



Planning Division

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Winston Wright, Associate Planner

DATE: February 21, 2008

SUBJECT: Planning and Zoning Permit No. 07-300-22 (Parcel Map Waiver) for the Subdivision of One Parcel into Two Parcels for Property Located at 1228 and 1232 South C Street. Filed by Alejo Barragan.

- 1) **Recommendation:** That the Planning Commission approve Planning & Zoning Permit No. 07-300-22 (parcel map waiver) subject to certain findings and conditions.
- 2) **Project Description and Applicant:** The parcel map waiver is a request to subdivide one 13,951.50 square foot lot into two lots of 6,976.50 square feet and 6,975.00, respectively. The project is located at 1228 and 1232 South C Street (APN 203-0-080-310) within the Hill Street Neighborhood. Filed by Alejo Barragan, 854 East Main Street, Santa Paula, CA 93060.
- 3) **Existing & Surrounding Land Uses:** The subject property is developed with two single-family dwellings and a shared two-car garage.

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	Garden Apartment (R3)	Residential Low-Medium (7-12 DU/acre)	Two Single-Family Residences
North	Garden Apartment (R3)	Residential Low-Medium (7-12 DU/acre)	Single-Family-Residences
South	Garden Apartment (R3)	Residential Low-Medium (7-12 DU/acre)	Single-Family Residences and Church Parking Lot
East	Garden Apartment (R3)	Residential Low-Medium (7-12 DU/acre)	Single-Family Residences and Church Site
West	Garden Apartment (R3)	Residential Low-Medium (7-12 DU/acre)	Single-Family Residences and Apartments

- 4) **General Plan Policies and Land Use Designation Conformance:** The 2020 General Plan designation for the site is for Residential Low-Medium Density (7 to 12 Dwelling Units/Acre) (RLM) uses. The 2020 General Plan *“designation applies to properties intended for development as lower density apartments or condominiums and higher density detached single-family residences.”* The two resulting parcels would each accommodate an existing detached single-family residence. The existing residential density of 6.25 dwelling units per acre does not change. Additionally, the proposed parcel map waiver is in the Garden Apartment (R3) zone district which allows one dwelling unit per 2,400 square feet (18.15 Dwelling Units/Acre); therefore, the existing density conforms to the R3 development standards. Therefore, the project is consistent with the City's 2020 General Plan and Chapter 16 of the Oxnard City Code.
- 5) **Environmental Determination:** In accordance with Section 15315 of the California Environmental Quality Act (CEQA) Guidelines, projects involving *“the division of property in urbanized areas zoned for residential, commercial, industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning...”* may be found to be exempt from the requirements of CEQA. Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment and recommends that Planning Commission accept the Notice of Exemption (see Attachment C).
- 6) **Analysis:**
 - a) **General Discussion:** Due to residential density limitations, no additional units can be added to either resulting parcel without a General Plan Amendment. In accordance with Section 16-525, the demolition and reconstruction of the existing single-family residences would require the processing of a Development Design Review Permit.
 - b) **Relevant Project and Property History, Related Permits:** The subject property is a legal lot of record known as Lot 10 in Block 2 of the Wolff Hill Laubacher Addition to the City of Oxnard, as recorded in Book 5, Page 16-1/2 of Maps, in the office of the County Recorder. The subject property's current configuration is the result of two previous subdivisions to Lot 10 which occurred by recorded deed in 1944 and 1946. According to the City of Oxnard building records, the existing residences were permitted by Building Permit No. 142 on January 26, 1937.
 - c) **City Code Compliance:** The Planning Commission can grant a parcel map waiver *“provided that the commission finds at the time of the waiver that the proposed division of land complies with requirements established by the Subdivision Map Act and this chapter, including but limited to requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability and environmental protection”* [Section 15-11(C)].

The allowed residential density for a parcel in the R-3 zone district is controlled by average lot width and a minimum lot area (City Code Section 16-59). The R-3 zone district has a minimum average lot width requirement of 40 feet (with no more than one dwelling unit on any lot with an average width less than 50 feet) and a minimum area of 2,400 square feet for each dwelling unit. The parcel illustrated on the parcel map waiver as Lot 1 would be 46.50 feet wide and 6,975.00 square feet. The parcel illustrated on the parcel map waiver as Lot 2 would be 46.51 feet wide and 6,976.50 square feet. Therefore, the lots that would result from the parcel map waiver meet the lot area requirements of the R3 zone district.

