# O-49-22

**Planning and Zoning - Parking and Loading Regulations -
Parking fee-in-lieu of meeting off-street parking requirements.**

## AMENDMENT 8 – ALD. ARNETT

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**AMENDMENT SUMMARY:**

1) Exempts maritime districts

2) Reduces by half the amount of parking spaces that can be used for other purposes in Office and Commercial Design Overlay Districts, which covers Eastport.

4) Allows restaurants to contract with other private parking lots to use their parking during off-use hours and set up outdoor dining in the restaurant lot.

5) Strikes the outdated 'effective date'.

6) Changes "repurposed" to "waived".

7) Rewords the Table of Off-Street Parking Table note.

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**AMENDMENT:**

On page 2, in line 4, strike "effective April 1, 2023".
On page 2, in line 5, strike "repurposed" and insert "waived".
On page 2, in line 11, insert
" D. **Exceptions.**

"1.  Maritime districts shall be exempt from the requirements of this Section, Title 21 § 66.035."

2.  In Office and Commercial Design overlay districts, the fee will be on 50% of the number required in Title 21 § 66.130, the 'Table of off-street parking requirements' "Standard" column."

3.  The fee-in-lieu provision may be waived if the restaurant has an arrangement with another parking facility within .25 miles of the property to provide shared parking that is equal to the resturant's parking requirement.

In the 21.66.130 Table of off-street parking requirements, in the Restaurants and Delicatessens section, "B1 District" and "Other zoning districts", after "percent", add superscript [7] . And at the the end of the Table of off-street parking requirements, after "7." Insert "See Title 21 § 66.035 for fee-in-lieu of parking spaces provisions."

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## CHANGE TO BILL:

**21.66.035 – Parking fee in lieu of providing parking.** Off-street parking requirements may be waived upon payment of a fee for certain uses identified in the "Table of off-street parking requirements" in Title 21 § 66.130.

   A. The Director of Planning and Zoning or their designee is authorized to grant said waiver and shall promulgate rules and regulations as needed to implement this section in accordance with Title 2 § 04.090.

   B. The fee shall be established by annual resolution of the City Council ~~effective april 1, 2023~~, and it shall be based on:

      1. Parking spaces that are ~~repurposed~~<u>WAIVED</u> for outdoor dining; and

      2. Restaurant size.

   C. All fees generated as a result of requests for waiving the off-street parking requirement shall be deposited into the City Transportation Fund.

   D. **<u>EXCEPTIONS.</u>**

      1. <u>MARITIME DISTRICTS SHALL BE EXEMPT FROM THE REQUIREMENTS OF THIS SECTION, TITLE 21 § 66.035.</u>

      2. <u>IN OFFICE AND COMMERCIAL DESIGN OVERLAY DISTRICTS, THE FEE WILL BE ON 50% OF THE NUMBER REQUIRED IN TITLE 21 § 66.130, THE TABLE OF OFF-STREET PARKING REQUIREMENTS "STANDARD" COLUMN.</u>

      3. <u>THE FEE-IN-LIEU PROVISION MAY BE WAIVED IF THE RESTAURANT HAS AN ARRANGEMENT WITH ANOTHER PARKING FACILITY WITHIN .25 MILES OF THE PROPERTY TO PROVIDE SHARED PARKING THAT IS EQUAL TO THE RESTAURANT'S PARKING REQUIREMENT.</u>

**21.66.130 Table of off-street parking requirements.**

**Important**—The notes at the end of the table are as much a part of the law as the table itself.

| Use | Standard | Additional Provisions |
|---|---|---|
| **Restaurants and Delicatessens** | | |
| B1 District | Spaces equal in number to fifteen percent[7] of the seating and standing capacity in persons. | Standing capacity is computed as one person per seven square feet in front of all counter and service areas. Seating capacity is computed as the number of seats provided. |

| Other zoning districts | Spaces equal in number to thirty percent[7] of the seating and standing capacity in persons. | Standing capacity is computed as one person per seven square feet in front of all counter and service areas. Seating capacity is computed as the number of seats provided. |
|---|---|---|

7.  *Parking fee in lieu of meeting off street parking requirements.* ~~This use is eligible for a parking requirement waiver pursuant to Title 21 § 66.035.~~ SEE TITLE 21 § 66.035 FOR FEE-IN-LIEU OF PARKING SPACES PROVISIONS."