

## SECTION 6.0 GENERAL REGULATIONS

### 6.1 OFF-STREET PARKING AND LOADING REQUIREMENTS

**6.1.1 Applicability.** If any structure is constructed, enlarged or extended, or any existing use changed, off-street parking spaces shall be provided in accordance with Tables 6-1 and 6-2.

**6.1.2 Relation to Use.** Off-street parking spaces required under Table 6-1 shall be located as follows:

1. All required off-street parking spaces for residential or multi-family dwelling uses shall be located on the same lot as the use.
2. All required off-street parking spaces for all uses other than residential or multi-family dwelling uses shall be located on the same lot as the use or within five hundred (500) feet thereof. Contracts or easements for parking on other private property shall be presented to the appropriate board to ensure that parking spaces located within five hundred (500) feet of the lot will continue to be available. On street parking spaces and parking spaces within a municipal parking lot located within five hundred (500) feet of the lot, may be counted toward the off-street parking spaces required under Table 6-2.
3. New developments requiring Site Plan Review must provide the required accessible parking on site, unless spaces are available or made available within two hundred (200) feet of the new development.

**6.1.3 Temporary Parking Lots.** In those situations where temporary parking lots are allowed by Special Permit, the Special Permit Granting Authority (SPGA) may place limitations on the time, frequency and type of vehicles using such to diminish the impact on abutting residential uses. In no case shall a Special Permit be valid for greater than one (1) year from the date of its being granted by the SPGA.

1. The SPGA may also require specific design and construction standards be maintained, screening and buffers and yard setbacks of up to one hundred (100) feet from residential uses.
2. The SPGA may continue to accept applications and issue Special Permits for Temporary Parking Lots if they are no longer permitted in a Zoning District, provided the original Special Permit was issued prior to November 8, 2004 and the Special Permit has not lapsed more than one (1) year.

**6.1.4 Minimum Off-Street Parking Requirements.** Parking shall comply with Table 6-1:

<b>Table 6-1 MINIMUM OFF STREET PARKING REQUIREMENTS</b>	
<b>USE</b>	<b>ONE (1) SPACE PER</b>
Storage and Shipping	1,500 gross square feet
Manufacturing and Processing	750 gross square feet
Retail stores and shopping centers 15,00 square feet and over	250 gross square feet
Retail stores and shopping centers under 15,000 square feet	175 gross square feet
Office Space (medical/outpatient)	150 gross square feet
Office Space (non-medical)	250 gross square feet
Office Space, as accessory use	300 gross square feet
Areas with /fixed seating: Theaters, Stadium	3 seats
Municipal Recreation Facility	6 Linear feet bench seating or per 4 seats
Museums, Libraries	550 net square feet
Restaurants, nightclubs, bars, recreation halls	100 net square feet
Outdoor Recreational Use	500 net square feet
Schools	4 per classroom
Hospitals, Nursing Homes	10 beds
Residential: Single & Two family	Dwelling Unit
Multi-family dwellings	2 per unit, plus 1 visitor space for every 4 units
Tourist Homes, Hotels, Etc.	Sleeping unit
Child care centers and Day Care Facilities	1 space for each full or part time employee and 1 space for each 4 children
Wellness and Recreation Center	175 gross square feet
Arcades	100 net square feet

**6.1.4 Notes to Table 6-1.**

1. Mixed uses shall be a sum of the combination of uses.
2. When a restaurant has provisions for "take-out" the Board of Appeals or Planning Board, as applicable, shall have the authority to require more than the minimum parking spaces stated herein.
3. The net area shall include the total square footage of area dedicated to the use, not including parking or access areas.

**6.1.5 Reduction.** The off-street parking requirements set forth in Table 6-1 may be reduced by up to twenty-five (25%) percent by the issuance of a Special Permit from the Planning Board as per the requirements of these By-Laws. Such a request may be made in conjunction with an application for Site Plan Review or part of a requested Special Permit for a specified land use. The Planning Board shall review and consider the following criteria when reviewing a request:

1. A stamped site plan (to scale) must be submitted that illustrates the physical ability to locate and construct all of the required off-street parking and associated infrastructure on the site. The preferred parking layout with the requested number of spaces shall be clearly delineated.
2. A written narrative shall be submitted detailing the reasons or circumstances as to why the required numbers of spaces are not necessary for the proposed land use.
3. Other relevant issues that should be considered when reviewing the reduction request should be detailed or noted on the plans. These may include, but are not limited to, environmental impacts, proximity to residential uses, impacts to historic or other resource areas and lighting.
4. Any other relevant information as required by the Planning Board.

