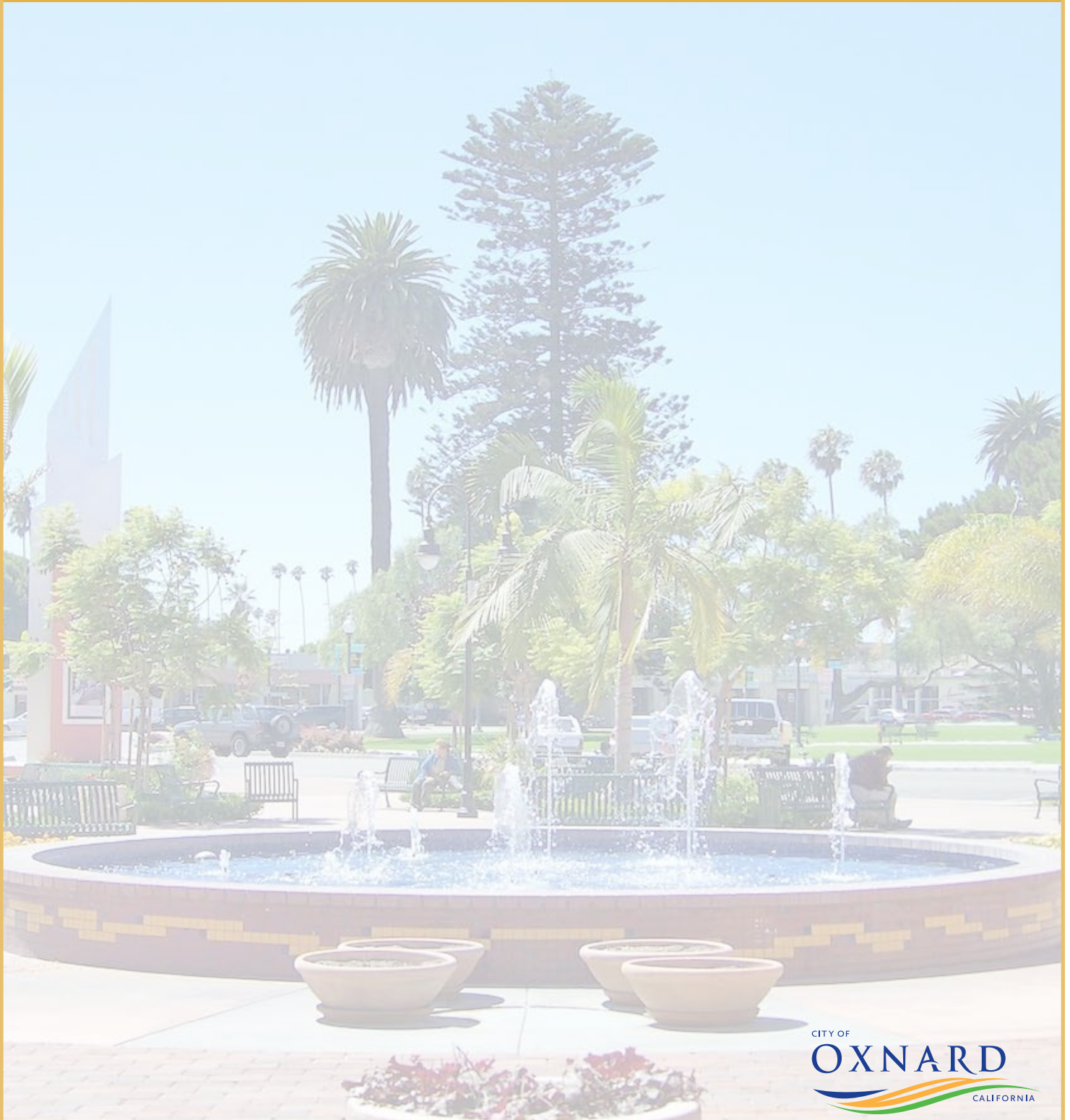


Staff Report

PZ 20-625-01

PLAN





**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Joe Pearson II, Senior Planner

DATE: April 15, 2021

SUBJECT: **Project Name: DMV Oxnard Field Office Easement Vacation General Plan Conformity;** Planning and Zoning Permit No. PZ 20-625-01 (General Plan Conformity Determination) - Request for 2030 General Plan Conformity Determination for Vacation of Real Property Located at 4050 South Saviers Road (Assessor's Parcel Number 219-0-110-355 and 219-0-110-405).

- 1) **Recommendation:** That the Planning Commission:
 - a) Find the project Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) and Section 15378(b)(5); and
 - b) Adopt Resolution 2021-XX affirming that the City of Oxnard's proposed vacation of easements located at 4050 South Saviers Road is in conformance with the City of Oxnard 2030 General Plan and recommending that the City Council order the vacation.
- 2) **Project Description and Applicant:** At the request of the State of California ("Applicant"), the City of Oxnard ("City") is considering vacation of easements located at 4050 South Saviers Road. The easements to be vacated consist of two forty (40) foot wide drainage easements, totaling approximately 24,600 square feet, crossing the two parcels. For purposes of this Staff Report, the foregoing project description shall be referred to as the "**Project**". Filed by Alfredo Palomar, on behalf of the State of California, 707 Third Street, West Sacramento, CA 95605, on behalf of the property owner which is the State of California-General Services Department.
- 3) **Existing & Surrounding Land Uses:** The subject site currently consists of two parcels totalling approximately 3-acres and contains a 12,153 square-foot California Department of Motor Vehicles DMV office, and associated parking and landscaping located at 4050 South Saviers Road. The Zoning and General Plan land use designations, and existing land uses are as follows (see Attachment A):

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial General (CG)	General Commercial (C-2-PD)	DMV Office
North	Commercial General (CG)	Mobile Home Park - (MH-PD)	Residential
South	Commercial General (CG)	General Commercial (C-2-PD)	Commercial/ Residential
East	Mobile Home Park (MHP)	Mobile Home Park - (MH-PD)	Residential
West	Commercial General (CG)	General Commercial (C-2-PD)	Shopping Center

- 4) **Background Information:** On October 26, 2020, the City received an application from the State of California Department of General Services requesting that the City of Oxnard vacate two drainage easement.

The two parcels are currently developed with a 12,153 square foot DMV office, and associated parking area, and landscaping . The two easements, as shown in Attachment B and C, were initially granted to the Oxnard Drainage District No. 3 on July 24, 1940, for the purpose of drainage tile line, pipe, conduit and other works necessary to facilitate drainage. On October 23, 1984, the County of Ventura and the City of Oxnard approved a Resolution ordering the dissolution of Oxnard Drainage District No. 3 (Attachment D). Pursuant to the Resolution, the City of Oxnard was designated the successor agency, which transferred the easements and all the rights incidental thereto to the City of Oxnard.

- 5) **Environmental Determination:** Pursuant to California Environmental Quality Act (Public Resources Code Sections 21000 et seq., “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations Sections 15000 et seq., the “CEQA Guidelines”), the proposed General Plan Conformity Determination does not constitute a “project” for the purposes of CEQA because the determination will not result in direct or indirect physical changes in the environment and there is no possibility it will have a significant effect on the environment (CEQA Guidelines Section 15061(b)(3) and Section 15378(b)(5).), and staff recommends that the Planning Commission accept the Notice of Exemption (Attachment E), attached to the staff report. The proposed determination simply fulfills the City’s obligation under Government Code Section 65402 to find disposal of any real property in conformance with the City’s General Plan. Any subsequent improvement to the property will be separately examined in accordance with CEQA.

6) Analysis:

- a) **Government Code:** California Government Code Section 65402(a) requires that a Finding of General Plan Conformity be made by the Planning Commission and reported to the City Council prior to any acquisition, disposition, vacation, or abandonment of any real City property by the City. Specifically, the Planning Commission is to determine as to whether the location, purpose, and extent of such proposed real property transaction is in conformance with the 2030 General Plan.
- b) **General Plan Consistency:** The City's 2030 General Plan land use designation for 4050 South Saviers Road is Commercial General (CG) and the zoning designation is General Commercial Planned Development (C-2-PD), which allows for the existing DMV office. The proposed vacation of these easements would conform to the City's 2030 General Plan land use designation because it would allow an existing office use to continue to be used as an office, in compliance with Section 3.5 - Land Use Designation and Standards of the 2030 General Plan. Any future land use changes would be subject to compliance with applicable uses allowed under the Oxnard City Code, which is consistent with the 2030 General Plan. The State is not currently proposing to make any modifications to the site.

As previously noted above, the drainage easements were created in the 1940's. Since that time, the property site and surrounding area have been developed with various residential and commercial uses, and infrastructure improvements. The drainage easements were created prior to the development of the site, and the purpose of the Drainage District and easements at that time were "to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction of works for the drainage of the lands embraced within such districts...". As this area has been developed over the intervening years, modern drainage systems have been installed within the Public Right-of-Way, and as a result these drainage easements are no longer needed to provide adequate drainage as required pursuant to the 2030 General Plan policies, such as ICS-13.2 which requires the provision of adequate storm drain facilities. Lastly, the proposal for the vacation of these easements were reviewed by the Public Works staff and the easements were found to no longer be needed.

7) Summary and Conclusion:

The vacation of the drainage easements located at 4050 South Saviers Road to remove an unnecessary easement and to allow the continuation of the site being used as a DMV office is consistent with the City's 2030 General Plan. Therefore, after review of the proposed vacation of these easements, staff recommends that the Planning Commission adopt the attached Resolution memorializing the Planning Commission's determination that the proposed vacation conforms with the 2030 General Plan.

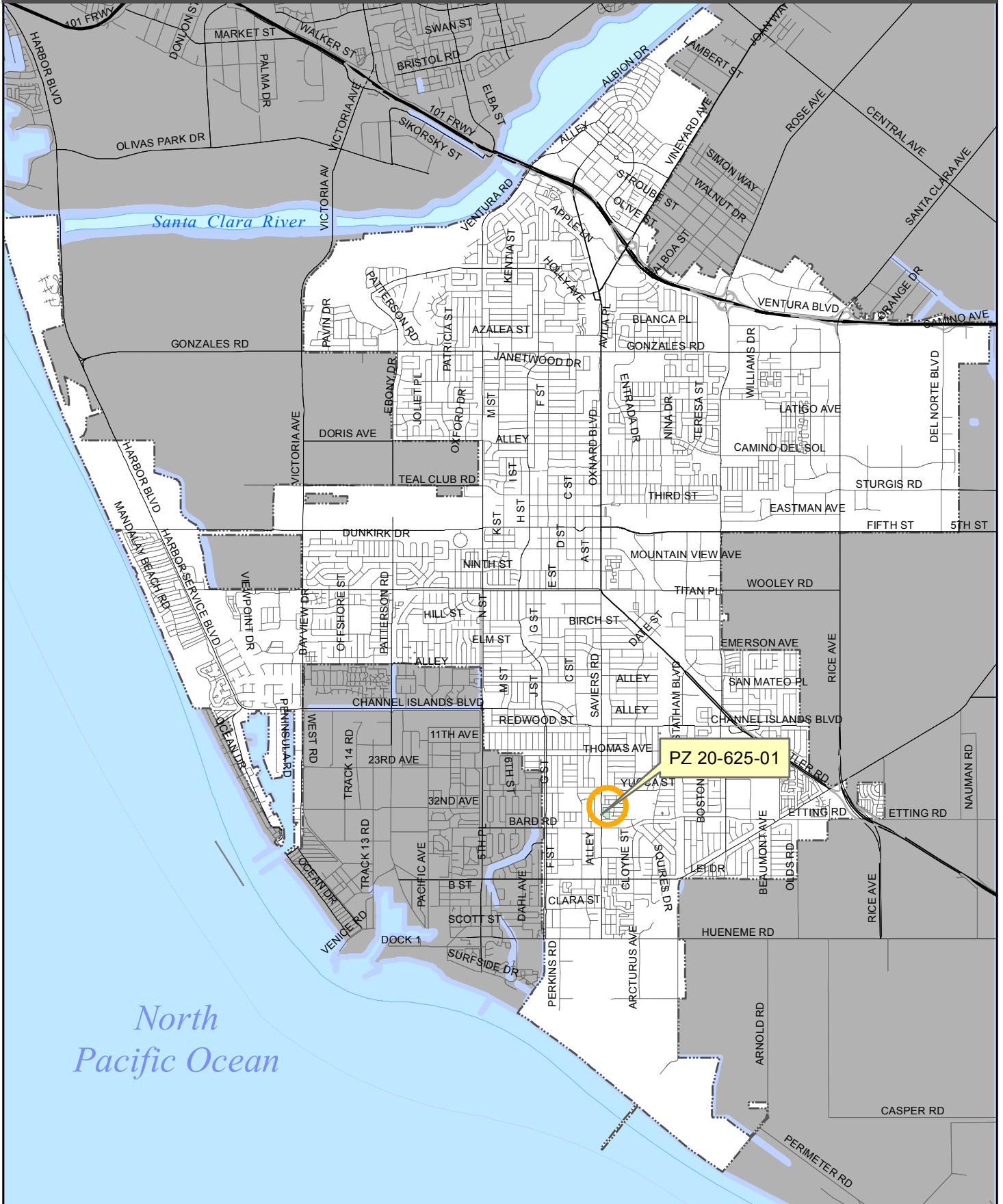
Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Drainage Easement Grant Deed
- C. Access and Utilities Map
- D. County of Ventura Resolution Ordering the Dissolution of Drainage District No. 3
- E. Notice of Exemption
- F. Draft Planning Commission Resolution
Exhibit 1. Map of Drainage Easements
- G. Presentation

