

## Parking Mitigation Ordinance Language

The City of Apalachicola finds that adequate parking is important for the economic success of Apalachicola's commercial districts. Many properties in Apalachicola 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 parking needs. 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 the 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.

**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.