*Planning Division*

# PLANNING COMMISSION STAFF REPORT

**TO:** Planning Commission

**FROM:** Justin Beranich, Assistant Planner

**DATE:** June 5, 2008

**SUBJECT:** Planning and Zoning Permit No. 08-300-2 (Tentative Parcel Map for Tract No. 5747), located at 2801 East Channel Islands Boulevard.

1) **Recommendation:** That the Planning Commission adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 08-300-2 (Tentative Parcel Map for Tract No. 5747), subject to certain findings and conditions.

2) **Project Description and Applicant:** The requested tentative parcel map would subdivide an 84.47 acre lot into a 1.95 acre lot within city limits and an 82.54 acre lot in the unincorporated county. No development is proposed. The County approved the subdivision on December 18, 2007. The city portion of the subject site is located at 2801 Channel Islands Boulevard (APN 220-0-030-045) within the Lemonwood Eastmont Neighborhood. Filed by Tim White, 750 W. Gonzales Rd. Oxnard, CA 93036.

3) **Existing & Surrounding Land Uses:** The entire parcel is used for agriculture purposes.

| LOCATION | ZONING | GENERAL PLAN | EXISTING LAND USE |
|---|---|---|---|
| Project Site | Single Family Residential (R1) | Miscellaneous Agriculture–Planning Reserve (MAPR) | Vacant |
| North | Ventura County | Ventura County | Agriculture |
| South | Single Family Residential (R1) | Residential Low (RL) | Single family residences |
| East | Ventura County | Ventura County | Agriculture |
| West | Commercial Planned Development (CPD) | Commercial Convenience (CCON) | Neighborhood shopping center |

**4) Background Information:** No prior planning permits have been approved for this site.

**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. The project involves subdividing four or fewer parcels, does not require a variance, has not been subdivided from a larger parcel within the previous two years and does not have an average slope of more than 20 degrees. In addition, all services and access to local standards are available to the parcel within the city. The County has already approved the subdivision and reviewed environmental impacts from their perspective and within their jurisdiction. 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:*** The Subdivision Map Act requires a division of land that overlaps two jurisdictions be approved by both jurisdictions. The County of Ventura has tentatively approved the map. The parcel map will not be effective until both the city and county final maps are recorded simultaneously.

b) ***Conformance with Zoning Development Standards:*** The proposed map is located in the Single Family Residential (R1) zone district. In accordance with the City Code, the proposed division may be permitted with an approved tentative parcel map. Any future development of the site would be subject to City Code and environmental review.

| DEVELOPMENT STANDARDS FOR **R1** ZONE | | | |
|---|---|---|---|
| **DEVELOPMENT STANDARD** | **REQUIREMENT** | **PROPOSED** | **COMPLIES?** |
| Minimum Lot Area | 6,000 sq/ft | 85,048 sq/ft | YES |
| Minimum Lot Frontage | 50 feet | 414.87 feet | YES |
| Minimum Lot Width | 60 feet | 414.87 feet | YES |
| Minimum Lot Depth | 100 feet | 205 feet | YES |

c) ***General Plan Policies:*** Table V-11 of the General Plan, Land Use Designation and Zoning Correlation does not have a corresponding zone designation for Miscellaneous Agriculture –Planning Reserve, which permits "a maximum of one dwelling unit per minimum 40 acre parcel." The Planning Reserve Overlay land use designation "has been placed over certain open space areas of the City to indicate that they may be considered

for urbanization during the term of the 2020 General Plan and may be evaluated during the next comprehensive general plan review." Given that there is no corresponding zone designation and residential use is permitted in the 2020 General Plan Agriculture land use designation, the 2020 General Plan land use designation and zoning may be found consistent by interpretation. In the 2020 General Plan Update, this city parcel is being considered for change to commercial use.