ATTACHMENT A

**MAPS
(VICINITY, GENERAL PLAN, ZONING, AERIAL MAP)**

Vicinity Map



Zoning/Specific Plan Map



Oxnard Planning

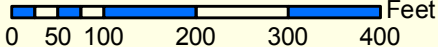
April 1, 2021

PZ 20-625-01

Location: 4050 Saviers Rd

APN: 2190110355, 2190110405

Saviers DMV General Plan Conformity

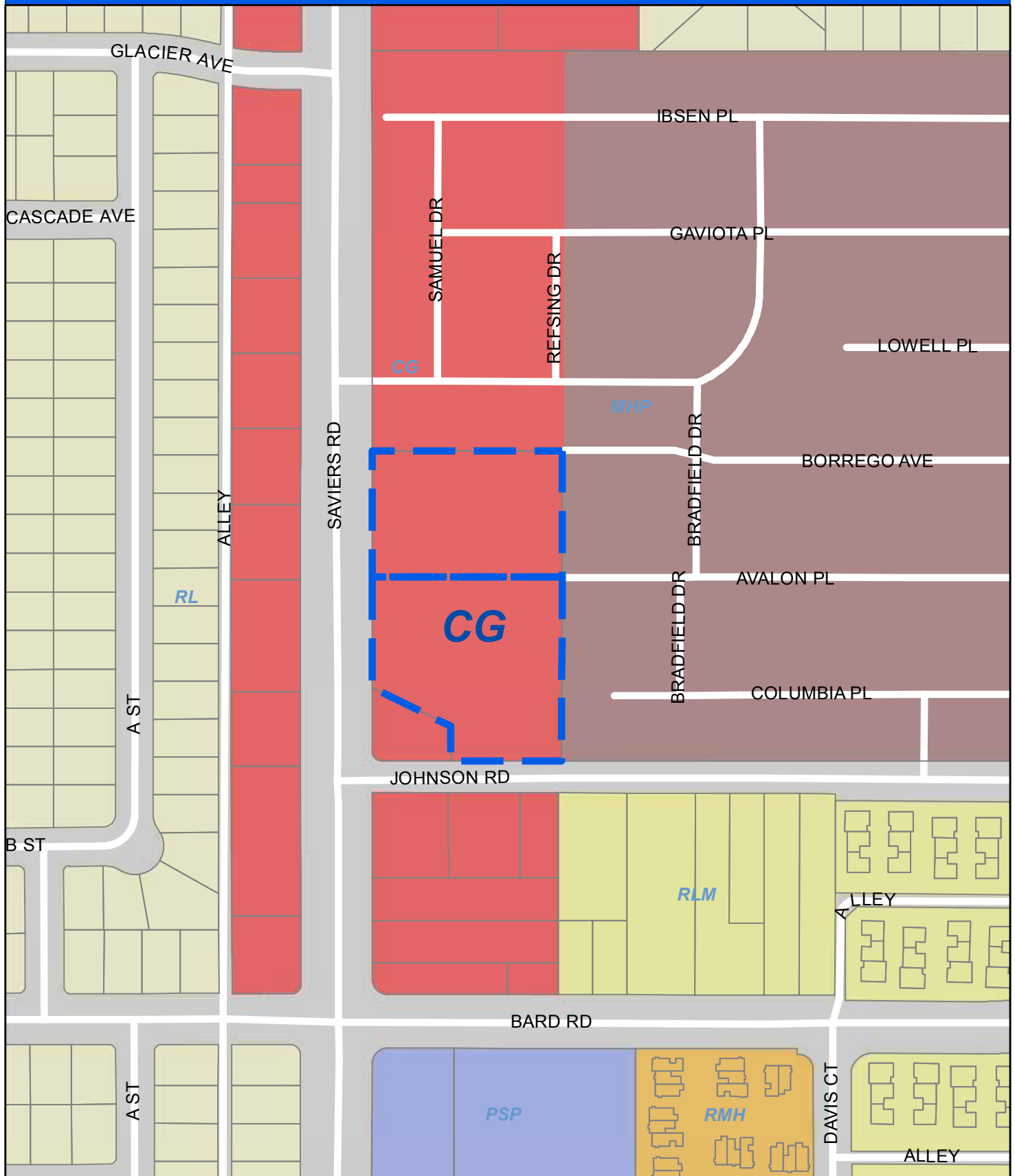


Zoning/Specific Plan Map



1:2,500

2030 General Plan Land Use Map



Oxnard Planning
April 5, 2021

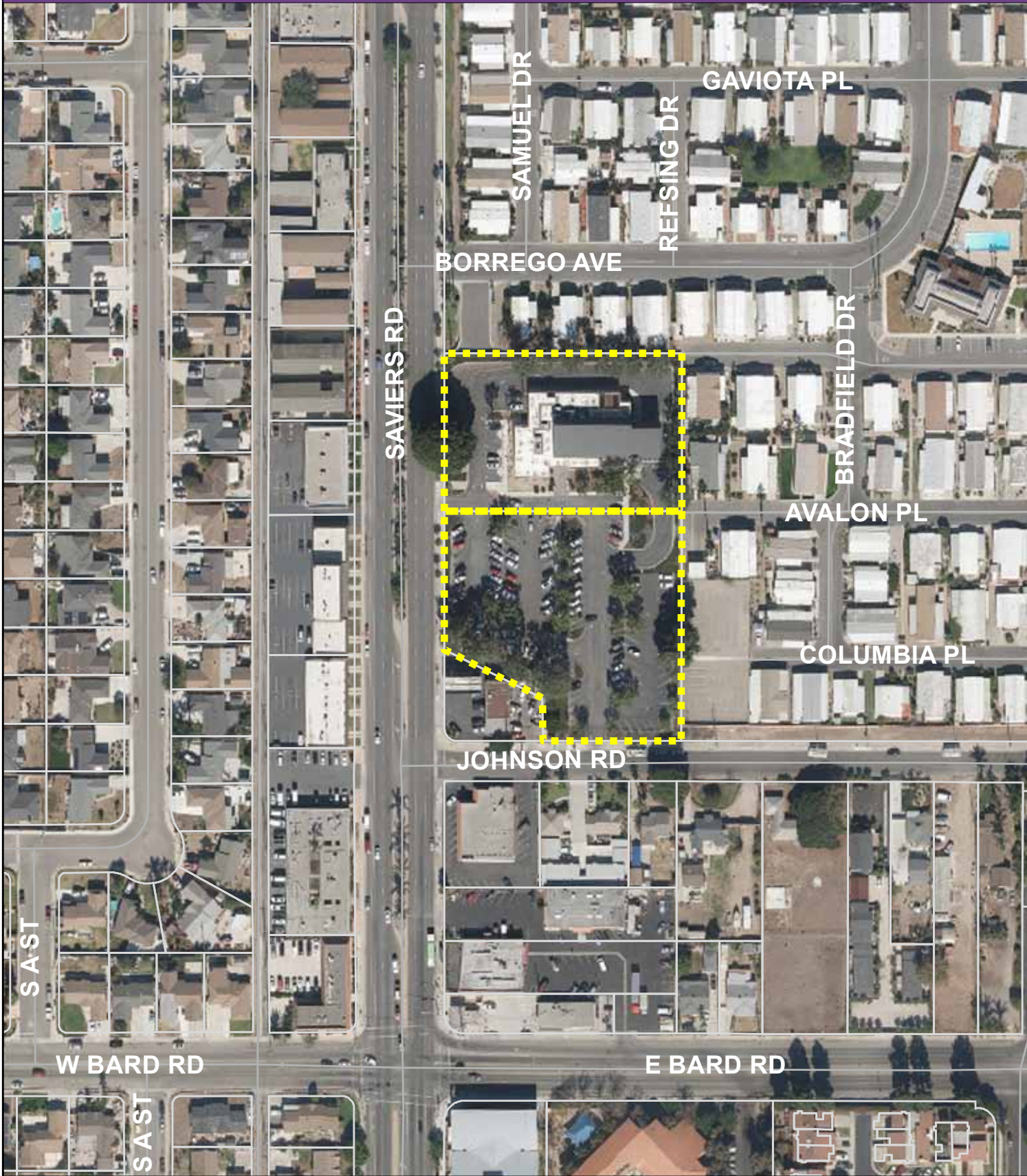
PZ 20-625-01
Location: 4050 Saviers Rd
APN: 2190110355, 2190110405
Saviers DMV General Plan Conformity

0 100 200 400 Feet

2030 General Plan Land Use Map



1:2,500



ATTACHMENT B

DRAINAGE EASEMENT GRANT DEED

THIS INDENTURE, Made and entered into this 28th day of February, 1939, by and between FRANK FRITSCHLE and MAUDE H. FRITSCHLE, husband and wife, of Ventura County, California, herein called parties of the first part, and OCKNARD DRAINAGE DISTRICT NO. 3, in the County of Ventura, State of California, a district organized under the provisions of an act of the legislature of the State of California, approved March 20, 1903, entitled, "An act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," as the title to said act was amended by an act of said legislature, approved March 23, 1935, to read as follows: "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, to provide for the acquisition or construction of works for the drainage of the lands embraced within such districts, and to provide for the borrowing or procuring of money from the United States or any agency thereof and entering into contracts, and for the issuance of bonds, warrants or other evidence of indebtedness for the re-payment thereof, and all acts and laws amendatory thereof, herein called the party of the second part or district,

W I T N E S S E T H

That, for a valuable consideration, the receipt whereof is hereby acknowledged, said parties of the first part do hereby grant unto said party of the second part, and to its successors and assigns for drainage purposes only, all those certain rights, privileges and easements particularly described as follows:

The perpetual right, privilege and easement to lay, install, construct, maintain and operate a drain tile line, pipe, conduit and other works necessary for the purpose of drainage in, through, across, on or over those three parcels of land, situate in the County of Ventura, State of California, hereinafter described as "Parcel A", "Parcel B" and "Parcel C" as follows:

PARCEL A:

A portion of Lot three (3) of Subdivision Forty-four (44) of Rancho El Rio de Santa Clara o' La Colonia, in said County, California, described as follows:

A parcel of land forty (40) feet wide, lying equally on each side of a line running parallel to and distant East 200 feet from the east line of Saviers Road, and extending, from the north line of Johnson Road, North 1,174 feet to a point.

PARCEL B:

A portion of said Lot Three (3) of said Subdivision Forty-four (44) described as follows:

A parcel of land forty (40) feet wide, lying equally on each side of a line running parallel to and distant North 200 feet from the North line of Johnson Road, and extending, from the east line of Saviers Road, East 2,200 feet to a point.

PARCEL C:

A portion of Subdivision Seventy-two (72) of said Rancho El Rio de Santa Clara o' La Colonia, described as follows:

A strip of land forty (40) feet wide, lying equally on each side of a line described as follows:

Beginning at a point on the north line of Etting Road, distant 600.00 feet easterly thereon from the prolongation northerly of the east line of Olds Road; and running, thence,

1st: North 25.00 feet; and thence,

2nd: West, parallel to the north line of Etting Road, 200.00 feet, more or less, to the land of H. S. Philbrook.

TO HAVE AND TO HOLD said rights, privileges and easements unto said party of the second part, its successors and assigns, forever.

IN WITNESS WHEREOF said parties of the first part have hereunto set their hands as of the day and year hereinabove first written.

