

MINUTES
OXNARD PLANNING COMMISSION
REGULAR MEETING
November 5, 2020

A. ROLL CALL

1. At 6:02 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Vice Chair Sanchez announced pursuant to Governor Newsom's Executive Order N-29-20, members of the Planning Commission or staff may participate in meetings via teleconference.
2. Vice Chair Sanchez (via videoconference), Commissioners Chavez (via videoconference), Dozier (via videoconference), Fuhring (via videoconference) and Meyer (via videoconference) were present. Chair Frank was absent.
3. Staff members present were: Jeff Pengilley, Interim Community Development Director; Scott Kolwitz, Planning & Environmental Services Manager; Jay Dobrowalski, Senior Planner; Ken Rozell, Chief Assistant City Attorney; and Dee Lai, Recording Secretary.
4. Vice Chair Sanchez presided and called the meeting to order.

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

1. Commissioner Chavez led the pledge of allegiance.

C. PUBLIC COMMENTS - On Items Not On The Agenda

1. Henry Sapien (Oxnard) provided a public comment regarding homeless issues on Saviers Road. He also commented that the houses in Oxnard are too expensive.

D. CONSENT AGENDA

1. None.

E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS

1. The Planning Commissioners did not have any ex parte communications to report for Items F-1.

F. CONTINUED PUBLIC HEARING

1. **Project Name: Verizon Danube** - PLANNING AND ZONING PERMIT NO. 18-530-01 (Special Use Permit) Request to construct a 47-foot tall wireless communications facility designed as a faux eucalyptus tree with an associated equipment enclosure within a 596 square-foot lease area adjacent to an existing three-story self-storage facility on a 1.02 acre lot in the General Commercial, Planned

Development Overlay (C-2-PD) zone. Pursuant to Oxnard City Code (OCC) Section 16-497, the request includes an increase in height from 35 feet to 47 feet and a reduction to the rear yard setback from 15 feet to 10 feet in the C-2-PD zone. The project is located adjacent to the southeastern corner of the Public Storage facility at 161 Ventura Boulevard (APN: 145-0-232-135). Filed by Scott Dunaway ("Applicant"), 1114 State Street, Suite 234, Santa Barbara, California, 93101

Project Planner: Jay Dobrowalski, Senior Planner

Recommendation:

That the Planning Commission approve an alternative version of the Project, located 50 feet northerly of the proposed location and with a maximum height of 57 feet, that may be increased subject to Planning Manager approval in consultation with a third party licensed subject matter expert, not to exceed a maximum of 69 feet, finding the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15303, and Approve Resolution 2020-XX for Planning and Zoning Permit No. 18-530-01, subject to certain findings and conditions.

The Planning Commissioners did not have any ex parte communications to report for Items F-1.

Senior Planner, Jay Dobrowalski, provided a presentation outlining the request.

The applicant's representative, Kevin Sullivan, Esq. (Gatzke, Dillon & Ballance, LLP; Partner) provided a presentation outlining the request. In addition, the applicant's team members who spoke at the meeting were:

1. William (Bill) F. Hammett, P.E. (Hammett & Edison; President, Professional Engineer)
2. Daisy M. Uy Kimpang (Verizon Wireless; Municipal Engagement Partner)
3. Emran Elyas (Verizon Wireless; RF Engineer)
4. Anthony Cruz (Verizon Wireless; RF Engineer)
5. Christine Henson (Verizon Wireless; Real Estate Specialist, Contractor)
6. William (Bill) C. Desmond (Delta Group; Vice President)

Vice Chair Sanchez opened the public comments portion of the public hearing.

No public verbal comments were received in support of or against Item F-1.

No public written comments were received in support of or against Item F-1.

Vice Chair Sanchez closed the public comments portion of the public hearing.

Discussion ensued among the Commissioners and staff.

MOTION: Commissioner Chavez moved and Commissioner Dozier seconded a motion to approve an alternative version of the **Verizon Danube Project** Planning and Zoning Permit No.. 18-530-01 (Special Use Permit), ,

located 50 feet northerly of the proposed location and with a maximum height of 77 feet to the top of the facility, finding the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15303, and Approve Resolution 2020-XX for Planning and Zoning Permit No. 18-530-01, subject to certain findings and conditions with the following edits:

1. Planning Division Special Condition number 24 shall be edited as follows:
 - a. In order to be less prominently visible from the Financial Square right-of-way, the proposed wireless communications facility shall be located on the eastern side of the existing building in a location that is approximately no less than 50 feet northerly of the proposed location at the southeastern corner of the building. The wireless communication facility shall be a maximum of ~~57~~ 77 feet tall (as measured to the top of the faux tree's canopy). ~~The wireless communications facility shall be constructed at a height less than 69 feet tall if comparable coverage can be provided as demonstrated in RF propagation maps, and other supporting documents, while meeting general project objectives. The exact location and height shall be reviewed and approved by the Planning Manager, in consultation with a third party licensed subject matter expert (third party review shall be paid by the applicant), prior to the applicant submitting construction plans to the Building and Engineering Division for plan check. See the related height FCC exposure limits Condition No. 25.~~
2. Planning Division Special Condition number 25 shall be deleted:
 - a. ~~In order to be compliant with the maximum FCC general public and occupational exposure limits, the applicant shall prepare and submit a Radio Frequency Compliance Report that demonstrates, based on predictive modeling, the minimum height the wireless communications facility can be, at the location described in Condition No. 24, while being compliant with the FCC exposure limits as measured from the ground level adjacent to the facility, on the roof of the adjacent self storage building, and at the street light closest to the wireless communications facility. The exact height shall be reviewed and approved by the Planning Manager, in consultation with an independent third party licensed subject matter expert, prior to the applicant submitting construction plans to the Building & Engineering Division for plan check. The costs associated with the third party review, and an additional 15% administrative fee, shall be paid by the applicant. See the related height aesthetics Condition No. 24.~~
3. Remaining Conditions to be renumbered.
4. The Resolution title and Findings are to be updated to reflect the alternate project and conditions made by the Planning Commission.

VOTE: Vice Chair Sanchez, and Commissioners Chavez, Dozier, Fuhring and Meyer voted in favor. Chair Frank was absent. The motion carried 5:0:1:0:0¹.

G. STUDY SESSION/REPORTS

1. None

H. PLANNING COMMISSION BUSINESS

1. Commissioner Chavez commented:
 - i. He would like staff to place a discussion item on a future Planning Commission agenda describing when buildings are required to have elevators.
 - ii. He would like to know what is the City's policy on vacant buildings and land lots in Oxnard and whether the City has the ability to speak to the owners of the vacant buildings to encourage upkeep or development. His concern is that unkempt or vacant properties attract crime.

I. COMMUNITY DEVELOPMENT STAFF UPDATES

1. Scott Kolwitz, Planning & Environmental Services Manager announced:
 - i. The next Planning Commission meeting will be on November 19, 2020 in City Council Chambers.

J. ADJOURNMENT

1. At 9:17 p.m., the Planning Commission concurred to adjourn.

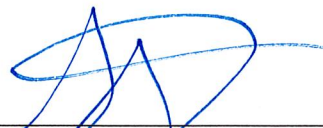
FUTURE MEETINGS

Thursday, November 19, 2020, 6:00 p.m., City Council Chambers



Robert Sanchez,
Vice Chair

ATTEST



Scott Kolwitz,
Planning & Environmental Services Manager

¹ In Favor: Against: Absent: Abstain: Recused