

Article 7 Site Regulations

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ARTICLE 7 SITE REGULATIONS

SECTION 7.0 PURPOSE

The purpose of this Article is to establish site planning standards. In combination with Article 5, these provisions will help an applicant layout a site based on requirements for OFF-STREET PARKING, LANDSCAPING and SCREENING that are needed.

SECTION 7.1 OFF-STREET PARKING

Section 7.1.10 Off-street Parking Approach

The purpose of this section is to establish flexible regulations designed to ensure that adequate parking is provided for a particular use, taking into consideration its location and the type of neighborhood in which it is located. The number and location of parking spaces associated with a USE has a significant effect on the urban design quality of a place. This section balances the need for adequate parking with the need to avoid the negative impacts of highly visible parking lot construction, fitting parking facilities into the urban fabric in a manner that strengthens the City's economy and improves its appearance.

Section 7.1.20 Applicability

Section 7.1 shall apply in all ZONING DISTRICTS, except that there shall be no OFF-STREET PARKING requirement imposed within the Business C District for non-residential USES.

Section 7.1.30 Number of Off-street Parking Spaces by Use Category

- 7.1.31 The presumptive parking requirements for land uses established below are intended to be adapted and modified to reflect the particular characteristics of a specific USE and the neighborhood in which it is located.
- 7.1.32 The requirements in Table 7-1 may be reduced in the course of Site Plan or Special Permit review based upon information presented by the applicant and city agencies. The applicant's own estimate of parking demand, based upon the type of USE involved and its location, shall be given substantial deference. Other relevant considerations include:
- A. The availability of public transportation;
 - B. Whether the subject property lies within walking distance from shopping, employment, restaurants, housing, schools, and other trip destinations;
 - C. The availability of shared parking with binding agreements to secure its long-term availability;

- D. The availability of safely usable on-street parking,
- E. The provision of bicycle storage facilities, showers, lockers and related facilities to encourage bicycling; and
- F. The establishment of transportation demand management measures to reduce automobile use.

7.1.33 In addition, “Parking Generation, 3d edition” (2004) published by the Institute of Transportation Engineers and “Shared Parking Planning Guidelines” (ITE 1995) or any subsequent editions of both documents, may be consulted for non-binding guidance in establishing appropriate parking requirements for a particular use.

7.1.34 For uses that are not listed in Table 7-1 below, there shall be no presumptive parking requirement and parking requirements shall be established at the time of Site Plan or Special Permit Review, based upon the criteria in Section 7.1.32 and 7.1.33.

7.1.35 If the USE category is allowed by right, and an applicant is applying for a BUILDING PERMIT under Section 11.1, then the applicant may request a Tier 1 Administrative Site Plan Review (Section 12.2) to change the presumptive parking requirements.

7.1.36 The term FLOOR AREA in Table 7-1 means NET FLOOR AREA and fractions should be rounded down to the closest whole number.

7.1.37 For developments with more than one (1) USE, parking shall be the cumulative parking requirements for all USES unless applicant provides evidence for a lower amount in accordance with 7.1.32.

7.1.38 Section 7.1.60 below includes additional parking alternatives.

Table 7-1 Presumptive Required Off-street Parking	
Use Categories	Presumptive Parking Requirements by Use Category (square feet = Net Floor Area)
Residential Uses	
Single-family Dwelling	2 per dwelling unit
Two-family Dwellings	3 spaces (1.5 per unit)
Bed and Breakfast	1 space per bedroom
Multifamily Dwellings	1 space per studio or 1-bedroom unit 1.5 spaces/unit per 2-bedroom unit or larger
Educational, Religious, Charitable and Cultural Uses	
Community or Social Service and Municipal Offices	1 space per 200 sq. ft. of NET FLOOR AREA
CHILD CARE Service <ul style="list-style-type: none"> FAMILY CHILD CARE/LARGE FAMILY CHILD CARE CHILD CARE CENTER School Aged child care program 	None 2 per 700 square feet NET FLOOR AREA 1 per employee
Educational Services, not a school (e.g., tutoring or similar services)	2 space per 1,000 sq. ft. NET FLOOR AREA
Group Home	Less than 6 beds: 3 spaces 6 or more beds: 1 space per 3 residents, plus 1 per employee
Group Residential Facility	1 per 2 beds.
Hospitals	1 space for every 2 hospital beds.
Religious Institutions and Houses of Worship	1 space per every 5 seats or parishioners in main assembly hall
Schools	1 space per classroom

