

# ZONING BYLAWS



Town of Burlington  
Massachusetts  
01803

As Amended Through  
SEPTEMBER 2006

**ARTICLE VII**  
**PARKING AND LOADING REGULATIONS**

**SECTION 7.1.0 GENERAL REQUIREMENTS AND PURPOSE**

Off-street parking and loading spaces in the amounts and sizes specified under the provisions of this Article shall be provided for all uses and buildings. Such spaces may be located on another lot within two-hundred (200) feet of the lot which they serve with the approval of the Planning Board.

7.1.0.1 The purpose of this Article is to require the minimum amount of parking spaces needed to adequately serve all land uses and properties through the accomplishment of the following objectives:

7.1.0.1.1 To prevent the creation of surplus amounts of parking spaces which contribute to additional Single Occupancy Vehicle (SOV) trips being generated, resulting in traffic congestion and traffic service level deterioration on roadways;

7.1.0.1.2 To encourage use of Transportation Systems Management (TSM) and Transportation Demand Management (TDM) strategies, and to provide a basis for the development of Transportation Management Plans (TMP) to reduce new Single Occupancy Vehicle (SOV) trips within the Town, particularly during peak hour periods;

7.1.0.1.3 To increase use of public transportation opportunities and High Occupancy Vehicles (HOV) such as buses, carpools, and vans;

7.1.0.1.4 To reduce unnecessary amounts of impervious surface areas from being created within the Town, and particularly within the Aquifer and Water Resource Districts; and

7.1.0.1.5 To lessen congestion, to prevent the deterioration of air quality, and to reduce the need for expansions and alterations of existing roadways and related infrastructure which result from the growth of new Single Occupancy Vehicle (SOV) trips within the Town.

**7.1.1 Parking Space and Aisle Dimensions**

Parking spaces and aisles shall have the following dimensions unless otherwise determined by the Planning Board:

7.1.1.1 Standard car space: nine (9) feet by eighteen (18) feet.

7.1.1.2 Compact car space: eight (8) feet by fifteen (15) feet.

7.1.1.3 Retail use car space: nine (9) feet by eighteen (18) feet or width to be determined by the Planning Board.

7.1.1.4 Handicapped person car 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.

7.1.1.5 Aisles: width to be approved by the Planning Board in accordance with accepted engineering practices.

**7.1.2 Loading Spaces**

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.

**7.1.3 Handicapped Parking Space Requirements**

The required amount of handicapped parking spaces shall be in accordance with the amounts specified in the Rules and Regulations of the Architectural Access Board.

SECTION 7.2.0 MINIMUM AND MAXIMUM PARKING SPACE REQUIREMENTS FOR RESIDENTIAL AND EDUCATIONAL USES

The minimum and maximum parking space requirements and ratios specified in Section 7.2.1 through 7.2.6 shall apply unless the Planning Board approves an alternative requirement.

7.2.1 One Family Dwellings

A minimum of two (2) parking spaces for each dwelling, including indoor parking. These spaces may be on a driveway, and spaces other than in a garage may be within the required front, side and rear yard setbacks. A maximum parking space requirement does not apply to this use category.

7.2.2 Two Family Dwellings

A minimum and maximum of two (2) parking spaces for each dwelling unit. These spaces may be on a driveway, and spaces other than in a garage may be within the required front, side and rear yard setbacks.

7.2.3 Multi-Family Dwellings

A minimum and maximum of one and one half (1.5) parking spaces for each dwelling unit, plus an area which may be approved by the Planning Board for the seasonal storage of vehicles such as campers, motor homes, travel trailers, and boats, etc.

7.2.4 Dormitories

A minimum and maximum of one (1) parking space for every three beds.

7.2.5 Educational Uses

For educational uses below grade 8, a minimum and maximum of two (2) parking spaces for each classroom; additionally, for the floor area within the building not occupied by classroom space, the parking space requirements and ratios of Section 7.3.3 for "Places of Assembly", and parking space requirements and ratios of Section 7.3.11 "Office Uses", shall apply. For educational uses of grade 8 and above, a minimum and maximum of four (4) parking spaces for each classroom; additionally, for the floor area within the building not occupied by classroom space, the parking space requirements and ratios of Section 7.3.3 for "Places of Assembly", and parking space requirements and ratios of Section 7.3.11 "Office Uses", shall apply.

7.2.6 Library Uses

A minimum and maximum of one (1) parking space for every fifty (50) square feet of reading room floor area. Reading room floor area being defined as that area so designated for public reading and/or research, but specifically excluding shelf, book, and periodical stacking area.

7.2.7 Assisted living facilities, congregate living facilities, and continuing care retirement communities

A minimum of one (1) parking space for every four dwelling units and a maximum of one (1) space for every three dwelling units, plus one (1) parking space for every two (2) employees during the largest shift."

7.2.8 Independent living facilities, elderly housing

A minimum of one and one-half (1.5) parking space for each dwelling unit and a maximum of two (2) spaces for each dwelling unit."

