

	Town of Plymouth PARKING FEE POLICY
Effective Date	September 1, 2009
Expiration Date	Subject to periodic review
Date Last Revised	New Policy
Town Manager	
Selectmen Vote	September 1, 2009

PARKING FEE POLICY

Purpose:

To establish guidelines and procedures regulating the payments in the five (5) village center parking revolving funds. The fee is a voluntary alternative for property owners who are incapable of providing on-site parking. The fee is established to give property owners the opportunity to participate financially in the construction of public parking facilities, while encouraging commercial investment.

Revolving Funds:

The Town has five parking funds (one for each village: Plymouth Center, North Plymouth, Manomet, Cedarville, and West Plymouth).

Expenditures of funds requires:

1. A vote of Town Meeting
Or
2. Favorable votes of both the Advisory and Finance Committee and the Board of Selectmen

Eligible parking-related uses for these funds shall be limited¹ to land acquisition, facility construction, and the preparation of the plans and specifications therefore.

Funds shall not be expended for routine maintenance or for facilities located outside of the associated village service area.

Funds are collected with an application of a building permit through the Building Department.

The Zoning Bylaw

Section 205-23 (L) Off-street parking fund states:

[Added 4-6-1991 STM by Art. 18]

- (1) Land uses within the General Commercial Zoning District and the Waterfront District shall provide off-street parking spaces according to the ratios established under Subsection K. In the alternative, as a special permit condition, a payment may

¹ Note to ensure that these funds are used to assist in the construction of new parking spaces the policy that states that uses of the fund shall be "limited" to land acquisition, site preparation, permitting, facility construction, and the preparation of the plans for public parking spaces. The wording of the Zoning Bylaw states uses of the fund "include" land acquisition, facility construction, and the preparation of the plans, which is more permissive.

be made to an Off-Street Parking Fund to be established in a manner determined by Town Meeting separate from the general fund. Land uses within the Downtown/Harbor District or in the General Commercial (GC) District in the North Plymouth Village Service Area may make such a payment in lieu of 15 or fewer parking spaces as an allowed procedure. A payment for more than 15 spaces may be made as a special permit condition. [Amended 4-12-1993 ATM by Art. 25]

- (2) A payment to this fund shall be reasonably proportionate to the ratios referenced in Subsection K, as well as the estimated cost of land and improvements necessary to support the parking demands of the subject use. This payment shall be in accordance with a schedule adopted by the Board of Selectmen.
- (3) Expenditures from this fund are to occur only with the approval of Town Meeting or the approval of an agency so authorized. Eligible parking-related uses for these funds include land acquisition, facility construction, and the preparation of the plans and specifications therefore. Expenditures shall directly benefit the aforementioned land use. Funds shall not be expended for routine maintenance or for facilities located outside of the associated village service area.

Overall Policy Guidelines:

1. This Parking Fee Policy is established by the Board of Selectmen.
2. This policy governs the payment in lieu of parking spaces as provided for in Section 205-23(L) of the Zoning Bylaw.
3. The Board of Selectmen set the payment schedule. However, the Zoning Board of Appeals may waive or reduce the number of parking spaces required.
4. There is no guarantee that the Town will build a parking space at any particular time or that it will build it in a location that will be of advantage to the party paying into the Fund.
5. A party making a payment-in-lieu-of-parking has no right of ownership in parking spaces that are constructed with funds they contribute.
6. Generally, fees paid to the Town shall remain associated with the property where fee is applied. However, if a tenant pays the fee, the Board of Selectmen may allow for the transfer of the fee to another location within the same village. Such transfers are solely at the discretion of the Board of Selectmen and shall **not** run with successors or assigns.

The following are examples of acceptable expenses (this is not an inclusive list)

1. Preparation of parking reports, feasibility studies, plans and technical reports.
2. Parking Property acquisition expenses, including the purchase of existing parking areas, vacant land or land occupied by structures, including related expense such as legal costs.
3. Demolition and site preparation expenses, including cleanup of hazardous materials, if any.
4. Engineering expenses, including the cost of designing parking improvements.