Meeting Date: 08 /07/ 07

ACTION	TYPE OF ITEM
☐ Approved Recommendation	■ Info/Consent
■ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Rob Roshanian R.R. Agenda Item No. I-2

Reviewed By: City Manager City Attorney Finance SW Other *(Specify)*

DATE: July 31, 2007

TO: City Council

FROM: Rob Roshanian, Building Official R.R.

SUBJECT: **Pilot Program Regarding Curb Cuts and Limiting Front Yard Paving Area for Vehicle Parking**

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 limiting front yard paving area for vehicle parking.

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 and limiting front yard paving area for vehicle parking.

In response to further input by residents of the neighborhoods, staff has reviewed the traffic patterns, volume, and circulation on the streets in the area. Staff recommends that curbs cuts be allowed on all of the streets except Wooley Road and Channel Islands Boulevard.

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 budget of the Development Services Department.

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 FRONT YARD PAVING AREA FOR VEHICLES

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, 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 consistent with the standards set forth herein.

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

Part 1. Pilot Program Area. 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 Development Services Manager or designee will issue a revocable permit to allow a curb cut ("Permit") on any street except Wooley Road or Channel Islands Boulevard within the areas described in Exhibit A if the following conditions are satisfied:

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

B. Any preexisting curb cut authorized by this ordinance shall:

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

(2) 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) Obtain a Permit within twelve months of the effective date of this ordinance.

C. All curb cuts, whether new or preexisting, shall comply with the following standards:

(1) The width of any curb cut shall be limited to fifteen feet in the "W" dimension.

(2) Any curb cut shall comply with Americans with Disabilities Act access dimensions at the adjacent public sidewalk.

(3) Any curb cut shall be located so as to maximize on-street parking in front of the residential property and no closer than three feet from a property line..

D. For any property that (1) is located on an alley and (2) has a new or preexisting curb cut, the property owner shall install and maintain in good working order a light providing illumination equivalent to a 200 watt incandescent bulb on the alley adjacent to a garage located on the alley. Such light shall be approved by the Development Services Manager or designee and be controlled by a motion sensor or photovoltaic cell.

E. Prior to the issuance of the Permit, the property owner shall pay for a City inspection of any garage located on the property to verify compliance with City requirements that any two-car garage on the property is maintained free of obstructions and in such a condition that two automobiles could be parked in such garage and that any one-car garage on the property is maintained free of obstructions and in such a condition that one automobile could be parked in such garage. If any such garage is found to be maintained in such condition that an automobile could not be parked in a one-car garage or two automobiles could not be parked in a two-car garage, then the Permit shall not be issued.

G. Any two-car garage on the property that has a Permit shall be maintained free of obstructions and in such a condition that two automobiles could be parked in such garage and any one-car garage on the property that has a Permit shall be maintained free of obstructions and in such a condition that one automobile could be parked in such garage.

Part 3. Covenant Running with the Land. To assure garages are maintained in accordance with Part 2.G of this ordinance, the property owner, on behalf of the property owner and any successor in interest, shall execute a covenant running with the land, on a form approved by the City Attorney, authorizing City personnel to inspect any garage on the property upon twenty-four hours written notice being delivered to the property owner or

resident of the property who is eighteen years of age or older. If such written notice is so delivered, and if City personnel are subsequently denied inspection of the garage, the property owner shall be in violation of this ordinance.

Part 4. Front Yard Paving Area for Vehicle Parking.

(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 5. 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

ATTEST:

_____
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

James T. Rupp, Jr. for
Gary L. Gillig, City Attorney

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.