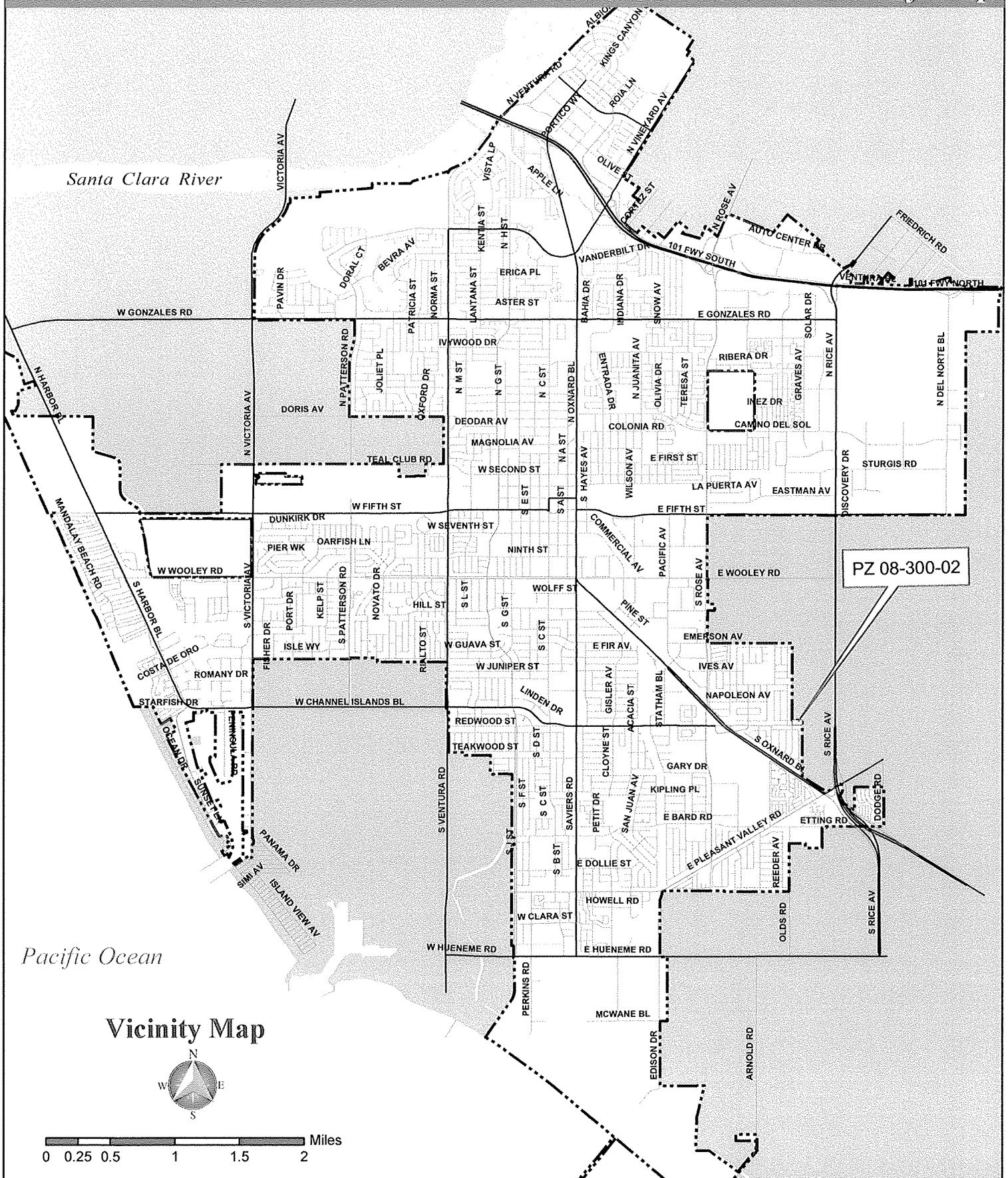
**Attachments:**

A. Maps (Vicinity, General Plan, Zoning)
B. Reduced Project Plans
C. Notice of Exemption
D. Resolution

Prepared by: JB

Approved by: SM

# Vicinity Map




Oxnard Planning
*May 12, 2008*

PZ 08-300-02
Location: 1801 Channel Islands Bl
APN: 220003004
CHIS Association of Oxnard

# General Plan Map

Oxnard Planning
*May 12, 2008*

PZ 08-300-02
Location: 1801 Channel Islands Bl
APN: 220003004
CHIS Association of Oxnard

