

SECTION 9 OFF-STREET PARKING AND OFF-STREET LOADING

REVISED JULY 27, 2010

- 9.1 General provisions for off-street parking and off-street loading
- 9.2 Location of off-street parking spaces
- 9.3 Development and maintenance of off-street parking areas or facilities
- 9.4 Collective provisions
- 9.5 Mixed occupancies and uses
- 9.6 Joint use of off-street parking spaces
- 9.7 Continuing character of obligation
- 9.8 Deferral of parking spaces
- 9.9 Floor area defined
- 9.10 Application of off-street parking standards
- 9.11 Off-street parking standards
- 9.12 Off-street loading requirements

SECTION 9 OFF-STREET PARKING AND OFF-STREET LOADING

9.1 General Provisions For Off-Street Parking And Off-Street Loading

The off-street parking and off-street loading requirements set forth in this section shall be required for all uses established and all buildings and/or structures erected after October 22, 1973 and for all uses, buildings, or structures existing on October 22, 1973 which uses, building or structures are enlarged or altered in accordance with a Special Permit with Design Review.

Every parcel used in whole or in part for off-street parking and/or off-street loading purposes, whether or not required by these Regulations shall, for that portion used for off-street parking and/or off-street loading purposes, be developed, maintained and used in accordance with the provisions set forth in this section.

- a. For the purposes of this Section, an off-street parking space shall have a properly paved area of not less than nine (9) feet by eighteen (18) feet (the width to be measured from the center of the dividing line between adjacent spaces).
- b. Each maneuvering lane shall be provided adequate ingress and egress by means of an access lane or lanes, each access lane to have a paved width of **twenty-four (24)** feet for two-way traffic movement and **twelve (12)** feet for one-way traffic movement, **unless otherwise permitted or required by the Town Plan and Zoning Commission.**
- c. Adequate ingress and egress to an off-street parking area or facility by means of clearly limited and defined drives shall be provided for all vehicles.
- d. Separate pedestrian walkways and/or means of pedestrian ingress and egress to the parking area or facility may be required by the Town Plan and Zoning Commission in appropriate instances because of the size, layout or location of the parking area or facility.
- e. Appropriate landscaping may be required by the Town Plan and Zoning Commission because of the size, layout or location of the parking area or facility.
- f. Unless otherwise specifically permitted by the Town Plan and Zoning Commission, off-street parking spaces shall not occupy any part of any required front yard, but off-street parking spaces may occupy the rear yard or a side yard, provided such parking spaces do not occupy any part of any required usable open space as set forth in these Regulations. On corner or through lots, off-street parking spaces shall not be included as part of the required yards located adjacent to either street, unless specifically permitted by the Town Plan and Zoning Commission. There shall be no parking of any vehicles on a lot between any established building line and the street line in any zone, unless specifically permitted by the Town Plan and Zoning Commission.
- g. Off-Street loading space, as required in Section 9.12 of these Regulations, shall not be construed as supplying any required off-street parking space.
- h. The Town Plan and Zoning Commission may approve smaller parking spaces designated specifically for compact vehicles as part of a Special Permit with Design Review.

9.2 Location Of Off-Street Parking Spaces

All off-street parking spaces required by these Regulations shall be located on the same lot as the use with which such parking spaces are associated, except as may otherwise be permitted by the Town Plan and Zoning Commission as part of an approved Development Plan.

9.3 Development And Maintenance Of Off-Street Parking Areas Or Facilities

Every parcel used in whole or in part for off-street parking or loading purposes, whether or not required by these Regulations, shall, for that portion used for off-street parking or loading purposes, be developed and maintained by the owner of said premises in accordance with the following requirements:

- a. Screening and Landscaping: Any landscaping required herein shall be integrated with any other landscaping required or provided for other portions of the parking area or facility. All landscaping, whether required or not by these Regulations, shall be properly installed and maintained on a year-round basis.
- b. Surfacing and Drainage of Off-Street Parking Area or Facility: Any off-street parking or loading area or facility for more than three (3) vehicles, whether or not required by these Regulations, shall be surfaced, exclusive of landscaped areas but including any pedestrian walkways which may be required or provided, with an asphaltic, bituminous, cement, pervious pavement, or other properly bound pavement so as to provide a durable and dustless surface, and shall also be graded and drained as to dispose of all surface water accumulation within the area of facility. **Site development shall insure that no surface water from any off-street parking or loading area or facility shall adversely impact adjoining properties.** The above surfacing standard may be waived with a showing of sufficient cause by action of the Town Plan and Zoning Commission.
- c. Lighting of Off-Street Parking or Loading Areas or Facilities: The Town Plan and Zoning Commission may require that an off-street parking or loading area or facility be properly lighted because of its size, layout, location or the particular use served by the off-street parking or loading area or facility. Any lighting used to illuminate any off-street parking or loading area or facility shall be so arranged as to reflect the light away from any adjoining premises. Any lighting required or provided shall be compatible with the rest of the development and landscaping of the off-street parking area or facility.