FRANK FRITSCHLE
MAUDE H. FRITSCHLE

STATE OF CALIFORNIA) ss
County of Ventura)

On this 11th day of March, 1939, before me, the undersigned, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared FRANK FRITSCHLE and MAUDE H. FRITSCHLE, husband and wife, personally known to me to be the persons described in, and whose names are

subscribed to the within instrument and acknowledged to me that they executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, the day and year first above written.

(NOTARIAL SEAL)
(VENTURA CO.)

EMERSON TUCKER
NOTARY PUBLIC
in and for said County and State.

RESOLUTION

RESOLVED by the Board of Directors of Oxnard Drainage District No. 3, Ventura County, California, that the foregoing right of way deed, made by FRANK FRITSCHLE, et ux., and dated February 28, 1939, be, and the same hereby is, accepted by said District, and that the same be recorded in the office of the County Recorder of Ventura County, California.

STATE OF CALIFORNIA)
County of Ventura) ss

I, HENRY C. DOWNES, do hereby certify as follows:

That at all times mentioned in the foregoing resolution, and at all times since the organization of Oxnard Drainage District No. 3, Ventura County, California, I have been, and now am, the duly qualified and acting secretary of said District, and of the Board of Directors thereof;

That the foregoing is a full, true and correct copy of resolution which was adopted by the Board of Directors of said District at a special meeting held by said board duly called for, convened and held on Saturday, the 8th day of June, 1940; and,

That said resolution was adopted by the unanimous vote of all of the directors of said District, present at said meeting, and that the same has not been revoked or modified in any manner whatsoever, and the same now remains in full force and effect;

IN WITNESS WHEREOF, I have hereunto set my hand as Secretary of said District and of said Board of Directors, and have hereto affixed the seal of said District, this 12th day of June, 1940.

(SEAL OF OXNARD DRAINAGE)
(DISTRICT)

HENRY C. DOWNES
Secretary of OXNARD DRAINAGE DISTRICT NO. 3,
and of the Board of Directors thereof

RECORDED AT REQUEST OF OXNARD DRAINAGE DIST. NO. 3, JUL 24, 1940 at 5 Min. past 9 A.M.

NO: 5886

JOHN S. LOCKE.....Recorder

I.W.

Compared by E.P.

By Olivia Montano.....Sentry

-----000-----

	DISTRICT	COUNTY	ROUTE	No. 50 SECTION
SW'y side: Sta. 111+20 to 112+00	VII	VEN	2	A
approx.				

5-12-36

Written by WOH

Checked by HST

Compared by: WOH

GRANT DEED

I, EARNY JAMES THOMPSON, who acquired title as an unmarried man, in consideration of ONE and NO/100 Dollars to me in hand paid, receipt of which is hereby acknowledged, do hereby GRANT TO the STATE OF CALIFORNIA all that real property in the County of Ventura State of California, described as:

Those portions of Lots 7 and 8 in Block 27 of Thousand Oaks Tract, shown on map thereof recorded in Book 8 at pages 73 to 79 inclusive, of Miscellaneous Records (Maps) in the office of the Recorder of said Ventura County, described as a whole as follows:

ATTACHMENT C

ACCESS AND UTILITIES MAP

ATTACHMENT D

**COUNTY OF VENTURA RESOLUTION ORDERING THE DISSOLUTION OF
DRAINAGE DISTRICT No. 3**

10/31/84

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, OCTOBER 23, 1984, AT 8:30 O'CLOCK A. M.

402.3 ALL MEMBERS PRESENT
After holding public hearing and no persons appear to be heard,
upon motion of Supervisor Flynn, seconded by Supervisor Erickson,
and duly carried, the Board hereby approves the following matter:

county of ventura

CHIEF ADMINISTRATIVE OFFICE
Richard Wittenberg
Chief Administrative Officer

Robert C. Hirtensteiner
Assistant Chief Administrative Officer

October 23, 1984

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, California 93009

Dissolution of Oxnard Drainage District No. 3

RECOMMENDATION:

It is recommended the Board:

1. Hear and receive any oral or written protests, objections or evidence made, presented or filed;
2. After consideration of any oral or written testimony, adopt the resolution ordering the dissolution of Oxnard Drainage District No. 3 without election; and
3. Direct the Clerk of the Board to provide the Local Agency Formation Commission with two certified copies of the resolution.

DISCUSSION:

The Board of Supervisors on September 25, 1984, set a public hearing for this time and place to consider the proposed dissolution of Oxnard Drainage District No. 3. The dissolution was jointly initiated by the Board of Directors of the District and the City Council of the City of Oxnard.

Board of Supervisors
October 23, 1984
Page Two

Subsequently, the Local Agency Formation Commission found the dissolution to be categorically exempt under the State CEQA Guidelines, conditionally approved the dissolution and authorized the Board of Supervisors to proceed. Provided there is no majority protest filed, the dissolution may be completed pursuant to Government Code 56360 et seq. without an election.

The LAFCO staff report is attached for the Board's information, as is a letter from William D. Fairfield, the Secretary to the Board of Directors of the District.

If you have any questions regarding this item, please call me at extension 2681.



RICHARD WITTENBERG
Chief Administrative Officer

de

cc: City of Oxnard
Oxnard Drainage District No. 3
Local Agency Formation Commission

COPIES TO:

LAFCO (2)
City of Oxnard
Auditor *Appropriator*
Board of Equalization
Recorder
Oxnard Drainage Dist.
Files (2)
Item 5
10/23/84 fw

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, OCTOBER 23, 1984, AT 8:30 O'CLOCK A. M.

402.3

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF VENTURA ORDERING THE DISSOLUTION,
WITHOUT ELECTION, OF OXNARD DRAINAGE DISTRICT NO. 3

WHEREAS, the Board of Directors of the District and the City Council of the City of Oxnard in August 1984 jointly initiated proceedings to dissolve Oxnard Drainage District No. 3; and

WHEREAS, the Local Agency Formation Commission (LAFCO) on September 19, 1984 approved the proposed dissolution; and

WHEREAS, the Board of Supervisors on October 23, 1984 held a duly noticed public hearing as required by the District Reorganization Act, commencing at Government Code Section 56000; and

WHEREAS, at the hearing the Board heard and received all oral or written protests, objections or evidence which were presented or filed, including LAFCO Resolution 84-34 making determinations and the Executive Officer's staff report; and

WHEREAS, the Board of Supervisors finds the dissolution to be in the best interest of the landowners and inhabitants within the District to be dissolved and the total organization of local governmental agencies within Ventura County; and

WHEREAS, the Board of Directors of Oxnard Drainage District No. 3 has unanimously consented by resolution to the dissolution of the District;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:

(1) The proposal has been reviewed and found to be categorically exempt from the California Environmental Quality Act.

(2) Said dissolution is hereby ordered without election.

(3) The District is found to be inhabited and this proceeding is assigned the following designation:

DISSOLUTION OF OXNARD DRAINAGE DISTRICT NO. 3

(4) The dissolution is subject to the following terms and conditions:

- (a) The City of Oxnard shall be designated as the successor agency for the purpose of succeeding to all of the rights, duties and obligations of the District being dissolved.
- (b) All monetary assets and other interests of the District (including monies due but uncollected) shall be transferred to the successor agency.
- (c) The provisions of the joint Board of Supervisors/Oxnard City Council resolution shall govern the reallocation of property tax revenues for this dissolution proceeding.

ADOPTED ON October 23, 1984

ATTEST:

RICHARD D. DEAN, County Clerk
County of Ventura, State of
California, and ex-officio
Clerk of the Board of Super-
visors thereof.

By *Ray Hillard*
Deputy Clerk

COUNTY OF VENTURA

Lisa K. Lacey
Chair, Board of Supervisors

COPIES TO:

LAFCO (2)
City of Oxnard
Auditor
Board of Equalization
Recorder
Oxnard Drainage Dist.
Files (2)
Item 5
10/23/84 fw

ATTACHMENT E

NOTICE OF EXEMPTION

NOTICE OF EXEMPTION

Project Description: DMV Oxnard Field Office Easement Vacation General Plan Conformity; PZ No. 20-625-01 (General Plan Conformity Determination): The project request is General Plan Conformity Determination in accordance with Government Code Section 65402 associated with the vacation of real property located at 4050 South Saviers Road. The property to be vacated of consist of two forty (40) foot wide drainage easements crossing the two parcels. The subject site is located at 4050 South Saviers Road (Assessor's Parcel Number 219-0-110-355 and 219-0-110-405) within the Commercial General (CG) and the zoning designation is General Commercial Planned Development (C-2-PD). Filed by Alfredo Palomar, on behalf of the State of California., 707 Third Street, West Sacramento, CA 95605, on behalf of the property owner which is the State of California-General Services Department.

Finding: The Planning Division of the Community Development 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 [15378(b)(5)]
- ☐ 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: Pursuant to California Environmental Quality Act (Public Resources Code Sections 21000 et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations Sections 15000 et seq., the "CEQA Guidelines"), the proposed General Plan Conformity Determination does not constitute a "project" for the purposes of CEQA because the determination will not result in direct or indirect physical changes in the environment and there is no possibility it will have a significant effect on the environment (CEQA Guidelines Section 15061(b)(3) and Section 15378(b)(5).). The proposed determination simply fulfills the City's obligation under Government Code Section 65402 to find disposal of any real property in conformance with the General Plan. Any subsequent improvement to the property will be separately examined in accordance with CEQA. Therefore, the Planning Commission and City Council have determined that there is no substantial evidence that the project will have a significant effect on the environment, the project is exempt from the provisions of CEQA, and there is no requirement to prepare an environmental document.

(Date)

Scott Kolwitz
Planning and Environmental Services
Manager

ATTACHMENT F

**DRAFT
PLANNING COMMISSION RESOLUTION**

**PZ 20-625-01
(GENERAL PLAN CONFORMITY DETERMINATION)**

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD DETERMINING THAT THE CITY OF OXNARD'S PROPOSED VACATION OF EASEMENTS LOCATED AT 4050 SOUTH SAVIERS ROAD IS IN CONFORMANCE WITH THE OXNARD 2030 GENERAL PLAN PURSUANT TO SECTION 65402 OF THE GOVERNMENT CODE. FILED BY ALFREDO PALOMAR, ON BEHALF OF THE STATE OF CALIFORNIA., 707 THIRD STREET, WEST SACRAMENTO, CA 95605, ON BEHALF OF THE PROPERTY OWNER WHICH IS THE STATE OF CALIFORNIA-GENERAL SERVICES DEPARTMENT.

WHEREAS, The State of California General Services Department ("**Applicant**") submitted a request for the vacation of two drainage easements located at 4050 South Saviers Road (the "**Property**"), as shown in Exhibit 1 of this resolution, and incorporated by reference; and

WHEREAS, The City of Oxnard is the owner of record of these two easements; and

WHEREAS, The 2030 General Plan in a comprehensive, long term plan that guides land use and physical development of land within the City of Oxnard and provides policy direction regarding land uses that are intended to serve the community; and

WHEREAS, Whenever a public agency proposes to acquire, dispose, vacate or abandon any real property, California Government Code Section 65402 requires a report on conformity with the General Plan; and

WHEREAS, The subject property is designated Commercial General (CG) by the City's 2030 General Plan and is zoned General Commercial / Planned Development (C-2-PD); and

WHEREAS, The proposed vacation of these easements would conform to the City's 2030 General Plan land use designation because it is an existing office space/parking lot that will continue to be used as such. The applicant is not proposing to make any modifications to the site; and

WHEREAS, The vacation of these easements, as documented in the staff report, would be consistent General Plan policies regarding the use of the sites and would not adversely impact General Plan policies related to the provision of adequate drainage; and

WHEREAS, The vacation of these easements and the ultimate use of the parcel for office use is consistent with the land use designation on the subject site. Future use of the parcel will be required to comply with all City codes and regulations; and

WHEREAS, on April 15, 2021, the Planning Commission considered proposed vacation of real property located at 4050 South Saviers Road in light of the Oxnard 2030 General Plan and the requirements of Government Code section 65402.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD:

SECTION 1. The Planning Commission, in accordance with Section 21065 of the California Environmental Quality Act (CEQA), finds that its determination of whether the City's proposed vacation of these easements is consistent with the Oxnard 2030 General Plan is not a "Project" for purposes of CEQA and State CEQA Guidelines since the determination does not result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15061(b)(3) and Section 15378(b)(5)).

SECTION 2. Based on the findings set forth herein, and on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission hereby determines that the proposed City's vacation of the subject easements is in conformity with the Oxnard 2030 General Plan.

