

DEPARTMENT OF PUBLIC SERVICE
CITY OF COLUMBUS, OHIO

SUBJECT: Short North Special Parking Area Rules and Regulations

EFFECTIVE DATE: APRIL 28, 2017

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BY: Division of Traffic Management

I. PURPOSE

The City of Columbus recognizes that public on-street parking as well as off-street parking for individual businesses and residential land uses may be limited in some areas. In an effort to achieve specific development or traffic initiatives in these areas, Chapter 3312.05 of the Columbus City Code allows for the creation of a special parking area.

Special parking areas can be established to set different parking requirements that aid in balancing the needs of both residents and businesses in the defined area. Special parking areas benefit the community by enhancing efforts to review and manage parking impacts and demands.

In an effort to evaluate parking pressures in the Short North, a parking study was completed in 2015. Creating a special parking area and in-lieu process was a key recommendation in developing alternative options to handle parking issues, encourage alternate modes of transportation, and create a process to manage parking variances while promoting economic development.

The purpose of the in-lieu fee is to establish a process to effectively manage parking when residential and non-residential developments do not satisfy the parking requirements within the special parking area. This process provides developers the option to pay a fee "in-lieu" of providing all or a portion of the parking spaces required by the special parking area. The fees serve as a tool to manage parking variances that may be granted without full understanding of the potential parking impact a development may have on the area. The revenue generated from the fees focus on enhancing parking and mobility initiatives to balance the parking needs within the area.

II. AUTHORITY

- A. Pursuant to the authority granted under Chapter 3312.051 of the Columbus City Codes, 1959, as amended, the Director of Public Service hereby adopts, establishes, and publishes these Rules and Regulations to be effective at the earliest time allowed by law.
- B. These Rules and Regulations establish administrative policy for the in-lieu process and provide the Director of Public Service the authority to determine in-lieu fees when an applicant does not satisfy the parking requirements established in Chapter 3312.051.

III. DEFINITIONS

The following words, terms and phrases, when used in these rules and regulations, shall have the meanings ascribed to them, except when the context clearly indicates a different meaning:

- A. *Administrator* means the Administrator of the Division of Traffic Management in the Department of Public Service.

- B. *Art gallery* means an establishment used primarily for displaying and/or offering for sale works of art to the general public and does not involve the preparation of food or drink or offer food or drink for sale or for consumption on site.
- C. *Department* means the City of Columbus Department of Public Service.
- D. *Director* means the Director of the Department of Public Service, or designee.
- E. *In-lieu fee* means a fee charged by the Department of Public Service when a developer is unable to provide all or a portion of the parking spaces required by Columbus City Code within the special parking area.
- F. *Non-residential* means any development that is not a residential development.
- G. *Residential* means any development that consists of single-unit dwellings, apartments, condominiums, townhomes, a residential hotel, an extended stay hotel or any combination of these elements.
- H. *Retail space* means an establishment, other than an office or eating and drinking establishment that is primarily engaged in the rental or sale of goods, merchandize, or services to the general public and not to wholesale clients or accounts.
- I. *Single-unit dwelling* means a residential building consisting of one dwelling unit. The term shall not include manufactured home or mobile home. This definition includes a single unit dwelling.

IV. GENERAL PROVISIONS

- A. The Short North Special Parking Area boundaries are defined in Chapter 3312.051 of the Columbus City Code.
- B. Requirements for all other land uses not considered residential, non-residential, art gallery, single-unit dwelling, or retail space may need to be established by a subsequent update to City Code.
- C. For purposes of applying in-lieu fees, an extended stay hotel shall be considered a residential use.
- D. When any calculation of off-street parking results in a required fractional space, said fractional space may be paid through an in-lieu fee, or an entire space may be provided on the site.
- E. A signed and notarized affidavit must be provided to verify that the required parking spaces are not subject to any parking lease agreement and are to be used by the intended property.
- F. Lease agreements with other parcels to share parking will not count towards the required number of parking spaces and will not be considered to reduce the in-lieu fee.
- G. When off-street parking is provided on a separate parcel, it must meet the following requirements:
 - 1. Located within seven hundred fifty (750) feet of the use to be served;
 - 2. Not be encumbered by any current parking lease agreement;
 - 3. Spaces are not counted towards satisfying required parking for another property/use;
 - 4. Be owned, controlled and operated by the same owner and be committed by a recordable covenant acceptable to the City Attorney.

V. IN-LIEU PROCESS

Any application that requires zoning clearance shall be reviewed for compliance with the parking requirements of the special parking area. If the zoning clearance review determines that a proposal does not satisfy the minimum number of required vehicular and/or bicycle parking spaces, The Department of Building and Zoning Services will notify the Department of Public Service, Division of Traffic Management of the parking deficiency. The applicant will be referred to the Department of Public Service, Division of Traffic Management, to initiate the in-lieu process. The Division of Traffic Management and/or Zoning Clearance will withhold approval until the in-lieu process is completed.

VI. IN-LIEU FEE

When an applicant is unable to satisfy the off-street parking requirements pursuant to Chapter 3312.051 of the Columbus City Code, the applicant shall pay a one-time only in-lieu fee to the Department of Public Service Short North Special Parking Area Fund. In-lieu fee schedules for all other land uses not considered residential and/or non-residential shall be established by the Director as a subsequent update to these rules and regulations.

If an applicant proposes to remove parking spaces to accommodate a new development site and the removal of the parking spaces creates a parking deficiency for an existing site per City Code, the applicant shall be required to pay an in-lieu fee per these Rules and Regulations or provide the adequate amount of parking spaces to meet the City Code requirements for the existing and proposed development sites.

