

SECTION 7. GENERAL REGULATIONS

7.1. OFF-STREET PARKING AND LOADING REQUIREMENTS

7.1.1. General.

No building or structure shall be erected or enlarged unless the off-street parking and loading space requirements are provided as specified in this section. For the purpose of this section, an enlargement of any building shall require the provision of off-street parking for the existing building as if it were newly constructed.

To promote adaptive re-use of existing buildings and replicate historic massing and density in the Village Center, the following applies in the Commercial “C” zoning district:

Exempt from Off-Street Parking Requirements

Building changes with no <i>substantial structure change</i>	Yes
Building changes use with <i>substantial structure change</i>	No
New construction with no <i>substantial structure change</i>	Yes
New construction with <i>substantial structure change</i>	No

Substantial structure change is defined in Section 4 “Definitions”.

7.1.2. Location.

Required off-street parking facilities or loading bays shall be provided on the same lot as the principal use they are designed to serve, except as may be provided elsewhere in this Bylaw.

7.1.3. Parking Space Dimensions.

Each required car space shall be not less than 9 feet in width and 20 feet in length exclusive of drives and maneuvering space and the total area of any parking facility for more than 5 cars shall average at least 300 square feet per car exclusive of driveways.

7.1.4. Multiple Uses.

Unless otherwise set forth herein, where one building is used for more than one use, parking requirements shall be computed for each use. For example, a motel with a restaurant would be required to provide parking for both rental units and for seating capacity of the restaurant; a

professional office in a residence must provide the space for office use in addition to the residential requirement.

7.1.5. Required Number of Spaces.

Uses shall provide parking spaces in accordance with the following table. Where the computation of required parking spaces results in a fractional number, only the fraction of one-half (1/2) or more shall be counted as 1.

Parking Space Quantity Requirements

Principal Use	Number of Spaces
One and two family dwellings	2 spaces per dwelling unit
Apartments	2 spaces per dwelling unit
Rooming House	2 spaces plus 1 space for each rental unit over 1
Motels, Resorts	1 space for each sleeping room, plus 2 spaces for employees, plus 1 space for each 250 square feet of floor space for public functions
Permitted office in residence	4 spaces plus 1 space for each nonresident employee
Retail business and consumer service establishment	1 space for each 300 square feet of gross floor area
Restaurants, theaters and other places of assembly	1 space for each three seats
Bowling alleys	2 spaces for each alley
Offices	1 space for each 300 square feet of gross floor area
Mortuary; funeral establishment	Minimum of twenty (20) off-street parking spaces shall be provided.
Warehouses and other commercial or industrial buildings	1 space for each 1,000 square feet of gross floor area

7.1.6. Shared Parking.

To the extent feasible, parking areas shall be shared with adjacent uses. This may be accomplished by access via a common driveway serving adjacent lots or premises; or, access via an existing side street; or, access via a cul-de-sac or loop road shared by adjacent lots or premises.

1. Up to 50 percent of the parking spaces serving a building may be used jointly for other uses not normally open, used or operated during similar hours. The applicant must show that the peak parking demand and principal operating hours for each use are suitable for a common parking facility.
2. The satellite parking spaces will be used solely by the employees and, where practicable, clients of the commercial use;

3. The off-site parking spaces shall be located to adequately serve the proposed use and shall be within 600 feet of the building served for clients of the commercial use.
4. A written agreement acceptable to the Board of Appeals, defining the joint use of the common parking facility, shall be executed by all parties concerned and approved by the Board as part of the special permit process. Such agreement shall be recorded with the Berkshire Registry of Deeds.
5. Any subsequent change in land uses for which the shared parking proposal was approved, and which results in the need for additional parking spaces, shall require a new special permit application under this subsection.

7.1.7. Reduction of Parking Requirements.

Any minimum parking requirements may be modified by a Special Permit from the Board of Appeals upon determination that specific circumstances render a lesser provision adequate for all parking needs.

7.1.8. Parking Design Standards.

The following standards shall apply to all parking facilities.