SECTION 3. The Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 15th day of April, 2021.

Deidre Frank, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held on the 15th day of April, 2021, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Scott Kolwitz,, Secretary

**ATTACHMENT
F**

EXHIBIT 1

MAP OF DRAINAGE EASEMENTS

SURVEYOR'S NOTES:

THIS SURVEY HAS BEEN PREPARED FOR DESIGN PURPOSES

1. BEFORE USING THIS MAP FOR DESIGN PURPOSES, ALL EASEMENT OF RECORD AND SETBACK LINES DEFINED IN COVENANTS, DEEDS, EASEMENTS, ETC., MUST BE OBTAINED FROM THE RECORDS OF THE COUNTY OF OXNARD, CALIFORNIA. IF ANY EASEMENT OF RECORD OR SETBACK LINE IS NOT SHOWN ON THIS MAP, THE SURVEYOR HAS NO KNOWLEDGE OF ITS EXISTENCE. THE SURVEYOR'S OFFICE WILL NOT BE RESPONSIBLE FOR ANY DAMAGE TO ANY EASEMENT OF RECORD OR SETBACK LINE NOT SHOWN ON THIS MAP.
2. EXTENDED COVERAGE POLICY OF TITLE INSURANCE
3. THIS SURVEY DOES NOT INCLUDE EASEMENTS EXCEPT THOSE SPECIFICALLY DELINEATED HEREIN.
4. IF UNDERGROUND PUBLIC UTILITIES AND OTHER SUBSTRUCTURES, ZONES, SET BACKS AND STREET MARKING DATA ARE SHOWN HEREON, IT IS FOR INFORMATION ONLY, HAVING BEEN OBTAINED FROM A GENERAL REQUEST AT THE LOCAL AGENCY'S PUBLIC CURRENCY, OR COMPLETENESS OF SAID INFORMATION AND ANY USE OF SAID INFORMATION IS USED TO CONTACT THE UTILITY OR LOCAL AGENCY DIRECTLY.

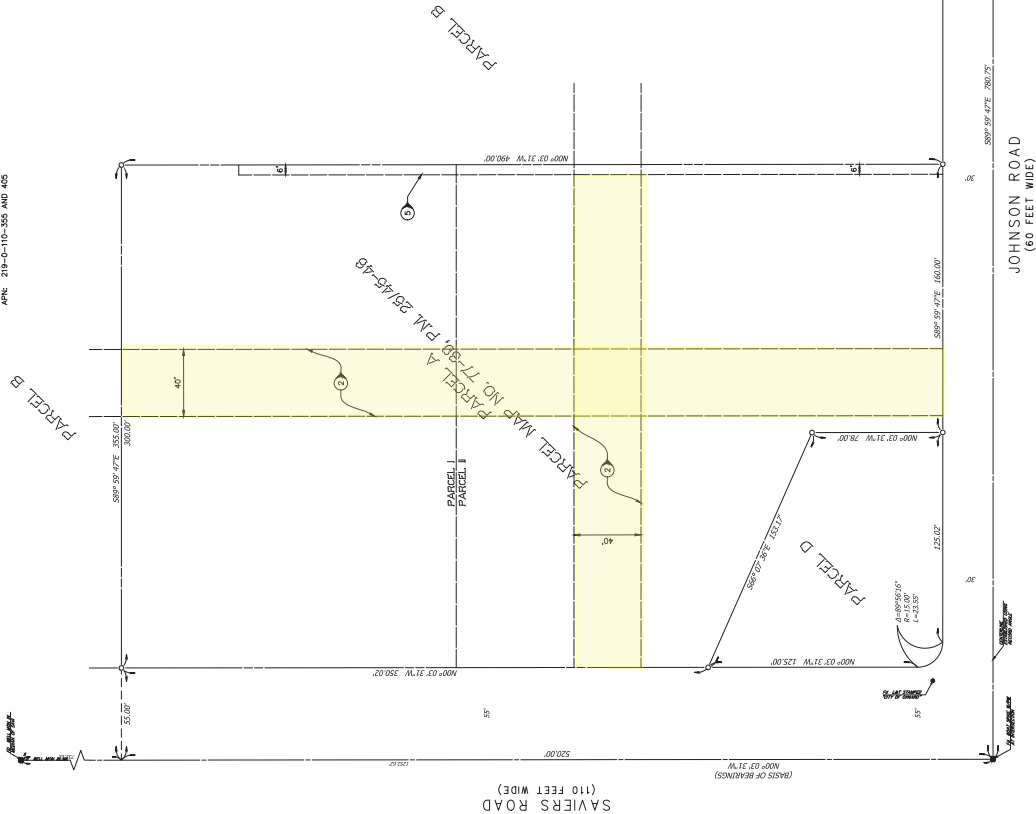
LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OXNARD, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL I: BEING THAT PORTION OF PARCEL 1, AS SHOWN ON MAP NO. 11, OF THE COUNTY OF OXNARD, CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 23, OF THE OFFICIAL RECORDS, BEING THAT PORTION OF PARCEL 1, AS SHOWN ON MAP NO. 11, OF THE COUNTY OF OXNARD, CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 23, OF THE OFFICIAL RECORDS, BEING THAT PORTION OF PARCEL 1, AS SHOWN ON MAP NO. 11, OF THE COUNTY OF OXNARD, CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 23, OF THE OFFICIAL RECORDS.

PARCEL II: BEING THAT PORTION OF PARCEL 1, AS SHOWN ON MAP NO. 11, OF THE COUNTY OF OXNARD, CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 23, OF THE OFFICIAL RECORDS, BEING THAT PORTION OF PARCEL 1, AS SHOWN ON MAP NO. 11, OF THE COUNTY OF OXNARD, CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 23, OF THE OFFICIAL RECORDS, BEING THAT PORTION OF PARCEL 1, AS SHOWN ON MAP NO. 11, OF THE COUNTY OF OXNARD, CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 23, OF THE OFFICIAL RECORDS.

PARCEL III: BEING THAT PORTION OF PARCEL 1, AS SHOWN ON MAP NO. 11, OF THE COUNTY OF OXNARD, CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 23, OF THE OFFICIAL RECORDS, BEING THAT PORTION OF PARCEL 1, AS SHOWN ON MAP NO. 11, OF THE COUNTY OF OXNARD, CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 23, OF THE OFFICIAL RECORDS, BEING THAT PORTION OF PARCEL 1, AS SHOWN ON MAP NO. 11, OF THE COUNTY OF OXNARD, CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 23, OF THE OFFICIAL RECORDS.



COMMENTS:

BOUNDARY LINES HAVE ESTABLISHED FROM RECORDED CITY, COUNTY, AND/OR PRIVATE SURVEY MONUMENTS WHOSE CHARACTER AND SOURCE ARE SO NOTED ON THE SURVEY.

LEGAL DESCRIPTION FROM INFORMATION SUPPLIED BY CLIENT, USUALLY A TITLE POLICY OR TITLE REPORT.

EASEMENTS PLOTTABLE EASEMENTS ARE SHOWN HEREON FROM AN OWNER SUPPLIED TITLE REPORT; NON-PLOTTABLE EASEMENTS ARE SHOWN HEREON FROM A RESEARCHED TITLE REPORT. EASEMENTS NOT SHOWN ON THIS MAP ARE NOT NECESSARILY NON-EXISTENT. RECOMMENDED LEGAL COUNSEL BE RETAINED TO REPORT ON TITLE PAPERS IN THEIR ENTIRETY.

TITLE REPORT CHICAGO TITLE COMPANY PRELIMINARY TITLE REPORT NO. 00022288-894-172-08 CLTA HAVING AN EFFECTIVE DATE OF JUNE 4, 2018.

INDICATES TITLE REPORT EXCEPTION NUMBER

THE BEARING AND DISTANCE OF THE BOUNDARY LINE OF PARCEL 1, AS SHOWN ON MAP NO. 77-39, RECORDED IN BOOK 11, PAGE 23, INCLUSIVE, OF MAP RECORDS OF LOS ANGELES COUNTY, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS SURVEY, AS SHOWN ON THE PARCEL MAP FILED IN BOOK 11 PAGE 23

BASED UPON MEASURED BEARINGS AND DISTANCES AS SHOWN HEREON, THE AREA IS:

131,742.4 SQUARE FEET OR 3.02 ACRES

BY GROUND SURVEY METHODS AND COMPLETES WITH NATIONAL MAP ACCURACY STANDARDS.

TOPOGRAPHY 1 FOOT

CONTOUR INTERVAL 1 FOOT

UTILITIES THE LOCATION OF SUBSURFACE UTILITIES HAS BEEN PERFORMED UTILIZING ELECTRO-MAGNETIC RADIO DETECTION (EMRAD) TO WATT TRANSMITTER & RECEIVER, 300' 5/16" TRACEABLE JAMESON RODDERS, A CESS-AROUND PENETRATING RADAR UNIT (CPRU), AND A GROUND PENETRATING RADAR (GPR) SYSTEM. THE RESULTS OF THE SURVEY ARE SHOWN ON THIS MAP. THE EXISTING SUBSURFACE UTILITY DATA, PAINT MARKS INDICATING THOSE LOCATIONS HAVE BEEN MARKED ON THIS SURVEY. THE LOCATION OF ANY OTHER UTILITIES HAS BEEN DETERMINED BY VISUAL INSPECTION AND BY THE USE OF A GROUND PENETRATING RADAR (GPR) SYSTEM. THE RESULTS OF THE SURVEY ARE SHOWN ON THIS MAP. THE LOCATION OF ANY OTHER UTILITIES HAS BEEN DETERMINED BY VISUAL INSPECTION AND BY THE USE OF A GROUND PENETRATING RADAR (GPR) SYSTEM. THE RESULTS OF THE SURVEY ARE SHOWN ON THIS MAP.

EFFECT OF NECESSARY FOR THE PURPOSE OF GRANTING AND RIGHTS IN REAL PROPERTY, AS SHOWN IN A DOCUMENT RECORDED IN BOOK 11, PAGE 23, INCLUSIVE, OF MAP RECORDS OF LOS ANGELES COUNTY, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS SURVEY, AS SHOWN ON THE PARCEL MAP FILED IN BOOK 11 PAGE 23

6. PLOTTED HEREON.

WAS MADE BY ANY MAPS FOR PURPOSES TO SAID LAND BY REASON OF THE LOCATION, CONSTRUCTION, LANSCHING, OR MAINTENANCE OF THE STREET OR HIGHWAY ADJOINING SAID LAND, AS CONTAINED IN THE DEED TO STATE OF CALIFORNIA RECORDED APRIL 13, 1981 RECORDED NO. IN BOOK 1986 PAGE 34, OF OFFICIAL RECORDS AFFECTS PARCEL 1.

3. NOT PLOTTABLE

WAS MADE BY ANY CLAIMS FOR DAMAGES TO SAID LAND BY REASON OF THE LOCATION, CONSTRUCTION, LANSCHING, OR MAINTENANCE OF THE STREET OR HIGHWAY ADJOINING SAID LAND, AS CONTAINED IN THE DEED TO STATE OF CALIFORNIA RECORDED APRIL 13, 1981 RECORDED NO. IN BOOK 1986 PAGE 34, OF OFFICIAL RECORDS AFFECTS PARCEL 1.

4. NOT PLOTTABLE

EASEMENT(S) GRANTED TO SOUTHERN CALIFORNIA EDISON COMPANY FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS IN REAL PROPERTY THEREIN ARE SHOWN IN A DOCUMENT RECORDED IN BOOK 11, PAGE 23, INCLUSIVE, OF MAP RECORDS OF LOS ANGELES COUNTY, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS SURVEY, AS SHOWN ON THE PARCEL MAP FILED IN BOOK 11 PAGE 23

5. NOT PLOTTABLE

WAS MADE BY ANY CLAIMS FOR DAMAGES TO SAID LAND BY REASON OF THE LOCATION, CONSTRUCTION, LANSCHING, OR MAINTENANCE OF THE STREET OR HIGHWAY ADJOINING SAID LAND, AS CONTAINED IN THE DEED TO STATE OF CALIFORNIA RECORDED APRIL 13, 1981 RECORDED NO. IN BOOK 1986 PAGE 34, OF OFFICIAL RECORDS AFFECTS PARCEL 1.

6. PLOTTED HEREON.

MATTERS CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED: NOTICE OF LAND USE RESTRICTIONS AND CONDITIONS RECORDED DATE NOVEMBER 8, 1989 RECORDED NO. 89-178464, OF OFFICIAL RECORDS REFERENCE IS HEREBY MADE TO THIS DOCUMENT FOR FULL INFORMATION.