9.4 Collective Provision

Nothing in these Regulations shall be construed to prevent the collective provision of off-street parking areas or facilities for two or more structures or uses, provided the total of such off-street parking spaces supplied collectively shall be not less than the sum of the requirements for the various structures or uses computed separately, except as may otherwise be permitted in Section 9.6 of these Regulations concerning the joint use of off-street parking spaces.

9.5 Mixed Occupancies And Uses

In the case of structures or developments containing a mix of uses (e.g., multi-purpose buildings, shopping centers, colleges, etc.) the total requirements for off-street parking spaces shall be the sum of the requirements for the various uses computed separately. Off-street parking spaces for one use shall not be considered as providing the required off-street parking spaces for any other use except as may be permitted in Section 9.6 below concerning the joint use of off-street parking spaces. If a change of use occurs within an existing structure or tenant space, with no additions or enlargements, no additional parking for the new use shall be required **except for a change of use involving medical offices/clinics, hair/body salons, or restaurants, for which the parking standards shall be in accordance with Section 9.11.**

9.6 Joint Use Of Off-Street Parking Spaces

Specific and appropriate joint use off-street parking spaces may be permitted by the Town Plan and Zoning Commission in response to a particular development situation. The Commission may grant such approval only after it has received a written agreement between the use parties that clearly stipulating the terms of the joint use of the parking spaces and that such spaces are committed and available to the respective users on a non-conflicting basis.

A maximum of 30% of the minimum required parking spaces may be waived by the Town Plan and Zoning Commission on sites where **customer use of multiple businesses and/or** pedestrian customer traffic is anticipated.

9.7 Continuing Character Of Obligation

The requirement for the provisions of off-street parking spaces and off-street loading spaces shall be the continuing obligation of the owner of the real estate on which any structure or use is located as long as such structure or use is in existence and its requirement for off-street parking and/or off-street loading spaces continues. It shall be unlawful for an owner of any structure or use affected by these parking regulations to discontinue, change or dispense with, or to cause the discontinuance or change of the required off-street parking and/or loading spaces apart from the provision of alternative off-street parking and/or loading spaces which meet the requirements of and are in compliance with these Regulations.

9.8 Deferral Of Parking Spaces

The Town Plan and Zoning Commission, as part of a Special Permit with Design Review, may defer the installation of a portion of the off-street parking spaces required by these regulations in conjunction with **commercial** projects parking space deferral shall be in accordance with the following standards:

- a. The total number of parking spaces required shall first be determined in accordance with Section 9.11 of these regulations.
- b. The total number of deferred parking spaces shall not exceed **30%** of the number of spaces determined by Section 9.8(a).
- c. All deferred parking spaces shall be labeled on the site plan as “deferred parking spaces.” The parking spaces shall be fully designed and permitted by any other necessary authority in order for said spaces to be immediately constructed if determined necessary by the Commission. The areas designated for possible future parking shall be left in their natural state or landscaped as directed by the Town Plan and Zoning Commission.
- d. Deferred parking spaces may be constructed upon approval by the Town Plan and Zoning Commission as a Section 12.9 minor change. Documentation supporting the need for the additional spaces shall be submitted to the Commission as part of the Section 12.9 application.

9.9 Floor Area Defined

For the purpose of the off-street parking and loading requirements and standards, "floor area" shall mean the gross floor area used, designed or intended to be used for service to the public as customers, patrons, clients, patients or members, including those areas occupied by fixtures and equipment used for the display and/or sale of merchandise. "Floor area" shall not include areas used principally for non-public purposes such as storage and incidental repair, for rest rooms, for utilities, or for required stairways or elevators.

9.10 Application Of Off-Street Parking Standards

The off-street parking requirement for structures and/or uses shall be determined by applying one or more of the appropriate standards to each structure and/or use as set forth in Section 9.11 below. For convenience, the letters found in the parking column PKG of the Table of Permitted Uses (Section 5) across from the listed uses indicate which of the parking standards apply to said listed uses.

9.11 Off-Street Parking Standards

The following off-street parking standards are minimum requirements for off-street parking and the Town Plan and Zoning Commission may require additional off-street parking for a particular development based on the nature of

the development, its location, access and relation to surrounding development, and any unique parking demand which may be associated with such a development.

NOTE: letters in parenthesis () key to letters in the parking column PKG of the Table of Permitted Uses.

- a. Customary home occupation: One (1) parking space for each employee plus two (2) parking spaces, such parking spaces to be in addition to any required off-street parking for residential purposes.
- b. Dwellings, guest house, boarding, rooming or lodging house: One (1) parking space for each dwelling unit guest unit, boarding unit, rooming unit or lodging unit.
- c. **Assisted living facility**, convalescent, nursing or rest home or sanitarium, or religious quarters: One (1) parking space for each two (2) beds.
- d. Hotel, motel, inn, tourist home: One (1) parking space for each guest room or residence unit, plus required parking for any restaurant, assembly space or other non-residential use located within the development.
- e. Office, general and/or professional (except medical offices, medical clinics and hospitals), business services, finance, insurance and real estate services, government services, personal services (except hair and body salons), broadcasting studios, message center: One (1) parking space for each two hundred (200) square feet of gross building floor area.

