

ARTICLE VIII
Off-Street Parking and Loading
[Amended 10-27-1992 STM by Art. 18;
5-11-1994 ATM by Arts. 55 and 56]

§ 135-801. Purpose.

The purpose of this section is to promote the general welfare and public convenience by:

- (1) Providing adequate off-street parking facilities;
- (2) Ensuring the safe access and egress and movement within the development; and
- (3) Protecting abutting residential uses from the adverse impact of vehicular uses.

§ 135-802. Applicability.

- A. Off-street parking and loading facilities as specified in §§ 135-806A and 135-814A shall be provided for any new building or structure constructed, for any new uses established and for any change of use in an existing building or on a site which would require the provision of additional parking spaces. Any construction of a new parking facility shall comply with all the requirements set forth in Article VIII. Any reconstruction of an existing parking facility which cumulatively exceeds 25% of the parking area (excluding resurfacing) shall comply with all the requirements set forth in Article VIII.
- B. For the purposes of this chapter, "off-street parking facility" shall mean a surface parking lot, and "parking structure" shall mean a parking garage.

§ 135-803. Decreases in parking requirements.

- A. A decrease in the number of off-street parking spaces required by this section may be granted as a condition for the issuance of a special permit or a site plan review provided that the following criteria have been met:
 - (1) The intent of this section is preserved.
 - (2) The amount of off-street parking to be provided will be sufficient to serve the uses for which it is intended.
 - (3) The decrease in required off-street parking is based on a parking study prepared by a registered professional engineer. Said study shall include, at a minimum, the following:
 - (a) Size and type of uses or activities on site;
 - (b) Composition of tenancy on site;
 - (c) Rate of parking turnover;

- (d) Peak traffic and parking loads to be encountered;
 - (e) Local parking habits;
 - (f) Availability of public transportation.
- B. Should the special permit granting authority (SPGA) allow a decrease in the amount of required off-street parking, the SPGA shall require that a portion of the site be reserved to meet the off-street parking spaces required by this section. This reserved area shall not be developed and shall be either landscaped or maintained in a natural state. Said area shall not contribute towards the open space requirements as set in § 135-701.

§ 135-804. Multiple uses.

- A. In those cases where a combination of principal uses as identified in § 135-806A exists on one site, off-street parking shall be provided for each use in accordance with the requirements set in § 135-806A, Schedule of Off-Street Parking Requirements.
- B. In those cases where a retail use as identified in § 135-806A contains separate nonretail areas (excluding office uses) within the same structure as the retail use, the SPGA, at its discretion, may treat the nonretail areas as a separate use which shall require one off-street parking space per 1,000 square feet of area provided the following criteria are met:
- (1) The retail use including all nonretail areas has a minimum area of 25,000 square feet;
 - (2) Each individual nonretail area to be treated as a separate use must have a minimum area of 3,000 square feet;
 - (3) The site on which the retail use is located conforms to the lot size, lot coverage and open space requirements set in § 135-701;
 - (4) There is a constructed separation between the retail and nonretail areas; and
 - (5) There shall be no direct sale of goods or services from the nonretail areas.

§ 135-805. Location of required off-street parking facilities.

- A. All off-street parking spaces as required by this section shall be located on the same site that they are intended to serve, except as authorized under § 135-805B.
- B. Required off-street parking for business or commercial developments may at the option of the applicant be located off site provided that the following criteria are met:
- (1) The required parking is located within 800 feet of the uses which it is intended to serve.
 - (2) There shall be no traffic hazards for pedestrians utilizing the off-site parking facility as determined by the Braintree Police Department.
 - (3) Off-site parking facilities for retail uses shall not be permitted except for designated employee parking.

- (4) A parking covenant, deed or agreement shall be submitted to the appropriate Town authority for review and approval. Said covenant, deed or agreement shall ensure that as long as a building or use is dependent upon off-site parking, the off-site parking facility will be available to serve the building or use.
 - (a) No covenant or agreement regarding off-site parking shall be terminated, modified or otherwise varied without the assent of the appropriate Town authority.
 - (b) The execution and recording of all covenants, deeds or documents shall be a condition of the use of off-site parking.
- C. Off-street parking and loading required for business or commercial uses shall not be allowed in residential, cluster or open space conservancy zoning districts except lots authorized under § 135-306.

§ 135-806. Schedule of off-street parking requirements.

