

ATTACHMENT 10

Ordinance Amending County Code, Chapter 23B – Permit Parking Program

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ORDINANCE NO. _____

AN ORDINANCE AMENDING THE SANTA BARBARA COUNTY CODE, OF CHAPTER 23B, PERMIT PARKING PROGRAM, BY AMENDING SECTION 23B-15, ISLA VISTA PERMIT PARKING PROGRAM

Case No. 15ORD-00000-00005

The Board of Supervisors of the County of Santa Barbara, State of California, ordains as follows:

SECTION 1:

Chapter 23B, Permit Parking Program of the Santa Barbara County Code, is amended to update Section 23B-15, Isla Vista Permit Parking Program, as follows:

Section 23B-15. Isla Vista Permit Parking Program

Any permit parking programs established within the Isla Vista area shall use this section (23B-15) in lieu of sections 23B-3 through 23B-14 of this chapter.

- a. **Designation of Permit Parking Area.** The Santa Barbara County Board of Supervisors (Board of Supervisors) may designate by resolution any area of the Isla Vista area of the County of Santa Barbara, which meets the criteria established by this section (23B-15), as a permit parking area wherein the stopping, parking or standing of a motor vehicle or vehicle is prohibited or otherwise restricted.
- b. **Designation Criteria.** In determining whether to designate an area within the Isla Vista area as a permit parking area or to establish or to modify parking exemptions or restrictions within all or any portion(s) of that area, the Board of Supervisors may consider at least the following criteria:
 1. The extent to which the residents and merchants of an area desire and need permit parking;
 2. The extent to which on-street parking spaces are (1) available for use by motor vehicles and vehicles owned by residents and merchants and their guests, and (2) not occupied by motor vehicles or vehicles owned by other persons;
 3. The size and configuration of the area as it relates to enforcement of parking and traffic regulations and the potential impact of parking and traffic congestion on this and adjacent areas as the result of the establishment of a permit parking area.
 4. If the Isla Vista on-street parking surveys show a parking vacancy rate below 15% for three consecutive UCSB Quarters surveyed, the County will implement a permit parking program within 18 months of the last on-street parking survey.
- c. **Initiation, Written Report, Hearing.**
 1. Upon the authorization of the Board of Supervisors, the Santa Barbara County Public Works Department (Public Works Department) shall undertake and hold such surveys, studies or public meetings deemed necessary in order to prepare a written report. The Public Works Department shall thereafter submit a written report to the Board of Supervisors on the establishment of the proposed parking area.
 2. Publication shall be made pursuant to Government Code Section 6066 of a notice of a hearing to be held before the Board of Supervisors for the adoption of a resolution

establishing a permit parking area pursuant to this chapter, which notification shall include the location where a copy of the written report is available for public inspection ten days before the public hearing.

3. The designation process and the designation criteria set forth in this chapter shall be used by the board of supervisors to modify or terminate a permit parking area.
- d. **Written Report.** The written report shall include, but shall not be limited to, the following:
 1. Boundaries of proposed permit parking area;
 2. Existing and proposed parking restrictions which may vary within a permit parking area;
 3. Information generated by surveys, studies and public meetings;
 4. Information upon which the Board of Supervisors may determine whether the criteria set forth in the "designation of criteria" portion of this section (23B-15) have been satisfied;
 5. Any other relevant information.
- e. **Designation of Streets Within a Permit Parking Area.** The Board of Supervisors may, at the time a permit parking area is established or modified, establish parking, stopping, standing prohibitions or restrictions for all or a portion of that area by resolution.
- f. **Issuance.**
 1. The Director of Public Works (Director), or his/her designee, or the Board of Supervisor's designee, shall issue parking permits. There shall be three categories of parking permits:
 - (A) Annual residential permits;
 - (B) Short-term permits; and
 - (C) Guest Permits. Except for guest permits, no more than one permit shall be issued for each vehicle for which application is made. Each permit issued shall reflect by statements thereon or by color thereof, or both, the particular residential parking area for which the permit is issued, the license number of the vehicle for which the permit is issued, and the duration of the permit.
 2. Parking permits may only be issued for use with vehicles, passenger motor vehicles, motor driven cycles, and trucks of three-quarter ton capacity or less. No parking permit may be issued for use by any other vehicles, including but not limited to motor vehicles in excess of three-quarter ton capacity, recreational motor homes, motor vehicles not legally licensed to travel on a public highway, or motor vehicles exceeding seven feet six inches in height or twenty-two feet in length.
 3. Annual or short-term permits may only be issued to the following:
 - (A) Persons residing or owning property in the parking permit area, upon showing sufficient evidence of residency status and/or ownership, as determined by the Director; and
 - (B) Merchants located in the parking permit area, upon showing sufficient evidence of merchant status and location in the parking permit area, as determined by the Director; and

