



Meeting Date: 07/24/07

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input checked="" type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Jim Rupp, Assistant City Attorney Agenda Item No. I-1

Reviewed By: City Manager [Signature] City Attorney [Signature] Finance SW Other (Specify) _____

DATE: July 16, 2007

TO: City Council

FROM: Jim Rupp, Assistant City Attorney [Signature]
Office of the City Attorney

SUBJECT: Pilot Program Regarding Curb Cuts and Hardscape Coverage in Front Yards

RECOMMENDATION

That City Council approve the first reading by title only and subsequent adoption of an uncodified ordinance establishing a pilot program in the Bartolo Square North and South Neighborhoods and in the Hill Street Neighborhood permitting curb cuts and regulating hardscape coverage in front yard areas.

DISCUSSION

At its June 19, 2007, meeting, the City Council directed the City Attorney to prepare an ordinance that would establish a policy for a pilot program to regulate curb cuts in the Bartolo Square North and South Neighborhoods and the Hill Street Neighborhoods. Such ordinance was to also establish limitations on the front yard hardscape area that property owners could use for the parking of vehicles.

Because this is a pilot program, the attached ordinance is presented as an uncodified ordinance of the City Council.

FINANCIAL IMPACT

Staff anticipates that the financial impact of this ordinance can be absorbed in the FY 2007-2008 budgets of the Development Services Department.

JR

Attachment #1 - Uncodified Ordinance

ORDINANCE OF THE CITY OF OXNARD

ORDINANCE NO. __

AN UNCODIFIED ORDINANCE OF THE CITY OF OXNARD ESTABLISHING A
PILOT PROGRAM IN BARTOLO SQUARE NORTH AND SOUTH
NEIGHBORHOODS AND THE HILL STREET NEIGHBORHOOD RELATING TO
CURB CUTS AND REGULATING HARDSCAPE COVERAGE IN REQUIRED
FRONT YARD AREAS

WHEREAS, the Bartolo Square North, Bartolo Square South, and Hill Street
Neighborhoods were developed with alleyways serving many residences; and

WHEREAS, in response to a significant number of requests from residents of
these neighborhoods to examine curb cuts and front yard hardscape regulation, the City
Council formed the Neighborhood Conservation Task Force ("Task Force"); and

WHEREAS, Councilmember John Zaragoza and Councilman Timothy Flynn
were appointed to the Task Force; and

WHEREAS, the Task Force held several public meetings to meet with and listen
to the issues and concerns of the neighborhood residents; and

WHEREAS, the Task Force has recommended to the City Council that a pilot
program be initiated in these neighborhoods to permit additional curb cuts and to regulate
front yard hardscape consistent with the standards set forth herein.

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

Part 1. This ordinance shall apply only to those residential properties located within the
areas described in Exhibit A, attached hereto and by this reference made a part hereof.

Part 2. Pilot Curb Cut Program. Notwithstanding any other provision of the City Code,
the following standards apply to curb cuts for those residential properties within the areas
described in Exhibit A.

(A) Collector Street: Curbs cuts are permitted on a collector street in the
following circumstances:

(1) Disabled parking: A curb cut may be installed or continued if:

(a) A vehicle registered to a person living at the property served by the
curb cut is licensed by the State of California pursuant to California Vehicle Code section
5007; and

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(b) Such curb cut complies with the general requirements for curb cuts set forth in subpart (C) hereof.

(2) Pre-existing: A curb cut may be continued if:

(a) Such curb cut existed on October 1, 2006; and

(b) Such curb cut complies with the general requirements for curb cuts set forth in subpart (C) hereof.

(3) City-approved addition of sleeping room: A curb cut may be installed or continued if:

(a) A City-approved sleeping room has been added to the dwelling unit on the property since January 1, 2000; and

(b) Such curb cut complies with the general requirements for curb cuts set forth in subpart (C) hereof.

(B) Local Street: A curb cut is permitted on a local street if such curb cut complies with the general requirements for curb cuts set forth in subpart (C) hereof.

(C) General Conditions for Curb Cuts: All curb cuts must comply with the following conditions:

(1) Any curb cut installed after the effective date of this ordinance shall be installed by a licensed contractor per City of Oxnard Standards and Specifications.

(2) Any preexisting curb cut authorized by this ordinance shall:

(b) Have been constructed per City of Oxnard Standards and Specifications; and

(c) Be inspected by the City to assure construction in accordance with such standards, the cost of the inspection to be borne by the property owner.

(3) The width of any curb cut, whether new or preexisting, shall be limited to fifteen feet in the "W" dimension.

(4) Any curb cut, whether new or preexisting, shall maintain required Americans with Disabilities Act access dimensions at the adjacent public sidewalk.

(5) Any curb cut/driveway combination, whether new or preexisting, shall be located at side property lines to maintain maximum on-street parking in front of the residential property.