As a condition of approval, the existing two-car garage will be demolished prior to the recordation of the parcel map waiver because it would straddle the new property line (see condition No.5). Two new two-car garages must be constructed (one garage for each parcel) prior to the recordation of the parcel map waiver to bring the project into conformance with the parking provisions of the City Code (see condition No. 4). With the removal of the existing garage, the proposed parcel map waiver would not create nonconforming setbacks or reduce the amount of open space below the required amount. With the construction of the new garages the two proposed parcels would also be brought into conformance with the City parking requirements [see City Code Section 16-622(F)]. The project site is currently served by the City of Oxnard through existing water, wastewater, trash, roadway, and emergency services. As conditioned, the proposed division of land complies with the City Code requirements as it relates to lot area, residential density, setbacks, open space, and public services. Therefore, the project qualifies for a parcel map waiver.

Once the Planning Commission approves the parcel map waiver, the subdivider submits exhibits directly to the City Surveyor to assure that the map is technically correct. With the City Surveyor's recommendation, the Director of Environmental Services certifies that the conditions set forth in the Planning Commission's resolution have been complied with and a *Certificate of Approval for Parcel Map Waiver* is recorded with the Ventura County Recorder's office.

7) **Community Input:** The proposed project was agendized for a Community Workshop on January 28, 2008. The Applicant mailed notices to Hill Street Neighborhood and posted the site for the Community Workshop on January 18, 2008. Thirty people attended the workshop. No attendees spoke for or against the proposed subdivision.

