

**Proposed Amendments
Durham Zoning Ordinance
Article XXI – Off-Street Parking**

Presented for discussion by the Planning Board on December 12, 2018

Showing changes from existing ordinance for reference only. See separate document for the amendment.

Additions from the present ordinance are shown like this.

~~Deletions from the present ordinance are shown like this.~~

ARTICLE XXI – OFF-STREET PARKING AND DRIVEWAYS

175-110. Applicability.

~~This article applies to single-family dwellings, duplex/two-family dwellings, other sites and conditions that are not subject to site plan review, and exemptions in the Central Business District (See special provision below).~~

The provisions in this article apply specifically to single-family and duplex residences (or to one or the other as specified). The provisions in this article do not apply to any uses other than single-family and duplex residences except where specific reference is made to all uses.

175-111. General Requirements.

~~A. Storage. The parking or storage of any truck or truck trailer in excess of one (1) ton for more than twenty-four (24) hours in any three-day period shall not be allowed in the front or side yard setback.~~

~~B. Design Requirements~~

~~1. All parking areas and driveways shall have, at a minimum:~~

~~a. A smoothly graded stabilized dust-free gravel surface.~~

~~b. Adequate drainage to minimize runoff from flowing onto adjacent property, sidewalks and public roads. The infiltration of stormwater on site is strongly encouraged.~~

~~2. Parking serving single-family and duplex units will be permitted in the front yard setback for up to three (3) vehicles per household.~~

A. Number of spaces.

1. Minimum. Two off-street parking spaces shall be provided for a single-family residence and four off-street parking spaces shall be provided for a duplex residence. See Article XX for requirements for accessory dwelling units and accessory apartments.

2. Maximum. There shall be no more than 3 parking spaces for a dwelling unit located in an RA, RB, RC, or R zone, not including the parking spaces situated on a single car-width driveway (12 feet or less in width) or within a garage. More than 3 parking spaces may be established if approved as a special exception. In addition to the general special exception criteria contained in Section 175-26, approving a special exception under this section herein shall require a finding that the proposed parking spaces are serving the on-site dwelling(s) only.
- B. Dimensions. Each parking space shall measure at least 9 feet x 18 feet. The Zoning Administrator may adjust this provision as appropriate for the site conditions.
- C. Delineation. Each parking space shall be clearly delineated on the site, as determined by the Zoning Administrator.
- D. Setbacks. The following setbacks apply:
1. There is no required setback for a single car-width driveway (12 feet or less in width).
 2. All parking spaces shall be in compliance with the required setbacks for structures in the zoning district. However, parking spaces may be established within the setback areas by special exception. In addition to the general special exception criteria contained in Section 175-26, approving such a special exception under this section herein shall require a finding that: a. It is not practical to situate the proposed parking outside of the setback areas; b. Situating the proposed parking within the setback areas will not have an adverse impact upon abutting properties nor upon the character of the streetscape.
 3. See Article XIII – Wetland Conservation Overlay District and Article XIV – Shoreland Protection Overlay District for required setbacks for driveways and parking areas within these overlay districts.
- E. Surface and drainage. The following shall be provided for parking areas and driveways:
1. A smooth paved surface or a smoothly graded stabilized dust-free surface using gravel, paving stones or the equivalent.
 2. Adequate drainage to minimize runoff from flowing onto adjacent property, sidewalks and public roads. The infiltration of stormwater on site is strongly encouraged.
- F. Driveway width.
1. For all uses, within the Town right of way the driveway may not exceed 12 feet in width (excluding turning radii) unless approved by the Durham Public Works Department.
 2. For a single family or duplex residence, the driveway shall not exceed 12 feet in width except as needed to provide access to a multi-vehicle garage.
- G. Number of driveways. For a single family residence there shall be not more than one driveway access point where the frontage is less than 200 feet. One additional driveway access point for each additional 100 feet or major fraction thereof may be permitted by the Department of Public Works should site conditions warrant. For a duplex residence, the Department of Public Works may approve a second driveway access point as warranted.
- H. Shared driveways. Use of shared driveways between adjacent residences is encouraged.

175-112. Required Permits.

- A. Building permit. A building permit is required to create or expand a parking space, parking area, or driveway area.
- B. Fire department. Permit applications for new driveways must be approved by the Durham Fire Department.
- C. Access to Town roads. For all uses, a written permit from the Durham Public Works Department is required prior to the construction or alteration of any driveway, entrance, exit or approach within the limits of any right of way of the Durham roadway system.
- D. Standards of construction. For all uses, any section of a driveway located within the right of way of the Durham roadway system shall be built in conformance with the requirements of the Durham Public Works Department. The latest Policy and Procedure for Driveways and Other Accesses to the State Highway System, as published by the New Hampshire Department of Transportation, will be used to guide the design.
- E. Access onto State roads. For all uses, a written permit from the New Hampshire Department of Transportation is required prior to the construction or alteration of any driveway, entrance, exit or approach within the limits of any right of way of the State of New Hampshire roadway system.

175-~~112~~ 113. Central Business District Special Conditions.

*[*Note. This section is proposed to be changed as part of the larger Central Business District amendments now before the Town Council. A public hearing is scheduled for December 17. This section will be revised accordingly if those amendments are adopted.]*

Exemptions. All uses shall be exempt from the parking requirements for the number of spaces specified in the Site Plan Regulations within the Central Business District, provided that:

1. A one-time parking impact fee (as set by the Town Council) is paid by the owner and/or developer for the number of spaces required under the regulations less the number of on-site spaces provided. The parking impact fee shall be reviewed by the Durham Town Council on an annual basis.
2. The number of existing parking spaces shall not be reduced to fewer than required under the Site Plan Regulations by any proposed development unless approved as part of a property redevelopment plan by the Planning Board.

~~175-113. Required Parking. Two parking spaces shall be provided for a single-family residence and four parking spaces shall be provided for a duplex residence.~~

