



Meeting Date: 02/12/08

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

Prepared By: Winston Wright, Associate Planner *iw* Agenda Item No. _____

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

DATE: January 10, 2008

TO: City Council

FROM: Susan L. Martin, AICP *sm*
Planning Manager

SUBJECT: Tentative Parcel Map (PZ No. 05-300-13) for a Residential Duplex Located at 4931 and 4935 Dunes Circle for Condominium Purposes. Filed by David Wilhite, 3005 Peninsula Road, Oxnard, CA 93035.

RECOMMENDATION

That City Council adopt a resolution approving Tentative Parcel Map No. 05-300-13 for condominium purposes, subject to the conditions set forth in Planning Commission Resolution No. 2006-58.

DISCUSSION

On November 16, 2006, the Planning Commission approved a coastal development permit to construct a 2,881 square foot residential duplex with an attached 473 square foot two-car garage and a detached 665 square foot two-car garage in the Coastal Low-Density Multiple Family (R-2-C) zone. On November 16, 2006, the Planning Commission also recommended that the City Council adopt a resolution approving a tentative parcel map for the duplex for condominium purposes. This approval follows the Planning Commission's recommendations.

FINANCIAL IMPACT

None.

- Attachment #1 – City Council Resolution (Tentative Parcel Map)
- #2- Tentative Parcel Map No. 05-300-13
- #3 - Vicinity Map
- #4 - General Plan Map
- #5 - Zoning Map
- #6- PC Resolution No. 2006-58
- #7- PC Staff Report

Note: Attachment #7, the Planning Commission Staff Report, has been provided to City Council under separate cover. Copies for review are available at the Circulation Desk in the Library after 6:00 p.m. on Thursday prior to the Council meeting and in the City Clerk's Office after 8:00 a.m. on Monday prior to the Council meeting.

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CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING & ZONING PERMIT NO. 05-300-13 (TENTATIVE PARCEL MAP) TO SUBDIVIDE A RESIDENTIAL DUPLEX FOR CONDOMINIUM PURPOSES FOR PROPERTY LOCATED AT 4931 & 4935 DUNES CIRCLE, SUBJECT TO CERTAIN CONDITIONS. FILED BY DAVID WILHITE, 3005 PENINSULA ROAD, OXNARD, CA 93035.

WHEREAS, the City Council has reviewed Planning & Zoning Permit No. 05-300-13 (Tentative Map) for property located at 4931 and 4935 Dunes Circle, filed by David Wilhite; and

WHEREAS, the City Council has carefully reviewed Planning Commission Resolution No. 2006-58, recommending approval of the Tentative Map, subject to certain conditions; and

WHEREAS, the City Council finds that the Tentative Map complies with all requirements of the Subdivision Map Act and the Oxnard City Code; and

WHEREAS, the City Council finds that the Tentative Map and the design and improvement of the proposed development are consistent with the General Plan; and

WHEREAS, the City Council finds that the proposed site is suitable for the type and density of development requested and the development will not cause substantial environmental damage, serious public health problems or conflict with any public utility or service easements; and

WHEREAS, Sections 15303 and 15315 of the California Code of Regulations exempt the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act.

NOW, THEREFORE, the City Council of the City of Oxnard resolves that Planning & Zoning Permit No. 05-300-13 (Tentative Parcel Map) is hereby approved, subject to the conditions set forth in Planning Commission Resolution No. 2006-58.

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PASSED AND ADOPTED this 12th day of February 2008, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden
Mayor

ATTEST:

Daniel Martinez, City Clerk

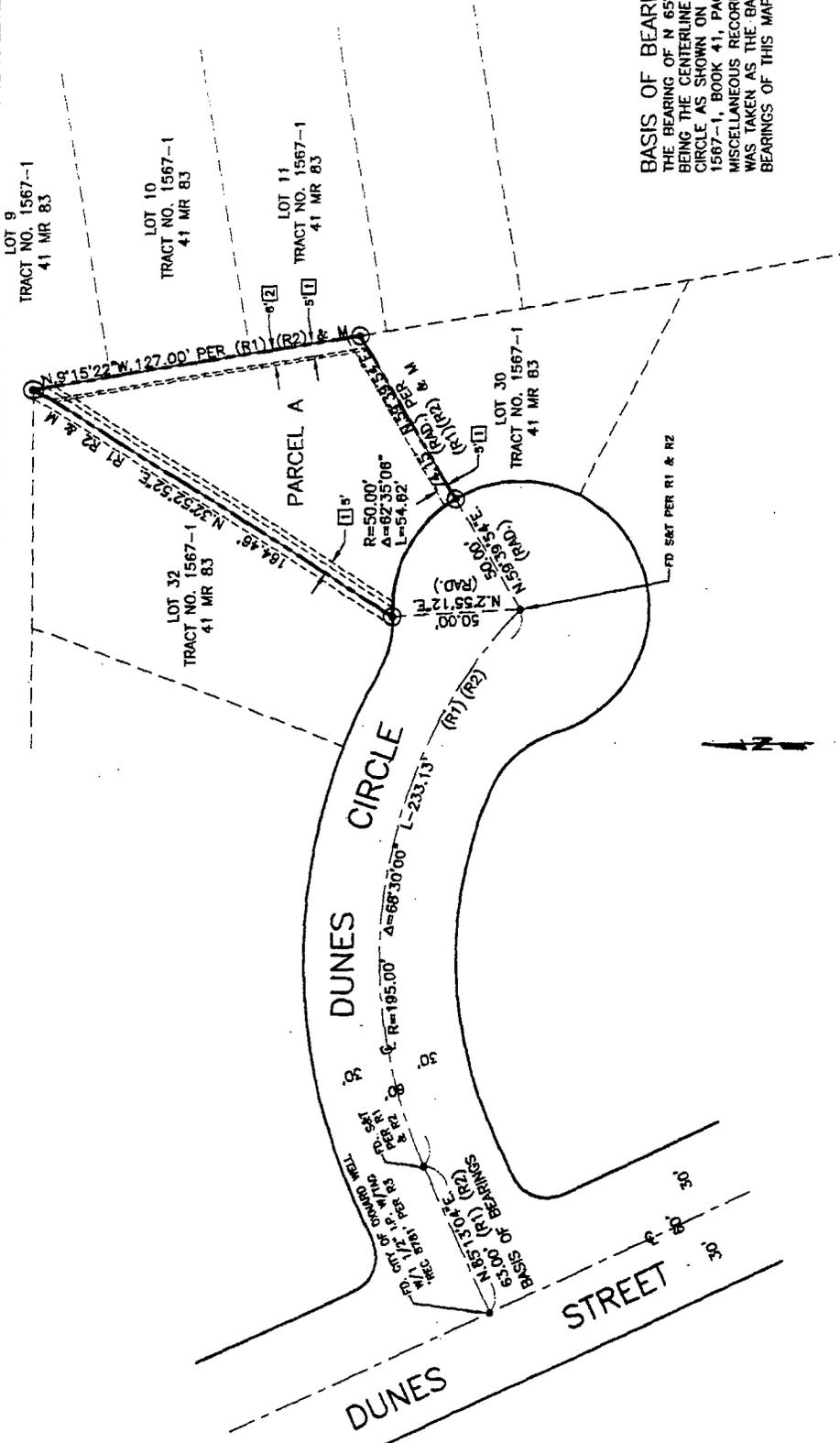
APPROVED AS TO FORM:



Gary L. Gillig, City Attorney

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ATTACHMENT 1
PAGE 2 OF 2

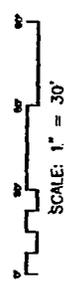


BASIS OF BEARINGS
 THE BEARING OF N 65° 13' 04" E,
 BEING THE CENTERLINE OF DUNE
 CIRCLE AS SHOWN ON TRACT NO.
 1567-1, BOOK 41, PAGE 83 OF
 MISCELLANEOUS RECORDS (MAPS)
 WAS TAKEN AS THE BASIS OF
 BEARINGS OF THIS MAP.