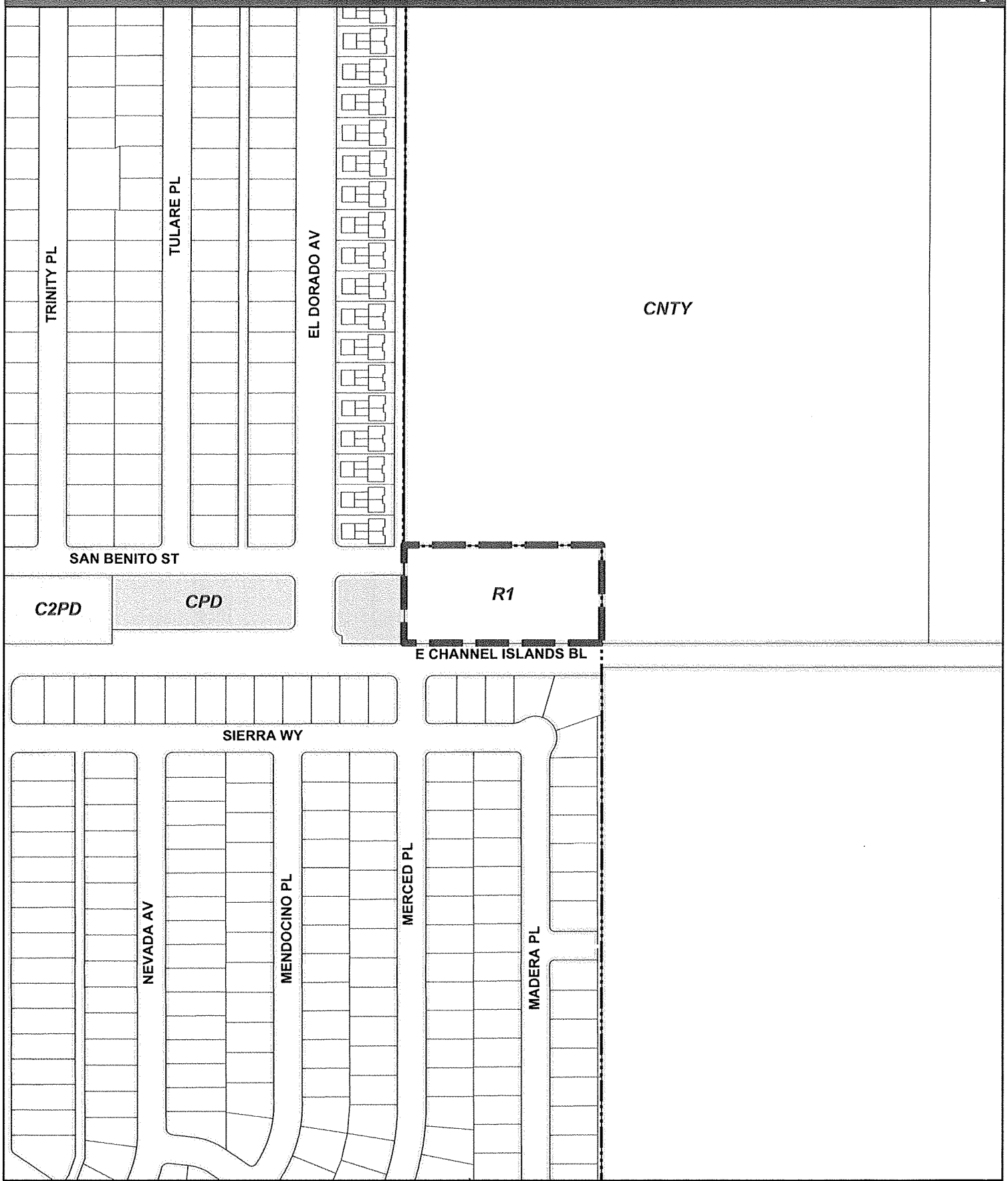
0 50 100 200 300 400 Feet

**General Plan Map**

N W E S

1:3,205

# Zone Map




Oxnard Planning
*May 12, 2008*

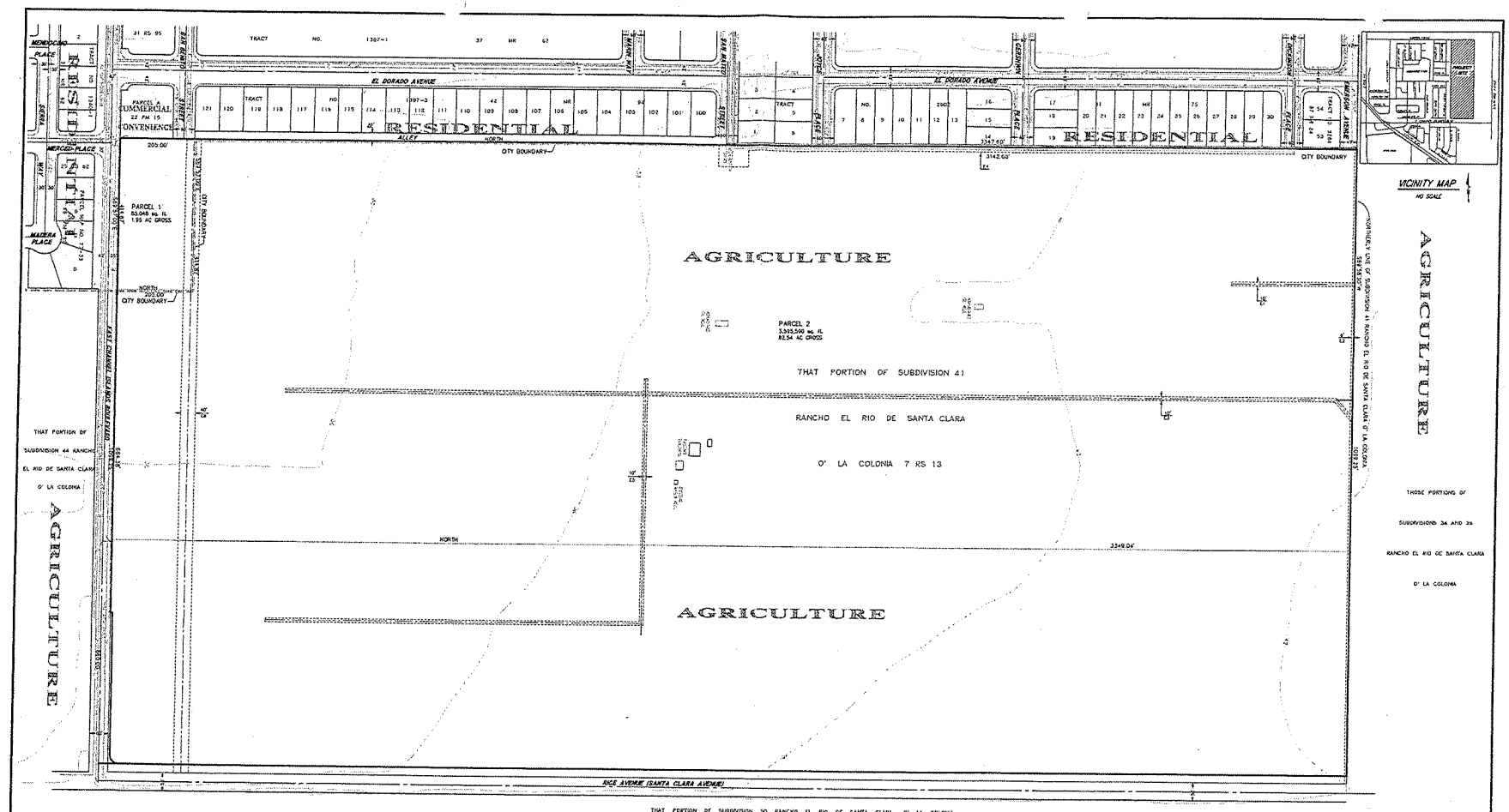
PZ 08-300-02
Location: 1801 Channel Islands Bl
APN: 220003004
CHIS Association of Oxnard

0 50 100 200 300 400 Feet

**Zone Map**

N W E S

1:3,228




## LAND USE DATA

**PROJECT LOCATION**

NORTHEAST CORNER OF MERCED PLACE AND CHANNEL ISLANDS BOULEVARD
OXNARD, CA 93033

**SITE DATA**

PARCEL 1
CURRENT ZONING: R-1
JURISDICTION: CITY OF OXNARD
GENERAL PLANNING DESIGNATION: MISCELLANEOUS AGRICULTURE/AGRICULTURE RESERVE
A.P.N.: 220-0-030-045
GROSS AREA = 1.95 ACRES
EXISTING USE: AGRICULTURE
PROPOSED USE: RESIDENTIAL