6. NOT PLOTTABLE

STATE OF CALIFORNIA
COUNTY OF VENTURA
IN THE CITY OF OXNARD

TOPOGRAPHIC SURVEY FOR:
DEPARTMENT OF MOTOR VEHICLES

PSOMAS
27220 Tumbler Lane, Suite 190
Oxnard, CA 93030
(805) 218-4000 (661) 775-2718 fax
www.psomas.com

DATE: JUL 10, 2018
BY: [Signature]
CHECKED BY: [Signature]
SCALE: 1" = 30'
SHEET: 1 OF 2

1
2

ATTACHMENT G

PRESENTATION

DMV Oxnard Field Office Easement Vacation General Plan Conformity

Applicant: Alfredo Palomar on behalf of the State of California-General Services Department, Property Owner.

Joe Pearson II, Senior Planner

Scott Kolwitz, Planning Manager

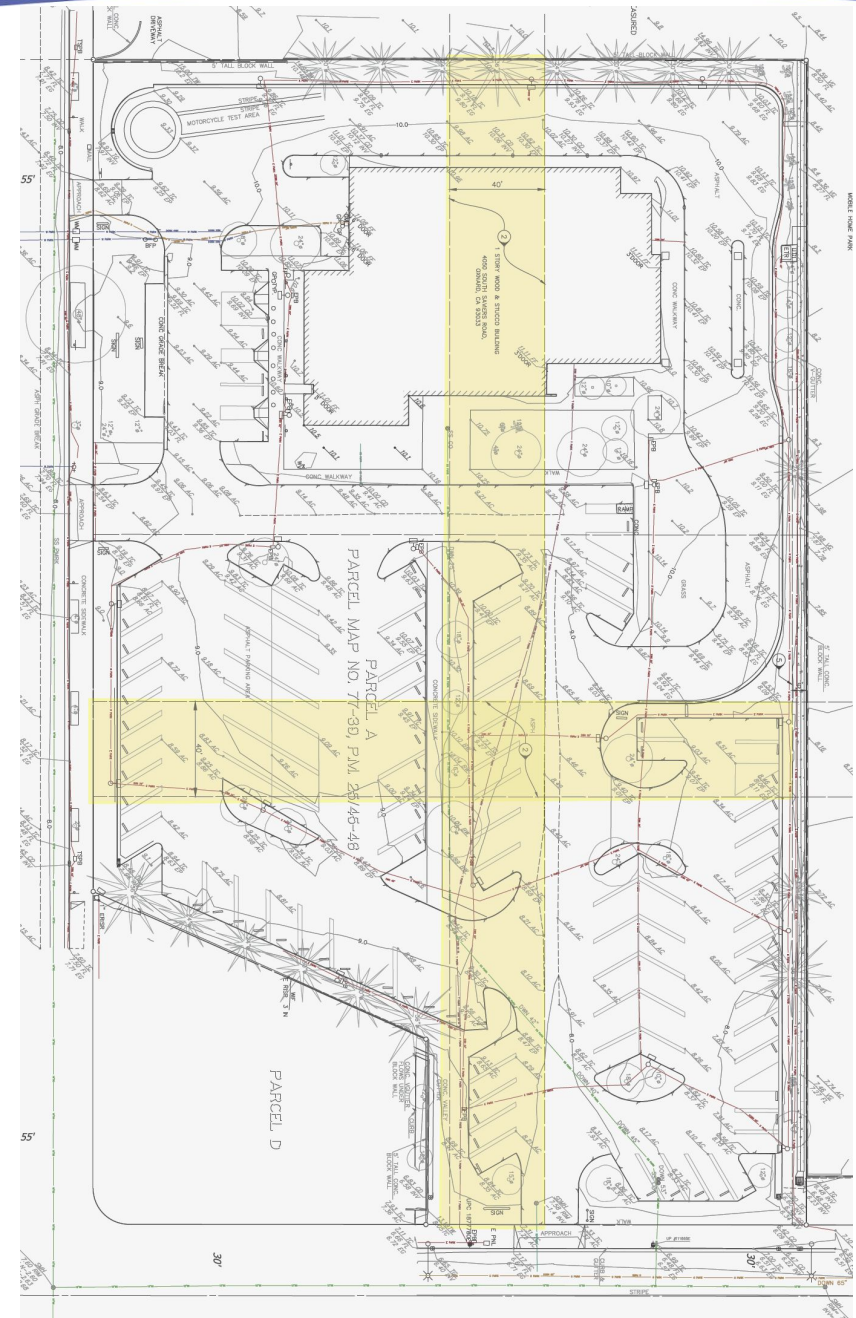
Vyto Adomaitis, Community Development Director

Planning Commission
April 15, 2021



PROJECT DESCRIPTION

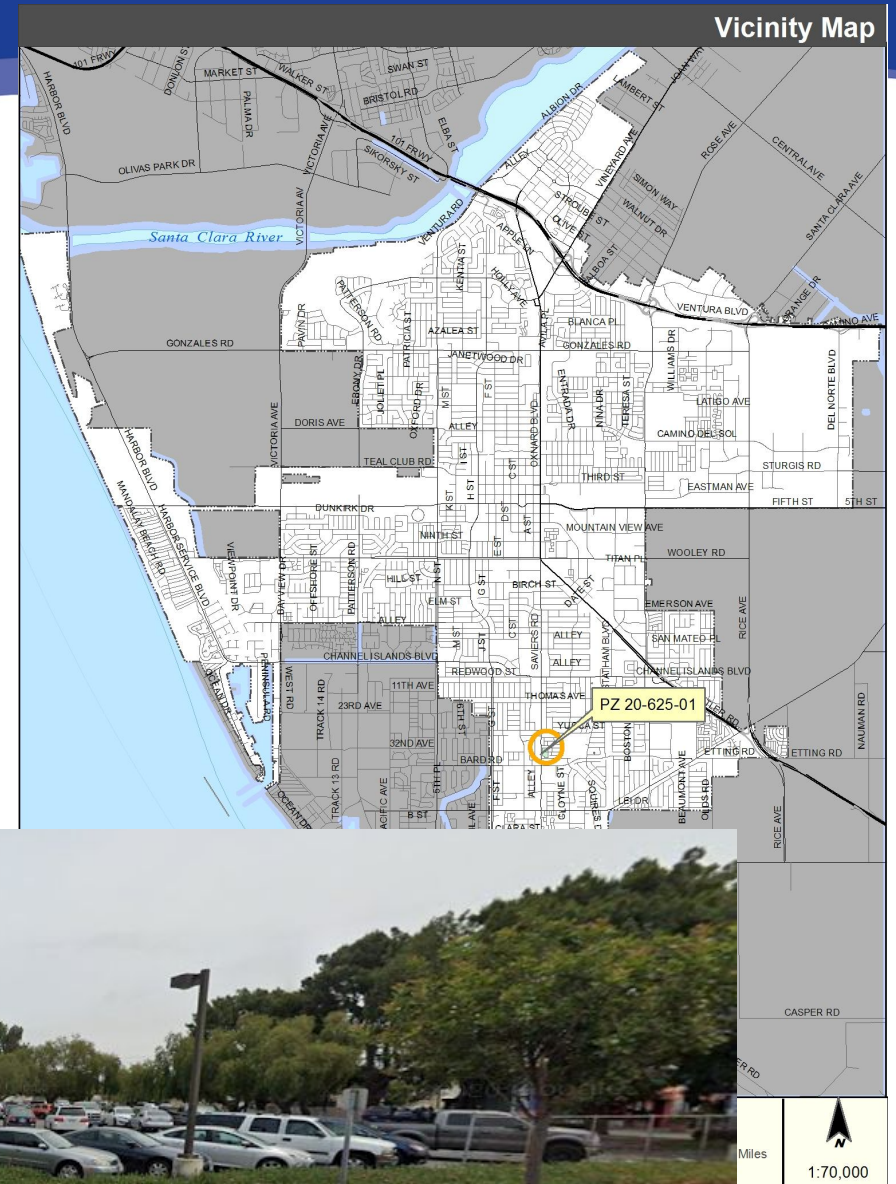
- 2030 General Plan
Conformity Determination
for vacation of easements
located at 4050 South Saviers
Road.
- Two forty (40) foot wide
drainage easements, totaling
approximately 24,600 square
feet, crossing the two parcels



PROJECT LOCATION

Subject Site: 4050 South Saviers Road

Existing DMV Office



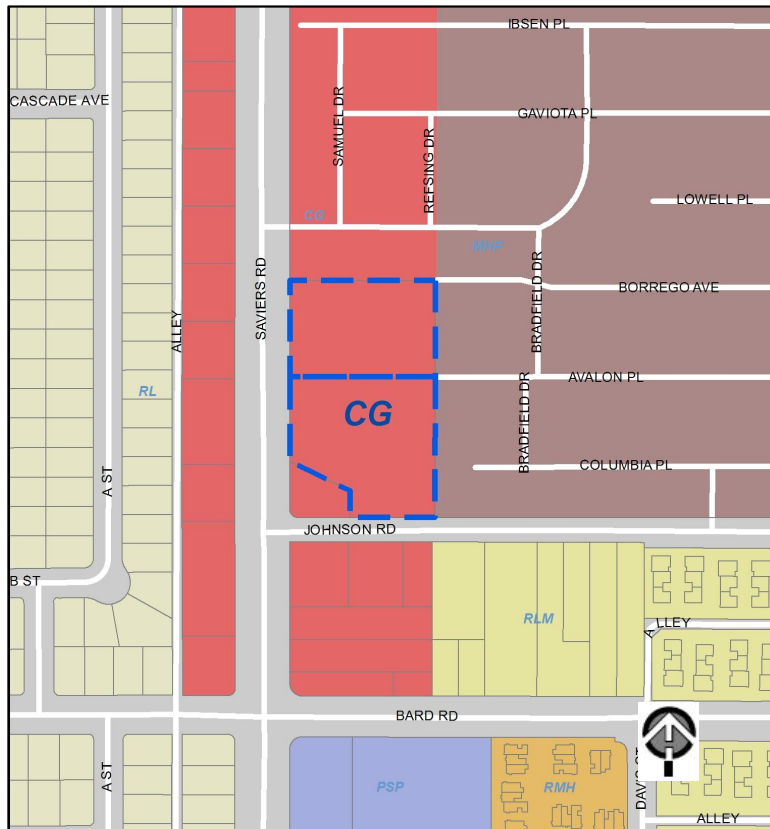
SURROUNDING USES



LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial General (CG)	General Commercial (C-2-PD)	DMV Office
North	Commercial General (CG)	Mobile Home Park - (MH-PD)	Residential
South	Commercial General (CG)	General Commercial (C-2-PD)	Commercial/ Residential
East	Mobile Home Park (MHP)	Mobile Home Park - (MH-PD)	Residential
West	Commercial General (CG)	General Commercial (C-2-PD)	Shopping Center

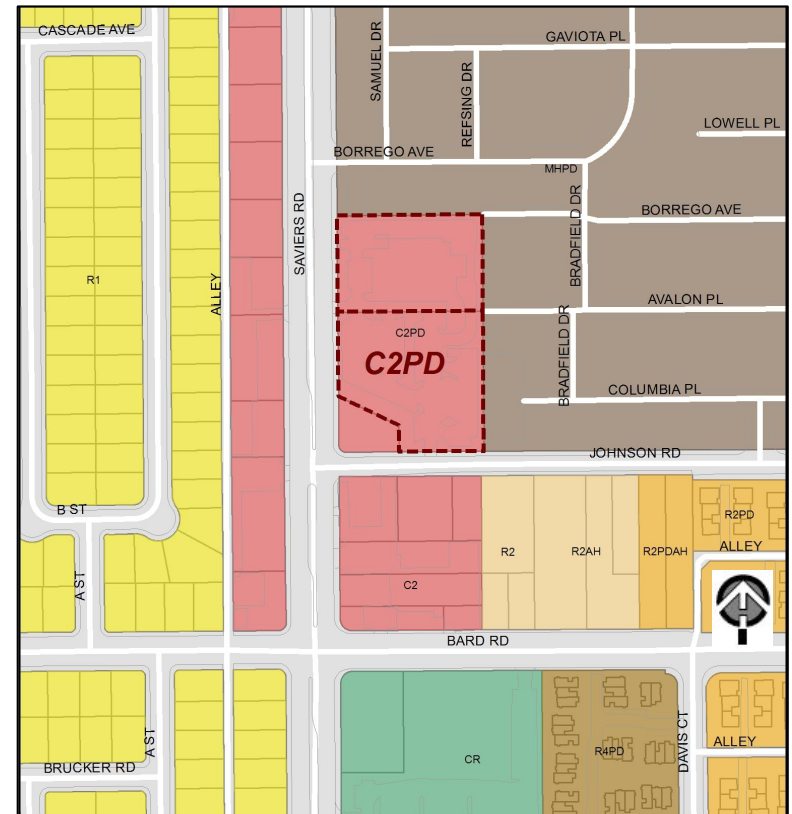
GENERAL PLAN & ZONING MAPS

General Plan Land Use Designation



Commercial General (CG)

Zoning Designation



General Commercial-Planned Development (C-2-PD)

BACKGROUND

- The two parcels are currently developed with a 12,153 square-foot DMV office and associated parking area.
- The two easements, as shown in Attachment B and C, were initially granted to the Oxnard Drainage District No. 3 on July 24, 1940, for the purpose of drainage tile line, pipe, conduit and other works necessary to facilitate drainage.
- On October 23, 1984, the County of Ventura and the City of Oxnard approved a Resolution ordering the dissolution of Oxnard Drainage District No. 3
- City of Oxnard was designated the successor agency, which transferred the easements and all the rights incidental thereto to the City of Oxnard.