Table 7-1 Presumptive Required Off-street Parking	
Use Categories	Presumptive Parking Requirements by Use Category (square feet = Net Floor Area)
<ul style="list-style-type: none"> • Elementary, middle, junior-high schools • High schools: • Colleges 	<p>7 per classroom</p> <p>1 space per faculty/0.5 spaces per student</p>
Commercial Categories	
Health Clubs, Gyms, Continuous Entertainment (e.g., bowling alleys)	3 space per 1,000 sq. ft NET FLOOR AREA
Lodging (hotels, motels, inns)	0.75 per rentable room; for associated uses, such as restaurants, entertainment uses, and bars, see those uses
Medical Offices	3 spaces per 1,000 square feet NET FLOOR AREA
Motor Vehicle Repair.	2 spaces, plus one space per service bay or as determined by Site Plan/Special Permit Review
Office Uses (non-medical) Includes Banks and financial institutions	2 spaces per 1,000 sq. ft. NET FLOOR AREA
Personal Services	2 spaces per 1,000 sq. ft.
Retail Sales and Service	4 spaces per 1,000 sq. ft NET FLOOR AREA
Bulk Retail Sales and Service (e.g., auto, boat, trailers, nurseries, lumber and construction materials, furniture, appliances, and similar sales)	1 per 1,000 sq. ft. NET FLOOR AREA
Restaurants	8 spaces per 1,000 sq. ft. NET FLOOR AREA
Theaters and Cinemas	1 per 6 seats
Funeral Parlor	5 spaces per viewing room
Industrial Categories	
Industrial Service	1 space per 1,000 sq. ft. of NET FLOOR AREA

Table 7-1 Presumptive Required Off-street Parking	
Use Categories	Presumptive Parking Requirements by Use Category (square feet = Net Floor Area)
Manufacturing and Production	1 space per 1,000 sq. ft. of NET FLOOR AREA
Warehouse and Freight Movement	0.5 space per 1,000 sq. ft. of NET FLOOR AREA
Waste/Refuse Related	Site Plan/Special Permit Review
Wholesale Sales	
Fully enclosed	1 space per 1,000 sq. ft. NET FLOOR AREA
Not enclosed	Site Plan/Special Permit Review
Other Categories	
Uses not listed here	Determination by the Building Commissioner or his/her designee.

Section 7.1.40 Dimensions of Off-street Parking Spaces

- 7.1.41** In a parking lot or parking BUILDING at least fifty (50) percent of the parking spaces must be eight and one-half (8 ½) feet wide by eighteen (18) feet deep. The remaining parking spaces may be eight (8) feet by sixteen (16) feet to accommodate smaller cars.
- 7.1.42** These parking space sizes are exclusive of driveways and aisles which must have direct access to a STREET or alley. Aisle widths are shown on Table 7-2.
- 7.1.43** Bumper or wheel guards shall be provided to keep cars from hanging over the public right-of-way or pedestrian facilities.

Table 7-2 Dimensional Requirements for Parking Drive Aisles	
Angle of Parking	Minimum Aisle Width
Parallel	12 feet
45°	13 feet
60°	17 feet

Table 7-2 Dimensional Requirements for Parking Drive Aisles	
Angle of Parking	Minimum Aisle Width
90°	23 feet

Section 7.1.50 Design of Off-street Parking Areas

7.1.51 Applicability

This Section applies to all USES other than SINGLE-FAMILY and TWO-FAMILY DWELLINGS.

7.1.52 Location of Required Parking

- A. The location of OFF-STREET PARKING shall be determined by the character of the immediate neighborhood where a particular USE is proposed to be located (the "Use"). In order to maintain a pedestrian friendly neighborhood where OFF-STREET PARKING is primarily located behind or to the side of a principal BUILDING and to encourage the extension of these types of neighborhoods in connection with proposed new development, OFF-STREET PARKING shall be located behind or to the side of the principal BUILDING when the dominant character of the immediate neighborhood is such that OFF-STREET PARKING is located primarily behind or to the side of BUILDINGS. There are numerous locations in neighborhoods throughout the City where it is inappropriate to require that OFF-STREET PARKING to be located behind or to the side of the principal BUILDING because of the dominant character of the immediate neighborhood where OFF-STREET PARKING is primarily located in front of BUILDINGS. For purposes of determining the dominant character of the immediate neighborhood with respect to the location of OFF-STREET PARKING, the location of OFF-STREET PARKING servicing parcels of land with BUILDINGS and other improvements ("Parcels") located along the public way where the USE is located on the same side of the street and within one thousand (1,000) feet of each property line of the LOT where the USE is located shall constitute the immediate neighborhood with respect to such USE (the "Immediate Neighborhood"). Vacant lots shall not be counted and the Immediate Neighborhood shall consist of one thousand (1,000) feet of Parcels measured from each property line. The determination of the dominant character of the Immediate Neighborhood with respect to OFF-STREET PARKING shall be based upon the following:

1. If the total number of linear feet of Parcels in the Immediate Neighborhood on either side of the LOT where OFF-STREET PARKING is located within the front of the BUILDING is greater than the number of linear feet of Parcels in the Immediate Neighborhood on either side of the LOT where OFF-STREET PARKING is located behind or to the side of the BUILDING, OFF-STREET PARKING in front of the BUILDING shall constitute the dominant character of the Immediate Neighborhood.
 2. If Section 7.1.52.A.1 above is not satisfied, OFF-STREET PARKING behind or to the side of the BUILDING shall constitute the dominant character of the Immediate Neighborhood.
 3. Where OFF-STREET PARKING is permitted in the front of the BUILDING, the applicant shall establish all required buffers as outlined in Section 7.1.53 below.
 4. In the event of any dispute as to the character of the Immediate Neighborhood in relation to the location of OFF-STREET PARKING, the BUILDING COMMISSIONER shall be responsible for resolving any such dispute consistent with the provisions of Section 7.1.52.A.
- C. Required OFF-STREET PARKING shall be provided either on the same LOT as the PRINCIPAL USE it is intended to serve, or on a LOT that is in the same ownership as the PRINCIPAL USE and located within three hundred (300) feet of it. OFF-STREET PARKING may be located on leased property within three hundred (300) feet if evidence of an executed lease is presented with an application.
- D. OFF-STREET PARKING shall be clearly marked or striped which shall be maintained over time.
- E. Parking required for two (2) or more BUILDINGS or USES may be provided in combined OFF-STREET PARKING facilities where such facilities will continue to be available for such BUILDINGS or uses.

7.1.53 Interior Parking Lot Landscaping and Design

- A. Parking lots shall be designed and landscaped to avoid long, uninterrupted rows of vehicles by breaking them into separate parking lots divided by tree lines, alleys, pedestrian areas, or BUILDINGS. Parking lots containing more than seventy (70) spaces shall be divided into smaller areas by

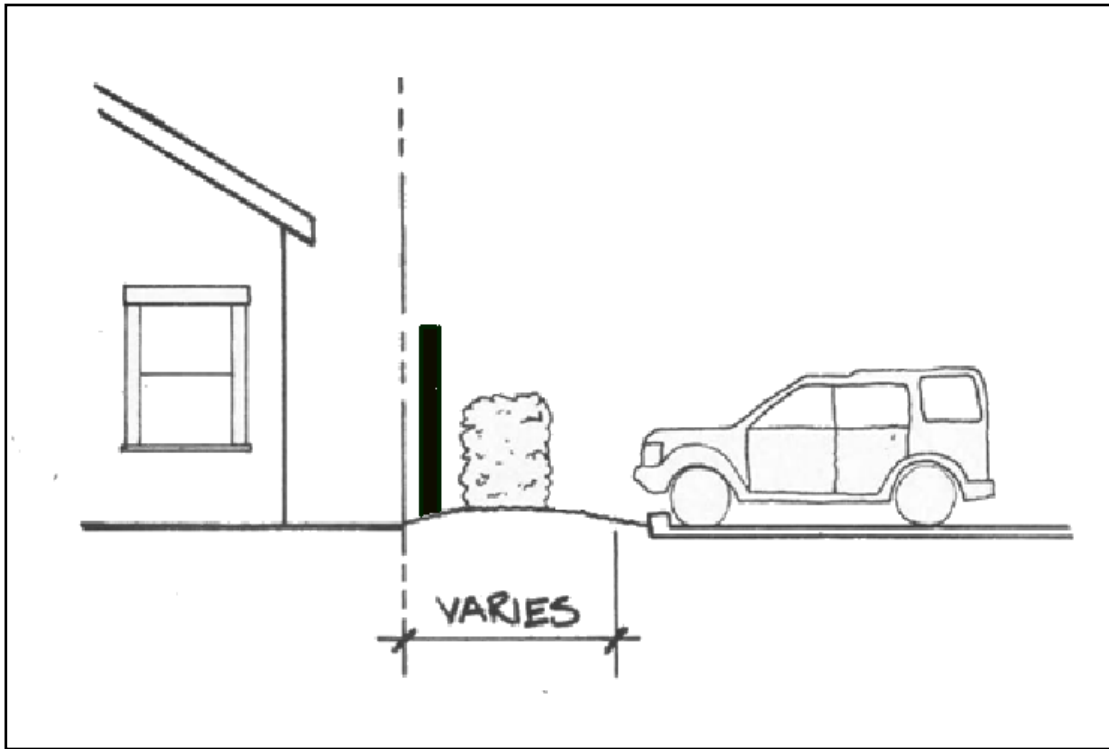
landscaped islands at least ten (10) feet wide located no more than one hundred and twenty (120) feet apart.