1. A minimum of 80 percent of the required parking area shall be located to the side or rear of the structure. No parking shall be permitted within the required front setback of any building.
2. All off-street parking areas with a capacity in excess of 35 spaces shall be paved. All off-street parking facilities with a capacity of 35 spaces or fewer shall be paved unless covered with a surfacing material meeting the following specifications:
3. Face course to be minimum 8" thick compacted gravel - type B. Layers to be 4" lifts maximum. Sub-base - rolled and suitable to the Superintendent of Public Works. Areas unsuitable to be excavated and replaced with road stone and re-rolled.
4. Parking facilities for more than 35 cars which will be used only from June 1 to October 31 need not be paved if a grass cover satisfactory to the Superintendent of Public Works is used on top of the required gravel base.
5. Parking spaces accompanying uses by right in residential districts shall be exempt from the above surfacing requirements.
6. In C-3A and C-1A Districts, the minimum dimensions for off-street parking spaces, exclusive of drives and maneuvering spaces, shall be as follows:

Parking Space Dimensional Requirements

Space	Equivalent 90° Width	Minimum Equivalent 90° Depth	Vertical Clearance	Angle of Parking	Aisle Width
Regular	9 feet	20 feet	7 ½ feet	60°	22 feet
Handicapped/Accessible	12 feet	20 feet	7 ½ feet	60°	22 feet

7. Off-street parking facilities shall have maneuvering areas and appropriate means of vehicular access to a street and shall be so designed as not to constitute a nuisance, hazard, or unreasonable impediment to traffic.
8. Curb cuts on town ways shall comply with the following standards:
 - a. The maximum width of a curb cut shall be 34 feet measured at the property line except that the Board of Appeals may increase the maximum width to 60 feet if it finds that a larger curb cut is needed to accommodate commercial vehicles; and a larger curb cut is demonstrated not to cause danger to vehicles or pedestrians using the town way and vehicles entering and exiting the property; and the property will not generate traffic which will lower levels of service on the town way or at any nearby intersection below a level of service C at peak hour.
 - b. No more than 1 curb cut per lot. The Board of Appeals may allow an additional curb cut if it finds that an additional curb cut would materially improve safety for vehicular traffic or pedestrians using the site or traveling on adjacent public ways, or a secondary curb cut for emergency vehicular access only is desirable and the cut shall be secured for that purpose.
 - c. Sight distances for curb cut locations shall be based on the standards established by the American Association of State Highway officials (ASSHO) in effect on May 1, 1988, as amended.

7.1.9. Driveways.

Driveways shall meet the following standards:

1. The minimum traveled width for a one-way driveway shall be twelve (12) feet. The minimum traveled width for a two-way driveway shall be twenty-four (24) feet.
2. No curb cut shall be located closer than 25 feet to a street or road intersection or within 15 feet of a crosswalk.

7.1.10. Layout of Off-Street Parking Facilities.

Any parking facility located within a structure, unless it is completely underground, must conform to the yard requirements for the zoning district in which it is located. Setbacks for on-grade open parking facilities shall be provided as follows:

1. No on-grade open parking space shall be located within ten (10) feet of that portion of a building wall containing windows or rooms at basement or first story levels habitable or occupiable by people. However, on-grade open parking spaces serving 1, 2, or 3 family dwellings may be located within five (5) feet of that portion of such building wall.
2. No on-grade open parking space or driveway shall be located within 30 feet of any side or rear property line.
3. The area between the required parking setback line and the building or lot line shall be landscaped and maintained in accordance with the requirements of Subsections 7.1.12 and 7.1.16.

4. In an C-3A district, no part of any parking facility or internal roadway shall be located within 30 feet of a residential district or of an open space district, a park or public recreation area or within 50 feet of the right-of-way of Route 7/20.
5. All roads, streets, sidewalks and other public rights-of-way and all landscaped areas shall be protected from vehicular overhang by wheel bumpers, curbs or other suitable method.
6. Off-Street parking facilities shall be marked so as to indicate clearly the space to be occupied by each vehicle, in accordance with the dimensions specified above, and including directional arrows and traffic signs as necessary for traffic control. Such markings shall be maintained so as to be plainly visible.

7.1.11. Drainage, Surfacing and Maintenance.

All sections of off-street parking facilities which are paved according to the requirements of this subsection shall be graded, surfaced and maintained to the satisfaction of the Lenox Department of Public Works to the extent necessary to prevent nuisance of dust, erosion, or excessive water flow onto any public way or onto another lot.

