

MINUTES
OXNARD PLANNING COMMISSION
REGULAR MEETING
May 4, 2017

A. ROLL CALL

At 7:00 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Chair Deirdre Frank, Commissioners Stephen Huber, Robert Sanchez, Vincent Stewart, Orlando Dozier, James Fuhring, and Wilfredo Chua were present. Staff members present were Kathleen Mallory, Planning Manager, Shiri Klima, Assistant City Attorney, Isidro Figueroa, Principal Planner, Paul Wendt, Supervising Civil Engineer, and Dee Lai, Recording Secretary. Chair Deirdre Frank presided and called the meeting to order.

B. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

Commissioner Dozier led the pledge of allegiance.

The three new Commissioners James Fuhring, Robert Sanchez, and Wilfredo Chua provided a brief statement about themselves and expressed their appreciation to the Mayor for giving them the opportunity to serve on the Planning Commission.

C. PUBLIC COMMENTS – Items not on the Agenda

Public comments were received from Walter Hagedohm regarding Short Term Rentals.

D. READING OF AGENDA

Planning Manager Kathleen Mallory reviewed the agenda.

E. CONSENT AGENDA

1. APPROVAL OF MINUTES – March 2, 2017 and April 6, 2017

For the March 2, 2017 minutes, only Chair Frank, Commissioner Huber, Commissioner Stewart, and Commissioner Dozier voted because the three former Commissioners' (Commissioner Okada, Commissioner Nash, and Commissioner Mullin) terms had ended after the March 2, 2017 meeting and they were no longer eligible to vote to take action on the minutes.

MOTION Commissioner Huber moved and Commissioner Dozier seconded a motion to approve the minutes of March 2, 2017. The question was called and the motion carried 3:0:0:1, to approve the minutes of March 2, 2017 as presented. Chair Frank abstained.

MOTION Commissioner Fuhring moved and Commissioner Chua seconded a motion to approve the minutes of April 6, 2017. The question was called and the motion carried 6:0:0:1, to approve the minutes of April 6, 2017 as presented. Commissioner Dozier abstained.

F. PUBLIC HEARING

1. **PLANNING AND ZONING PERMIT** No. 16-500-08 (Special Use Permit); 16-535-02 (Density Bonus); and 16-300-09 (Tentative Tract Map). A request to construct six affordable (very low income) single-family residences, and a Tentative Tract Map to subdivide five parcels into six parcels on a 0.48 acre Project site located within the La Colonia neighborhood. The single-story homes will range from 1,368 to 1,653 square feet in size and are designed to front Hayes Street with rear access for two-car garage parking off of an existing alley. Although the project includes a density bonus request pursuant to State density bonus law, no additional units are being requested. However, three concessions are requested pursuant to the density bonus law: 1) a reduction in the required rear yard setback from 25 feet to 10 feet; 2) a reduction in the required side yard setback from 10 feet to a range of 3 to 7 feet; and 3) a reduction in the required interior yard space requirement of 30% to a range of between 0% and 4.5%. This project is Exempt from the California Environmental Quality Act (CEQA) pursuant to Statute §21159.23 (Low-Income Housing); Section 15061(b)(3) ("General Rule"); and Section 15332 (In-Fill Development) of the CEQA Guidelines. Filed by Steven J. Dwyer (Habitat for Humanity of Ventura County), 1850 Eastman Avenue, Oxnard, CA 93030.

Project Planner: Isidro Figueroa

Project planner Isidro Figueroa provided a powerpoint presentation outlining the request to construct six affordable (very low income) single-family residences, and a Tentative Tract Map to subdivide five parcels into six parcels on a 0.48 acre project site located within the La Colonia neighborhood. Isidro presented staff's recommendation which was for the Planning Commission to adopt a resolution approving the Special Use Permit, Density Bonus, and the Tentative Tract Map subject to the findings and conditions of approval.

