

require, in addition to all other OPEN SPACE requirements of this Bylaw, the set-aside of OPEN SPACE of an area equal to the floor area of the structured parking facility in excess of one story. In all zoning districts structured parking facilities shall not be counted in calculating the NET FLOOR AREA of a BUILDING. In the SAV District, structured parking shall only be allowed if incorporated in a BUILDING occupied with other USES, and a separate detached parking STRUCTURES shall only be permitted if it qualifies as a municipal USE.

6.9 Special Provisions for Parking in the Village, Kelley's Corner, and Powder Mill Districts

6.9.1 In the EAV District, except as otherwise provided herein, no BUILDING or STRUCTURE shall be located on any LOT and no activity shall be conducted upon any LOT unless off-STREET parking is provided in accordance with the following requirements:

6.9.1.1 No off-STREET parking spaces shall be established between the front line of the principal BUILDING and the sideline of a STREET, except as may be provided otherwise in the Design Provisions for the East Acton Village District.

6.9.1.2 Required off-STREET parking for a USE may be provided on any LOT within the same Zoning District as the USE, but not necessarily on the same LOT as the USE.

6.9.1.3 Connection of Parking – A Special Permit Granting Authority shall require that all parking lots be connected by a common driveway to the parking lots of all adjacent USES and to all adjacent land in the EAV and EAV-2 Districts, unless it finds that physical constraints, present site configuration, uncooperative abutters, or land vacancy precludes strict compliance. In such cases, the site and the parking lot shall be designed to provide for the future construction of common driveways. For the purposes of this section, common driveway shall be defined as a driveway that is shared by two or more LOTS and located at least partially within the required setback areas of such LOTS. Such a common driveway can be either a shared ACCESS driveway to a STREET, or a driveway to a STREET, or a driveway connecting such LOTS with each other.

6.9.1.4 Number of Parking Spaces – The minimum number of required parking spaces shall be 70% of the requirements in Section 6.3.1. In the case of collective use of a parking lot in accordance with Section 6.9.1.5 below, the minimum number of required parking spaces shall be 50% of the requirements in Section 6.3.1.

6.9.1.5 Collective Use of Parking Lots – Off-STREET parking lots may serve, collectively or jointly, different USES located throughout the EAV District where such a collective use of the parking lot is based on a written agreement that: 1) assures the continued collective use; 2) states the number of parking spaces allocated to each participating USE; and 3) assures ACCESS to and maintenance of the common parking lot. The parking spaces provided through the collective use of parking lots shall be counted towards the minimum required number of spaces for the participating USES applying the discount as set forth in Section 6.9.1.4 above.

6.9.1.6 Structured parking shall not be allowed except under ground.

6.9.1.7 The parking lot design requirements of Section 6.7 shall apply in the EAV District, except that:

a) The requirements for parking lot cells and separation of cells (Section 6.7.1) shall not apply.

b) The requirements for set-backs (Section 6.7.2) shall not apply. This does not waive the requirements for perimeter landscaping (Section 6.7.6).