PARCEL 2
CURRENT ZONING: AE-40 AC
JURISDICTION: COUNTY OF VENTURA
GENERAL PLANNING DESIGNATION: AGRICULTURE
A.P.N.: 220-0-030-025
GROSS AREA = 82.54 ACRES
GROSS TOTAL AREA = 84.49 ACRES
EXISTING USE: AGRICULTURE
PROPOSED USE: AGRICULTURE

## GENERAL NOTES

1. THIS TENTATIVE TRACT MAP WAS PREPARED USING THE DEED RECORDED SEPTEMBER 20, 1984, AS INSTRUMENT NUMBER 108394. TOPOGRAPHIC FEATURES PREPARED USING VENTURA COUNTY FLOOD CONTROL DISTRICT MAPS NUMBERS 244-1650-2 AND 248-1650-2. ADDITIONAL ITEMS ARE SHOWN FROM RECORD MAPS.

## EASEMENTS

E1 10' WIDE UTILITY EASEMENT TO SOUTHERN CALIFORNIA EDISON PER 1006 OR 478

E2 4' WIDE UTILITY EASEMENT TO SOUTHERN CALIFORNIA EDISON PER 1006 OR 479

E3 10' WIDE UTILITY EASEMENT TO SOUTHERN CALIFORNIA EDISON PER 1340 OR 223 (APPROXIMATE LOCATION AS DISCLOSED PER RECORD)

E4 STORM DRAIN EASEMENT TO THE CITY OF OXNARD PER 5382 OR 756

E5 10' WIDE PUBLIC UTILITY EASEMENT TO SOUTHERN CALIFORNIA EDISON PER 1350 OR 382

E6 40' WIDE DRAINAGE EASEMENT TO OXNARD DRAINAGE DISTRICT NO. 3 PER 576 OR 461

## LEGEND

| | |
|---|---|
| ——— 6 ——— | GAS MAIN (SIZE AS NOTED) |
| ——— 7 ——— | SEWER MAIN (SIZE AS NOTED) |
| ——— 4 ——— | WATER MAIN (SIZE AS NOTED) |
| (21.4) | SEWER MH |

## BENCHMARK:

BENCHMARK 7-71-RM-1 VENTURA COUNTY BRONZE DISK STAMPED "7-71 RM-1" IN CONCRETE CORE EL. 42.655', NGV DATUM OF 1929. FROM THE INTERSECTION OF RICE AVENUE AND CHANNEL ISLANDS BOULEVARD, NORTH 0.65 MILE AND EAST 53.0'.

100' 50' 0' 100' 200'
GRAPHIC SCALE: 1"=100'


SUBDIVIDER/OWNER:
CHANNEL ISLANDS ASSOCIATES
P.O. BOX 6045
OXNARD, CA 93031-6045

ENGINEER:
JENSEN DESIGN & SURVEY, INC
www.jdsurvey.com
1672 DONLON STREET
VENTURA, CALIF. 93003
PHONE 805/654-6977
FAX 805/654-6979


# TENTATIVE PARCEL MAP NO.5747

SD06-0037

CHANNEL ISLANDS ASSOCIATES

CITY OF OXNARD — STATE OF CALIFORNIA

THAT PORTION OF SUBDIVISION 41, RANCHO EL RIO DE SANTA CLARA O' LA COLONIA, PARTIALLY IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER PARTITION MAP FILED IN THE OFFICE OF THE COUNTY CLERK OF SAID COUNTY.

SCALE: 1"=100' | JN: PLA4023
DATE: Jan 22, 2008 | DWG NAME: 4023/M02 CITY.dwg

SHEET 1 OF 1

# NOTICE OF EXEMPTION

***Project Description:***

PLANNING & ZONING PERMIT NO. 08-300-2 (Tentative Parcel Map), the requested tentative parcel map would subdivide an 84.47 acre lot into a 1.95 acre lot within city limits and an 82.54 acre lot in the unincorporated county. No development is proposed. The County approved the subdivision on December 18, 2007. The city portion of the subject site is located at 2801 Channel Islands Boulevard (APN 220-0-030-045) within the Lemonwood Eastmont Neighborhood. Filed by Tim White, 750 W. Gonzales Rd. Oxnard, CA 93036.