TOTAL GROSS AREA = 0.193 ACRES

PARCEL MAP
 NO. 05-300-13
 FOR CONDOMINIUM PURPOSES
 IN THE CITY OF OXNARD
 COUNTY OF VENTURA
 STATE OF CALIFORNIA

BEING LOT 31 OF TRACT NO. 1567-1 PER MAP FILED IN
 BOOK 41, PAGE 83, OF MISCELLANEOUS RECORDS (MAPS)

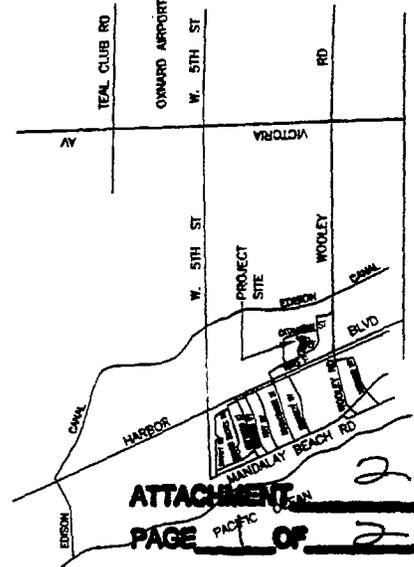


EXISTING EASEMENTS

- 1 5' PUBLIC UTILITY EASEMENT PER BOOK 3381 PG 208 & 2686 O.R. 470
- 2 6' ELECTRICAL AND TELEPHONE EASEMENT PER BOOK 2705 PG 556 AND BOOK 2762 O.R. 227

LEGEND

- R1 41 MR 83
- R2 61 PM 30
- R3 CITY OF OXNARD FIELD BOOK 44 PG 222
- CR1 CALCULATED FROM R1
- FOUND SET PER 41 MR 84 & 61 PM 30
- M MEASURED
- ⊙ SET 1 1/2" I.P. W/TAG 4183



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SUBDIVIDERS STATEMENT

THE UNDERSIGNED HEREBY STATE THAT THEY ARE THE SUBDIVIDERS AND RECORDED TITLE OWNERS OF THE REAL PROPERTY INCLUDED WITHIN THE BOUNDARY OF THE SUBDIVISION SHOWN ON THIS MAP AND THAT THEY AS SUBDIVIDERS CONSENT TO THE MAKING AND RECORDATION OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE EXTERIOR BOUNDARY LINE.

DAVID O. WILLHITE, AN UNMARRIED MAN

BY David O. Willhite
OWNER

STATE OF CALIFORNIA)
COUNTY OF VENTURA)
ON 24 OCTOBER 2007 BEFORE ME, Robert J. Elack,
PERSONALLY APPEARED David O. Willhite
PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY, AND THAT BY HIS SIGNATURE ON THE INSTRUMENT, THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND
Robert J. Elack
COUNTY OF VENTURA
MY COMMISSION EXPIRES July 22, 2009
COMMISSION #1544795

CITY TREASURER'S CERTIFICATE

I, DALE V. BELGHER, CITY TREASURER OF THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA DO HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF MY OFFICE, THERE ARE NO LIENS AGAINST PARCEL MAP NO. 05-300-13 OR ANY PART THEREOF, FOR UNPAID MUNICIPAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS MUNICIPAL TAXES, EXCEPT TAXES OR SPECIAL ASSESSMENTS NOT YET PAYABLE

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY OF OXNARD THIS

DAY OF _____, 2007
CITY TREASURER, CITY OF OXNARD

COUNTY RECORDER'S CERTIFICATE

FILED THIS _____ DAY OF _____, 2007 AT _____ M.,
COUNTY OF VENTURA
THE REQUEST DAVID O. WILLHITE.

BY Phil J. Schmit
DEPUTY COUNTY RECORDER
COUNTY OF VENTURA

COUNTY TAX COLLECTOR'S CERTIFICATE

I HEREBY CERTIFY THAT ALL CERTIFICATES AND SECURITY REQUIRED UNDER THE PROVISIONS OF SECTION 66492 AND 66493 OF THE SUBDIVISION MAP ACT HAVE BEEN FILED AND DEPOSITED WITH ME.