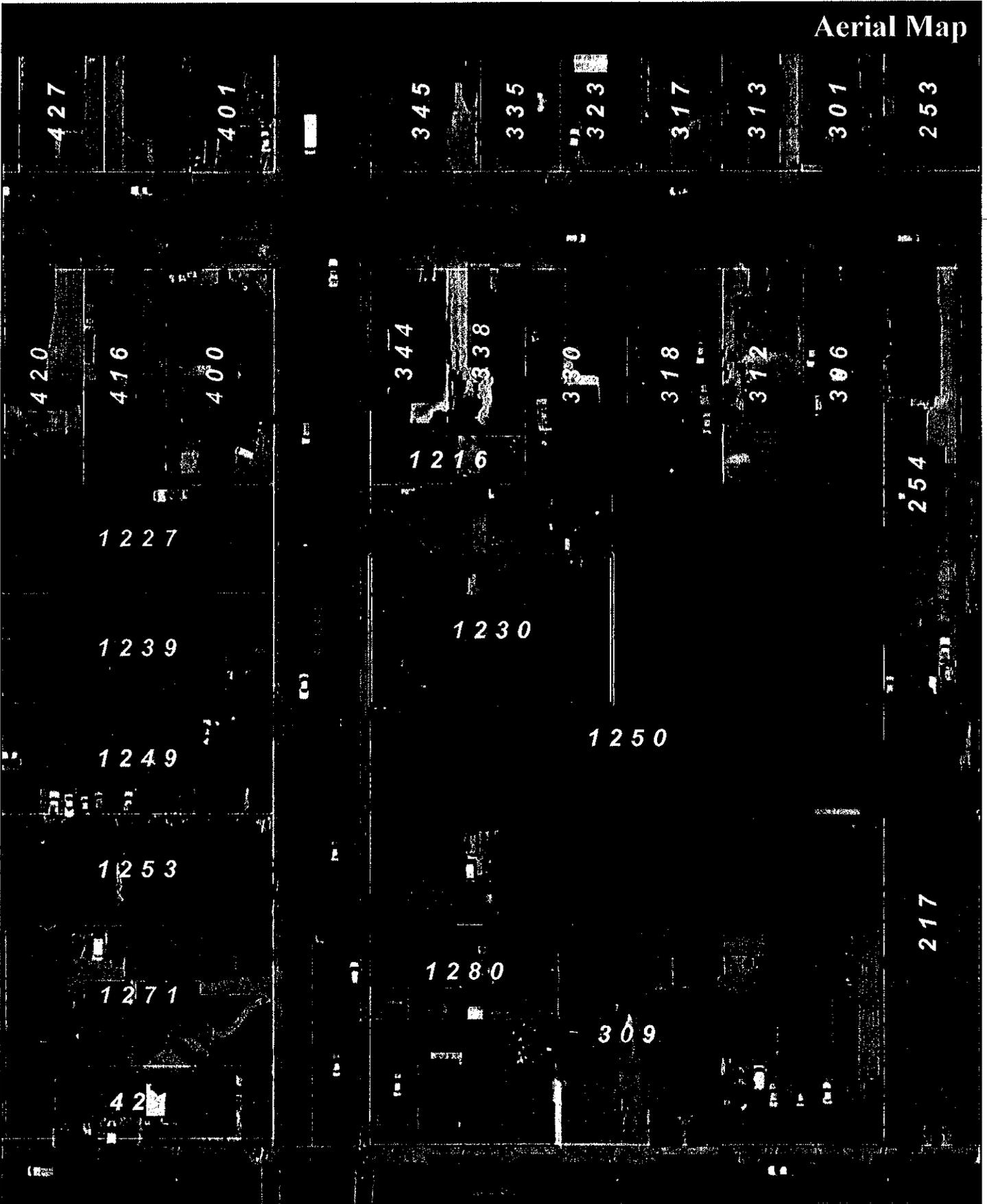
8) **Attachments:**

- A. Maps (Aerial, Vicinity, General Plan, Zoning)
- B. Parcel Map Waiver
- C. Notice of Exemption
- D. Resolution

Prepared by: <u>WW</u> WW
Approved by: <u>SM</u> SM

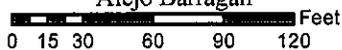
**Attachment A:
Vicinity Map, Aerial Map, General Plan Map, and
Zoning Map**