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(6) Prior to the issuance of an encroachment permit for a new or preexisting curb cut, the property owner shall pay for a City inspection of any garage located on the property to verify compliance with City requirements that the garage is available for the storage of vehicles.

(7) For any property with a curb cut that is also located on an alley, the property owner shall install and maintain in good working order a light of at least 200 watts of illumination on the alley adjacent to a garage located on the alley. Such light shall be approved by the City and be controlled by a motion sensor or photovoltaic cell.

Part 3. Front Yard Parking and Paving

(A) Notwithstanding any other provision of the City Code, the area of the front yard on residential property available for vehicle parking shall be limited to that necessary to park no more than two vehicles. If only one vehicle is parked in the front yard, the paved area for such parking shall not exceed twelve feet by twenty feet with a maximum area of 240 square feet. If two vehicles are parked in the front yard, the paved area for such parking shall not exceed twenty-four feet by twenty feet with a maximum area of 480 square feet.

(B) Owners of property with residential front yards not complying with subsection (A) herein, shall immediately initiate those steps necessary to have the property comply with such subsection.

Part 4. Within 15 days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation within the city. Ordinance No. _____ was first read on _____, 20__ and finally adopted on _____, 20__ to become effective thirty days thereafter.

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

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ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:


Gary L. Gillig, City Attorney

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EXHIBIT A

BARTOLO SQUARE NORTH

That area bounded by West Wooley Road on the north, South J Street on the east, Hemlock Street on the south and South Ventura Road on the west, as shown on Map 1, attached hereto.

BARTOLO SQUARE SOUTH

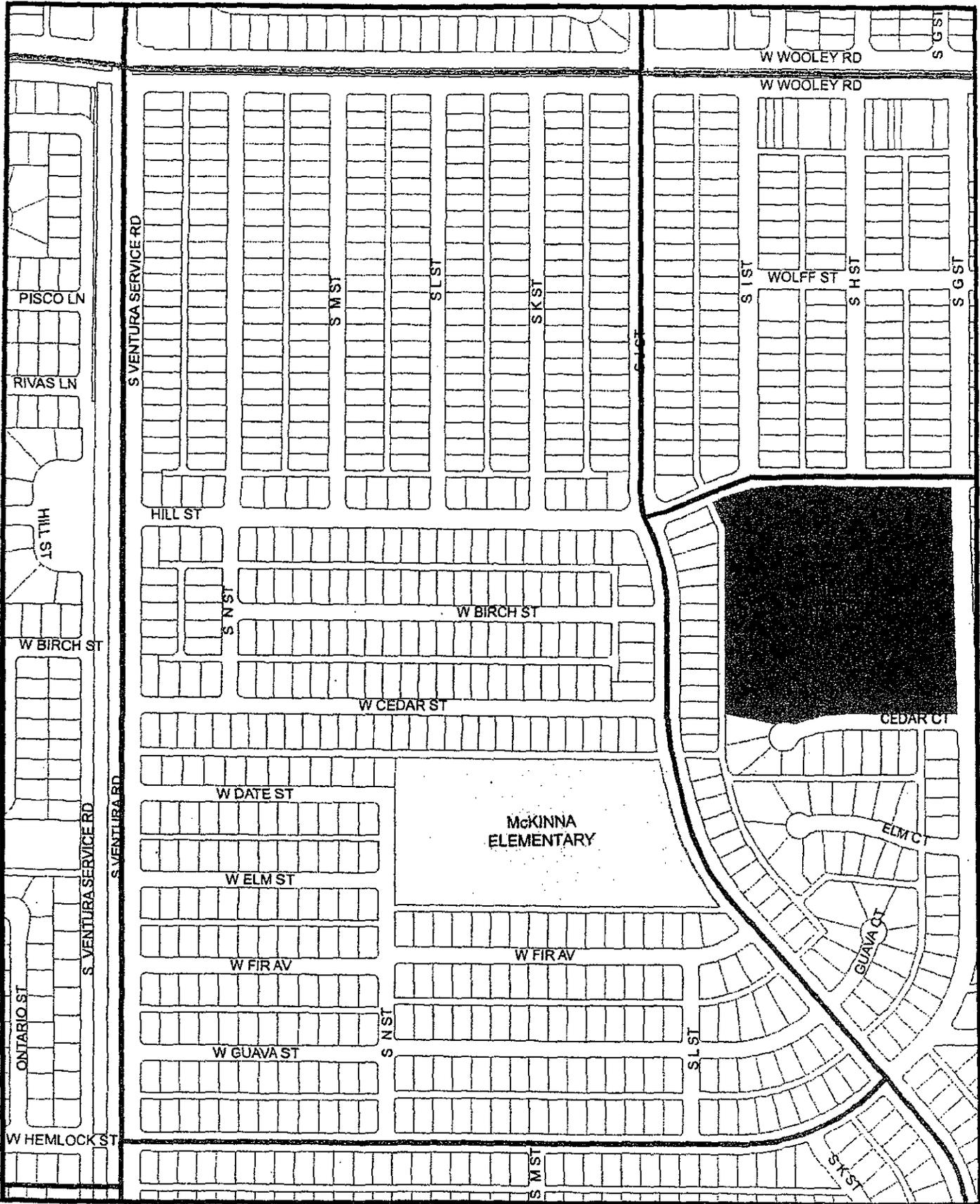
That area bounded by Hemlock Street on the north, South J Street on the east, Channel Islands Boulevard on the south and South Ventura Road on the west, as shown on Map 2, attached hereto.