- c) The interior area landscaping (Section 6.7.7) may be substituted with one or more consolidated bioretention areas with minimum side dimensions measuring at least 38 X 12 feet each. Bioretention areas shall be designed and landscaped to trap and mitigate runoff from paved surfaces consistent with the description and intent of EPA Storm Water Technology Fact Sheet – Bioretention (EPA 832-F-99-012, September 1999), or equivalent. The landscaping requirements of Sections 6.7.8.1 through 6.7.8.5 shall not apply to bioretention areas. Bioretention areas may be sited anywhere in the parking lot that is convenient to manage parking lot traffic and facilitate pedestrian use, including adjacent to and connecting with vegetated areas on the perimeter of a parking lot. Bioretention areas shall be considered part of the minimum required OPEN SPACE.
- 6.9.2 In the NAV District, the following special provisions for parking shall apply:
- 6.9.2.1 No off-STREET parking spaces shall be established between the front line of the principal BUILDING and the sideline of a STREET.
 - 6.9.2.2 The Board of Selectmen may authorize by Special Permit an off-STREET parking lot or STRUCTURE not located upon the same LOT with the associated USE, provided said parking lot or STRUCTURE lies also within the NAV District.
 - 6.9.2.3 The number of parking spaces to be provided for a mixed-USE development in the North Acton Village District shall be equal to 85 percent of the sum of the number of parking spaces for each USE on the LOT, determined separately for each USE based upon the standards set forth in Section 6.3.1
 - 6.9.2.4 Except as stated in Sections 6.9.2.1 through 6.9.2.3, the parking lot design requirements of Section 6.7 shall apply in the NAV District.
- 6.9.3 In the EAV-2 District, the following special provisions for parking shall apply:
- a) Connection of Parking – A Special Permit Granting Authority shall require that all parking facilities be connected by a common driveway to the parking facilities of all adjacent USES and to all adjacent land in the EAV, EAV-2, and LB zoning districts, unless it finds that physical constraints, present site configuration, uncooperative abutters, or land vacancy precludes strict compliance. In such cases, the site and the parking facility shall be designed to provide for the future construction of common driveways. For the purposes of this Section, common driveway shall be defined as a driveway that is shared by two or more LOTS and located at least partially within the required setback areas of such LOTS. Such a common driveway can be either a shared ACCESS driveway to a STREET, or a driveway to a STREET, or a driveway connecting such LOTS with each other.
 - b) Collective Use of Parking Facilities – Off-STREET parking facilities may serve, collectively or jointly, different USES located throughout the same zoning district where such a collective use of the parking facility is based on a written agreement that: 1) assures the continued collective use; 2) states the number of parking spaces allocated to each participating USE; and 3) assures ACCESS to and maintenance of the common parking facility. In the case of such collective use of a parking facility, the minimum number of required parking spaces shall be 70% of the requirements in Section 6.3.1.
 - c) Otherwise, the parking lot design requirements of Section 6.7 shall apply in the EAV-2 District.
- 6.9.4 WAV and SAV Districts – In the WAV and SAV Districts, except as otherwise provided herein, no BUILDING or STRUCTURE shall be located on any LOT and no activity shall

be conducted upon any LOT unless off-STREET parking is provided in accordance with the following requirements:

- 6.9.4.1 Required off-STREET parking for a USE may be provided on any LOT within the same Zoning District as the USE, but not necessarily on the same LOT as the USE.
- 6.9.4.2 No off-STREET parking spaces shall be established between the front line of the principal BUILDING and the sideline of a STREET, except on LOTS having frontage on more than one STREET. On LOTS having FRONTAGE on more than one STREET, the main BUILDING entrance shall face a STREET and parking spaces shall be located on the opposite side of the main BUILDING entrance.
- 6.9.4.3 Connection of Parking – A Special Permit Granting Authority shall require that all parking facilities be connected by a common driveway to the parking facilities of all adjacent USES and to all adjacent land in the same Zoning District, unless it finds that physical constraints, present site configuration, uncooperative abutters, or land vacancy precludes strict compliance. In such cases, the site and the parking facility shall be designed to provide for the future construction of common driveways. For the purposes of this section, common driveway shall be defined as a driveway that is shared by two or more LOTS and located at least partially within the required setback areas of such LOTS. Such a common driveway can be either a shared ACCESS driveway to a STREET or a driveway to a STREET or a driveway connecting such LOTS with each other.
- 6.9.4.4 Number of Parking Spaces – The minimum number of required parking spaces shall be 70% of the requirements in Section 6.3.1. In the case of collective use of a parking facility in accordance with Section 6.9.4.5, the minimum number of required parking spaces shall be 50% of the requirements in Section 6.3.1.
- 6.9.4.5 Collective Use of Parking Facilities – Off-STREET parking facilities may serve, collectively or jointly, different USES located throughout the same Zoning District where such a collective use of the parking facility is based on a written agreement that: 1) assures the continued collective use; 2) states the number of parking spaces allocated to each participating USE; and 3) assures ACCESS to and maintenance of the common parking facility. The parking spaces provided through the collective use of parking facilities shall be counted towards the minimum required number of spaces for the participating USES applying the discount as set forth in Section 6.9.4.4.
- 6.9.4.6 Design Requirements – The parking lot design requirements of Section 6.7 shall not apply in the WAV and SAV Districts. Off-STREET parking spaces, except parking spaces serving a single to four-FAMILY residential USE or an Assisted Living Residence with 10 or less residents, shall be either contained within a BUILDING or STRUCTURE or subject to the following requirements.
 - a) Required parking spaces, ACCESS driveways, and interior driveways shall be provided and maintained with suitable grading, paved surfaces, adequate drainage, and landscaping as required in Section 6.9.4.7.
 - b) ACCESS Driveways – Not more than one ACCESS driveway for two-way traffic from a STREET to a parking facility shall be permitted. An additional ACCESS driveway from a STREET may be permitted provided that the ACCESS driveways are limited to one-way traffic. However, there shall not be more than two (2) ACCESS driveways for one-way traffic for any parking facility. ACCESS, interior and common driveways for two-way traffic shall be twenty feet (20') wide. The ACCESS, interior and common driveways for one-way traffic shall be fourteen (14) feet wide.