- B. All islands shall be planted with three inch (3”) minimum caliper shade trees native to the region or otherwise proven to be able to withstand conditions in urban parking lots, with at least one (1) tree for every thirty (30) linear feet of island.
- C. Parking lots containing less than sixty (60) spaces shall provide at least one (1) three (3) inch minimum caliper shade tree per fifteen (15) spaces. In addition, all parking lots and vehicle display areas shall have a minimum of a three (3) foot landscaped buffer between the parking lot and the abutting sidewalks or STREET.
- D. These requirements may be reduced through the course of Site Plan Review.

7.1.54 Perimeter Screening of Off-street Parking Areas

- A. OFF-STREET PARKING that adjoins LOTS in Residential Districts shall be screened from such Residential LOTS, as follows:
 - 1. All illumination located in on OFF-STREET PARKING lots shall be shielded to avoid shining on abutting or other properties.
 - 2. Such OFF-STREET PARKING shall use a BUFFER PLANTING STRIP consisting of a pervious landscaped surface, at least as wide as designated in Table 7-3 for buffers between adjoining ZONING DISTRICTS.
 - 3. Such BUFFER PLANTING STRIP shall be landscaped for its full length and width and give maximum protection to an abutting property or district while also meeting the requirements for SIGHT TRIANGLE AREA described in Section 5.2.70.
 - 4. The required screen shall be permanently maintained. It shall consist of dense evergreens, or an approved equal, not less than four (4) feet in height, and an appropriate wall or solid FENCE, not less than four (4) feet in height. (See Figure 7-1)

Figure 7-1 Buffer Planting Strip



- B. Residential USES which abut or are across the STREET from an OFF-STREET PARKING lot shall be protected from headlight glare by either:
1. A BUFFER PLANTING STRIP of at least seven (7) feet wide, densely planted with shrubs or trees which are at least three (3) feet high at the time of planting and which are of a type that may be expected to form a year-round dense screen.
 2. Such screening shall be maintained in good condition at all times, and may be interrupted by normal entrances or exits.

7.1.55 Construction and Maintenance of Off-street Parking Lots

- A. OFF-STREET PARKING lots shall be surfaced and properly maintained with bituminous concrete or its approved equal, with adequate drainage. Parking spaces must be clearly marked and striped. Surfacing, grading, and drainage shall facilitate groundwater recharge in order to reduce stormwater runoff. All parking plans shall be reviewed and approved by the DEPARTMENT OF PUBLIC WORKS.

7.1.56 Lighting

- A. Lighting within parking lots shall be on poles of twenty (20) feet maximum height, with color corrected lamps and cut-off luminaires designed to minimize glare and light pollution.

7.1.57 Nonconforming Parking Lots

- A. NONCONFORMING parking lots shall be brought into conformity with this Section 7.1.30 to the extent practical whenever a Site Plan or Special Permit application is filed for either:
 - 1. The expansion of a USE by more than twenty-five (25) percent gross FLOOR AREA, expansion of the parking area by more than twenty-five (25) percent of the number of parking spaces or
 - 2. A new USE that will require an increase of more than twenty-five (25) percent in the number of parking spaces.