PLANNING COMMISSION 65402 DETERMINATION

Government Code Section 65402, requires that real property acquisition or disposition, street vacation or abandonment, public building or structure construction be consistent with the General Plan and Local Coastal Land Use Plan as to location, purpose and extent.

The Planning Commission review and verification is documented through a resolution finding the Vacation of the Easements is in conformity with the 2030 General Plan.

GENERAL PLAN CONSISTENCY

- The City's 2030 General Plan land use designation for 4050 South Saviers Road is Commercial General (CG) and the zoning designation is General Commercial Planned Development (C-2-PD), which allows for the existing DMV office.
- These drainage easements are no longer needed to provide adequate drainage as required pursuant to the City General Plan policies, such as ICS-13.2 which requires the provision of adequate storm drain facilities.

Environmental Determinations

As required by the California Environmental Quality Act (CEQA), any subsequent improvement to the property will be separately examined in accordance with CEQA. Any required environmental documents will be prepared pursuant to CEQA as part of project permit processing or at any other point in time as required by CEQA. This General Plan conformity determination report is not a “project” under CEQA.

Staff Recommendation

Staff recommends that the Planning Commission adopt the Resolution finding that the proposed vacation of easements located at 4050 South Saviers Road is in conformance with the City of Oxnard 2030 General Plan policies pursuant to Section 65402 of the Government Code and recommending that the City Council order the vacation

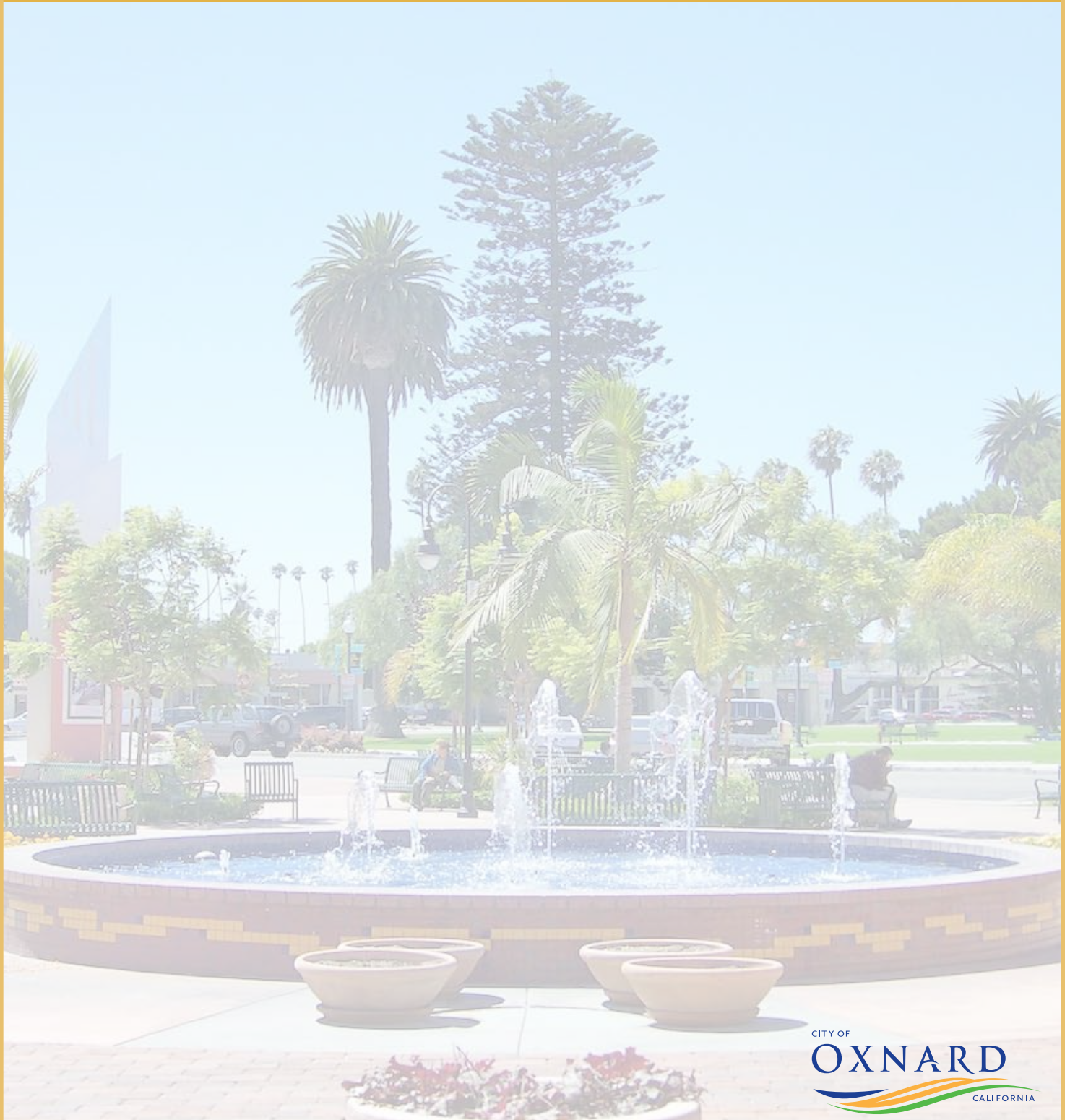


DISCUSSION

Staff Report

PZ 21-625-01

PLAN





**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Joe Pearson II, Senior Planner

DATE: April 15, 2021

SUBJECT: **Project Name: 241 West Second Street Property Disposition General Plan Conformity;** Planning and Zoning Permit No. 21-625-01 (General Plan Conformity Determination) - 2030 General Plan Conformity Determination for Disposition of Real Property Located at 241 West Second Street (APNs: 202-0-054-075 & -080).

- 1) **Recommendation:** That the Planning Commission:
 - a) Find the project Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) and Section 15378(b)(5); and
 - b) Adopt Resolution 2021-XX affirming that the City of Oxnard's disposition of real property located at 241 West Second Street is in conformance with the City of Oxnard 2030 General Plan, and recommending that the City Council order the disposition.
- 2) **Project Description:** The City of Oxnard ("Applicant" or "City") is considering the disposition of real property located at 241 West Second Street. The property to be disposed of consists of two parcels totaling 0.48 acres. The purpose of the disposition is to support the development of a previously approved mixed use housing project. For purposes of this Staff Report, the foregoing project description shall be referred to as the ("Project"). Requested by Emilio Ramirez, Housing Director, on behalf of the City of Oxnard, 435 South D Street, Oxnard, CA 93030, on behalf of the property owner which is the City of Oxnard.
- 3) **Existing & Surrounding Land Uses:** The subject site currently consists of two parcels totaling 0.48 acres and contains a 7,500 square foot vacant building and associated parking area. The Project site is located on the northeast corner of West Second Street and South B Street. The following table describes the General Plan Land Use Designations, Zoning Designations, and existing land uses of the Project site and properties immediately adjacent to the site, which are also illustrated in Attachment A:

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
----------	--------------	--------	-------------------

Project Site	Downtown (DT)	Downtown General (DT-G)	Vacant Building (APN: 202-0-054-075)/ Parking Lot (APN: 202-0-054-080)
North	Downtown (DT)	Downtown General (DT-G)	Vacant Building
South	Downtown (DT)	Downtown Core (DT-C)	Civic Center - City Hall
East	Downtown (DT)	Downtown General (DT-G)	Vacant Building
West	Downtown (DT)	Downtown General (DT-G)	Public Parking Lot

- 4) **Background Information:** On June 30, 2020, the City Council approved an Exclusive Negotiating Agreement by and between Community Development Partners and the City of Oxnard in consideration of constructing a new mixed-use Homeless Solutions Center with permanent supportive housing on an approximately 22,000 square foot City-owned property at the northeast corner of Second Street and B Street in Oxnard. Community Development Partners is an experienced multifamily and mixed-use developer focused exclusively on creating and preserving affordable housing communities. A partnership between Mercy House and Community Development Partners has formed over the past ten years. The partnership has collaborated on multiple permanent supportive housing developments where Mercy House provides supportive services. The proposed mixed-use project will be five levels high and will include approximately 13,078 square feet of homeless shelter space that would accommodate 110 beds, 2,094 square feet of office space for leasing and supportive services, and fifty-six permanent supportive housing units. During the June 30th City Council meeting, City staff discussed the proposed financing plan for the construction of the new Homeless Solutions Center mixed-use development including the City's proposed financial contribution to the project. Since the City executed an Exclusive Negotiating Agreement with Community Development Partners prior to December 30, 2020, this property is exempt from the Surplus Land Act.

On November 30, 2020, the Community Development Director approved a Major Downtown Design Development Review Permit and a Lot Line Adjustment (Merger) for the Homeless Solutions Center development.

On December 17, 2020, the Planning Commission approved a Special Use Permit to allow for the operation of the homeless shelter and resource center onsite and a ministerial Density

Bonus Permit to reduce the parking requirements for the site to a single space for the shelter, although the project will be providing ten spaces on site.

Both the Community Development Director's and Planning Commission's approvals found the mixed-use project to be consistent with the 2030 General Plan.

- 5) **Environmental Determination:** Pursuant to California Environmental Quality Act (Public Resources Code Sections 21000 et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations Sections 15000 et seq., the "CEQA Guidelines"), the proposed General Plan Conformity Determination does not constitute a "project" for the purposes of CEQA because the determination will not result in direct or indirect physical changes in the environment and there is no possibility it will have a significant effect on the environment (CEQA Guidelines Section 15061(b)(3) and Section 15378(b)(5), and staff recommends that the Planning Commission accept the Notice of Exemption (Attachment B), attached to the staff report. The proposed determination simply fulfills the City's obligation under Government Code Section 65402 to find disposal of any real property in conformance with the 2030 General Plan. Environmental impacts associated with the development of the mixed use project were analyzed as part of the entitlement process, and the development and uses associated with the mixed use project were determined to be exempt under CEQA. Any subsequent improvement to the property will be separately examined in accordance with CEQA.
- 6) **Analysis:**
 - a) **Government Code:** California Government Code Section 65402(a) requires that a Finding of General Plan Conformity be made by the Planning Commission and reported to the City Council prior to any acquisition, disposition, vacation, or abandonment of any real City property by the City. Specifically, the Planning Commission is to determine as to whether the location, purpose, and extent of such proposed real property transaction is in conformance with the 2030 General Plan.
 - b) **General Plan Consistency:** The City's 2030 General Plan land use designation for 241 West Second Street is Downtown (DT) and the zoning designation is Downtown General (DT-G). The land use designation and zone allows retail, commercial, government and residential uses in the urban context of the Downtown area, regulated by form-based development and performance standards to encourage pedestrian-oriented design, diverse and high-quality housing choices and transit utilization. The proposed mixed use residential / shelter building includes a Shelter space on the ground floor and residential units on the top four floors. As noted above, the mixed use project was analyzed and found to be consistent with the 2030 General Plan as part of each of the related permits.

Also, as noted above the properties are zoned DT-G, any additional or future development of the subject properties would be subject to the standard and uses allowed under the DT-G zoning district and the DT land use designation.