LAWRENCE L. MATHENEY
COUNTY TAX COLLECTOR
COUNTY OF VENTURA
BY _____
DEPUTY TAX COLLECTOR
DATE: _____

SURVEYORS STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF DAVID O. WILLHITE, IN MAY 2007. I HEREBY STATE THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED (OR WILL BE SET IN SUCH POSITIONS WITHIN ONE YEAR AFTER RECORDATION OF THE PARCEL MAP) AND THAT THEY ARE (OR WILL BE) SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

Robert J. Elack
ROBERT J. ELACK
LIC. NO. 4193
DATE 10/24/07

EXPIRATION DATE
6/30/08



CITY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE MAP ENTITLED PARCEL MAP NO. 05-300-13, THAT THE PROVISIONS OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP, IF REQUIRED, HAVE BEEN COMPLIED WITH, AND THAT I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

DATED: 24 OCTOBER 2007 BY: Warren D. Smith
WARREN D. SMITH LS 4842
EXPIRES 9-30-08
CITY SURVEYOR
CITY OF OXNARD



CITY COUNCIL CERTIFICATE

THIS MAP, ENTITLED "PARCEL NO. 05-300-13", CONSISTING OF 2 SHEETS, IS PRESENTED TO THE CITY COUNCIL OF THE CITY OF OXNARD OF VENTURA COUNTY, CALIFORNIA AT A REGULAR MEETING OF SAID COUNCIL HELD ON THE

DAY OF _____, 2007 FOR APPROVAL. SAID COUNCIL HEREBY APPROVES SAID MAP.

IN WITNESS WHEREOF, SAID CITY COUNCIL HAS CAUSED THIS CERTIFICATE TO BE SIGNED BY THE MAYOR AND ATTESTED TO BY THE CITY CLERK AND THE CORPORATE SEAL OF SAID CITY TO BE AFFIXED HERETO

THIS _____ DAY OF _____, 20____

ATTEST:

CITY CLERK OF THE CITY OF OXNARD

MAYOR OF THE CITY OF OXNARD

SIGNATURE OMISSIONS

(g) SOUTHERN CALIFORNIA EDISON COMPANY, PRESENT OWNER OF AN EASEMENT FOR PUBLIC UTILITIES AS DISCLOSED BY DEED RECORDED JANUARY 14, 1965, IN BOOK 2709 O.R. 556 OF OFFICIAL RECORDS

(h) GTE CALIFORNIA INCORPORATED, PRESENT OWNER OF AN EASEMENT FOR PUBLIC UTILITIES AS DISCLOSED BY DEED RECORDED MARCH 31, 1965, IN BOOK 2762, PAGE 227 OF OFFICIAL RECORDS.