Section 7.1.60 Alternative Parking Solutions

7.1.61 Shared Parking

- A. Where an application for a BUILDING PERMIT, Site Plan Approval, or Special Permit proposes shared parking with one (1) or more other separately owned properties and such shared parking has been approved, the owners of the properties shall enter into a legal agreement guaranteeing access to, use of, and management of designated shared parking spaces.
- B. The agreement shall be in a form approved by the City Law Department and shall be included as an enforceable condition of any BUILDING PERMIT, Site Plan approval, or Special Permit.

7.1.62 Reduction of Parking Requirements for Providing Interconnections or Dedication of Land

- A. Parking requirements may be reduced at the discretion of the reviewing authority where adjoining parking areas are connected directly to one another or to a service road or alley to reduce turning movements onto roads.

Section 7.1.70 Parking of Trucks, Buses, and Commercial Vehicles

- 7.1.71 Parking stalls for trucks, buses, or other commercial vehicles exceeding either seven and a half (7 ½) feet in width or eighteen (18) feet in length shall be located at least one hundred (100) feet from the nearest DWELLING UNIT in a residential district.
- 7.1.72 Stalls for such vehicles shall be specifically identified in the site plan, and shall be of such dimensions as to accommodate the specified type of vehicle. Such vehicles shall be permitted to park only in the stalls so identified and approved.

SECTION 7.2 OFF-STREET LOADING

The specific loading requirements for a particular proposed USE shall be established through the Special Permit and /or Site Plan Review process based upon the operational characteristics of the use. Within the Business C District, OFF-STREET LOADING shall only be required if it is a practical option due to the availability of adequate space in a rear parking lot or alley.

Section 7.2.10 Layout of Loading Facilities

- 7.2.11 Each loading space shall be not less than ten (10) feet in width, fourteen (14) feet in height, and of such length that a truck or trailer occupying such a space shall be located entirely on the LOT with the BUILDING it is to serve, and shall not extend into sidewalks or the STREET.
- 7.2.12 Loading spaces may not include any of the required parking area. However, access ways and aisles may be used in common approaches to both parking areas and loading areas where approaches to both parking areas and loading areas are adequate for both.

SECTION 7.3 ACCESS AND CIRCULATION

Section 7.3.10 Driveway and Access Location Standards

7.3.11 Access to Off-street Parking areas

- A. No area used for OFF-STREET PARKING or vehicle storage shall directly abut a STREET unless separated from the STREET or highway by a raised curb, planting strip, wall, or other effective barrier.
- B. No LOT shall have more than two (2) access ways to any one (1) public STREET for each five hundred (500) feet of FRONTAGE. ACCESS DRIVES

must have a minimum of twenty (20) feet width but shall not be more than thirty-five (35) feet in width.

- C. Parking stalls in OFF-STREET PARKING lots shall be set back from the FRONT LOT LINE, a minimum of three (3) feet to avoid the probability of cars backing or otherwise maneuvering on the sidewalk upon entering or leaving the stalls.
- D. Curbs shall be provided to prevent MOTOR VEHICLES from being parked within required YARD areas, or beyond the boundaries of the LOT where no YARD is required.
- E. In accordance with a Tier 2 Site Plan Review (Section 12.3) the Planning Board may authorize, but not require, the owners of adjoining properties to establish common driveways under reciprocal easements provided that any such Special Permit shall not become effective until the easement has been recorded, notwithstanding the provisions above.

7.3.12 Access to Multi-Family Dwellings

- A. In conformance with Section III-C of the Subdivision Rules and Regulations, the Planning Board shall determine the requirements for adequate access to each BUILDING. This includes the construction characteristics of the access driveways. In no case shall an access driveway or DRIVE be less than twenty (20) feet in paved width.
- B. Principal criteria to be considered in this Site Plan Review are:
 - 1. The distance from each BUILDING to the nearest way providing access. Generally, no rear wall of any BUILDING shall be more than three hundred (350) feet from a STREET built to City standards and no BUILDING shall exceed three hundred (300) feet in length.
 - 2. Number of DWELLING UNITS or PARKING SPACES to be served by the way.
 - 3. Accessibility to fire and other emergency or service vehicles.

