimensions and locations shall be approved by the Planning Board, and loading spaces shall be so placed as not to require maneuvering within a public way or way used by the public.

- 7.3.1 **General.** Adequate off-street loading spaces or loading areas shall be provided and maintained by the owner of the property for each nonresidential building or use which is erected, enlarged or altered after the effective date of this Bylaw.
- 7.3.2 **Same Lot.** All loading spaces or loading areas required by this Bylaw shall be on the same lot as the building or use which they are intended to serve, and in no case shall any required loading area be part of an area used to satisfy the off-street parking requirements of this Bylaw.
- 7.3.3 **No Queues or Backing onto Street.** No loading facility shall be designed to require trucks to queue on a public way while awaiting off-loading. No loading facility shall be designed to require vehicles to back onto a public way; all turning maneuvers shall be accommodated on the premises.
- 7.3.4 **Shared Loading.** No part of an off-street loading area required by this Bylaw for any nonresidential building or use shall be included as part of an off-street loading area similarly required for another building or use, unless the type of buildings or uses indicates that the usage of such loading area would not occur simultaneously, as determined by the Planning Board.
- 7.3.5 **Screening.** Loading areas shall be screened in accordance with Section 7.4.0 of this Bylaw.
- 7.3.6 **Location.** No loading dock or bay shall be located within a required buffer area to an adjoining residential zoning district in accordance with Section 5.2.0 of this Bylaw. The Planning Board shall have final say on the siting of any loading dock;

SECTION 7.4.0 GENERAL LANDSCAPING REQUIREMENTS

7.4.1 **Purpose.** This section is designed to accomplish the following objectives:

- 1. Provide a suitable boundary or buffer between residential uses and nearby nonresidential uses;
- 2. Separate different and otherwise incompatible land uses from each other in order to partially or completely reduce potential nuisances such as dirt, dust, litter, noise, glare from motor vehicle headlights, intrusion from artificial light (including ambient glare), or view of signs, unsightly

buildings or parking lots;

3. Provide visual relief and a source of shade in parking lots and other areas, and protection from wind in open areas; and
4. Offer property owners protection against diminution of property values, if any, due to adjacent nonresidential use.

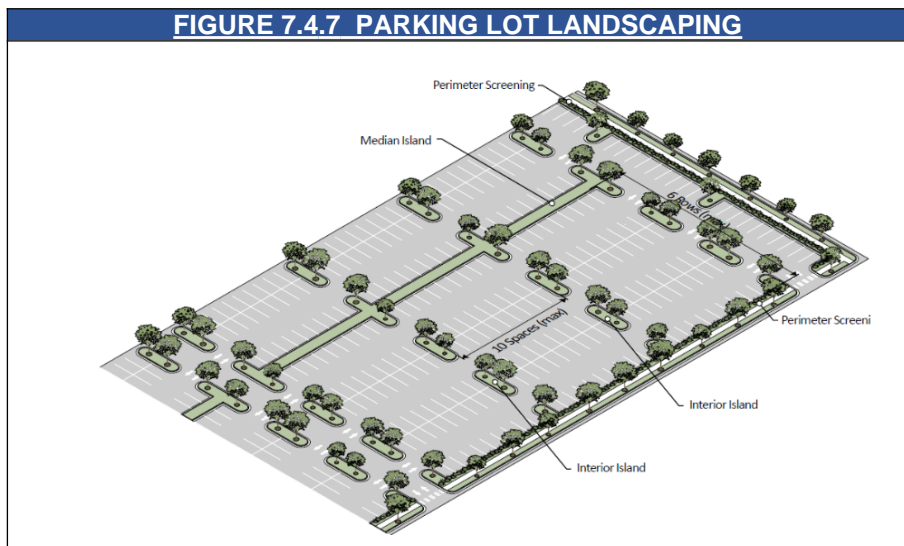
7.4.2 Applicability. The requirements of this section shall apply to any nonresidential use and to multifamily dwellings.

7.4.3 Coordination with Site Plan Approval. The Planning Board shall require a landscaping plan as part of an overall site plan for any premises subject to site plan review pursuant to Section 9.3.0 of this Bylaw. Such landscaping plan shall be at a scale sufficient to determine compliance with the specifications set forth in this Section.

7.4.4 Landscaping Requirements.

1. Screening. In accordance with an approved site plan, screening shall be provided, erected and maintained to shield RO and RG districts and municipal properties from adjoining business and industrial uses of land, and to shield RO districts from adjoining apartment uses. Screening shall be erected or planted before the premises are first occupied. Alternatively, the Planning Board may accept a financial guarantee in the amount of the cost of installing the screening and an agreement to complete the screening within a specified time and permit occupancy before the screening is installed.
2. Landscaping. In accordance with an approved site plan, landscaping shall be provided, erected and maintained on any part of any BN, BL, BG, BT, I, IR, IG, or RG lot which is not occupied by a structure or by required parking areas, service areas, and driveways; except that all or part of the required landscaping may be in its clean original wooded state. Landscaping features shall be erected or planted before the premises are first occupied. Alternatively, the Planning Board may accept a financial guarantee in the amount of the cost of installing the landscaping and an agreement to complete the landscaping within a specified time and permit occupancy before the landscaping is installed.
3. Residential Buffers. Property line(s) which also bound residential districts shall be screened from nonresidential uses by means of plantings or maintenance of trees of a species common to the area and appropriate for screening, spaced to minimize visual intrusion, and providing an opaque year-round visual buffer between uses. Such plantings shall be provided and maintained by the owner of the property used for nonresidential use and multifamily dwellings. No part of any building or structure or any paved or unpaved surface intended for or used as a parking area may be located within the buffer area required by Section 5.2.0 of this Bylaw.
4. Accessory Receptacles. Dumpsters and similar accessory receptacles over one cubic yard capacity shall be enclosed and screened from all adjacent premises and streets from which such features would otherwise be visible in accordance with this Section.
5. Utilities. Any loading area or HVAC equipment or other electrical equipment placed on the ground level shall be screened from all adjacent premises and streets from which it would otherwise be visible in accordance with this Section.