***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 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. The project involves subdividing four or fewer parcels and is consistent with the 2020 General Plan and land use designation. 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<br>Planning Division Manager |

RESOLUTION NO. 2008 –

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING APPROVAL OF A TENTATIVE PARCEL MAP OF TRACT NO. 5747 (PLANNING AND ZONING PERMIT NO. 08-300-2), FOR PROPERTY LOCATED AT 2801 EAST CHANNEL ISLANDS BOULEVARD (APN: 220-0-030-045), SUBJECT TO CERTAIN CONDITIONS. FILED BY TIM WHITE, 750 WEST GONZALES ROAD, OXNARD, CA 93036.

WHEREAS, the Planning Commission of the City of Oxnard has considered the tentative parcel map of Tract No. 5747 (Planning and Zoning Permit No. 08-300-02) for condominium purposes, filed by Tim White 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 map conforms to the City's General Plan and elements thereof; and

WHEREAS, Section 15332 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:

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 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. Developer shall record with the Ventura County Recorder a "Notice of Land Use Restrictions and Conditions" in a form acceptable to the City Attorney. Before the City issues building permits or allows Developer to occupy the project, Developer shall submit a copy of the recorded document to the Planning Division Manager. (PL, *G-8*)

2. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, *G-11*)

3. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, *G-14*)

**PLANNING DIVISION SPECIAL CONDITIONS**

4. An approved tentative 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)

**DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS**

5. Developer shall pay plan check and processing fees in effect at the time of construction plan submittal and shall pay development fees, encroachment permit fees, and other applicable fees in effect at the time the City issues building permits. (DS-1)

6. Developer shall have the site improvement plans prepared on standard Development Services Division mylars by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and the original ink-on-mylar plans filed with the Development Services Division. (DS-3)

7. Developer shall enter into an agreement, approved as to form by the City Attorney, to install and construct all public improvements required by this permit and by the City Code and shall post security satisfactory to the Finance Director, guaranteeing the installation and construction of all required improvements within the time period specified in the agreement or any approved time extension. (DS-14)

8. A civil engineer licensed in the State of California shall prepare the public improvement plans and documents for this project in accordance with City standards and shall submit all such plans to the City Engineer. Such plans and documents shall include, but not be limited to, grading, street, drainage, sewer, water and other appurtenant improvement plans; a master utility plan showing the layout and location of all on-site and off-site utility improvements that serve the project; construction cost estimates, soils reports, and all pertinent engineering design

calculations. City will not accept an application for the final map or parcel map for the project or issue a grading, site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)

9. Developer shall process permanent master planned improvements that are eligible for reimbursement in accordance with City policies, resolutions, and ordinances in effect at the time of recordation of the final map or parcel map or if there is no such map, then at the time of public improvement plan approval. (DS-17)

10. 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)

11. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)

12. The conditions of this resolution shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, that may or may not be shown on the improvement plans. (DS-21)

13. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)

14. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)

15. Prior to beginning construction, Developer shall designate in writing an authorized agent who shall have complete authority to represent and to act for Developer. The authorized agent shall be present at the work site whenever work is in progress. Developer or the authorized agent shall make arrangements acceptable to City for any emergency work. When City gives orders to the authorized agent to do work required for the convenience and safety of the general public because of inclement weather or any other cause, and the orders are not immediately acted

upon by the authorized agent, City may do or have such work done by others at Developer's expense. (DS-24)

16. 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)

17. "Standard Specifications for Public Works Construction," latest edition, and any modifications thereto by City, and City of Oxnard Standard Land Development Specifications and all applicable City Standard Plans, shall be the project specifications, except as noted otherwise on the approved improvement plans. City reserves the right to upgrade, add to, or revise these specifications and plans and all other City ordinances, policies, and standards. If the improvements required of this project are not completed within 12 months from the date of City's approval of the improvement plans, Developer shall comply with and conform to any and all upgraded, additional or revised specifications, plans, ordinances, policies and standards. (DS-27)

18. Developer shall retain a Civil Engineer licensed in the State of California to ensure that the construction work conforms to the approved improvement plans and specifications and to provide certified "as-built" plans after project completion. Developer's submittal of the certified "as-built" plans is a condition of City's final acceptance of the project. (DS-29)

19. All grading shall conform to City's grading ordinance and any recommendations of Developer's soils engineer that have been approved by the City Engineer. Developer shall conform to all applicable notes specified on the site improvement/grading plan cover sheet and grading permit. (DS-30)