Section 7.3.20 Accessory Drive-through Facilities

- 7.3.21** Except in the Business D District, no ACCESSORY DRIVE-THROUGH FACILITIES shall be located in the REQUIRED FRONT YARD. FURTHER, no accessory drive-through facilities shall be located in any REQUIRED SIDE OR REAR YARD if abutting

a residential district. These requirements may be waived if it is determined that these requirements would make the accessory drive-through infeasible. This determination shall be made, taking into account the required configuration of the building and related drive-through structure in order to provide drive-through services in relation to the size, shape and topography of the lot where such USE is proposed to be carried out. This prohibition applies to STRUCTURES, stacking lanes, and other related facilities.

- 7.3.22 This Section shall not prevent ACCESS DRIVES to DRIVE-THROUGH facilities from crossing such REQUIRED YARDS to gain access to properly located STRUCTURES, stacking lanes, and other facilities.

SECTION 7.4 FENCING, LANDSCAPING, AND SCREENING

Section 7.4.10 Purpose & Applicability

In order to buffer adjacent land USES of different intensities and promote public health and safety, this Section provides standards for fencing, landscaping, screening and buffering design. The screening of OFF-STREET PARKING areas is covered in Section 7.1.

Section 7.4.20 Fences and Vegetative Barriers

- 7.4.21 In any Residential District, a FENCE greater than six (6) feet in height shall require a Tier 3 Special Permit. The same requirement shall apply for a fence in excess of eight (8) feet, located within a Business District, if said fence is located within ten (10) feet of a property line of a Residential USE.

- 7.4.22 Except in a Residential District, a wall or Fence less than six (6) feet in height above the finished grade may be permitted in a required Side or Rear Yard.

7.4.23 Residential District Fencing Standards

- A. In a Residential A-1 or A district, no FENCE shall be constructed between the front foundation line and the STREET or in a required FRONT YARD.
- B. In a Residential B, B-1 or C district, no FENCE greater than three (3) feet in height shall be constructed between the front foundation line and the STREET or in a required FRONT YARD.
- C. In all Residential Districts, FENCES, walls and vegetative barriers located within the SIGHT TRIANGLE described in Section 5.2.70 shall comply with the standards in that Section.

- 7.4.24 In all ZONING DISTRICTS, razor or barbed wire shall not be located along the FRONT LOT LINE. FENCES that abut a Residential USE or that are within a Residential DISTRICT shall not contain razor or barbed wire.
- 7.4.25 Gates must swing inwards at the property line so as not to obstruct the sidewalk or right of way.
- 7.4.26 All FENCES, walls and vegetated barriers shall be properly maintained. Any FENCE, wall or vegetated barrier in disrepair shall be removed or repaired within thirty (30) days upon a notice from the BUILDING COMMISSIONER.

Section 7.4.30 Landscaping and Screening - Generally

7.4.31 Refuse Areas

- A. All REFUSE containers for uses other than SINGLE-FAMILY and TWO-FAMILY homes shall meet the following conditions, which may only be waived with a Tier 3 Special Permit granted by the City Council:
1. REFUSE containers shall not be visible from the STREET.
 2. REFUSE containers shall be set back from the front property line at least as far as the primary STRUCTURE on the property. No REFUSE container shall be located in the FRONT YARD unless completely screened and not visible from the street.
 3. REFUSE containers shall be enclosed or screened by a STRUCTURE constructed out of the same or similar materials to the primary STRUCTURE on the property or an approved alternative. The enclosure shall screen the containers from view from the public way and protect the containers from raccoons, rodents, and other pests.
 4. Outdoor REFUSE containers shall not be stored within ten (10) feet of exterior windows or doors that open directly onto habitable space within housing units on the basement, ground, or first floors of BUILDINGS containing housing.

7.4.32 Buffers between Districts

Where two (2) land uses abut each other, the more intense use must provide a BUFFER PLANTING STRIP when adjacent to residential district and/or residential uses. This requirement shall apply

to pre-existing lots where a new use or more intense use is established. All DEVELOPMENT must follow the buffer and screening requirements in Table 7-3 and illustrated in Figure 7-1.

Table 7-3 Buffer Screening between districts	
Subject Lot in District where Side or Rear LOT LINE abuts Residential district (or a less intense Residential district).	Buffer width
Residential A, A-1, B, B-1	None
Residential C	5 feet
Residential C-2	7 feet
Office A	3 feet
Commercial P	10 feet
Commercial A	5 feet
Business A	7 feet
Business B	10 feet
Business C	None
Business B-1	10 feet
Business D	15 feet
Mixed Use Industrial	10 feet
Industrial A	15 feet
Industrial Park	15 feet
Riverfront	None
Open Space	None