A. Off-street parking for the following uses shall be provided as follows:

Use	Parking Required
Single-family	2
Two-family	4
Multifamily	2 per unit
Hotel, motel	1.25 spaces/guest unit plus additional spaces for other commercial uses as required
Club or lodge	1 space/100 gross sq. ft.*
Fraternities, sororities, dormitories	1 space/200 gross sq. ft.
Hospital	1 space/bed plus 1 space/100 gross sq. ft. devoted to medical uses and/or office space
Sanatorium, nursing, convalescent home, home for the aged	1 space/2 beds plus 1 space/250 gross sq. ft. devoted to adult day care and/or office space
Funeral home, mortuary	1 space/250 gross sq. ft. (entire structure)
Museum, library, community center	1 space/250 gross sq. ft.
Commercial post office	1 space/200 gross sq. ft.
Bowling alley	3 spaces/bowling lane

Use	Parking Required
Theater, auditorium	1 space/4 seats
Church	1 space/4 seats
Elementary and middle school	1.5 spaces/employee
High school	1.5 spaces/employee plus 1 space per 5 students of designed capacity
General office, professional or public building	1 space/250 gross sq. ft.
Helicopter	As required by the special permit granting authority
Restaurant	1 space/3.5 seats
Fast-food establishment	1 space/100 gross sq. ft.
Filling station, motor vehicle repair shop	1 space/500 gross sq. ft.
General business, retail and personal service establishments	1 space/200 gross sq. ft.
Commercial and manufacturing establishments	1 space/1,000 gross sq. ft.
Private school	1 space/500 gross sq. ft.
Training school	1 space/500 gross sq. ft. including outside training areas
Institution of historic, philanthropic, charitable character	Board of Appeal (see § 135-806C)
Riding academy or stable	1 space/horse stall
Boathouse, marina	.75 space/boat
Golf course	2 spaces/green plus 50% of requirements for any associated uses
Motor vehicle sales	1 space/250 gross sq. ft. (exclusive of outside sales area)
Amusement/place of assembly	1 space/250 gross sq. ft.
Newspaper or job printing	1 space/250 gross sq. ft.
Open storage, boats	1 space/5 boats

Use	Parking Required
Medical office/clinic	1 space/150 gross sq. ft.
Greenhouse	1.25 spaces/employee
Animal clinic/hospital	1 space/500 gross sq. ft.
Indoor commercial recreation	1 space/250 gross sq. ft.
Outdoor commercial recreation	Board of Appeal (see § 135-806C)
Fair, carnival, similar events	As required by the special permit granting authority
Data center, communications facility	1 space per 1,000 gross sq. ft., together with parking as required for any portion devoted to office space

* Gross square feet is the sum of the gross horizontal areas of all the floors of a building measured from the exterior face of exterior walls or from the center line of a wall separating two buildings.

- B. Off-street parking requirements for uses not specifically listed in the preceding schedule shall be determined by the Zoning Board of Appeal. Said determination shall be based on the requirements set for similar uses and on any appropriate traffic engineering and planning data. For projects requiring a special permit or site plan review, the SPGA shall be the determining board.
- C. For those uses for which the parking requirements are to be determined by the Zoning Board of Appeal as specified in § 135-806A, an applicant proposing to develop or expand said uses shall submit a parking study which provides justification for the off-street parking being proposed. The Zoning Board of Appeal, in making its determination, shall review this study and any appropriate engineering and planning data. For projects requiring a special permit or site plan review, the SPGA shall be the determining board.

§ 135-807. Submission of parking plan.

A parking plan shall be submitted for any development of or expansion of a building or structure or use which will require a special permit or site plan review. Said plan shall include the following as appropriate or required:

- (1) A locus map locating the proposed development;
- (2) Dimensioned property lines;
- (3) Streets and land uses bordering the development;
- (4) Name and address of the designer;
- (5) Scale and North arrow;
- (6) Existing or proposed obstructions (e.g., buildings, trees, landscaping, utility and lighting poles, walls);

- (7) Width and existing configuration of streets (including striping layout if any) from which the development has access;
- (8) Location and dimensions of proposed and existing curb cuts on site and within 50 feet of the development on both sides of the streets;
- (9) Intended users (e.g., employees, customers, general public);
- (10) Loading and unloading areas;
- (11) Type of paving material to be used;
- (12) On-site directional signing, pavement and parking striping, and the identification and location of handicapped spaces;
- (13) Number of regular and handicapped spaces required and number of spaces provided;
- (14) The location of median channelization (e.g., left turn pockets or raised islands).