A. Amount:

1. The residential in-lieu fee shall be twenty thousand dollars (\$20,000.00) per parking space
2. The non-residential in-lieu fee shall be ten thousand dollars (\$10,000.00) per parking space.
3. The bicycle in-lieu fee shall be one hundred dollars (\$100.00) per bicycle parking space.

B. Maximum amount of parking spaces eligible for in-lieu fees:

1. Residential: Any parking deficiency greater than twenty-five percent (25%) of the total number of required parking spaces and greater than fifteen (15) parking spaces, shall require approval from the Administrator pursuant to Section VI(B)(3).
2. Non-residential: Any parking deficiency greater than twenty-five percent (25%) of the total number of required parking spaces and greater than thirty (30) parking spaces, shall require approval from the Administrator pursuant to Section VI(B)(3).
3. When a parking deficiency is greater than the maximum amount of parking spaces allowable under Sections VI(B)(1) or VI(B)(2), the applicant is required to obtain a written recommendation from the appropriate review

commission. Upon receipt of the recommendation from the review commission, an internal committee will be convened to review the application and all relevant information. Upon review, the internal committee will provide a written recommendation to the Administrator outlining the rationale for the recommendation. Subject to review and approval, the Administrator shall determine in-lieu fees that do not deviate from the fee schedule provided in Section VI(A).

- a. The internal committee shall have representation from the Department of Public Service, Division of Traffic Management; the Department of Building and Zoning Services; Department of Development, Planning Division; and any other city representative deemed appropriate.

C. Time of Payment: The one-time in-lieu fee shall be due and payable prior to issuance of zoning clearance and approval from the Division of Traffic Management. All funds shall be collected by Department and deposited in the Short North Special Parking Area Fund.

D. Use of Funds:

1. Monies in the Short North Special Parking Area Fund shall only be spent in the designated special parking area and used to address parking supply and mobility issues. Improvements and activities that increase availability, supply, and effective use of parking for residents, visitors, and employees within the designated special parking area shall be the principle focus of expenditures of the funds. The Short North Special Parking Area Fund may be used for such purposes as, but not limited to, the following:
 - a. Increasing the parking supply through shared parking agreements;
 - b. Managing the existing parking inventory, including such measures as, but not limited to, parking evaluations, reconfigurations of existing on-street parking inventory, residential permit parking programs, employee parking programs, enforcement, and/or mitigation of any adverse effects resulting from the implementation of such program(s);
 - c. Providing mobility information such as signing, marketing, and communicating the location, availability, cost, etc. of district-wide parking options;
 - d. Technology improvement to enhance parking such as pay-by-cell, pay-by-plate parking kiosks, and enforcement technology such as license plate readers; and
 - e. Promoting alternative forms of transportation to reduce parking demands (e.g., public transit, bicycling, and walking).

2. A neighborhood committee shall be formed to provide a written recommendation to the Director of Public Service of potential projects to be funded by the Short North Special Parking Area Fund. All projects must meet the criteria listed in Section VI(D). The Department will meet annually with the committee to discuss potential projects and available funding. The Director of Public Service shall review the recommendation and make the final decision regarding use of the funds. The neighborhood committee will be made up of the following organizations:
 1. Short North Alliance Executive Director;
 2. Victorian Village Commission Chair;
 3. Italian Village Commission Chair;
 4. Short North Civic Association President; and
 5. Italian Village Society President.

The Department shall maintain proper documentation of all in-lieu fees received and expenditures and make records available for public access.

E. Refunds: If a proposed development project is abandoned and no construction activities are initiated within six (6) months of payment, the Administrator shall have the authority to provide a full refund of the in-lieu fees. Prior to any refund of the in-lieu fees, the applicant must submit written confirmation to the Department of Building and Zoning Services and Department of Public Service that the proposed development project has been withdrawn and that any future proposed development project will require a new site compliance plan submittal.

F. Periodic Review of Rate: In order to ensure that the in-lieu fee schedule is fair and represents current cost levels, it shall be reviewed and adjusted periodically by the Director, with adjustments to the fee schedule coming in to force on July 1 of each year. The fee schedule may include differing in-lieu fees for land uses that are not clearly identified as residential and/or non-residential.

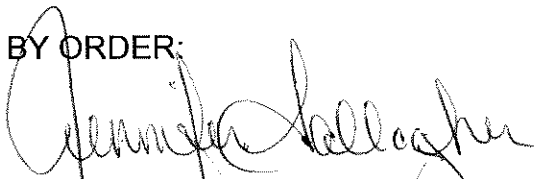
G. Special Review:

1. There may be instances when enforcement of these Rules and Regulations would create a gross inequity of new cultural, institutional, or affordable housing uses or expansions of cultural, institutional, or affordable housing uses are proposed within the special parking area. When it is determined that the application of these Rules and Regulations would create a gross inequity for such uses, the Administrator shall have the authority to reduce or waive the required in-lieu fee.
2. There may be instances when a site compliance plan is submitted in order to seek conformance of an existing building to meet the requirements of a lending institution. For such situations, the Administrator shall have the authority to reduce or waive the required in-lieu fee.

VII. APPEALS

- A. The application for appeal shall be a form provided by the Department, which shall contain the following minimum information. The applicant may be required to provide additional information as determined by the Department:
1. The name, address, telephone number, and email address of the applicant and co-applicant(s) as necessary; and
 2. The reason for the requested appeal; and
 3. Any other information reasonably required by the Department for the purpose of processing and considering the application and subsequent petitions under the requirements of these rules and regulations.
- B. The Directors decision on an appeal shall be final.

BY ORDER:



JENNIFER GALLAGHER, DIRECTOR
DEPARTMENT OF PUBLIC SERVICE