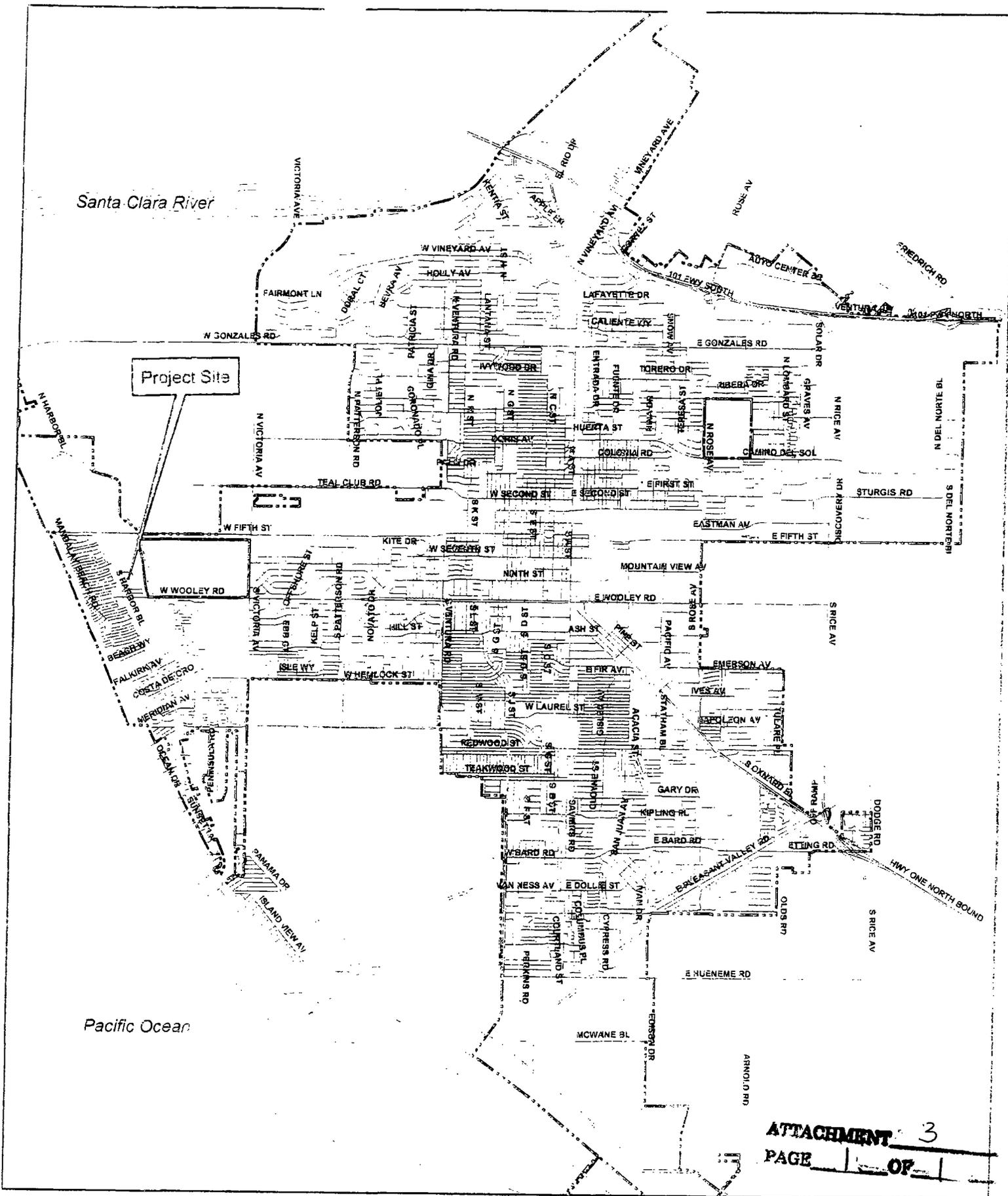
THE SIGNATURES OF THE PARTY(IES) NAMED HEREINAFTER AS OWNER(S) OF AN EASEMENT SET FORTH MAY BE OMITTED UNDER THE PROVISIONS OF SECTION 66436, (g) (3) (A) OF THE SUBDIVISION MAP ACT, THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE TITLE AND SUCH SIGNATURES ARE NOT REQUIRED BY THE LOCAL AGENCY.

**PARCEL MAP
NO. 05-300-13
FOR CONDOMINIUM PURPOSES**

IN THE CITY OF OXNARD
COUNTY OF VENTURA
STATE OF CALIFORNIA

BEING LOT 31 OF TRACT NO. 1567-1 PER MAP FILED IN BOOK 41, PAGE 83, OF MISCELLANEOUS RECORDS (MAPS)

