

(Revisions to Chapter IV, Section 8d Supplemental Regulations)

d. On-Street Parking – ~~For businesses in the downtown area existing at the time of enactment of this ordinance, on street parking equivalent to the schedule above will be provided. Where necessary, parking arrangements may be made on an intermittent basis with other, neighboring businesses.~~ An allowable commercial use of an existing building at the time of ordinance adoption (Ordinance 91-7 Adopted December 3, 1991 ) may use on-street parking as part of their required parking. An increase in the intensity of use of an existing building after the adoption of Ordinance 91-7 must comply with the parking requirements as provided in Section 8b.

(Additions to Chapter IV, Section 8 Supplemental Regulations)

h. The city shall make a determination, on no less than an annual basis, of the number of publicly owned parking spaces that are available for use as parking mitigation in the C1, C4 and RF districts. Parking mitigation as provided in this subsection shall be available on a first come, first served basis, up to a maximum of 15 spaces per development. until all currently available spaces have been subscribed. Thereafter the City may make additional spaces available or suspend the availability of parking mitigation.

i. New commercial development or expanded intensity of an existing building use in the C-1, C-4 and RF districts may mitigate up to 50% of the required onsite parking through an approved mitigation plan as provided in Section IV.E.8. This provision does not apply to other zoning districts.

j. New commercial development within the C-1, C-4 & RF district may use on-street parking to meet part of the required parking standard as provided in Section 8b.

k. Restoration of an historic structure in the C-1, C-4 & RF districts may request waiver of up to 100% of required onsite parking not to exceed 8 spaces. Documentaton that the structure for which a waiver is sought qualifies as an historic structure as provided in this subsection shall be included in the request for waiver and be included as part of the permit application.

l. New development on a single lot (30x80) within the C-1, C-4 and RF districts may mitigate up to 100% of parking not to exceed 8 spaces.

m. All proposed development within the C-1 & C-4 districts shall be encouraged to locate all onsite parking at the rear of the proposed development to meet onsite requirements. Developments that encumber five or more lots shall be required to incorporate parking at the rear. Shared use agreements with adjacent property owners is encouraged to reduce curb cuts for parking access.

Parking Mitigation Ordinance Language

The City of Apalachicola finds that adequate parking is important for the economic success of Apalachicola's downtown commercial districts, specifically the C1, C4 and RF zoning districts. Many properties in these districts will be unable to accommodate required parking due to their smaller lot size. Dispersing parking off-site in a way that serves multiple properties provides a more efficient, cost effective, and sustainable way to serve Apalachicola's downtown parking needs. For these zoning districts the City finds that, at the time of new development, redevelopment or change of use requiring site plan approval, a proportionate capital contribution to construct additional public parking is a fair and equitable method of apportioning the cost of such additional parking among all property within these commercial districts without unreasonably burdening vacant lands or existing development that is not undergoing new development, redevelopment or change of use. Accordingly, this section allows property owners to substitute payments toward off-site parking for on-site parking in the C1, C4, and RF districts. However the availability of parking mitigation will be determined by the City based on the number of parking spaces available for mitigation. This shall be determined by the City on annual basis, at least, and more frequently if warranted. Caps on the maximum number of spaces one development may mitigate will help to ensure the fair availability of parking mitigation to all potential developments in the specified districts. Placing limits on the availability of parking mitigation, coupled with the requirement that the City revisit the subject on an as-needed basis will also ensure that parking supply remains proportionate to parking demand. Built-in checks on the availability of parking mitigation will also help the City to be aware of and possibly avoid any unforeseen and unintended consequences of adopting a parking mitigation policy.

Due to the different complexion of the area and its primary use as a residential area, parking mitigation is not appropriate for and will not be available in the C2 or C3 zoning districts.

**Apalachicola Parking Mitigation Fund (APMF):** The city shall establish and administer a dedicated municipal revenue fund, called the APMF Fund, whose purpose is to help fund operations, maintenance and improvements necessitated by the use of city-owned parking facilities by new buildings, structures or uses in the City's commercial district, in order, among other things: to offset impacts from new buildings, structures or uses upon the availability of off-street parking spaces in municipal parking facilities; and to offset increases in the cost of operating and maintaining municipal parking facilities that are attributable to the use of such facilities by new buildings, structures and uses.

The Fee shall be calculated by multiplying the number of required parking spaces for the principal buildings, structures or uses to be provided for designated City parking areas by the rate of \$5,000 per required parking space. The rates are intended to offset the city's reasonable cost to construct new parking facilities of each type, and to maintain them for a period of thirty (30) years.

Prior to the issuance of a building permit for a principal building, structure or use a portion of whose required parking is provided at a municipal parking facility under this subsection, the owner of such principal building, structure or use shall deposit the total dollar amount due for its Parking Mitigation Fee in the OPPM Fund as a one-time mitigation fee.

*Parking fund created* . The City shall contribute the payments to a parking fund specifically set aside to provide public parking serving the Commercial Districts. All monies received as fees imposed by this Section shall be deposited and held, together with interest thereon, in a public parking mitigation fund hereby created, and shall be expended from that fund only for the purpose of creating new public parking. The cost of creating public parking shall include all costs related to land acquisition, design, permitting,

drainage, mitigation, and construction of lighted and paved public parking, including engineering, legal, consulting and internal overhead costs.

*Mitigation authorized.* Required parking spaces for non-residential uses may be mitigated through pro-rata contributions to the Apalachicola Parking Mitigation Fund. Mitigation is not allowed for residential uses. Mitigation may be used to offset up to half of the required parking spaces for a development. The other half must be met by onsite or approved offsite requirements as established in the code.

*Payment .* No certificate of occupancy shall be issued until complete payment has been received by the City or the City has:

- a. Approved an agreement providing for a phased payment plan. In no case shall payments be deferred for more than two (2) years;
- b. Approved an agreement providing for the deferred construction or occupancy of floor space for which parking has not been mitigated; or
- c. Approved other arrangements providing for required parking to serve the proposed use within twelve (12) months of the application. In no case shall arrangements include a parking variance.

All proposed parking mitigation contributions shall be placed in the Parking Mitigation Fund which shall be used exclusively to establish parking to serve non-residential uses in the Commercial Districts.

The moneys in the parking fund may be allowed to accumulate from year to year until the City Commission determines to expend the moneys in the fund for the purposes specified.