Aerial Map



Oxnard Planning
December 11, 2007

PZ 07-300-22
Location: 1228, 1232 S C St
APN: 203008031
Alejo Barragan



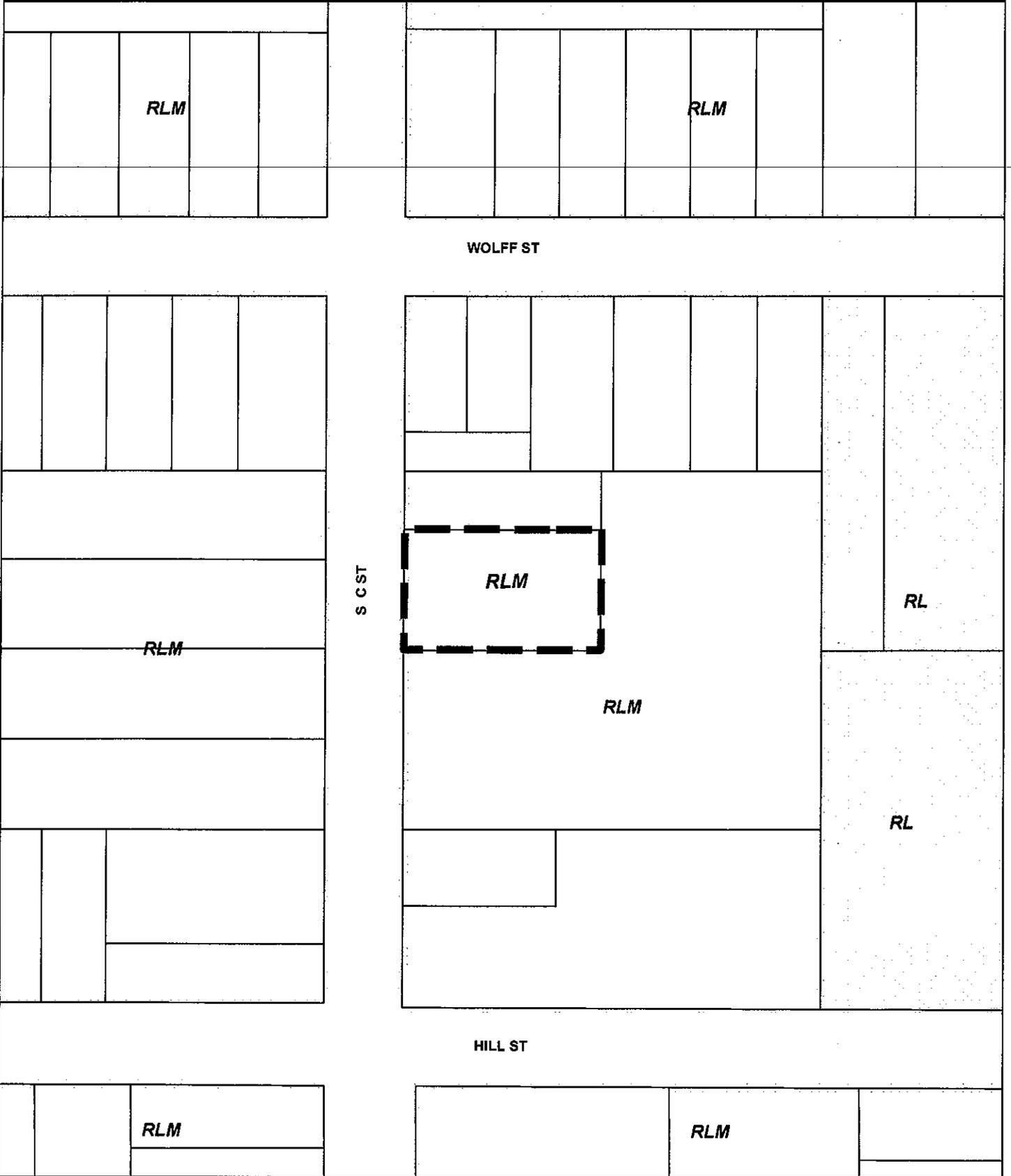
Aerial Map

2003 Aerial

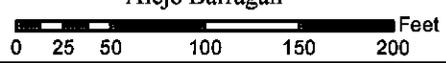


1:936

General Plan Map



PZ 07-300-22
Location: 1228, 1232 S C St
APN: 203008031
Alejo Barragan

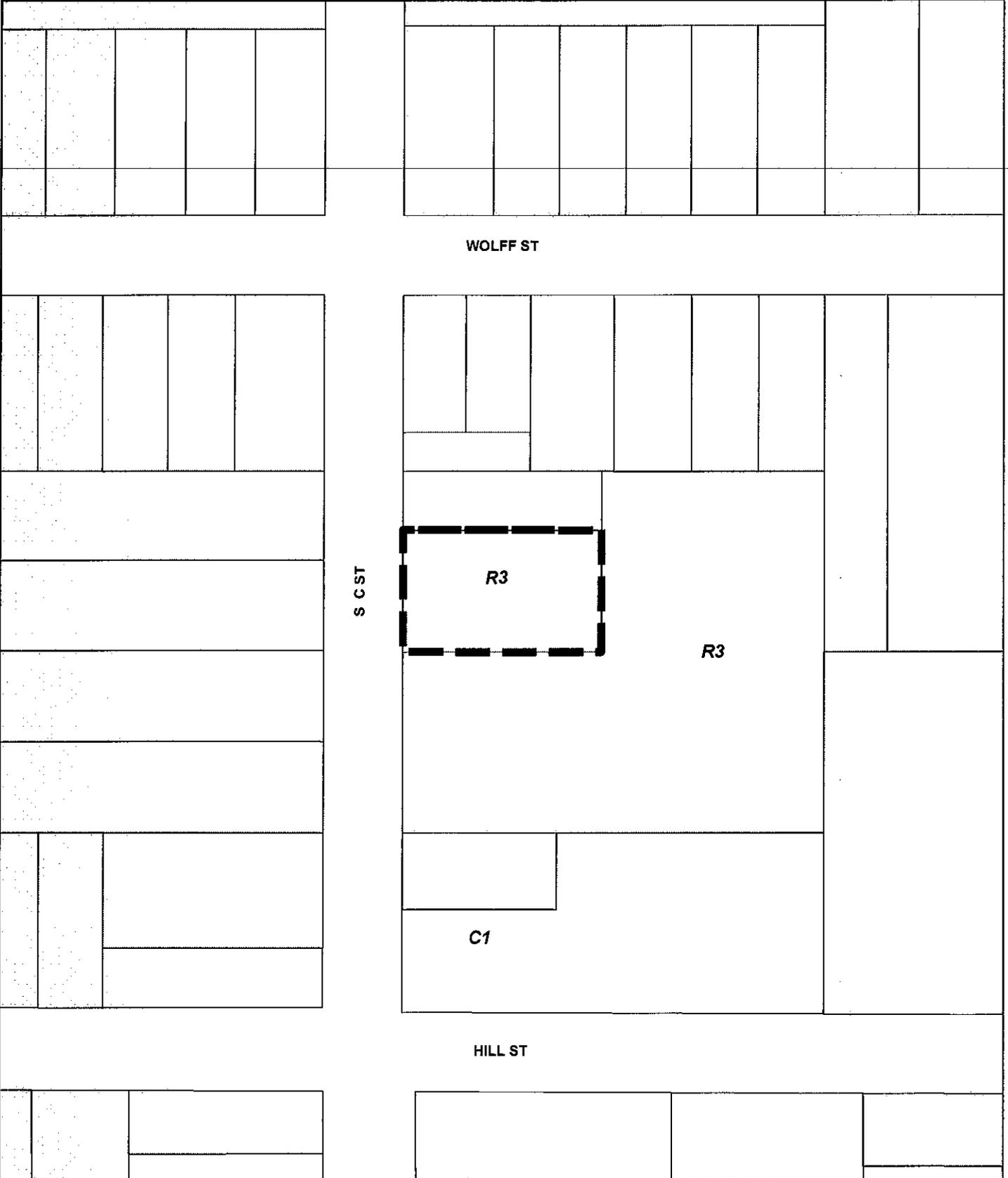


General Plan Map

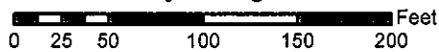


1:1,171