PREPARED BY: LATITUDE LAND SURVEYING
1198 NAVIGATOR DR.
VENTURA, CA 93001
PH: 805-658-1009

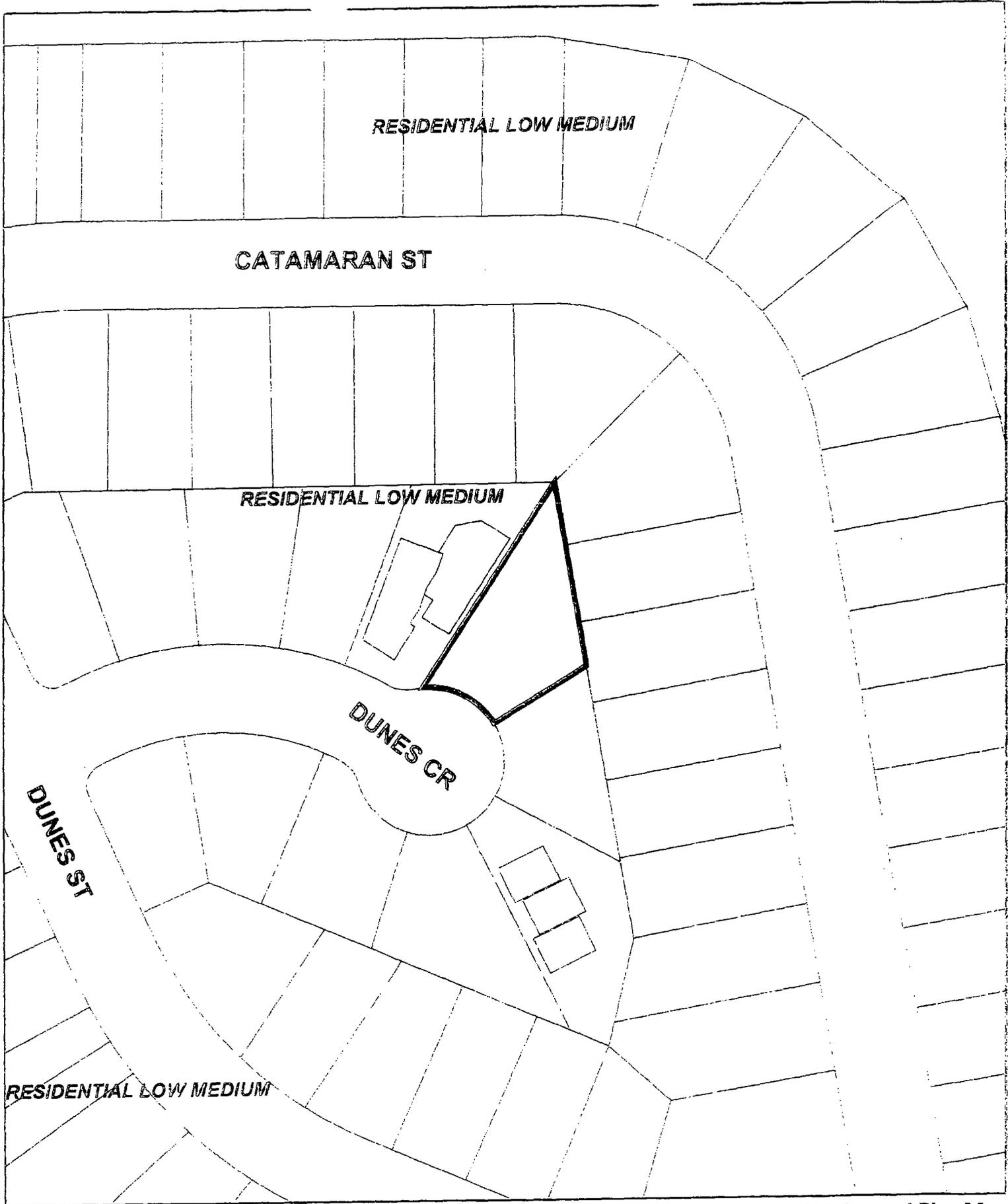


ATTACHMENT 3
PAGE 1 OF 1

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PZ 05-400-07
Location: 4931 & 4935 Dunes Circle
APN: 196002311

Vicinity Map



RESIDENTIAL LOW MEDIUM

CATAMARAN ST

RESIDENTIAL LOW MEDIUM

DUNES CR

DUNES ST

RESIDENTIAL LOW MEDIUM

PZ 05-400-07

Location: 4931 & 4935 Dunes Cr.

APN: 196002311

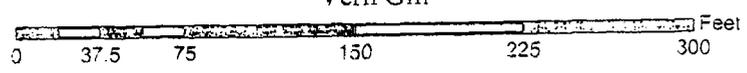
Vern Gill

2020 General Plan Map

ATTACHMENT 4

PAGE 1 OF 1

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June 27, 2005

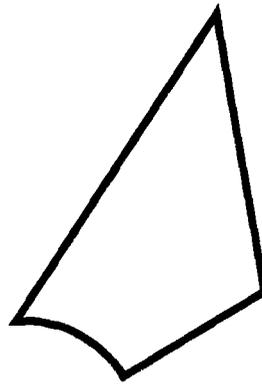


RP

R-2-C

CATAMARAN ST

R-2-C



DUNES CR

DUNES ST

R-2-C

PZ 05-400-07

Location: 4931 & 4935 Dunes Cr.