§ 135-808. Standards for parking facilities.

- A. Backing out onto a public street or sidewalk from a parking space shall be permitted only for single- and two-family residences.
- B. Parking facilities shall be designed so that each vehicle may enter or exit from any parking space without requiring the moving of any other vehicle.
- C. All parking facilities shall be designed and constructed with internal circulation so that each parking space can be accessed without using a public street.
- D. Curbs, bollards and/or wheel stops shall be located so as to:
 - (1) Protect adjacent property from damage; and
 - (2) Protect landscaped areas.
- E. For parking structures, all aisles and ramps shall be constructed so as to provide a minimum of 10 feet of clearance along all points along the wheel base of a car or van.
- F. Parking structures shall be designed and constructed so as to provide adequate access for emergency vehicles.

§ 135-809. Dimensions for parking spaces, bays, and aisles.

- A. Full-size parking spaces (Figure 1).⁸ Each full-size parking space shall be a minimum of 8½ feet in width and 18 feet in length.
- B. Handicapped parking spaces. Each handicapped parking space shall be designed and laid out as required by 521 CMR or any successive regulations.

⁸ Editor's Note: Figure 1 is included at the end of this article.

- C. Parking bays and aisles. The minimum dimensions for parking bays and maneuvering aisles shall conform to the dimensions specified in Figure 2.⁹
- D. Entrance and exit driveway widths.
 - (1) Entrance and exit driveway widths shall conform to the dimensions specified in Figure 3.¹⁰ The SPGA in its review of a special permit or site plan review may vary these dimensions as circumstances warrant.
 - (2) Driveways shall be located so as to minimize conflict with traffic on public streets and to maintain good visibility and sight distances.
- E. Distances between driveways. There shall be a minimum of 75 feet between driveways on a parcel. Said distances shall be measured along the street line.
- F. Driveway set back from curblines on a curblines of an intersecting street. No driveway shall be located within 25 feet of the curblines point of curvature of an intersecting street.
- G. Visibility. Site drive shall have the minimum unobstructed line of sight for the public way that it enters as follows: **[Amended 5-8-1995 ATM by Art. 44]**

Design Speed (mph)	Stopping Sight Distances (feet)*
20	125
25	150
30	200
35	225 to 250
40	275 to 325
45	325 to 400
50	450 to 550

* Data taken from "A Policy on Geometric Design of Highways and Streets," Table III.1, published by the American Association of State Highway and Transportation Officials, 1990.

§ 135-810. Operation and maintenance of parking areas.

- A. It shall be the responsibility of the owner or operator of a parking facility to ensure that the facility is maintained in good operating condition and operated as follows:
 - (1) Said facility shall be used only for the parking of vehicles.
 - (2) Said facility shall not be used for storage.
 - (3) Said facility shall not be used for the storage or repair of vehicles or equipment.
 - (4) Said facility shall not be used for the sale of merchandise except on a temporary basis for special events as authorized by the Board of Selectmen.

⁹ Editor's Note: Figure 2 is included at the end of this article.

¹⁰ Editor's Note: Figure 3 is included at the end of this article.

- (5) Said facility shall maintain clear and unobstructed travel and fire lanes at all times.
 - (6) Said facility shall be periodically swept and cleaned.
 - (7) Said facility shall be kept free of rubbish and debris.
 - (8) Said facility shall be plowed and kept free of snow.
 - (9) All landscaped areas shall be kept free of weeds and debris. All vegetation within said areas shall be maintained free of physical damage caused by chemicals, insects, lack of water, or other causes. Damaged plants shall be replaced with the same or similar vegetation on an annual basis.
- B. All paving surfaces, lighting, fences, barriers and walls shall be maintained in good repair and replaced if necessary.

§ 135-811. Submission of landscaping plans.

A landscaping plan(s) shall be submitted for any development of or extension of a building, structure or use which will require a special permit or site plan review. Said plan(s) shall be prepared by a design professional and shall include the following as appropriate or required:

- (1) Scale and North arrow;
- (2) Title block with applicant's name and the name and address of the design professional who prepared the plan(s);
- (3) Location and name of streets abutting the development;
- (4) Location of all trees in and within 50 feet of any area to be graded, and the location of any trees to be removed;
- (5) Proposed landscaping details including location, species, size and number of trees, shrubs, ground cover and structural landscaping elements.

§ 135-812. Landscaping requirements (see § 135-708).

In reviewing a landscaping plan for a parking facility the SPGA may waive the following standards upon showing of good cause.