Zone Map



PZ 07-300-22
Location: 1228, 1232 S C St
APN: 203008031
Alejo Barragan



Zone Map



1:1,171

**Attachment B:
Reduced Parcel Map Waiver**

LEGAL DESCRIPTION
EXHIBIT 'A'

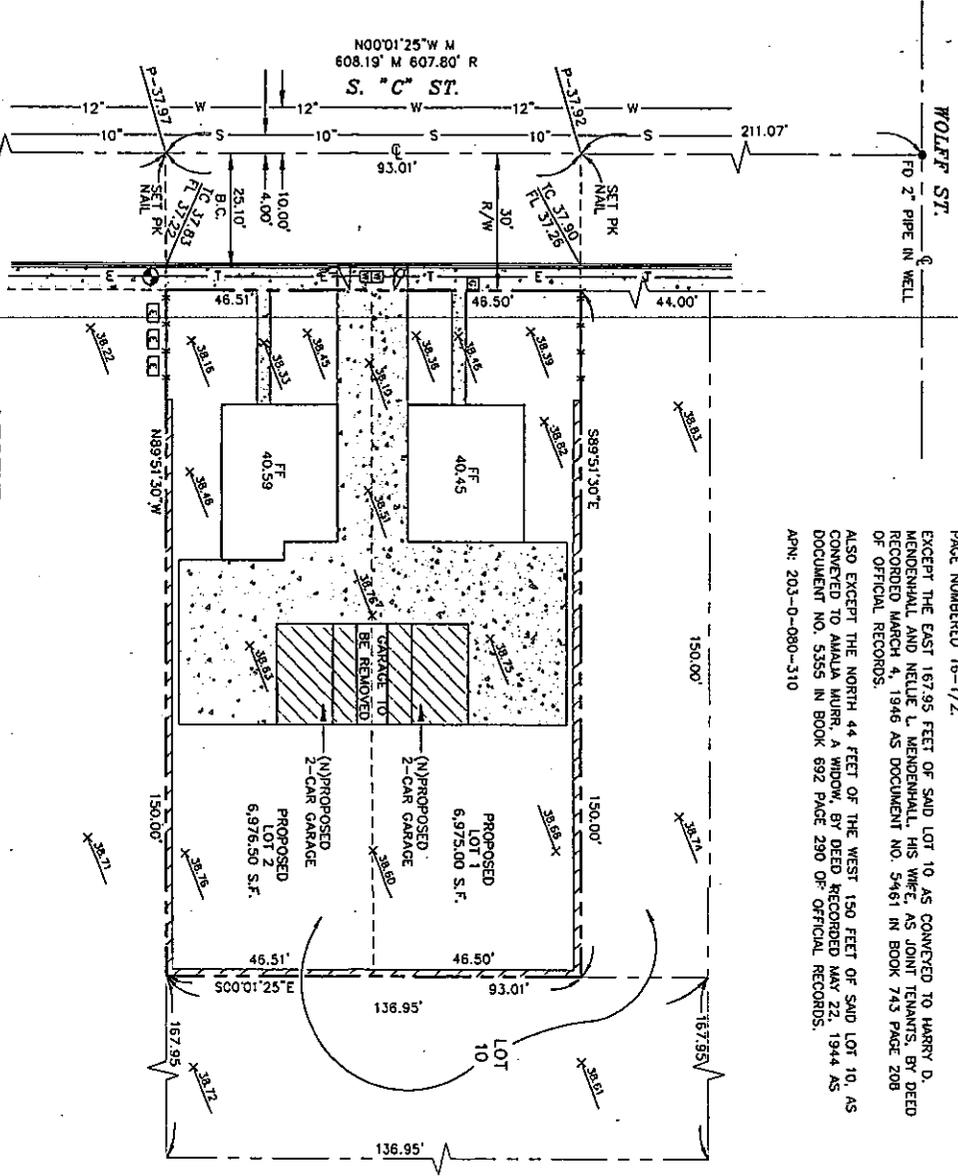
LOT TEN (10) IN BLOCK TWO (2) WOLFF HILL UNBACHER ADDITION TO THE CITY OF OXNARD, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF VENTURA COUNTY IN BOOK 5 OF MISCELLANEOUS RECORDS (MAPS) PAGE NUMBERED 16-1/2.