The Planning Commission discussed and inquired about several topics, including: the lack of interior yard space; the onsite wooden telephone pole that is in bad condition and in need of repair; contracting with Edison to relocate the telephone pole; widening of the alley to 20 feet; undergrounding of equipment; density bonus and if smaller houses could be built on the same space; is CG zoned property a part of Regional Housing Needs Assessment (RHNA) numbers; community workshop input and if neighborhood council for this neighborhood were involved; home prices and if the homes are for sale; whether there are any special conditions or requirements on the material used to prevent fire hazard; whether there are any homes dedicated to veterans; existing and future similar development projects planned in other locations in Oxnard; relationship between Habitat for Humanity and the owner; design wise and the possibility of using multi-family units to maximize units to accommodate more families; Habitat for Humanity providing education to homeowners about city codes to avoid code compliance issues such as converting garage space into living space; mortgage and refinance options; deed restrictions; Habitat for Humanity and homeowners partnership during the building phase; ongoing monitoring between Habitat for Humanity, Oxnard Housing Department, and the homeowners; accommodation for individuals with disabilities due to no doors leading from the garage to the house; homes not having air conditioning; project design to maximize units and yard space; and considering solar on future homes.

Commissioner Huber commented about why the environmental and ecological information were not on the staff report. Chair Frank commented about condition number 79 which states "landscape elements shall not block views in or out of windows or glass doors." Kathleen

Mallory commented that it's there to ensure visibility and for public safety purposes and for police surveillance. Commissioner Huber recommended that condition number 79 be removed because it is essentially the same as condition number 78. Chair Frank commented that she also wanted to have condition number 79 removed.

The applicant's representative Steve Dwyer commented on the home selection process. He commented that Habitat for Humanity provided community workshops to give families opportunities to sign up on the interest list and 70 families have already signed up for their first workshop and they expect to receive many more applications. Steve Dwyer stated that the homes are dedicated to low income families with the maximum income of \$75,000 for a family of four. Steve Dwyer commented that the thought process when building the homes is to have low cost maintenance for the owners.

The architect for Habitat for Humanity Nicholas Deitch commented that by having zero lot lines to maximize more homes would create a challenge because this would not allow for windows in the bedrooms. He stated that the 3 feet setback provides for more livability. He commented that they are comfortable with the current design and that it is standard like other track homes and apartments being built now.

The Planning Commission thanked Habitat for Humanity for providing this service. Commissioner Huber asked the applicant if he agreed to all the conditions of approval and the applicant responded yes.

All Commissioners' questions and concerns were addressed.

Chair Frank opened the public testimony.

Public comments in support of the project were received from Sal Gonzales and Arturo Casillas. Sal Gonzales who is a residence of Oxnard and the former City of Oxnard Housing Director stated that Habitat for Humanity has worked well and is very successful and he urged the Planning Commission to approve the project which is recommended by City staff. Arturo Casillas, the City of Oxnard Housing Director commented that it's crucial to meet the goal to provide affordable housing and that the grant fund would go back to HUD if the project is not approved. He also urged the Planning Commission to approve the project.

Chair Frank Closed the public testimony.

MOTION Commissioner Chua moved and Commissioner Stewart seconded a motion to adopt a resolution approving PZ 16-500-08 (Special Use Permit); PZ 16-535-02 (Density Bonus); and PZ 16-300-09 (Tentative Tract Map) with the following changes: 1) a correction to the citation of the CEQA Guidelines sections to change from 15322 to 15332 on all 3 resolutions, and 2) to remove condition number 79 on PZ 16-500-08 (Special Use Permit), subject to certain findings and conditions contained within the Resolution of Approval. The question was called and the motion carried unanimously.