Medical offices and medical clinics and hair/body salons: One (1) parking space for each one hundred and fifty (150) square feet of gross building floor area.

Hospitals: One (1) parking space for each bed.

- f. Educational Services*:

Day care center: One (1) parking space for each three hundred (300) square feet of gross building floor area.

Schools – public, private parochial:

Elementary: Two (2) parking spaces for each classroom plus one (1) parking space for each three (3) seats in any auditorium, gymnasium or other public assembly space located within the development.

Middle: Three (3) parking spaces for each classroom plus one (1) parking space for each three (3) seats in any auditorium, gymnasium or other public assembly space located within the development.

Secondary: Six (6) parking spaces for each classroom plus one (1) parking space for each three (3) seats in any auditorium, gymnasium or other public assembly space located within the development.

University, college, junior college and professional education: Ten (10) parking spaces for each classroom plus one (1) parking space for each three (3) seats in any auditorium, gymnasium or other public assembly space located within the development.

*The Town Plan and Zoning Commission may approve modifications to the parking requirements for all educational services on a site specific basis following submittal of supportive documentation and determination of just cause.

- g. Repair/gasoline services – Motor vehicle general and limited repair, motor vehicle gasoline with repair service component: Five (5) parking spaces plus two (2) parking spaces for each service stall plus two (2)

parking spaces for each gas pump. For gasoline stations without a repair component, two (2) parking spaces for each gas pump and one (1) parking space for each 150 square feet of gross building floor area used for retail trade. In addition, if any motor vehicles are offered for sale or for rent on the premises and individual parking space shall be provided for each such motor vehicle offered for sale or for rent.

Ambulance services, motor vehicle car wash, bus garaging and equipment maintenance: One (1) parking space for each parking, washing or service stall, whichever the case may be.

- h. Clubs, athletic club: One (1) parking space for each one hundred (100) square feet of gross building floor area.
- i. Place of worship: One (1) parking space for each four (4) seats.
- j. Retail trade uses:

Retail trade, except eating and drinking: One (1) parking space for each one hundred fifty (150) square feet of gross building floor area.

Retail trade, eating and drinking: One (1) parking space for every three (3) seats table seating and one (1) space for every two (2) seats counter seating.
- k. Wholesale trade and warehousing: One (1) parking space for each twenty-five hundred (2,500) square feet of gross building floor area used for wholesaling and/or storage purposes, plus one (1) parking space for each two hundred fifty (250) square feet of gross finished office space.
- l. Manufacturing uses: One (1) parking space for each five hundred (500) square feet of gross building floor area used for manufacturing purposes; one (1) parking space for each twenty-five hundred (2,500) square feet for storage purposes, plus one (1) parking space for each two hundred fifty (250) square feet of gross finished office space.
- m. Billiard and pool hall, golf course, golf driving range, golf miniature, archery range, bowling, firing range, marina, riding stable, tennis courts, bus passenger terminal, motor freight transportation terminal and garage: Two (2) parking spaces for each pool table, driving tee, golf hole, alley, lane, port, berthing and/or mooring space, stable, court, dock or other unit of activity, whichever the case may be.
- n. Library, museum or planetarium: One (1) parking space for each six hundred (600) square feet of gross building floor area.
- o. Auditorium or coliseum, legitimate and/or motion picture theater: One (1) parking space for each three (3) seats.
- p. Agriculture, farm, earth products, forestry production, customary accessory uses, supervised group quarters, cemetery, community center, ice skating and/or roller skating rink, contract construction services, dog kennel, veterinarian service, bazaars, festivals, carnivals and circus, historic and monument sites, parks, "public buildings/facilities (excluding schools)", nonprofit recreation uses, aircraft landing field, transmitting exchange, receiving or relay tower and/or stations, transportation center, utilities: The Town Plan and Zoning Commission or the Zoning Board of Appeals, whichever the case may be, shall determine which, if any, of the foregoing parking requirements or which combination of the foregoing parking requirements, if any, shall apply.

9.12 Off-Street Loading Requirements

On the same premises with every building structure or part thereof erected or occupied for a use or uses to involve the receipt or distribution of vehicles, materials or merchandise, there shall be provided and maintained adequate space for off-street standing, turning, loading and unloading services in order to avoid interference with the use streets and alleys (if any) and without encroachment on any off-street parking area.

Such off-street loading and unloading space, unless otherwise adequately provided for, as determined by the Town Plan and Zoning Commission, shall be an area not less than ten (10) feet by fifty (50) feet with fifteen (15) foot height clearance.

A minimum of one (1) off-street loading and unloading space shall be required for each ten thousand (10,000) square feet of gross building floor area **or as determined by the Town Plan and Zoning Commission**. Additional off-street loading and unloading spaces may be required by the Town Plan and Zoning Commission because of building volume, location or particular use nature of the development under consideration.

Off-street loading and unloading spaces, together with appropriate access drives, shall be developed and maintained in accordance with the provisions of Section 9.3 of these Regulations.