

CITY COUNCIL OF THE CITY OF OXNARD

Ordinance No. 2713

ORDINANCE OF THE CITY OF OXNARD, CALIFORNIA,
AMENDING STANDARDS FOR SECOND DWELLING UNITS

WHEREAS, Public Resources Code section 21080.17 provides that the California Environmental Quality Act (CEQA) does not apply to the adoption of an ordinance regarding second units in a single-family or multifamily residential zone in order to implement Government Code sections 65852.1 and 65852.2; and

WHEREAS, this ordinance is adopted for such purposes and thus CEQA does not apply thereto.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Part 1. Section 16-465 of the City Code is amended to read:

“SEC. 16-465. SECOND UNITS, STANDARDS FOR REVIEW

“All second units must meet or exceed the following standards:

- (A) The primary residence and the second unit shall be located in one of the following zones: R-1, R-2, R-3 and R-4.
- (B) The primary residence and the second unit shall meet current requirements for interior yard space, height, setbacks and parking for the zone in which the primary residence and the second unit are located. A table of parking requirements is contained in section 16-622(F). Construction of a second unit shall not add to, increase or create a nonconforming use or structure.
- (C) The second unit shall be constructed on a permanent foundation.
- (D) The second unit shall comply with the architectural standards of section 16-23. If the second unit is an addition, the second unit shall be of the same materials, colors and style as the primary residence.
- (E) The second unit shall be served by adequate public utility facilities including, but not limited to, sewer, water and streets, as certified by the public works director.

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- (F) If the second unit has an entrance separate from the entrance to the primary residence, only one of the entrances may be visible from the front yard of the primary residence.
- (G) The primary unit shall be occupied by the property owner, who shall annually certify such occupancy.
- (H) The second unit shall not be sold or offered for sale separately from the primary residence.
- (I) The floor area of the second unit may not exceed 15 percent of the floor area of the primary unit; provided, however, that the second unit may be larger if necessary to allow construction of an efficiency unit, as defined in Health and Safety Code section 17958.1.
- (J) No more than one second unit may be constructed on any one lot.
- (K) The development services director (“director”) shall consider an application for a second unit ministerially, without discretionary review or a hearing. If the applicant requests that required parking for the second unit be provided in setback areas or through tandem parking, the director shall grant the request in locations determined by the director or may deny the request based on specific findings that parking in setback areas or tandem parking is not feasible based upon specific site topographical or fire and life safety conditions.”

Part 2. Subpart 111 of section 16-10 of the City Code is amended to read:

“SECOND DWELLING UNIT – An attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, and is situated on the same parcel as an existing primary single-family dwelling, but is subordinate to and smaller than the primary dwelling.”

Part 3. Subpart 9 of section 16-21 of the City Code is amended to read:

“Second units, provided that the standards in section 16-465 are met and an application for such a unit is approved by the director.”

Part 4. In the table in subsection (F) of section 16-622 of the City code, the second set of boxes under “Residential” and “Detached single-family units” is amended to read:

“Detached single-family dwelling with second dwelling unit”

“Same as above, plus one garage space for the second unit. Development services director may allow garage space for the second unit to be provided as tandem parking in garage for primary dwelling unit.”

“Garage for second unit to be enclosed separately. Development services director may allow garage for second unit to be located in a setback area.”

Part 5 Within fifteen days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation, published and circulated in the City. Ordinance No. 2713 was first read on January 24, 2006, and finally adopted on _____, 2006, to become effective thirty days thereafter.

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Gary L. Gillig, City Attorney

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