As such, the proposed disposition of this property would conform to the City's 2030 General Plan land use designation because it would allow for the development of the mixed use project, and additional development would be required to be consistent with applicable zoning regulations, which implements many of the 2030 General Plan policies as identified in the table below.

POLICY	POLICY OR TITLE	EXPLANATION
CD-19.1	Unique Downtown Identity Ensure that downtown Oxnard occupies a niche in the marketplace as a civic center supported by businesses, retail, residential components, arts, and entertainment.	Project is consistent with Downtown Code to provide mixed uses to revitalize downtown.
CD-19.4	Revitalization and Redevelopment As part of the City's redevelopment programs and planning, promote the revitalization of residential, commercial, and industrial properties that are deteriorated or detract from the visual quality of the City.	Project is a mixed use in-fill development that will revitalize the Downtown area.
CD-1.2	Infill Development, Priority to Mixed Use Promote the efficient use of larger vacant parcels and vacant areas of the City by encouraging infill development, with a priority to mixed uses that reduce vehicle trips and GHG emissions and promote sustainable development goals and objectives.	
CD-19.5	Attract Downtown Investment Encourage investors to purchase downtown property and help property owners lease space.	The mixed use project includes 56 residential units and 15,622 sq ft of commercial/office and shelter space.
CD-8.1	Limiting Development Continue to limit development to those areas that can be served by existing or planned utilities,	Development on this site is in-fill development that will be served by existing services.

	transportation, and service systems.	
CD-18.1	Attract New Business Identify and attract a range of commercial, retail and industrial businesses that are compatible with the community's business climate and not detrimental to the existing local economy and environment.	The current project includes commercial and shelter space, however, the allowance of future businesses would be limited to the uses permitted in the DT-G Zone.
CD-18.2	Small Business Recognize the job creation potential of small business and promote entrepreneurial development and small business expansion.	
ICS-8.1	Improved Bicycle and Pedestrian Safety Promote safety by minimizing conflicts between automobiles, bicycles, and pedestrians with special attention to lighting resources on commercial corridors.	This project and/or any future development would be required to make improvements to the adjacent alleyway. The redevelopment of this site will also provide sidewalk improvements and the provision of bike racks which will promote pedestrian and bicycle use.
ICS-8.5	Public Sidewalks and Pedestrian Orientation Consider and require where appropriate and feasible the enhancement of the pedestrian environment as part of private development and public works projects, especially for public sidewalks.	
ICS-11.7 ER-10.1	Water Wise Landscapes Promote use of Native and Water Wise Plants	The mixed use project will install street trees to assist in screening the building. The trees require very little watering once established. The proposed shrubs and groundcovers in the landscape plan are all low water use plants.

H-5.4	Continuum of Care and Homeless Plan Support continued efforts to implement the Ventura County Continuum of Care program for the homeless and Oxnard Ten-Year Homeless Program.	The mixed provides for the operation of Homeless Shelter and Resource Center which directly implements or is key to many of the goal identified in Oxnard's "Homeless Five - Year Plan and Strategy (2018)
H-5.5	Cooperation with CBOs Cooperate with Community-Based Organizations (CBO) that provides services, or information about services, to the homeless	The development and operation of the Shelter is a result of the cooperation with the City and non-profit organization. The Shelter will be operated by a Non-project organization.

7) Summary and Conclusion:

The disposition of the two 0.48 acre parcels located at 241 West Second Street for the development of a previously approved mixed use project is consistent with the City 2030 General Plan. Therefore, after review of the proposed disposition of this property, staff recommends that the Planning Commission adopt the attached Resolution memorializing the Planning Commission's determination that the proposed disposition conforms with the 2030 General Plan.

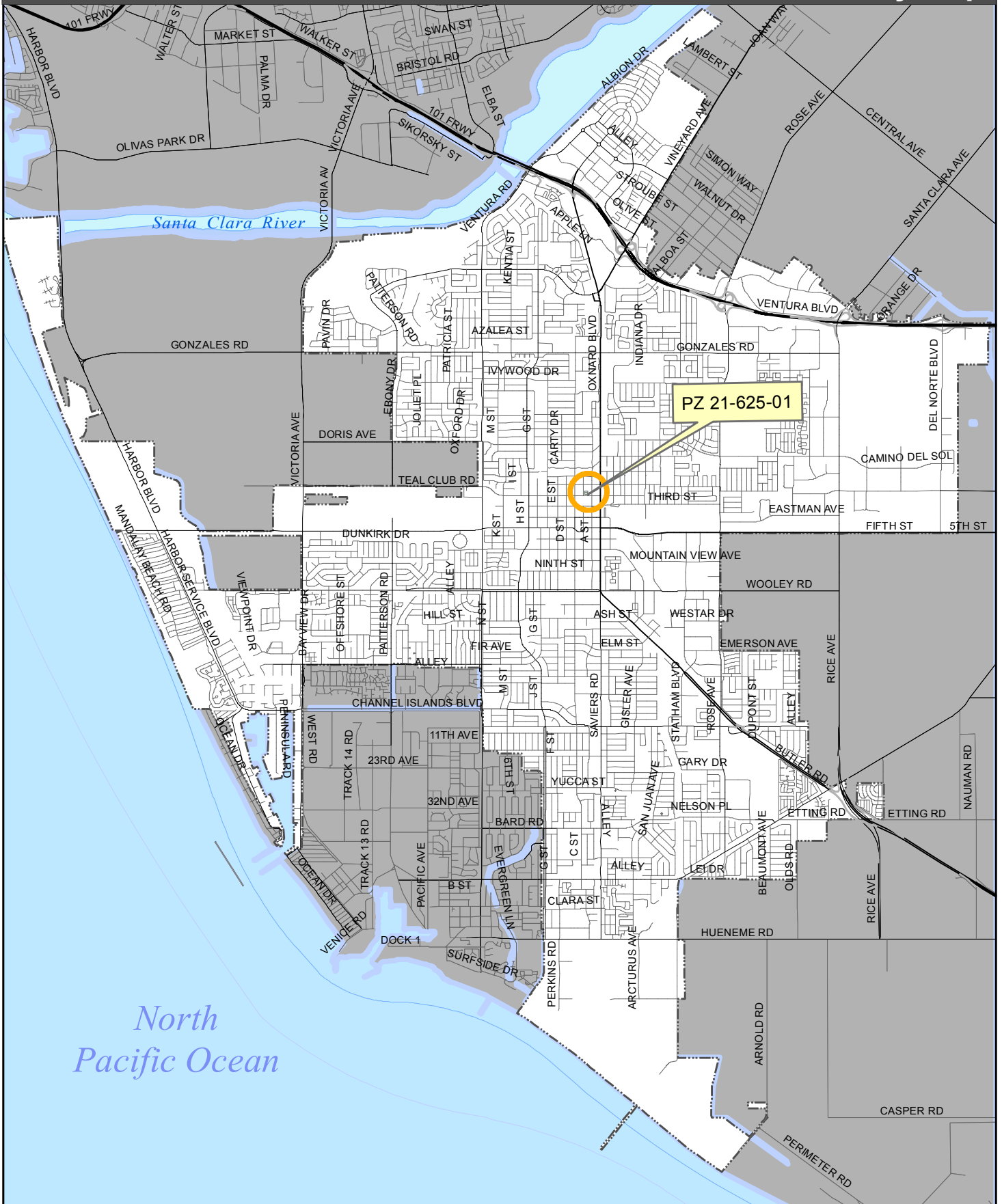
Attachments:

- A. Maps (Vicinity, General Plan, Zoning, Aerial)
- B. Notice of Exemption
- C. Draft Planning Commission Resolution
- D. Presentation

ATTACHMENT A

**MAPS
(VICINITY, GENERAL PLAN, ZONING, AERIAL MAP)**

Vicinity Map

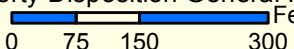


2030 General Plan Land Use Map



Oxnard Planning
April 1, 2021

PZ 21-625-01
Location: 241 W Second St.
APN: 2020054075, 20200540080
Property Disposition General Plan



2030 General Plan Land Use Map



1:2,695

Zoning/Specific Plan Map



Oxnard Planning

April 1, 2021

PZ 21-625-01

Location: 241 W Second St.
 APN: 2020054075, 20200540080
 Property Disposition General Plan

0 37.575 150 225 300 Feet

Zoning/Specific Plan Map



1:2,000

Aerial Map



ATTACHMENT B

NOTICE OF EXEMPTION

NOTICE OF EXEMPTION

Project Description: **241 W. Second Street Property Disposition General Plan Conformity;** PZ No. 21-625-01 (General Plan Conformity Determination): The project request is General Plan Conformity Determination in accordance with Government Code Section 65402 associated with the disposition of real property located at 241 West Second Street. The property to be disposed of consists of two parcels totaling 0.48 acres. The purpose of the disposition is to support the development of a previously approved mixed use housing project. The project site is located at 241 West Second Street (APNs: 202-0-054-075 & -080) within the Downtown land use designation and Downtown General (DT-G) zoning district. Requested by Emilio Ramirez, Housing Director, on behalf of the City of Oxnard, 435 South D Street, Oxnard, CA 93030, on behalf of the property owner which is the City of Oxnard.

Finding: The Planning Division of the Community Development 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 [15378(b)(5)]
- ☐ 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: Pursuant to California Environmental Quality Act (Public Resources Code Sections 21000 et seq., “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations Sections 15000 et seq., the “CEQA Guidelines”), the proposed General Plan Conformity Determination does not constitute a “project” for the purposes of CEQA because the determination will not result in direct or indirect physical changes in the environment and there is no possibility it will have a significant effect on the environment (CEQA Guidelines Section 15061(b)(3) and Section 15378(b)(5).). The proposed determination simply fulfills the City’s obligation under Government Code Section 65402 to find disposal of any real property in conformance with the General Plan. Environmental impacts associated with the development of the mixed use project were analyzed as part of the entitlement process and the development and uses associated with the mixed use project was determined to be exempt under CEQA. Any subsequent improvement to the property will be separately examined in accordance with CEQA. Therefore, the Planning Commission and City Council have determined that there is no substantial evidence that the project will have a significant effect on the environment, the project is exempt from the provisions of CEQA, and there is no requirement to prepare an environmental document.

(Date)

Scott Kolwitz
Planning and Environmental Services
Manager

ATTACHMENT C

**DRAFT
PLANNING COMMISSION RESOLUTION**

**PZ 21-625-01
(GENERAL PLAN CONFORMITY DETERMINATION)**

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD DETERMINING THAT THE CITY OF OXNARD'S PROPOSED DISPOSITION OF CERTAIN REAL PROPERTY LOCATED AT 241 WEST SECOND STREET IS IN CONFORMANCE WITH THE OXNARD 2030 GENERAL PLAN PURSUANT TO SECTION 65402 OF THE GOVERNMENT CODE. REQUESTED BY EMILIO RAMIREZ, HOUSING DIRECTOR, ON BEHALF OF THE CITY OF OXNARD, 435 SOUTH D STREET, OXNARD, CA 93030, ON BEHALF OF THE PROPERTY OWNER WHICH IS THE CITY OF OXNARD.

WHEREAS, The City of Oxnard is proposing to dispose of real property located at 241 West Second Street (Assessor's Parcel Number 202-0-054-075 & 202-0-054-080) (the **"Property"**); and

WHEREAS, The City of Oxnard is the owner of record of these two properties; and

WHEREAS, The 2030 General Plan in a comprehensive, long term plan that guides land use and physical development of land within the City of Oxnard and provides policy direction regarding land uses that are intended to serve the community; and

WHEREAS, Whenever a public agency proposes to acquire, dispose, vacate or abandon any real property, California Government Code Section 65402 requires a report on conformity with the General Plan; and

WHEREAS, The subject property is designated Downtown (DT) by the City's 2030 General Plan and is zoned Downtown General (DT-G); and

WHEREAS, On November 30, 2020, the City of Oxnard Community Development Director approved a Major Downtown Design Review Permit (PZ 20-200-13) and Lot Line Adjustment (Merger) (PZ 20-310-08) for the mixed use Navigation Center Project, including a California Environmental Quality Act (CEQA) Exemption for the physical development, and made findings of General Plan Consistency for the project at that time; and

WHEREAS, On December 17, 2020, the City of Oxnard Planning Commission approved the Navigation Center Special Use Permit and ministerial Density Bonus Permit including a California Environmental Quality Act (CEQA) Exemption for the shelter use, and made findings of General Plan Consistency for the project at that time; and

WHEREAS, The disposition of the property, as documented in the staff report, would be consistent General Plan policies regarding the development and use of the site; and

WHEREAS, The disposition of the property and the ultimate use of the property is consistent with the land use designation on the subject site. Future use of the parcel will be required to comply with all City codes and regulations; and

WHEREAS, on April 15, 2021, the Planning Commission considered the proposed disposition of real property located at 241 West Second Street in light of the Oxnard 2030 General Plan and the requirements of Government Code section 65402.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD:

SECTION 1. The Planning Commission, in accordance with Section 21065 of the California Environmental Quality Act (CEQA), finds that its determination of whether the proposed District's disposition of the subject Property is consistent with the Oxnard 2030 General Plan is not a "Project" for purposes of CEQA and State CEQA Guidelines since the determination does not result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15061(b)(3) and Section 15378(b)(5)).