EXCEPT THE EAST 167.95 FEET OF SAID LOT 10, AS CONVEYED TO HARRY D. MENDENHALL AND NELLE L. MENDENHALL, HIS WIFE AS JOINT TENANTS, BY DEED RECORDED MARCH 4, 1946 AS DOCUMENT NO. 5461 IN BOOK 743 PAGE 208 OF OFFICIAL RECORDS.

ALSO EXCEPT THE NORTH 44 FEET OF THE WEST 150 FEET OF SAID LOT 10, AS CONVEYED TO AMALIA MUIR, A WIDOW, BY DEED RECORDED MAY 22, 1944 AS DOCUMENT NO. 5355 IN BOOK 692 PAGE 290 OF OFFICIAL RECORDS.

APN: 203-0-080-310

TENTATIVE PARCEL MAP
NO. _____



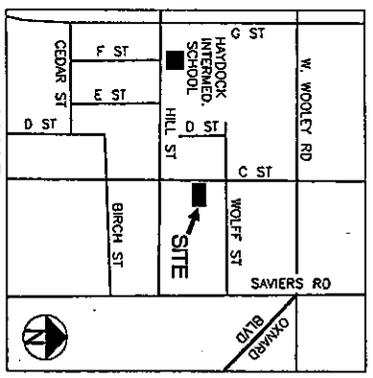
LEGEND

	CONCRETE		POWER POLE
	R/W		FIRE HYDRANT
	BACK OF CURB		STREET SIGN
	TOP CURB ELEV.		ELECTRIC BOX
	FLOWLINE ELEV.		CHAIN LINK FENCE
	PAVEMENT ELEV.		GAS
	EXISTING ELEV.		RECORDED
	BLOCK WALL		MEASURED
	WATER METER		SEWER
	OVERHEAD TELEPHONE AND ELECTRIC		WATER

TOTAL AREA = 13,951.50 S.F.

PROJECT ADDRESS:
1292 SO. C STREET
OXNARD, CA 93030

BENCHMARK:
DESIGNATION W 1100 FD STEEL
DISK ON TOP OF CURB @ N.E. COR
N. OXNARD BLVD and WOOLEY RD
ELEV.: 42.013 NGV DATUM 1929



LICENSED LAND SURVEYOR
RUBEN J. ERASMO
No. 4193
STATE OF CALIFORNIA

[Signature]
115687-07

GRAPHIC SCALE 1"=20'
0 20 40 60
JUNE 2007

OWNER AND DEVELOPER:
ERASMO SIMENTAL
1600 RUBIO CIRCLE
OXNARD, CA 93030
PH: 805-231-5878

PREPARED BY:
LATTITUDE LAND SURVEYING
1198 NAVIGATOR DRIVE #25
VENTURA, CA 93001
PH: 805-658-1009

**Attachment C:
Notice of Exemption**



NOTICE OF EXEMPTION

Project Description:

PLANNING & ZONING PERMIT NO. 07-300-22 (Parcel Map Waiver) a request to subdivide one 13,951.50 square foot lot into two lots of 6,976.50 square feet and 6,975.00, respectively. The project is located at 1228 and 1232 South C Street (APN 203-0-080-310) within the Hill Street Neighborhood. The proposed project is exempt from environmental review under Section 15315 of the CEQA Guidelines. Filed by Alejo Barragan, 854 East Main Street, Santa Paula, CA 93060.