- c) Set-Backs – Except where parking lots established in accordance with Section 6.9.4.5 cross over common LOT lines, all parking spaces and paved surfaces other than ACCESS driveways or common driveways shall be set back a minimum of five (5) feet from any LOT lines.
- 6.9.4.7 Landscaping of Parking Lots – Parking lots shall include a landscape area equal to a minimum of five percent (5%) of the area of the parking lot.
- a) Shade trees – One shade tree shall be provided for each two thousand (2,000) square feet or less of pavement area. Each shade tree shall be from a deciduous species rated for U.S.D.A. Hardiness Zone 5 that is expected to reach at least 20 feet in height at maturity; be seven (7) feet in height with a trunk caliper size of at least 3/4 inches at the time of planting; and be surrounded by a landscaped area of one hundred square feet (100 sq. ft.) to accommodate the root system of the tree. Additional landscaping may be required by a Special Permit Granting Authority to better screen the parking lot from the STREET and adjacent USES.
 - b) Perimeter Planting Strip – Parking lots adjacent to STREETS, sidewalks, paths or ACCESS driveways shall include a perimeter planting strip at least seven and one-half (7.5) feet wide. However, if the planting strip is protected from vehicular damage through the use of planting beds that are raised above the surface of the parking lot at least twelve (12) inches or through the use of bollards or balustrades, the width of the planting strip may be reduced to five (5) feet. Said planting strip shall feature a physical separation of the parking lot and adjacent ways of at least two and one-half (2.5) feet in height. This physical separation may be created through the use of plantings, walls, or fencing (other than chain link or smooth concrete) or a combination of plantings and fencing. No more than twenty percent (20%) of this perimeter planting strip shall be impervious.
 - c) Plantings – Plantings for landscaped areas shall include a mixture of flowering and decorative deciduous and evergreen trees and shrubs and shall be planted with suitable ground cover.
 - d) Sight Distance – All landscaping along any STREET FRONTAGE shall be placed and maintained so that it will not obstruct sight distance.
 - e) Protection of Landscaped Areas – Landscaped areas shall be planted and protected in such a manner that the plantings will not be damaged by vehicles.
- 6.9.5 KC District – In the Kelley’s Corner District, no BUILDING or STRUCTURE shall be located on a LOT and no activity shall be conducted upon any LOT unless off-STREET parking is provided in accordance with the following requirements:
- 6.9.5.1 Required off-STREET parking for a USE may be provided on any LOT within the Kelley’s Corner District, but not necessarily on the same LOT as the USE.
 - 6.9.5.2 Connection of Parking – A Site Plan Special Permit Granting Authority shall require that all parking facilities be connected by a common driveway to the parking facilities of all adjacent USES and to all adjacent LOTS within the Kelley’s Corner District, unless it finds that physical constraints, present site configuration, uncooperative abutters, or land vacancy precludes strict compliance. In such cases, the site and the parking facility shall be designed to provide for the future construction of common driveways. For the purposes of this section, common driveway shall be defined as a driveway that is shared by two or more LOTS and located at least partially within the required setback areas of such LOTS. Such a common driveway can be either a shared ACCESS driveway to a STREET or a driveway to a STREET leading to another LOT or a driveway connecting such LOTS with each other. See also Section 10.4.3.3 of this Bylaw regarding common driveways.