SECTION 7.3.0 MINIMUM AND MAXIMUM PARKING REQUIREMENTS FOR NON-RESIDENTIAL

## AND NON-EDUCATIONAL USES

Except as otherwise provided, the Planning Board shall approve the number and type of parking spaces in accordance with the minimum and maximum parking space requirements and ratios shown in Sections 7.3.1 through 7.3.11, or in accordance with Section 7.3.12.

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 Sections 7.3.1 through 7.3.11, or in accordance with Section 7.3.12, which most appropriately apply to the character and proportion of uses within such building or buildings.

The Planning Board may approve a Site Plan in accordance with Section 9.3.0 of Article IX, which contains less than the minimum parking space requirements and ratios, 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 the bylaw.

The Planning Board may also, when approving a Site Plan in accordance with Section 9.3.0 of Article IX, allow the maximum parking space requirements and ratios listed in Sections 7.3.1 through 7.3.10 to increase by up to ten percent (10%) above the maximum parking space requirements and ratios specified for such uses. In order to increase the maximum parking space requirements and ratios specified in Section 7.3.1 through 7.3.10 by more than ten percent (10%), a Special Permit must be granted by the Planning Board pursuant to Section 7.4.0 of this bylaw.

The maximum parking space requirement and ratio specified in Section 7.3.11 may not be increased unless a Special Permit is granted by the Planning Board pursuant to Section 7.4.0 of this bylaw.

### 7.3.1 Motels, Hotels, Motor Hotels (Without Function Rooms and/or Eating Establishments)

A minimum and maximum of one (1) parking space for each sleeping room accommodation.

### 7.3.2 Motels, Hotels, Motor Hotels (With Function Rooms and/or Eating Establishments)

A minimum and maximum of one (1) parking space for each sleeping room accommodation; additionally, for the floor area within the building not occupied by sleeping room accommodations, and designated and used as "Function Rooms" or "Eating Establishments", the parking space requirements and ratios of Section 7.3.3 "Places of Assembly" and/or Section 7.3.10 "Eating Establishments", shall apply.

### 7.3.3 Places of Assembly

A minimum and maximum of one (1) parking space for every three (3) seats or occupants permitted by the Building Code and certified by the Inspector of Buildings.

### 7.3.4 Medically Related Uses

A minimum and maximum of one (1) parking space for every two (2) beds, four (4) parking spaces for every one thousand (1,000) square feet of in-patient treatment area, and five (5) parking spaces for every one thousand (1,000) square feet of out-patient treatment Net Floor Area.

### 7.3.5 Manufacturing and Industrial Uses

A minimum and maximum of two and one half (2.5) parking spaces for every one thousand (1,000) square feet of Gross Floor Area of manufacturing and industrial use.

7.3.6 Automotive Sales and Service Uses

A minimum and maximum of five (5) parking spaces for every one thousand (1,000) square feet of Gross Floor Area of automotive sales and service use.

7.3.7 Storage Uses

A minimum and maximum of one (1) parking space for every one thousand (1,000) square feet of Gross Floor Area of storage use.

7.3.8 Consumer Services Uses

A minimum of four (4) parking spaces and a maximum of four and one half (4.5) parking spaces for every one thousand (1,000) square feet of Gross Floor Area of consumer service use.

7.3.9 Retail Business Uses

A minimum of four (4) parking spaces and a maximum of four and one half (4.5) parking spaces for every one thousand (1,000) square feet of Gross Floor Area of retail use.

7.3.10 Eating Establishments

A minimum and maximum of one (1) parking space for every three (3) seats in customer food service areas.

7.3.11 Office Uses

A minimum of two and one-half (2.5) parking spaces and a maximum of three (3) parking spaces for every one thousand (1,000) square feet of Gross Floor Area of office use.

7.3.12 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 in Sections 7.2.1 through 7.2.6, and 7.3.1 through 7.3.11, the Planning Board shall determine the maximum and minimum parking space ratio and requirement based on the character of use proposed.

**SECTION 7.4.0 SPECIAL PERMIT FOR INCREASING THE MAXIMUM PARKING SPACE REQUIREMENTS FOR SPECIFIC NON-RESIDENTIAL AND NON-EDUCATIONAL USES**

The Planning Board may grant a Special Permit to increase the maximum parking space requirements and ratios specified in Sections 7.3.1 through 7.3.10 by more than ten percent (10%), and to increase the maximum parking space requirement and ratio specified in Section 7.3.11, pursuant to the requirements and provisions of Article IX, Section 9.2.0. In addition, the Planning Board must determine that all of the following findings and conditions are met:

- a. The applicant, site operator, or owner agrees to reduce the estimated Institute of Transportation Engineers (ITE) trip generation rates related to the subject development or use in both the a.m. and p.m. peak hours by twenty (20%) percent, 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 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 Special Permit is issued.

- b. The applicant has submitted data and evidence, including but not limited to parking accumulation and utilization data that demonstrate the need for additional parking spaces for such use or buildings, in the opinion of the Planning Board.

**SECTION 7.5.0 PARKING STRUCTURES AND GARAGES FOR USES OTHER THAN ONE FAMILY DWELLINGS**

Any parking structure or garage which is authorized by a Special Permit pursuant to Article IV, Section 4.3.2.9, shall 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, and shall be subject to the provisions of Article IX, Section 9.2.0.