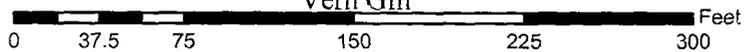
APN: 196002311

Vern Gill

ATTACHMENT 5 Zone Map

PAGE 1 OF 1

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June 27, 2005



RESOLUTION NO. 2006 - 58

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING APPROVAL OF A TENTATIVE PARCEL MAP (PLANNING AND ZONING PERMIT NO. 05-300-13), TO ALLOW THE SUBDIVISION OF A RESIDENTIAL DUPLEX INTO TWO UNITS FOR CONDOMINIUM PURPOSES, LOCATED AT 4931 & 4935 DUNES CIRCLE WITHIN THE OXNARD DUNES NEIGHBORHOOD (APN 196-0-023-115), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY JOHN MACK, 1141 HIGHLAND AVENUE, GROVER BEACH, CALIFORNIA, 93433.

WHEREAS, the Planning Commission of the City of Oxnard has considered the tentative parcel map (Planning and Zoning Permit No. 05-300-13), filed by John Mack in accordance with Chapter 15 of the Oxnard City Code; and

WHEREAS, said tentative parcel map was referred to various public utility companies, City departments and the Development Advisory Committee for recommendations; and

WHEREAS, the Planning Commission finds the tentative parcel map conforms to the City's General Plan and elements thereof; and

WHEREAS, Section 15303 of Title 14 of the California Code of Regulations exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

WHEREAS, the Planning Commission finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this subdivision in particular.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council the approval of the tentative parcel map, subject to the following conditions:

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ATTACHMENT 6
PAGE 1 OF 4

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents (e.g. *MND-S2*).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning Division
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic Department
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Parks Division	CE	Code Compliance

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning and Environmental Services Division ("Planning Division"), and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated August 16, 2006, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)
4. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)

5. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)

PLANNING SPECIAL CONDITIONS

6. An approved tentative parcel map shall expire thirty-six (36) months after its approval, unless an extension is applied for and approved by the City Council pursuant to Section 15-46 of the City Code. (PL)
7. This permit is granted subject to the City's approval of a coastal development permit (PZ No. 05-400-7). Before occupying any structures or initiating any use approved by this permit, Developer shall comply with all conditions of the coastal development permit. (PL/DS)

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

8. Developer agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Developer's expense, City and its agents, officers and employees from and against any claim, action or proceeding commenced within the time period provided for in Government Code Section 66499.37, to attack, review, set aside, void or annul the approval of this resolution or to determine the reasonableness, legality or validity of any condition attached thereto. City shall promptly notify Developer of any such claim, action or proceeding of which City receives notice, and City will cooperate fully with Developer in the defense thereof. Developer shall reimburse City for any court costs and attorney's fees that City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Developer of the obligations of this condition. Developer's acceptance of this resolution or commencement of construction or operations under this resolution shall be deemed to be acceptance of all conditions thereof. (DS-18)
9. Prior to approval of the final map or parcel map, Developer shall provide the City Engineer with written evidence from the Ventura County Clerk's Office that Developer has executed and filed with the Clerk all certificates, statements and securities required by Government Code Sections 66492 and 66493. (DS-26)

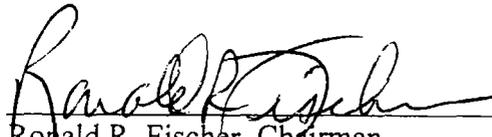
000055

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 16th day of
November 2006, by the following vote:

AYES: Commissioners: Okada, Pinkard, Frank, Medina, Sanchez, Fischer

NOES: Commissioners: None

ABSENT: Commissioners: Dean



Ronald R. Fischer, Chairman

ATTEST: 

Susan L. Martin, Secretary

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