**6.1.6 Standards; Parking Areas with More than Five (5) Spaces.** All parking areas containing over five (5) spaces shall be subject to the following:

1. Automobile parking stall spaces shall be suitably marked and shall conform to the requirements found in Table 6-1.
2. All parking areas shall be screened on each side which abut or are across from the side or rear lot line of a lot situated in any Residential District pursuant to Section 6.4, Screening and Buffers.
3. All parking areas and access driveways thereto shall be surfaced with bituminous concrete or cement concrete material and shall be graded and drained so as to dispose of all surface water accumulation.
4. Bituminous concrete curb or berm shall be placed at the edge of surfaced area, except driveways.
5. Bumper strips, a minimum of six (6) feet in width and suitably landscaped with trees or shrubs a minimum of six (6) feet in height (measured from the 'top of the ball'), shall be provided between every six (6) rows of parking spaces. Additional bumper strips may be required by the appropriate board in the interest of public safety, cross traffic or improved pedestrian access.
6. Buffer strips between a parking lot and sidewalk shall be at least five (5) feet in depth and suitably landscaped.
7. Adequate illumination of driveways and lanes shall be provided.
8. Any fixture used to illuminate a parking area shall be so arranged as to direct the light away from the street and away from abutting or nearby premises used for residential purposes.

### **6.1.7 Location.**

1. All parking lots for multi-family dwellings shall be located not less than twenty (20) feet from the structure. Private driveways and garages for individual units within a multi-family dwelling may be counted as required parking spaces and may be located within twenty (20) feet of the structure.
2. All nonresidential parking spaces shall be at least ten (10) feet from any building.
3. Parking spaces shall be so arranged as not to permit backing of vehicles onto any street.
4. All driveways and access lanes shall not be located closer than forty (40%) percent of the total frontage measurement of said lot (using a measurement from the center of the curb radius) from the closest intersection with any street. In any case, this distance shall not be less than fifteen (15) feet and the driveway shall be designed in a manner conducive to safe access and egress.
5. No two (2) driveways or access lanes, either on the same lot or adjoining lots, shall be located within twenty (20%) percent of the total frontage measurement of the lot from each other at their intersections (center of curb radii) with the front lot line; provided, that this distance shall not be less than ten (10) feet.
6. Residential driveways shall not exceed twenty-four (24) feet in width at the intersection with the front lot line. Curb cuts shall not exceed twenty-six (26) feet in width.
7. Nonresidential driveways or access lanes shall be a minimum of twenty-six (26) feet in width at the intersection with the front lot line. The maximum curb cut shall not exceed forty (40) feet in width unless otherwise required by nonlocal regulations.

### **6.1.8 Restrictions.**

1. There shall not be any vehicle repair activities within the required parking areas.
2. There shall not be any storage of materials or equipment or display of merchandise within required parking areas.
3. Parking spaces or internal driveways shall not be allowed within the required areas for screening, buffers or landscaping.

**6.1.9 Parking Lot Dimensions.** Parking lots with more than five (5) spaces shall conform with the following Table 6-2.

<b>Table 6-2 PARKING LOT DIMENSIONAL REQUIREMENTS</b>			
<b>Angle of Parking</b>	<b>Stall Width</b>	<b>Stall Depth</b>	<b>Access Lane Width</b>
0 deg	9'-0"	12'-0"	12'-0"
30 deg	9'-0"	16'-6"	11'-0"
45 deg	9'-0"	19'-0"	13'-0"
60 deg	9'-0"	20'-6"	18'-0"
90 deg	9'-0"	18'-0"	24'-0"

## **6.2 OFF-STREET LOADING**

**6.2.1 Applicability.** Each business or industrial use shall provide at the side or rear of the lot, access and space for the loading and unloading of delivery vehicles.

### **6.2.2 Standards.**

1. Loading docks and truck terminal loading areas shall have a minimum depth of one hundred and twenty (120) feet unless otherwise provided for herein.
2. Each loading berth shall be a minimum of fourteen (14) feet wide and shall be located so as not to interfere with pedestrian access or required parking areas.

**6.2.3 Reduction.** For those uses where it can be proven that tractor trailers will not be providing service, the appropriate board may reduce the depth of the loading area.

## **6.3 SIGNS**

Deleted by Article 23 of the May, 1995 Annual Town Meeting. The Sign By-Law is set forth in Section 15B of the Foxborough General By-Laws.