6. Plant Materials. Planted areas shall contain an appropriate mix of **native plant** species that are appropriate to the proposed use, site layout, soils, and other environmental conditions. Vegetation is preferable to mulch where practical.
 7. Existing Trees. Existing trees with a diameter at breast height (DBH) of twelve inches (12") or more shall not be removed except by prior approval of the Planning Board, and if removed, shall be replaced with a minimum 3" caliper tree, unless waived by the Planning Board.
- 7.4.5 Coordination with Site Plan Approval. The Planning Board shall require a landscaping plan as part of an overall site plan for any premises subject to site plan review pursuant to Section 9.3.0 of this Bylaw. Such landscaping plan shall be at a scale sufficient to determine compliance with the specifications set forth in this Section.
- 7.4.6 Maintenance of Landscaped Areas. The owner of the property used for nonresidential purposes shall be responsible for the maintenance, repair and replacement of all landscaping materials installed in accordance with this section and shall have a continuing obligation to comply with the provisions set forth herein. All plant materials required by this Section shall be maintained in a healthful condition, or replaced as necessary, in perpetuity.
- 7.4.7 Parking Lot Landscaping



1. Applicability.

- a) This Section applies to all on-site surface parking lots with more than 10 spaces created after the effective date of this bylaw. For purposes of this section, multiple parking lots contained on a single development site and any separate parking areas connected with drive aisles are considered a single parking lot.
- b) An existing parking lot may be renovated or repaired without providing additional landscaping, provided there is no increase in the size of the parking lot.
- c) When an existing parking lot is increased in size, landscaping is required for the additional parking area only.

- d) When an existing parking lot is increased in size by more than 50% cumulatively, landscaping is required for both the existing parking lot and the new parking area.
2. Perimeter Screening. All surface parking lots with frontage on any portion of a street right-of-way must be screened with the following:
- a) A minimum 10-foot wide, landscaped area with a continuous row of shrubs, grasses, and/or shade trees must be provided between the street and parking lot.
 - b) Shrubs and grasses must be a minimum of 18 inches in height when planted and must reach a minimum size of 36 inches in height within 3 years of planting.
 - c) A 36-inch wall in a minimum 5-foot planting strip may be substituted for the continuous row of shrubs.
 - d) Plants must be salt tolerant.
 - e) Breaks for pedestrian and vehicle access are allowed.
3. Interior Islands.
- a) A landscaped interior island must be provided for every 10 parking spaces. Interior islands must be distributed evenly throughout the parking area. Interior islands may be consolidated, or intervals may be expanded in order to preserve existing trees.
 - b) An interior island abutting a double row of parking spaces must be a minimum of 8.5 feet in width and 300 square feet in area.
 - c) An interior island abutting a single row of parking spaces must be a minimum of 8.5 feet in width and 150 square feet in area.
 - d) Interior islands may be installed below the level of the parking lot surface with curb breaks to allow for runoff capture.
4. Median Islands.
- a) A landscape median island must be provided between every 6 single parking rows.
 - b) A landscape median island must be a minimum of 5 feet wide.
 - c) A median island may also serve as the location for a sidewalk. In such case, the sidewalk must be a minimum of 6 feet wide, and the remaining planting area must be no less than 5 feet wide.
 - d) Median islands may be consolidated, or intervals may be expanded in order to preserve existing trees.
 - e) Median islands may be installed below the level of the parking lot surface with curb breaks to allow for runoff capture.

5. Tree Coverage.

- a) Each interior island must include at least one salt tolerant shade tree per 150 square feet.
- b) In no case can there be less than one shade tree for every 2,000 square feet of parking area including driving aisles.

6. Maintenance and Installation. All required parking lot landscaping shall be properly installed and maintained in perpetuity.

SECTION 7.5.0 GENERAL PERFORMANCE REGULATIONS

7.5.1 Corner Clearance

To provide a clear view across a corner for a driver of a vehicle, no structure or planting shall be allowed between a plane two (2) feet above street level and a plane seven (7) feet above street level within that part of a corner lot which is within a triangle bounded by the street lot lines and a straight line drawn between points on each such lot line twenty-five (25) feet from the intersection of said lot lines or extension thereof.

7.5.2 Streets, Driveways, Parking and Service Areas

In all districts except "RO" One Family Dwelling Districts, all streets, driveways, parking areas, service areas, ramps, loading docks and exterior storage areas shall be paved or surfaced with impervious materials. In areas where contamination or other environmental factors do not preclude infiltration, porous pavement, porous concrete, and/or permeable pavers may be used in streets, driveways and parking areas. All systems shall be designed and constructed so that water falling on such areas will be directed into an approved system of pipes, or drainage structures, or Low Impact Development (LID) features.

or to act in any other manner in relation thereto.

Submitted by the Planning Board

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()