A. Landscaping for parking areas shall:

- (1) Use trees as the primary landscaping material.
- (2) Use shrubs and ground cover to complement trees.
- (3) Where practical incorporate earthen berms and existing topography into the landscaping.
- (4) Where practical use existing landscaping as a design element.
- (5) Have all interior planting areas bounded by a concrete curb with a minimum height of six inches.

- (6) No landscape materials shall be installed at curb cuts which will hamper the line of sight at the curb cut.
- B. A storage area shall be provided on site to accommodate snow removal from a six-inch storm.
- C. A minimum ten-foot-wide landscaped strip shall be provided along property lines parallel to any public or private street when parking or circulation areas abut said street.
- D. A minimum of 5% of the gross area of an off-street parking facility, not including the setback required in § 135-812C, shall be landscaped.
- E. A continuous landscaped strip shall be provided at a minimum between every six rows of parking spaces. Said strip shall be a minimum of eight feet in width.
- F. Planting islands shall be provided at the beginning and end of at least every third parking row. Said islands shall be a minimum of nine feet wide and shall be planted with one shade tree having a clear trunk height of at least six feet.
- G. Landscaping shall be used to delineate vehicular and pedestrian circulation patterns. Clear and legible signs, different color and texture paving materials, raised areas, and other techniques should be used to further direct the flow of both vehicular and pedestrian traffic within the lot.
- H. A minimum five-foot-wide buffer strip which may include a sidewalk shall be provided between the parking facility and buildings when parking or circulation areas abut said buildings.
- I. Parking facilities located in a commercial or business zoning district shall have peripheral landscaping along any interior (side) property line not along a public right-of-way. Peripheral landscaping shall:
- (1) Have a five-foot-wide landscaped strip located between the parking area and the abutting property line.
 - (2) Have a minimum of one tree planted for each 40 linear feet of property line.

§ 135-813. Construction standards.

- A. Surfacing. All parking spaces and maneuvering areas shall be paved and permanently maintained with asphalt, concrete or any other all-weather surfacing approved by the Town's Building Inspector.
- B. Wheel stops. A continuous six-inch curb or Cape Cod berm shall be installed around the perimeter of the parking lot, at all planting areas and at all landscaped islands. Said curbs shall serve as wheel stops and protection for planting areas/landscaped islands and walls. Where curbs are not installed adjacent to public sidewalks, wheel stops shall be installed to prevent vehicles from encroaching into or onto a public right-of-way.
- C. Directional arrows and signage. Aisles, approach lanes and maneuvering areas shall be clearly marked with directional arrows and lines to expedite traffic movement.

D. Drainage. Parking facilities shall be graded and drained so that no surface water drains onto a public way.

E. Lighting.

(1) Parking facilities which are used at night shall have security lighting.

(2) Lighting shall be arranged and shielded so as to prevent glare from the light sources onto adjacent properties.

§ 135-814. Off-street loading and unloading areas.

A. All business and commercial uses shall provide and maintain off-street loading areas as provided below:

Use	Loading Space	Loading Bay
Single-family	0	0
Two-family	0	0
Multifamily	0	0
Hotel, motel	1	0
Club or lodge	1	0
Fraternities, sororities	1	0
Hospital	2	*
Sanatorium, nursing convalescent home, home for the aged	1	1
Funeral home, mortuary	1	0
Community center, library, museum	1	0
Commercial post office	1	**
Bowling alley	1	0
Theater, auditorium	1	0
Church	0	0
Elementary and middle school	1	0
High school	1	0
General office, professional or public building	1	0
Heliport	1	0
Restaurant	1	0

Use	Loading Space	Loading Bay
Fast-food establishment	1	0
Filling station, motor vehicle repair shop, roadside service establishment	1	0
General business, retail and personal service establishments	1	0
Commercial and manufacturing	1	*
Private school	1	0
Training school	1	0
Institution of historic, philanthropic, charitable character	na	na
Riding academy or stable	1	0
Boathouse, marina	1	1
Golf course	1	0
Motor vehicle sales	1	1
Amusement/place of assembly	1	0
Newspaper, job printing	0	1
Open storage, boat	1	0
Medical center/clinic	1	0
Indoor commercial recreation	1	0
Outdoor commercial recreation	1	0
Animal clinic/hospital	1	0
Greenhouse	1	1

* When the use in question requires loading bays, the total number of bays shall be calculated as follows:

Number of Loading Bays Per Establishment	Size of Establishment (gross square feet – GSF)
1	0 to 25,000
2	25,001 to 75,000
3	75,001 to 150,000
4	150,001 to 250,000
1 additional bay per establishment for each additional 100,000 over 250,000 GSF	

** To be determined by the SPGA

B. General provisions.

- (1) The minimum size for a loading space shall be at least nine feet in width and 24 feet in length exclusive of driveways.
- (2) The minimum size for a loading bay shall be at least 12 feet in width, 36 feet in length, and with 14 feet in vertical clearance.
- (3) Loading areas shall be located so commercial vehicles shall not back into a public street.
- (4) Each commercial or business site shall be self-contained and capable of handling its own truck maneuvering and docking requirements. The use of public streets for staging and/or maneuvering is prohibited.
- (5) Required loading areas shall not be used to satisfy off-street parking requirements.
- (6) All driveways and loading areas shall be graded, surfaced, and maintained so as to avoid nuisance from dust, erosion or excessive water flow across public ways.
- (7) All lighting for said facilities shall be arranged and shielded so as to prevent glare from the light sources onto adjacent properties.

§ 135-815. Village Zoning District off-street parking and loading. [Added 5-7-2002 STM by Art. 13]

- (1) Parking regulation. In addition to site plan review guidelines for parking, the following criteria shall be considered:
 - (a) Parking areas shall be located to the side and rear of the structure. No parking area shall be designed such that parking is within the required or authorized front yard setback.
 - (b) Parking areas of adjacent lots shall have reasonable and convenient off-street vehicular connections. Where adjacent property has not been developed, provisions shall be made for future off-street connections with adjacent properties. Reserved strips of land to preclude such connections shall be prohibited.
 - (c) If a new use cannot meet minimum off-street parking requirements, then the SPGA may require, as part of a special permit, the payment of a fee by the applicant to allow the Town to provide such additional required off-street parking in lieu of the applicant providing required off-street parking.
 - (d) If an existing use is changed in such a way that:
 - [1] A change of use of all or any portion of a building or structure from a use of one parking class to a use of another parking class; or
 - [2] An interior increase of floor area for which off-street parking must be provided and such required off-street parking cannot be provided because of the nonavailability of space in the zoning lot upon which such building or structure is located,

then the SPGA may require, as part of a special permit, the payment of a fee by the applicant to allow the Town to provide such additional required off-street parking in lieu of the applicant providing required off-street parking.

- (e) The fee to be charged shall be an annual fee (to be determined by the Planning Board at a public hearing) per space for each parking space required. The fee shall be payable in accordance with the Planning Board's administrative policies.

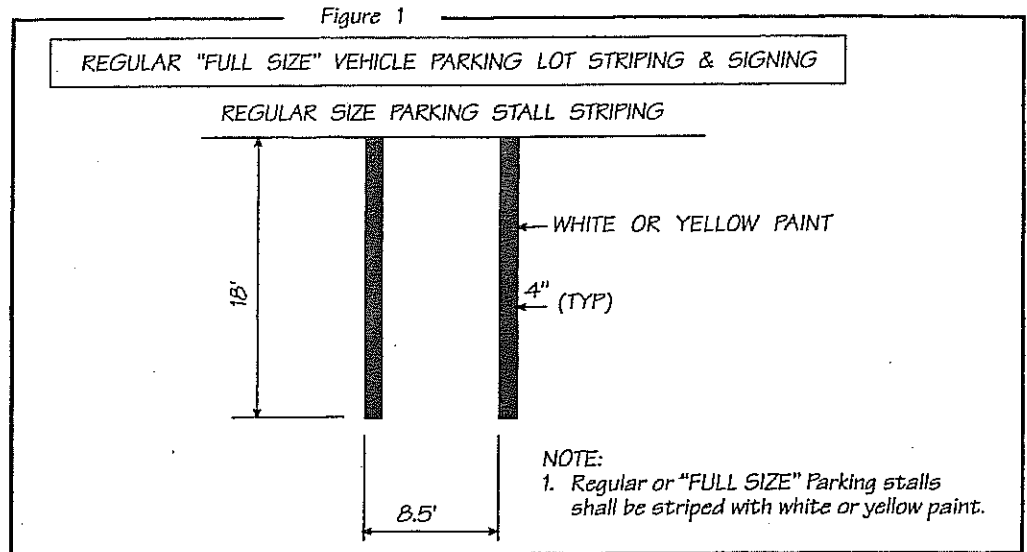


Figure 2

