

AN ORDINANCE OF THE COUNTY OF SANTA BARBARA  
ESTABLISHING AN IN-LIEU PARKING FEE PROGRAM  
FOR THE COMMUNITY MIXED USE ZONING DISTRICT

THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA DOES  
HEREBY ORDAIN AS FOLLOWS:

**SECTION 1: PURPOSE AND FINDINGS**

**Purpose:**

This ordinance establishes fees in-lieu of providing on-site parking spaces as provided in the zoning regulations of the Community Mixed Use Zoning District in Isla Vista. Fees pursuant to this ordinance shall become part of a Parking Fund and shall be used for parking and transportation improvements.

**The Board of Supervisors hereby finds:**

On November 27, 1990 the Santa Barbara County Board of Supervisors approved and adopted Ordinance No. 3894 establishing the Redevelopment Plan for the Isla Vista Redevelopment Project; and

The Redevelopment Plan for Isla Vista identified a goal to promote public improvement facilities which are sensitive to the unique environmental qualities of the Project Area and improve conditions of deficient infrastructure; and

The Draft Isla Vista Master Plan identifies Policies and Action items aimed at alleviated existing parking constraints in the downtown business district and encourages the establishment of an in-lieu fee program; and

The establishment of an in-lieu parking fee program would serve to alleviate parking constraints in the downtown area, stimulate private development on small lots where current parking standards may have previously hindered projects, improve downtown Isla Vista, and improve overall land use patterns; and

The implementation of an In-lieu Fee Parking Program would provide funding to address inadequate parking infrastructure in Isla Vista; and

The 2007 - 2011 Five Year Implementation Plan for the Isla Vista Redevelopment Project Area proposed a program to allow private development the option to pay a fee in-lieu of providing parking on-site; and

The Goleta Community Plan, Policy CIRC-GV-14 states: The County shall pursue the purchase of vacant properties for potential use as parking, or bus turnout areas, where the purchase would help to alleviate traffic congestion, better serve commercial development, etc.; and

The Parking Fund established through the In-Lieu Parking Fee Program would serve to assist in the purchasing of vacant properties for use as parking;

## **SECTION 2: IN-LIEU FEE PROGRAM**

### **A. Eligible Properties.**

All properties within the Community Mixed Use Zoning District shall be eligible to participate in the In-Lieu Fee Parking Program. Notwithstanding the above, the program may be suspended by the Director of Planning and Development if he or she determines that the County is not able to find or develop adequate alternative parking facilities to fulfill the goals of this program.

### **B. Fee Collection process.**

Fees for all development projects participating in the In-Lieu Fee Parking Program shall be paid to the County prior to zoning clearance.

1. Upon receipt of the fee, the County shall place the fee in a parking fund reserved for uses consistent with this ordinance.
2. The County will maintain a record of all properties that have met their required parking space obligation by paying the appropriate fee for the spaces.
3. Payment of this fee does not guarantee that parking spaces will be constructed for the sole use of or in the immediate proximity of that development.
4. This fee will not supersede mitigations for immediate direct impacts determined through a project's environmental process.

### **C. Amount of Fee.**

1. The amount of payment for each required parking space shall be fixed by resolution adopted from time to time by the Board of Supervisors, but in no case shall the fee exceed the estimated current cost to the County of providing required parking spaces to serve the contemplated use. The resolution may include allowances to increase the fee based on an established cost index.
2. Fees paid in accordance with this ordinance are collected to fund a general public parking program serving the Community Mixed Use Zoning District in Isla Vista and are not intended for any specific improvement project. The fees paid shall be the most current fees as established by the Board.

### **D. Change or Cessation of Ownership and/or Use.**

The following apply to changes in use, ownership and development of properties for which in-lieu parking fees have been used to satisfy parking requirements pursuant to this Ordinance.

1. Any satisfaction of parking requirements through the payment of fees under this Ordinance shall continue to apply to the subject property in the event of a change in ownership.
2. Any change of use of a property, or building addition or redevelopment of a site, that requires more parking may trigger additional parking requirements. The number of spaces required by the change in use shall be the difference between the number required by the new use or structure and the number required by the previous use or structure.

3. If a structure is reduced in area, or wholly or partially becomes vacant, or a use is replaced with a use for which less parking is required according to the zoning regulations, there shall be no change in the obligation for parking in-lieu fees. There shall be no refund of in-lieu parking fees. Once satisfied, the obligation for parking in-lieu fees shall be deemed to meet the parking requirement equal to or less than that for which the in-lieu fee amount was previously determined.

#### **E. Use of Fee.**

The fees collected shall be used for the following purpose: to construct, maintain, or provide new public parking spaces within, or for the direct benefit of the Community Mixed Use Zoning District in Isla Vita.

Eligible projects include:

- Purchase of land for parking
- Construction of a parking structure or surface parking lot
- Conversion of existing private parking spaces to publicly available spaces
- Maintenance of public parking created through this program
- Funding of parking program enforcement activities
- Bicycle parking
- Other items for parking and transportation improvements as deemed appropriate by the Executive Director of the Santa Barbara County Redevelopment Agency

**F. Trust Fund.** An interest-bearing trust fund shall be maintained exclusively for the Parking Fund. These trust funds and interest earned by these trust funds shall be used solely for improvements identified in Section E: Use of Fees.

**H. Termination.** If this fee program is terminated, any excess funds collected prior to dissolution of this fee program shall be used for those purposes identified in Section E of this Ordinance.

**I. Other applicable sections of County Code.** This article does not supersede, replace, or invalidate other applicable sections of other County Ordinances or the County Code.

### **SECTION 3**

This ordinance shall take effect and be in force 30 days from the date of its passage unless it is required to be certified by the California Coastal Commission in which case it shall be effective upon the date that it is certified by the Coastal Commission pursuant to Public Resources Code 30514; and before the expiration of 15 days after its passage, it, or a summary of it, shall be published once, together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_ day of \_\_\_\_\_, 2007, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAINING:

---

Brooks Firestone, Chair of the Board of Supervisors  
County of Santa Barbara

ATTEST:

Michael F. Brown  
Clerk of the Board of Supervisors

By:

---

Deputy Clerk

Approved as to form:

Stephen Shane Stark  
County Counsel

By:

---

Deputy County Counsel