- (C) Persons providing services to residents and/or merchants located in the parking permit area, upon showing sufficient evidence of service provider status and operations within the parking permit area, as determined by the Director.
- 4. Guest permits may only be issued to the following, for use by their guests:
 - (A) Persons residing or owning property in the parking permit area upon showing sufficient evidence of residency and/or ownership, as determined by the Director; and
 - (B) Merchants located in the parking permit area upon showing sufficient evidence of merchant status and location in the parking permit area, as determined by the Director.
- g. **Application.** Each application for a parking permit shall contain such information as the Director deems necessary for the proper processing of the application. The application shall also contain a statement to the effect that the applicant agrees that the permit applied for may not be sold or transferred in any manner.
- h. **Parking Permit—Categories.** The following categories of parking permits shall be available for purchase upon application:
 - 1. **Annual Residential Permits.** Permits issued for one year shall be valid from July 1st of the year issued to June 30th of the following year. An annual residential permit that does not indicate the license plate number of the vehicle on which it is displayed shall be invalid.
 - 2. **Short-Term Residential Permits.**
 - (A) **Monthly Permits.** A monthly permit shall only be valid for the month for which it is issued. A monthly permit that does not indicate the license plate number of the vehicle on which it is displayed shall be invalid. A monthly permit that does not indicate the month for which it is issued shall be invalid. Monthly permits may only be issued for use in residential permit areas within one mile of a college or university campus as determined by the Director.
 - (B) **Temporary Permits.** The Director may authorize the issuance of temporary parking permits. Temporary parking permits shall not be valid for more than forty-five consecutive days. A qualified person may obtain no more than three temporary permits in any twelve-month period. Temporary permits may not be issued for use in residential permit areas within one mile of a college or university campus as determined by the Director.
 - 3. **Guest Permits.** Residents and merchants of a parking permit area may be issued guest permits for use within the parking permit area by their guests. Owners or operators of hotels located within a residential parking permit area may purchase guest permits for the use of hotel guests. Guest permits shall be valid for twenty-four consecutive hours from the date and time of permit activation. A guest permit that does not indicate the license plate number of the guest vehicle on which it is displayed shall be invalid.
- i. **Permit Validity.**
 - 1. A parking permit shall be valid for the duration of the term of the permit, except that prior to expiration of the term of the permit, either of the following occurrences shall invalidate the permit:

- (A) A change in ownership of the vehicle for which the permit is issued; or
 - (B) A change in residency address by the permittee.
- 2. A parking permit shall be destroyed by the permittee upon a change in ownership of the vehicle for which it is issued, or upon a change in residency address by the permittee. The permittee shall promptly report such destruction to the Director.
- j. Low Income Persons.** The Director shall make parking permits available at a discounted rate to qualified persons that also demonstrate significant financial need. Subject to approval by the Board of Supervisors, the Director shall adopt rules and regulations establishing the evidence necessary to demonstrate significant financial need.
- k. Exemptions from Parking Permit Restrictions.**
 - 1. A motor vehicle on which is displayed a valid, unrevoked parking permit as provided for herein is exempt from any prohibitions or restrictions established pursuant to the "designation of permit parking area" portion of this section, provided that such motor vehicle is stopped, standing or parked in the permit parking area or portion thereof for which the permit is issued.
 - 2. A parking permit shall not guarantee the holder thereof to an on-street parking space in the designated permit parking area.
 - 3. Motor vehicles displaying a valid parking permit will be subject to applicable California Vehicle Code sections and all on-street parking restrictions and limitations, except those restrictions and limitations imposed pursuant to the "Designation of permit parking area" portion of this section.
- l. Permit Applications.**
 - 1. The Director shall develop and adopt the forms for the applications to be submitted for applications for parking permits.
 - 2. Applications for parking permits shall be submitted to the Director.
 - 3. The Director shall approve or reject applications for parking permits, and shall issue parking permits authorized by this chapter.
 - 4. Annual permits may be renewed, if at all, in the manner required by the Director in accord with the rules and regulations that are adopted pursuant to the "fees" portion of this section. No permit, other than an annual permit, may be renewed.
- m. Replacement of Permits Damaged, Lost, or Stolen.** Upon payment of a fee established by the Board of Supervisors by resolution, an annual or short-term parking permit that has been damaged, lost, or stolen may be replaced with a new permit. The damaged, lost, or stolen permit shall be considered void. Use of any such voided permit is prohibited. Guest permits shall not be eligible for replacement due to damage, loss, or theft.
- n. Fees.** Fees for implementing this chapter may be established by resolutions by the Board of Supervisors and such fees shall recover the actual costs incurred in the establishment, the administration, the operation and the enforcement of the parking permit program authorized pursuant to this chapter.
- o. Rules and Regulations.** The Director, in consultation with the sheriff's department, may adopt rules and regulations consistent with the purposes and provisions of this chapter to facilitate implementation of this chapter, which rules and regulations may include, but need