SECTION 2. Based on the findings set forth herein, and on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission hereby determines that the proposed City's disposition of the subject Property is in conformity with the Oxnard 2030 General Plan.

SECTION 3. The Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 15th day of April, 2021.

Deidre Frank, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held on the 15th day of April, 2021, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Scott Kolwitz, Secretary

Planning Commission Resolution No. 2021–XX;

PZ No. 21-625-01; 241 West Second Street Property Disposition General Plan Conformity

April 15, 2021

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ATTACHMENT D

PRESENTATION

241 West Second Street Property Disposition General Plan Conformity

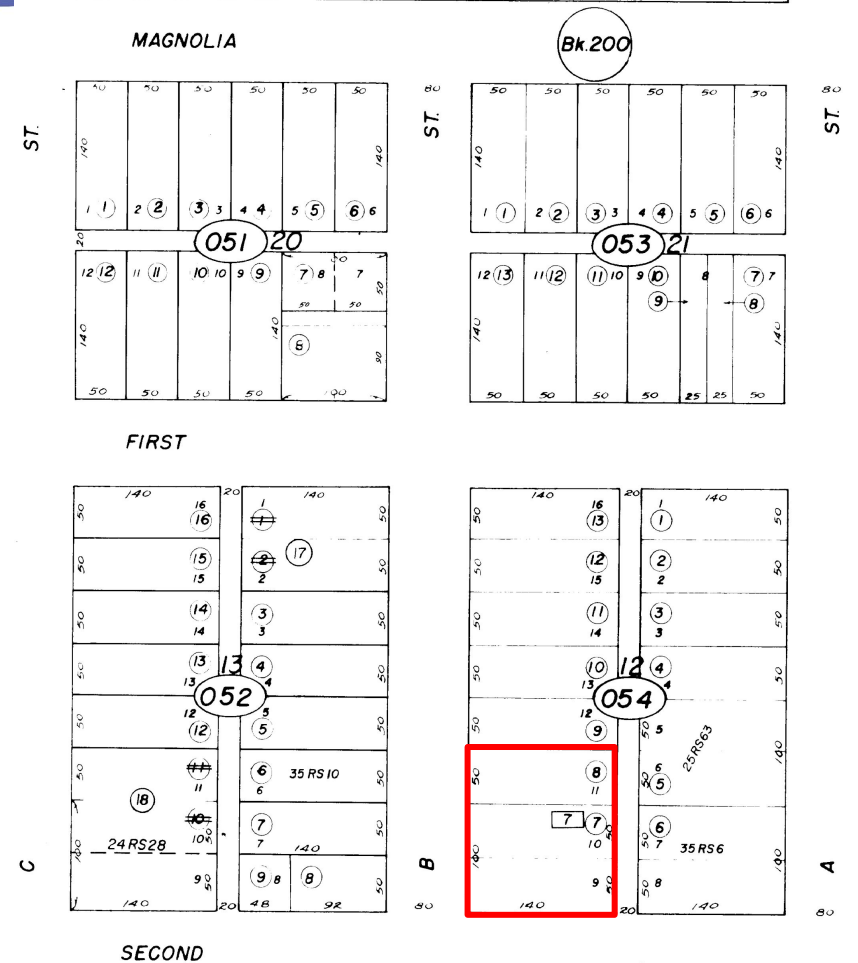
Applicant: Emilio Ramirez, Housing Director, on behalf of the City of Oxnard, Property Owner.

Joe Pearson II, Senior Planner
Scott Kolwitz, Planning Manager
Vyto Adomaitis, Community Development Director

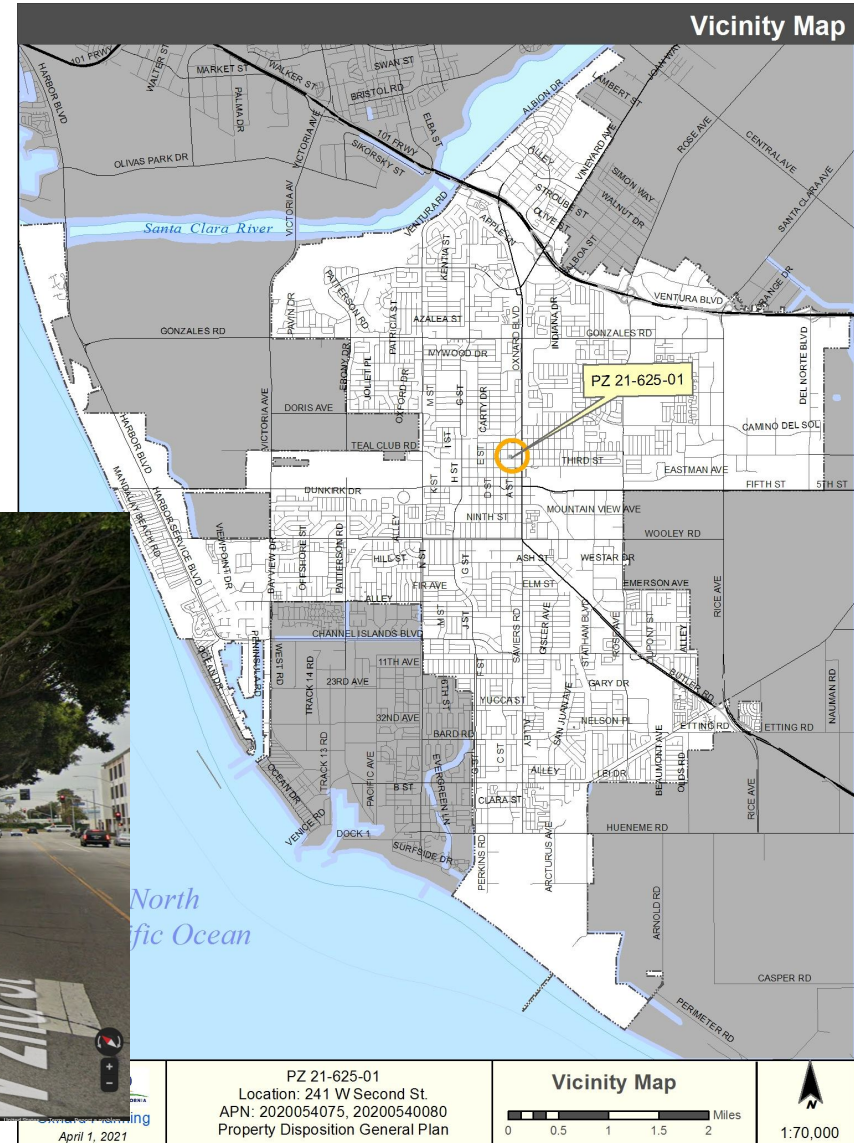
Planning Commission
April 15, 2021

PROJECT DESCRIPTION

- 2030 General Plan
Conformity Determination
for Disposition of Real
Property located at 241
West Second Street.
- The purpose of the
disposition is to support the
development of a previously
approved mixed use housing
project.
- Two parcels totaling 0.48
acres



Located within Downtown area



EXISTING SITE

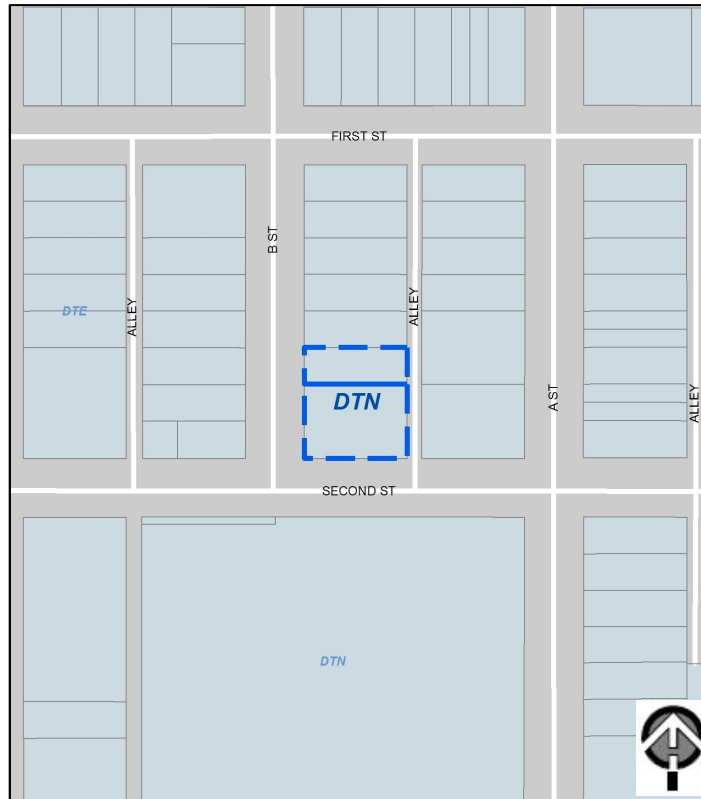
Subject Site: 241 West Second Street

Surrounding Uses:

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Downtown (DT)	Downtown General (DT-G)	Vacant Building
North	Downtown (DT)	Downtown General (DT-G)	Vacant Building
South	Downtown (DT)	Downtown Core (DT-C)	Civic Center - City Hall
East	Downtown (DT)	Downtown General (DT-G)	Vacant Building
West	Downtown (DT)	Downtown General (DT-G)	Public Parking Lot

GENERAL PLAN & ZONING MAPS

General Plan Land Use Designation



Downtown (DT)

Zoning Designation



Downtown General (DT-G)

BACKGROUND

- On June 30, 2020, the City Council approved an Exclusive Negotiating Agreement by and between Community Development Partners and the City of Oxnard in consideration of constructing a new mixed-use Homeless Solutions Center
- On November 30, 2020, the Community Development Director approved a Major Downtown Design Development Review Permit and a Lot Line Adjustment (Merger) for the Homeless Solutions Center development.
- On December 17, 2020, the Planning Commission approved a Special Use Permit to allow for the operation of the homeless shelter and resource center onsite and a ministerial Density Bonus Permit.
- Both the Community Development Director's and Planning Commission's approvals found the mixed-use project to be consistent with the 2030 General Plan.

Government Code Section 65402, requires that real property acquisition or disposition, street vacation or abandonment, public building or structure construction be consistent with the General Plan and Local Coastal Land Use Plan as to location, purpose and extent.

The Planning Commission review and verification is documented through a resolution finding the disposition of this real property is in conformity with the 2030 General Plan.

GENERAL PLAN CONSISTENCY

- The City's 2030 General Plan land use designation for 241 West Second Street is Downtown (DT) and the zoning designation is Downtown General (DT-G), which allows for the proposed permanent supportive housing and shelter.
- The development of a homeless shelter is key to many of the policies aimed at revitalizing downtown, but also the Housing Element policies aimed at addressing homelessness.
 - HE Implementation Program 14 (Shelter Development Program)
 - HE Implementation Program 15 (Homeless Assistance)
- Downtown Code allows for a Homeless Shelter and Resource Center in the Downtown General Zone, subject to a Special Use Permit.
- Approved development is conditioned to comply with the emergency shelter development and operational standards of OCC Section 16-504.

Environmental Determination

As required by the California Environmental Quality Act (CEQA), any subsequent improvement to the property will be separately examined in accordance with CEQA. Any required environmental documents will be prepared pursuant to CEQA as part of project permit processing or at any other point in time as required by CEQA. This General Plan conformity determination report is not a “project” under CEQA.

Staff Recommendation

Staff recommends that the Planning Commission adopt the Resolution finding that the proposed deposition of real property located at 241 West Second Street is in conformance with the City of Oxnard 2030 General Plan policies pursuant to Section 65402 of the Government Code and recommending that the City Council order the disposition of the properties.



DISCUSSION