2. PLANNING AND ZONING PERMIT NO. 16-500-03 (Special Use Permit) for a Planned Residential Group to redevelop a 7,640 square foot lot located at 600 Cooper Road (APN 201-0-121-170), within the La Colonia Neighborhood. The site is current developed with four legal

non-conforming dwelling units. The existing dwelling units will be demolished. Approval is being requested to construct a 4,170 square foot two-story, mixed-use building. The building will be utilized for two- two-story residential dwelling units each totaling 1,385 square feet and two commercial buildings totaling 1,400 square feet. Through approval of a Planned Residential Group (PRG) permit, the applicant is seeking approval to modify the following development standards: reduction in the front yard setback from 20 feet to 10 feet; reduction in the side yard setback from 5 feet to 0 feet along the easterly property line; elimination of required on site loading and unloading; and a reduction in the required visitor parking spaces for the two residential dwelling units. The project is exempt from the California Environmental Quality Act (CEQA) based upon a Class 1 (Section 15301) and Class 3 (Section 15303) exemption. Filed by designated agent Lizette Elenes with Coastal Architects, on behalf of Elio Avalos 2221 San Mateo Place, Oxnard, California 93033.

Project Planner: Juan Martinez

Kathleen Mallory recommended to the Planning Commission that item F-2 be continued to June 1, 2017.

MOTION Commissioner Huber moved and Commissioner Dozier seconded a motion to continue item F-2 to June 1, 2017. The question was called and the motion carried unanimously.

G. NEW BUSINESS

1. California Environmental Quality Act (CEQA) Guidelines.
Project Planner: Isidro Figueroa

Joe Power with Rincon Consultants provided a powerpoint presentation outlining the update to the City of Oxnard's California Environmental Quality Act (CEQA) Threshold Guidelines. Joe Power presented staff's recommendation which was for the Planning Commission to adopt a resolution recommending that the City Council adopt the updated CEQA Guidelines.

Chair Frank commented that she felt the language on the agenda didn't provide sufficient information on what the CEQA item was about. She stated that she felt the way it was presented on the agenda didn't look like it was an update to the CEQA Guidelines.

The Planning Commission discussed and inquired about several topics, including: traffic; switching from Level of Service (LOS) to Vehicle Miles Travel (VMT) analysis; having a software to do the analysis; making the updated CEQA Guidelines available to the public once it's approved; discretionary action involving CEQA and ministerial action not requiring CEQA review; and the improvements to CEQA Guidelines to make it easier for members of the public to read and understand.

All Commissioners' questions and concerns were addressed.

Chair Frank opened the public testimony.

There were no public comments.

Chair Frank closed the public testimony.

MOTION Commissioner Chua moved and Commissioner Sanchez seconded a motion to adopt a resolution recommending that the City Council adopt the updated CEQA Guidelines, subject to certain findings and conditions contained within the Resolution of Approval. The question was called and the motion carried unanimously.

H. STUDY SESSION/REPORTS

None.

I. PLANNING COMMISSION BUSINESS

Commissioner Huber commented that the Strawberry Festival is coming up and to go out there and take the bus. No other Commissioners spoke at this time.

J. PLANNING MANAGER COMMENTS

Planning Manager Kathleen Mallory commented that there are three items scheduled for June 1, 2017 Planning Commission meeting: the continued item PZ 16-500-03 located at 600 Cooper Rd; PZ 17-550-01, the Aldi project; and the study session on Short Term Rentals (STR). Kathleen stated that nothing has changed since the last study session meeting and the purpose of the June 1st STR study session is to give answers and provide responses to the November 3, 2016 Planning Commission meeting. Kathleen also commented that staff will provide information on what has happened historically on STR's to keep the three new Commissioners up to date and that there will not be any action taken. Ms. Mallory noted that the meeting is an opportunity for the public to provide feedback, and the Commission to provide input. Commissioner Huber inquired if the Commission will be getting their Commission package earlier than the Friday the week before the meeting. Kathleen responded that staff will try to do their best to get the package to the Commission in advance.

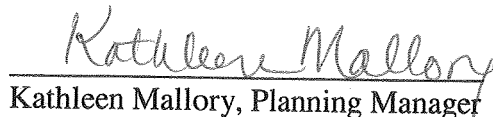
K. ADJOURNMENT

At 9:20 p.m., the Planning Commission concurred to adjourn.



Deirdre Frank, Chair

ATTEST:



Kathleen Mallory, Planning Manager