## **6.4 SCREENING, BUFFERS AND LANDSCAPING**

**6.4.1 Purpose.** Screening, buffers and landscaping shall be required as provided for herein for the following purposes:

1. To preserve the peace and tranquility of residents;
2. To prevent unsightly vistas;
3. To enhance the aesthetics of sites and to create visual buffers between specified land uses and residential abutters

**6.4.2 Applicability.** Screening, buffers and landscaping shall be required for all nonresidential land uses, all multi-family structures and within Open Space Residential Developments (OSRD). These requirements shall apply to new construction or any expansion or addition to any of these uses.

1. Screening, buffers and landscaping within OSRD's shall be regulated by the provisions of Section 8.3.
2. Insofar as the provisions of this Section 6.4 are in conflict with or are inconsistent with the provisions of Section 9.5, the provisions of Section 9.5 shall govern.

**6.4.3 Location.** Screening, buffers and landscaping shall be located within the required yards of nonresidential and multi-family land uses. These yard setbacks are detailed in Tables 4-1 and 4-2 of these By-Laws.

**6.4.3 Waiver or Modification.** Screening and buffering requirements may be waived or modified by the appropriate board if a naturally dense vegetative area, suitable topography or a combination of the two exists at the time of development (and is to be maintained) within the area where screening and buffering is required. Should such naturally dense vegetative area die or be significantly reduced, it shall be replaced or enhanced by a landscaped buffer in accordance with the requirements noted herein.

1. Existing vegetation or topography on the site which is required to be preserved shall be clearly identified on a plan, physically marked on the site and prevented from being removed or disturbed.

**6.4.4 Use Requirements; Abutting Residential.** When a nonresidential land use or multi-family dwelling abuts a residential zoning district or is to be located on a public or private way across from a residentially zoned district, screening, buffers and landscaping shall be required as follows:

1. Within the required side or rear yards, a screening and buffer strip shall be a minimum of twenty (20) feet in width parallel to the property line and shall contain a screen of plantings. This screen shall contain individual shrubs or trees planted six (6) feet on center in at least two (2) staggered rows and six (6) feet in height (from the "top of the ball") at the time of occupancy. At least fifty (50%) percent of the shrubs or trees shall consist of evergreens.
2. Within the required front yard, a landscape strip shall be a minimum of thirty (30) feet in depth parallel to the property line and shall contain a mix of plantings. At a minimum, this area shall contain landscaping in the form of plants, shrubs or trees. The construction of an earthen berm suitably landscaped may also be allowed. The intent of this provision is to provide an aesthetically pleasing buffer/landscaped area while allowing nonresidential uses visibility from the street.

**6.4.5 Use Requirements; Abutting Nonresidential.** When a nonresidential use or multi-family dwelling abuts another nonresidential use or multi-family dwelling, screening, buffers and landscaping shall be required as follows:

1. Within the required side or rear yards, a screening and buffer strip shall be a minimum of ten (10) feet in width parallel to the property line. It shall contain shrubs or trees planted six (6) feet on center not less than six (6) feet in height (from the 'top of the ball') at the time of occupancy. At least fifty (50%) percent of the shrubs or

trees shall consist of evergreens and shall thereafter be maintained by the owner or occupant to provide a dense screen year round.

2. Within the required front yard, a landscape strip shall be a minimum of fifteen (15) feet in depth parallel to the property line and shall contain a mix of plantings. This area shall contain landscaping in the form of plants, shrubs or trees. The construction of an earthen berm suitably landscaped may also be allowed. The intent of this provision is to provide an aesthetically pleasing landscaped area while allowing nonresidential uses visibility from the street.
3. If merchandise, goods or other materials are to be displayed or stored in a front yard, or if off-street parking is proposed for the front of a structure, the landscaped strip shall be increased to twenty-five (25) feet in depth. No merchandise, goods or other materials are to be displayed or stored or vehicles parked within the required landscaped strip.

**6.4.6 Exception.** The provisions of Sections 6.4.4 and 6.4.5 shall not apply to uses within the General Business (GB) District as there is no required side-yard setback and only a fifteen (15) foot front yard requirement within this district. Where possible, a five (5) foot landscaped strip shall be located in the required front yard of uses within the GB District.