7.1.12. Maintenance.

Off-street parking areas shall be kept plowed, clean and free from rubbish and debris. All fences, barriers, walls, landscaping and lighting shall be maintained and kept repaired or replaced with facilities satisfying the requirements of this Section.

7.1.13. Snow Storage.

Parking areas shall have a designated area(s) to place snow. This snow storage area shall be adjoining or reasonably near the parking area and shall be of a size to hold a reasonable amount of snow as may be generated from the parking area after a heavy snowfall. In addition to or in lieu of providing a storage area, the Lenox Department of Public Works may approve a procedure for trucking snow from the area.

7.1.14. Lighting

Off-street parking facilities which are used at night shall be provided with adequate lighting installed and maintained in such a manner so as not to reflect or cause glare on abutting or facing residential premises nor cause reflection or glare which adversely affects safe vision of operators of vehicles moving on nearby streets. A recommended standard for lighting is a minimum intensity of one (1) foot candle on the entire surface of the parking facility.

7.1.15. Screening

Off-street parking facilities containing thirty-five or more spaces and not in a structure shall be effectively screened from abutting streets and lots. However, such screening shall not obstruct vehicle sight distances, entrances and exits. Screening shall meet the following requirements:

1. A strip at least 5 feet in width of densely planted shrubs or trees which are at least 3 feet high at the time of planting and are of a type that may be expected to form within three years after the time of planting a continuous, unbroken, year-round visual screen.

2. For rear and side yards only, a wall, barrier, or fence of uniform appearance. Such wall, barrier, or fence may be opaque or perforated provided that not more than 50 percent of the face is open. The wall, barrier or fence shall be at least 4 feet and not more than 6 feet in height.
3. The screening as required in this subsection shall be located so as not to obstruct vehicle sight distances, entrances and exits. Such screening shall not be higher than 2 feet within 30 feet of an intersection or 10 feet of a driveway.
4. Every effort shall be made to retain existing trees. Removal of any tree exceeding 6 inch caliper to accommodate construction of a parking facility is discouraged.
5. Perimeter landscaping required for screening may include a landscaped yard area otherwise required.
6. Screening shall be continuously maintained so as to effectively serve the purpose for which it is intended. No advertising devices of any kind shall be allowed on or in screening.
7. Screening shall be continuous except for required access.
8. Screening requirements may be waived in the following cases:
 - a. If said parking facility is already effectively screened by an existing building, wall, fence or hedge on an adjoining lot and within five feet of the common property line, screening shall not be required so long as such adjoining screening is maintained.
 - b. If said parking facility is already effectively screened by a natural terrain feature or change in grade.
 - c. If said parking facility abuts another parking facility under different use or ownership, a landscaped planting strip at least 5 feet in width may be used in lieu of screening along the common property line.

7.1.16. Landscaping

For the purpose of this section, landscaping shall consist of any of the following or a combination thereof: grass, ground covers, shrubs, vines, hedges, or trees; and non-living durable material commonly used in landscaping, such as but not limited to rocks, pebbles or wood chips, but excluding asphalt or concrete. Required screening elements as specified above may be allowed in perimeter landscaped areas. On-grade, open facilities which contain thirty-five or more parking spaces shall be landscaped in accordance with the following requirements:

1. At least 15 percent of the interior area of the parking facility shall be landscaped. This does not include perimeter planting provided for beautification or to satisfy screening requirements.
2. Each planting area shall be at least 25 square feet in area and have no dimensions less than 5 feet.
3. Each planting area shall contain at least one tree and the facility as a whole shall contain at least one tree for every ten parking spaces.
4. Trees used to satisfy parking lot landscaping requirements shall be a minimum of 3 inch caliper at planting and shall be suitable for location in parking lots.