not be limited to, procedures for application, issuance, suspension or revocation of permits, and provision for a limitation on the number of permits that may be issued. The rules and regulations shall be approved by the Board of Supervisors.

- p. Posting Permit Areas.** Upon adoption by the Board of Supervisors of a resolution designating a residential parking permit area, the Director shall cause appropriate signs to be erected, indicating prominently thereon the parking limitation(s), period(s) of the day for its application, and the fact that motor vehicles with valid permits shall be exempt therefrom.
- q. Revocation for Misuse.**

 - 1. The Director is authorized to revoke a parking permit of any person found to be in violation of any of the provisions of this chapter and, upon the written notification thereof, such person shall surrender the permit to the director or prove its destruction or disfigurement to the Director's satisfaction.
 - 2. Any person whose parking permit has been revoked shall not be issued a new permit until the expiration of a period of one year following the date of revocation and until such person has made required application therefor and has paid the fee required for the permit.
- r. Violations and Enforcement.**

 - 1. No person shall falsely represent himself/herself as eligible for a parking permit or furnish false information in an application for a parking permit.
 - 2. No parking permit which has been issued shall thereafter be assigned or transferred and any such assignment or transfer shall be void.
 - 3. No person shall copy, produce, or create a facsimile or counterfeit parking permit, nor shall any person use or display a facsimile or counterfeit parking permit.
 - 4. No person shall park or leave standing in a parking permit area a vehicle on which is displayed a parking permit which has been issued pursuant to the provisions of this chapter for a different vehicle.
 - 5. No person whose parking permit has been revoked shall refuse or fail to surrender the permit to the Director when so requested by the Director in writing.
 - 6. A violation of this section shall constitute grounds for permit revocation and shall be an infraction punishable by (1) a fine not exceeding one hundred dollars for a first violation; (2) a fine not exceeding two hundred dollars for a second violation of this section within one year; and (3) a fine not exceeding five hundred dollars for each additional violation of this section within one year.
- s. Towing.** The Board of Supervisors may, pursuant to section 22651, subdivision (n), of the California Vehicle Code, provide for the towing of motor vehicles and vehicles which violate the prohibitions or restrictions set forth in any resolution establishing a permit parking area.
- t. Exemptions.** The following vehicles shall be exempt from the parking restrictions imposed by this chapter:

 - 1. A motor vehicle owned or operated under contract to a utility, whether privately or publicly owned, when used in the construction, operation, removal or repair of utility

- property or facilities or engaged in authorized work in the designated parking permit area.
2. On approval of the director and consistent with the rules and regulations promulgated by the director pursuant to the “rules and regulations” portion of this section (23B-15), construction and construction-related equipment otherwise authorized and permitted to park on-street pursuant to all applicable state and local laws.
 3. A motor vehicle identified as owned by or operated under contract to a governmental agency and being used in the course of official government business.
 4. Any authorized emergency vehicle as defined by California Vehicle Code section 165.
 5. Any motor vehicle displaying a permit in conformance with the “exemptions from parking permit restrictions” portion of this section (23B-15).

SECTION 2:

Except as amended by this Ordinance, Chapter 23B, Permit Parking Program, of the Santa Barbara County Code shall remain unchanged and shall continue in full force and effect.

SECTION 3:

This ordinance and any portion of it approved by the Coastal Commission shall take effect and be in force 30 days from the date of its passage or upon the date that it is certified by the Coastal Commission pursuant to Public Resources Code Section 30514, whichever occurs later; 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, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2016, by the following vote:

AYES:
NOES:
ABSTAINED:
ABSENT:

PETER ADAM
Chair, Board of Supervisors
County of Santa Barbara

ATTEST:

MONA MIYASATO
County Executive Officer
Clerk of the Board of Supervisors

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
County Counsel

By 
Deputy County Counsel