**6.4.7 General Provisions.**

1. The erection and maintenance of a solid wall or fence complemented by suitable plantings or landscaping may be allowed in lieu of the requirements for screening and buffering in side yards. The appropriate board must make a determination that such replacement will require minimal long-term maintenance and will fulfill the purpose of this Section 6.0.
2. No building, structure or parking area (paved or not paved) may occupy the required area for screening, buffers or landscaping.
3. Any part of a project area for a nonresidential or multi-family land use(s) that will be disturbed during construction and that is not employed for buildings, parking, loading, access ways or pedestrian walks shall be permanently stabilized and landscaped. Grass, trees, shrubs, evergreen ground cover, stone or wood material(s), or a combination thereof may be employed as approved by the appropriate board.
4. Exposed slopes with greater than a 2:1 grade shall be permanently stabilized with vegetative ground cover. Exposed slopes 3:1 or less may be treated with mulch or a similar landscaping product.
5. There shall be a landscaped buffer strip comprising a minimum of fifty (50) feet of the front yard and twenty (25) feet of the side yard for all uses in the Special Use (S-1) District. Insofar as there may be inconsistencies with other Sections, these restrictions shall apply in the S-1 District in all cases.

## 6.5 PERFORMANCE STANDARDS

- 6.5.1 Preservation of Landscape.** The landscape shall be preserved in its natural state insofar as practicable by minimizing any grade changes and vegetation and soil removal.
- 6.5.2 Off-Street Parking and Loading.** The plan shall comply with Section 6.1 of these By-Laws. Unless otherwise allowed by the Planning Board, construction materials and standards not specified within Section 6.1 shall be consistent with those found within the Foxborough Subdivision Regulations. Provisions shall be made to accommodate areas for snow storage.
- 6.5.3 Circulation.** Driveways and internal circulation shall be safe, adequate and convenient for automotive as well as pedestrian and bicycle traffic. Site distances, driveway widths, grade, location, drainage, signage, islands, and other control structures, curb radii and intersection angles shall all be provided for review. The Planning Board reserves the right to require certain driveways to meet the road standards found in the Foxborough Subdivision Regulations.
- 6.5.4 Site Access.** The Planning Board shall evaluate the safety of motorists, bicyclists, and pedestrians utilizing the site and the roadways leading into the site. To ensure the public's safety the Planning Board may require sidewalks or pedestrian paths within and between developments. The Planning Board may also require the connection of adjacent properties via the use of common drives.
- 6.5.5 Architectural Requirements.** Consideration shall be given to ensure that buildings are appropriate in scale, massing height, roofline, and building materials to ensure that the architecture shall be in harmony with the surrounding neighborhood and the Town. Rooftop mechanical installation shall be hidden from view from the street or adjoining properties.
- 6.5.6 Screening, Buffers and Landscaping Requirements.** The plan shall comply with Section 6.4 of these By-Laws. Plants should be indigenous to the area or be able to survive New England winters. Salt tolerant varieties shall be planted along roadways and parking areas.
- 6.5.7 Lighting.** Lighting shall be designed to enhance public safety and provide for adequate and appropriate outdoor lighting. The design shall not produce unwanted glare, light trespass on abutting properties or an over illumination of the site.
- 6.5.8 Service Areas.** Service areas and delivery locations shall be located so that delivery vehicles are parked outside the street right-of-way or on-site driveways. All service areas, dumpster and trash receptacle locations, and other similar uses shall be screened from the street and from public view. They may be screened through a variety of materials such as walls, fences, plantings or a combination of these materials.
- 6.5.9 Utility Service.** All utility service transmission systems, including but not limited to water, sewer, natural gas, electrical, cable and telephone lines shall, whenever practicable, be placed underground.

- 6.5.10 Drainage.** Detailed drainage design and computations shall be provided in conformance with the Massachusetts Department of Environmental Protection Storm Water Management Handbook Volumes 1 and 2. Closed drainage systems shall be designed for a twenty-five (25) year storm event. Culverts, detention basins, and infiltration systems shall be designed for one hundred (100) year events. Post development drainage rates shall not exceed pre-development levels. Within the Water Resource Protection Overlay District, special attention shall be made to ensure water quality. Easements shall be shown on the plan. If they are to be granted to the Town a written description of such for recording purposes is necessary.
- 6.5.11 Off-Site Improvements.** The Planning Board may require applicants to make off-site improvements to public roads or other community facilities, or to make payments for the reasonable costs associated with the impacts of the proposed development. Such improvements may include but are not limited to the widening of streets and improvement of intersections providing access to the site; the installation of curb and sidewalks along streets serving the site; and drainage improvements necessitated by the development of the site.
- 6.5.12 Public Safety.** Buildings and adjacent grounds shall permit easy access and operation by fire, police and other emergency personnel and equipment.