5. The trees required for the landscaping of on-site parking areas - whether such trees are coniferous or deciduous, flowering or non-flowering - should be tolerant of environmental conditions, able to screen parking areas by virtue of their size, form, density of foliage and spread, and easy to maintain. A suggested list of trees which meet these criteria is:
 - a. Coniferous. Botanical name (common name): Pinus Strobus (Eastern White Pine); Tsuga Canadensis (Canadian Hemlock); Pinus Resinosa (Red Pine); Picea Glauca (White Spruce); Picea Abies (Norway Spruce); Picea Pungens Glauca Kosteriana (Blue Spruce); Picea Rubens (Red Spruce).
 - b. Deciduous. Botanical name (common name): Fagus Grandifolia (American Beech); ~~Acer Platanoides (Norway Maple)~~; Acer rubrum (Red Maple); Acer saccharum (Sugar Maple); Fraxinus Americana (White Ash); Fraxinus Pennsylvanica (Green Ash); Thuja Occidentalis (Eastern Arborvitae); Quercus palustris (Pin Oak); Quercus rubra (Red Oak); Tilia cordata greenspire (Littleleaf Linden); Tilia Europaea (Common Linden); Ulmus Americana (American Elm).
6. Existing healthy trees shall be preserved wherever possible.
7. Existing and new trees shall be protected by bollards, high curbs or other barriers sufficient to prevent damage.
8. Extensive unbroken paved areas in large on-grade open parking facilities shall not be permitted. In parking lots containing 35 or more spaces, a row shall contain no more than 15 contiguous parking spaces without a densely planted landscaped buffer of at least the dimensions of one space.
9. No regular certificate of occupancy shall be issued unless an inspection by the Building Commissioner establishes that the landscaping meets the requirements provided herein. Pending issuance of a regular certificate of occupancy, a temporary certificate may be issued for such period as the Building Commissioner may designate but no longer than six months. All landscaping covered under this section shall be continuously maintained so as to effectively serve the purpose for which it was intended.

7.1.17. Bicycles.

Bicycle parking spaces shall be located near the entrance of the use being served and within view of pedestrian traffic, if possible, and shall be sufficiently secure to reasonably reduce the likelihood of bicycle theft.

7.1.18. Loading Bays.

Each loading bay shall be not less than ten (10) feet in width and thirty-five (35) feet in length exclusive of drives and maneuvering space, and all required bays, drives and maneuvering space shall be located entirely on the lot with direct access to the building intended to be served.

Properties within the Commercial "C" zoning district are exempt from this requirement.

7.1.19. Loading Standards.

Adequate off-street loading facilities and space must be provided to service the needs created by new structures, additions to existing structures, or changes in use in existing structures. Facilities

shall be so sized and arranged that no vehicles need back onto or off of a public way, or be parked on a public way while loading, unloading or waiting in queue. In addition, loading facilities shall be located so as to not interfere with internal traffic circulation.

7.2. SIGNS

7.2.1. General

1. No signs or advertising devices of any kind or nature shall be erected on any premises or affixed to the outside of any structure or be visible from the outside of any structure in the Town except as specifically permitted, except that in a commercial or industrial district permanent professional lettering or logo identifying the occupancy will be permitted on doors or windows. A permit is required for all new signs or alterations of existing signs in Residential, Commercial, and Industrial Districts. The Building Commissioner is the official who issues sign permits, except as specifically provided hereafter.
2. The Selectmen may issue a permit for any sign of a permanent nature on public land.
3. All signs in the Historic District except as provided here must be approved by the Historic District Commission.

7.2.2. Dimensions

1. In determining the dimensions of signs, the area shall be determined by measuring from the top of the topmost display elements, and from exterior side to exterior side of display elements and including in such measurements any blank or open area between display elements. Display elements include any letters, words, trademarks, medallions, symbols or other devices intended to advertise or indicate the name of the premises or the products or services available thereat. Signs having a backing strip shall be measured at the extreme dimensions of such backing.
2. Two similar signs back to back so as to face opposite directions shall be considered one sign and area requirements shall be determined from the measurement of one side only. Likewise, two signs may be oriented at a maximum of 90° to one another and still be considered one sign.

7.2.3. General Standards

1. All signs shall be stationary and shall contain no visible moving parts. Signs producing noise and/or odors or vapors are prohibited.
2. There shall be no temporary special promotion signs, banners, streamers, or placards erected, suspended, posted or affixed in any manner outdoors or on the exterior of any building in a Business District except by special permission of the Selectmen. Temporary shall mean no more than two weeks.
3. No sign shall be hung from any other sign.

7.2.4. Signs in All Districts

The following signs are permitted in all districts.