20. Storm drain, sewer and water facilities shall conform to applicable City Master Plans. Developer shall prepare plans for these facilities in accordance with City's engineering design criteria in effect at the time of improvement plan submittal. Developer shall submit plans with pertinent engineering analyses and design calculations for review and approval by the City Engineer prior to issuance of a site improvement permit. (DS-34)

21. Prior to issuance of a site improvement permit, Developer shall provide to the City Engineer easements or written consents from all affected landowners for any diversion of historical flows or change in drainage conditions caused by the project, as evidence that such landowners accept any additional water flowing over their property. (DS-36)

22. Developer shall dispose of sewage and solid waste from the project by City's wastewater and solid waste systems in a manner approved by the City Engineer. (DS-38)

23. By title sheet dedication at the time of filing the parcel map, Developer shall dedicate all water rights for the project property to City. (DS-39)

24. Developer shall install water mains, fire hydrants and water services in conformance with City Standard Plans and specifications as directed by the City Engineer. (DS-41)

25. Prior to issuance of building permits, Developer shall present to the City Engineer a "Proof of Payment - Authorization for Building Permits" form issued by the Calleguas Municipal Water District. (DS-44)

26. Developer shall construct all street and road improvements in conformance with the City Code, the City's 2020 General Plan, and any applicable specific plan. (DS-48)

27. Street and road improvements shall conform to City standards and policies. Improvements shall include upgrading of existing pavement along the project frontage to City standards by removing and replacing or overlaying, as directed by the City Engineer. (DS-51)

28. Developer shall improve all streets, alleys, sidewalks, curbs, and gutters adjacent to the project in accordance with City standards, as necessary to provide safe vertical and horizontal transitions. (DS-52)

29. Developer shall provide soils reports, "R" value tests, and compaction tests for all streets. Determination of the actual structural sections shall be based on City's design procedure, applying the appropriate traffic index specified in City standards. (DS-53)

30. Developer shall install all water, gas, sewer, storm drain, electrical, cable television, and telephone lines before any paving is placed. (DS-54)

31. Developer shall protect the stub ends of all streets planned for future continuation with warning barricades, redwood headers, berms, signs and/or reflectors as directed by the City Engineer. (DS-55)

32. Prior to release of the final map or parcel map for recordation, Developer shall post a bond or other security satisfactory to the City Attorney, guaranteeing that all monuments will be set as required by the Government Code and the City Code. (DS-57)

**DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS**

33. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of the final parcel map, address map, and civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-101)

34. Developer shall provide an irrevocable offer of dedication of sufficient right-of-way (approximately 30 feet) along Channel Islands Boulevard to result in a right-of-way width of 97 feet. Dedication shall not be accepted by the City until a future date. (DS)

35. Developer shall improve Channel Islands Boulevard to a curb-to-curb width of 80 feet. Improvements shall include a raised 16 foot wide median with landscaping, curbs, gutters, utilities and sidewalks. Implementation of this condition may be deferred until a permit or other grant of approval for development of parcel 1 is issued by the City. Deferral of improvements shall be noticed on the parcel map in accordance with Government Code Section 66411.1. (DS)

36. In accordance with City Ordinance, Developer shall place overhead utility lines on or adjacent (within Channel Islands right-of-way) to the property underground. Implementation of this condition may be deferred until a permit or other grant of approval for development of parcel 1 is issued by the City. Deferral of improvements shall be noticed on the parcel map in accordance with Government Code Section 66411.1. (DS)

37. Developer shall construct a cul-de-sac or other vehicular turn-around area acceptable to the Development Services Manager at the easterly end of San Benito Street and dedicate sufficient right-of-way to encompass proposed cul-de-sac. Implementation of this condition, including right-of-way dedication, may be deferred until a permit or other grant of approval for development of parcel 1 is issued by the City. Deferral of improvements shall be noticed on the parcel map in accordance with Government Code Section 66411.1. (DS)

38. Upon issuance of a permit or other grant of approval for development of parcel 1, Developer shall remove (or if still necessary, relocate) all Drainage District improvements within parcel 1. (DS)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 5th day of June, 2008, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

_____
Michael Sanchez, Chairman

ATTEST: _____
Susan L. Martin, Secretary