Finding:

The Planning Division of the Development Services Department of the City of Oxnard has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- Ministerial Project
- Categorical Exemption
- Statutory Exemption
- Emergency Project
- Quick Disapproval [CEQA Guidelines, 14 Cal. Code of Regs. 15270]
- No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

Supporting Reasons: In accordance with the California Environmental Quality Act Guidelines and Section 15315 of the California Code of Regulations, projects involving *"the division of property in urbanized areas zoned for residential, commercial, industrial use into four or fewer parcels"* may be found to be exempt from the requirements of CEQA. The proposed project is exempt because it is in an urbanized area zoned for residential use, the division results in two lots, and the resulting parcels comply with the City of Oxnard's 2020 General Plan and the applicable Garden Apartment (R3) zone district as they relate to area, density, and width requires. In addition, the subject parcel have all existing City services are directly accessible to City streets. Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment.

(Date)

Susan L. Martin, AICP
Planning Division Manager

**Attachment D:
Resolution**

RESOLUTION NO. 2008 – (PZ NO. 07-300-22)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 07-300-22 (PARCEL MAP WAIVER), FOR PROPERTY LOCATED AT 1228 AND 1232 SOUTH C STREET (APN 203-0-080-310), SUBJECT TO CERTAIN CONDITIONS. FILED BY MR. ALEJO BARRAGAN, 435 PERCEY STREET, OXNARD, CA 93033.

WHEREAS, the Planning Commission of the City of Oxnard has considered the parcel map waiver (Planning and Zoning Permit No. 07-300-22), filed by Mr. Alejo Barragan in accordance with Chapter 15 of the Oxnard City Code; and

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

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

WHEREAS, the Planning Commission finds that the proposed division of land qualifies for a parcel map waiver as it complies with requirements established by the Subdivision Map Act and Chapter 15 of the Oxnard City Code, including but not limited to requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability and environmental protection; and

WHEREAS, Section 15301(k) 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 or visit in this subdivision in particular.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby approves of the parcel map waiver and authorizes the Planning Director to review and sign the Certificate of Approval for Parcel Map Waiver, subject to the following conditions:

**STANDARD CONDITIONS OF APPROVAL
FOR LAND USE PERMITS**

~~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			
	City Attorney	PL	Planning Division
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic Division
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Public Works, Landscape Design	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*).

PLANNING DIVISION SPECIAL CONDITIONS

2. An approved parcel map waiver 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)
3. Subdivider shall submit to Planning staff the exhibits required for the Certificate of Approval of Parcel Map Waiver, Planning staff shall prepare the Certificate of Approval for Parcel Map Waiver, and Subdivider shall record the Certificate of Approval for Parcel Map Waiver with the Ventura County Recorder. (PL)
4. Prior to recordation of Parcel Map Waiver, Developer shall construct a two-car garage for each single-family dwelling or demolish the existing single-family dwellings. (DS)

DEVELOPMENT SERVICE SPECIAL CONDITIONS

5. Prior to recordation of Parcel Map Waiver, Developer shall provide proof of demolition of structure (existing garage) crossing proposed lot line. (DS)

6. Prior to recordation of Parcel Map Waiver, Developer shall provide proof that each lot (unit) is served by a separate water meter. Developer shall pay all fees associated with installation of new water meter, if required. (DS)
7. Prior to recordation of Parcel Map Waiver, Developer shall provide proof of proposed concurrent recordation of a shared driveway agreement or provide a driveway design that provides a minimum 12 foot wide driveway on each lot. Alternative non-shared driveway configurations may be approved by the Development Services Manager if it is determined that the design provides safe and convenient access. (DS)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 21st day of February, 2008, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

Michael Sanchez, Chairman

ATTEST: _____
Susan L. Martin, Secretary