- 6.9.5.3 Number of Parking Spaces – The minimum number of required parking spaces shall be 70% of the requirements in Section 6.3.1. In the case of collective use of a parking facility in accordance with Section 6.9.5.4, the minimum number of required parking spaces shall be 50% of the requirements in Section 6.3.1.
- 6.9.5.4 Collective Use of Parking Facilities – Off-STREET parking facilities may serve, collectively or jointly, different USES located throughout the Kelley’s Corner District where such a collective use of the parking facility is based on a written agreement that: 1) assures the continued collective use; 2) states the number of parking spaces allocated to each participating USE; 3) assures ACCESS to and maintenance of the common parking facility, and 4) is filed with the Zoning Enforcement Officer. Any change to such agreement shall also be filed with the Zoning Enforcement Officer. The number of parking spaces allocated in the agreement to each participating USE shall be counted toward the minimum required number of parking spaces for such USE as determined under Section 6.9.5.3.
- 6.9.5.5 Design Requirements and Landscaping – Off-STREET parking spaces, except spaces serving a single to four-FAMILY residential USE or an Assisted Living Residence with 10 or less residents, shall either be contained within a BUILDING or STRUCTURE, or be provided in accordance with the design requirements of section 6.7 including all its subsections. In addition, no parking space or other paved surface, other than walkways and bikeways, shall be located within 20 feet of an abutting residential zoning district.
- 6.9.6 PM District – In the Powder Mill District, no BUILDING or STRUCTURE shall be located on a LOT and no activity shall be conducted upon any LOT unless off-STREET parking is provided in accordance with the following requirements:
- 6.9.6.1 Required off-STREET parking for a USE may be provided on any LOT within the Powder Mill District, but not necessarily on the same LOT as the USE.
- 6.9.6.2 Connection of Parking – A Site Plan Special Permit Granting Authority shall require that all parking facilities be connected by a common driveway to the parking facilities of all adjacent USES and to all adjacent LOTS within the Powder Mill District, unless it finds that physical constraints, present site configuration, uncooperative abutters, or land vacancy precludes strict compliance. In such cases, the site and the parking facility shall be designed to provide for the future construction of common driveways. For the purposes of this section, common driveway shall be defined as a driveway that is shared by two or more LOTS and located at least partially within the required setback areas of such LOTS. Such a common driveway can be either a shared ACCESS driveway to a STREET or a driveway to a STREET leading to another LOT or a driveway connecting such LOTS with each other. See also Section 10.4.3.3 of this Bylaw regarding common driveways.
- 6.9.6.3 Number of Parking Spaces – The minimum number of required parking spaces shall be 70% of the requirements in Section 6.3.1. In the case of collective use of a parking facility in accordance with Section 6.9.6.4, the minimum number of required parking spaces shall be 50% of the requirements in Section 6.3.1.
- 6.9.6.4 Collective Use of Parking Facilities – Off-STREET parking facilities may serve, collectively or jointly, different USES on LOTS located throughout the Powder Mill District where such a collective use of the parking facility is based on a written agreement that: 1) assures the continued collective use; 2) states the number of parking spaces allocated to each participating USE; 3) assures ACCESS to and maintenance of the common parking facility, and 4) is filed with the Zoning Enforcement Officer. Any change to such agreement shall also be filed with the Zoning Enforcement Officer. The number of parking spaces allocated in the agreement to each participating USE shall be

counted toward the minimum required number of parking spaces for such USE as determined under Section 6.9.6.3.

6.9.6.5 Design Requirements and Landscaping – Off-STREET parking spaces, except spaces serving a single to four-FAMILY residential USE, shall either be contained within a BUILDING or STRUCTURE, or be provided in accordance with the design requirements of Section 6.7 including all its subsections. In addition, no parking space or other paved surface, other than walkways and bikeways, shall be located within 20 feet of an abutting residential zoning district.

6.10 Parking Lot Bonds and Securities – The Special Permit Granting Authority (if the parking area is related to a permitted USE for which a site plan or other special permit is required) or the Zoning Enforcement Officer (for other parking areas) or their designee may require a bond or other form of security to ensure the satisfactory planting of required landscaping and to ensure the survival of such landscaping for up to two (2) years following such planting. All required landscaping and plantings must be maintained in a neat, attractive appearance as a condition of the continued PRINCIPAL USE of the LOT.