HILL STREET

That area bounded by West Wooley Road on the north, Saviers Road on the east, Hill Street on the south and South J Street on the west, as shown on Map 3, attached hereto.

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ATTACHMENT NO. 1
EXHIBIT A
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BARTOLO SQUARE NORTH

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Date: Oct 11, 2006

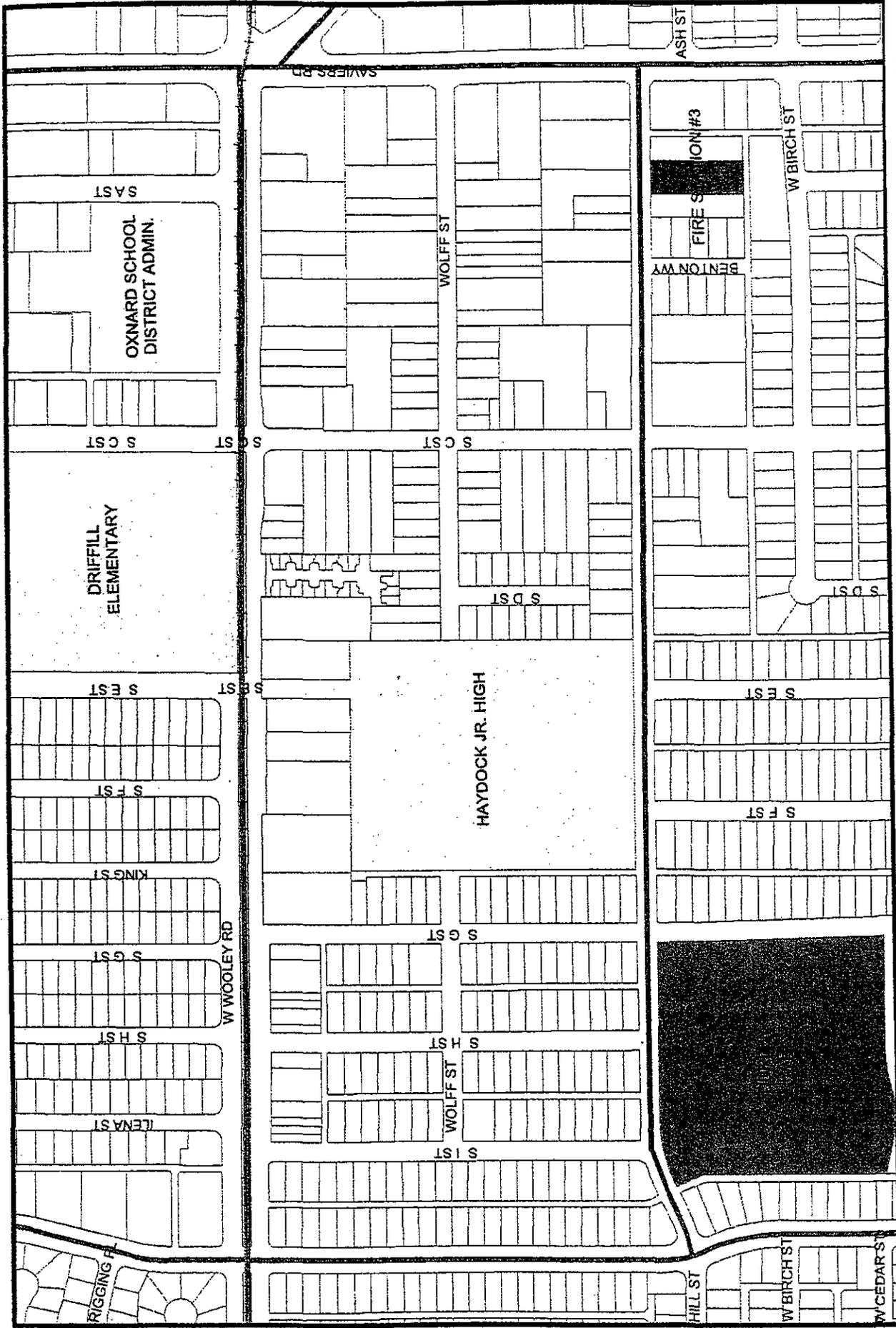
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ATTACHMENT NO. 1
NOT TO SCALE

EXHIBIT A-1

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NOT TO SCALE

HILL STREET

MAP 3

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ATTACHMENT NO. 1
 EXHIBIT A-3
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Date: Oct 11, 2006