

MINUTES
OXNARD PLANNING COMMISSION
REGULAR MEETING
July 15, 2021 Minutes

A. ROLL CALL

1. At 6:00 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Chair Chavez 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. Chair Chavez (via videoconference), Vice Chair Arruejo (via videoconference), Commissioners Connelly (via videoconference), Meyer (via videoconference), Nash (via videoconference), and Sanchez (via videoconference) were present. Commissioner Lopez was absent.
3. Staff members present were: Scott Kolwitz, Planning & Environmental Services Manager; Isidro Figueroa, Principal Planner; Paul Early, Assistant City Attorney; Eric S. Sonstegard, Assistant Police Chief; Dee Lai, Administrative Secretary; and Jessica Monterroso, Recording Secretary.
4. Chair Chavez presided and called the meeting to order.

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

1. Commissioner Meyer led the pledge of allegiance.

C. PUBLIC COMMENTS - On Items Not On The Agenda

1. None.

D. CONSENT AGENDA

1. APPROVAL OF MINUTES - July 1, 2021

MOTION: Commissioner Arruejo moved and Commissioner Nash seconded a motion to approve the regular minutes of July 1, 2021 as submitted.

VOTE: Chair Chavez, Vice Chair Arruejo, Commissioners Connelly, Nash, and Sanchez voted in favor. Commissioner Meyer abstained, and Commissioner Lopez was absent. The motion carried 5:0:1:1:0¹.

E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS

1. Commissioner Sanchez commented that he had ex parte communication for Item F-1. He visited the project site, fronting 3605 Peninsula Road.

¹ In Favor: Against: Absent: Abstain: Recused

2. None of the remaining Planning Commissioners had any ex parte communications to report for Item F-1 or F-2.

F. PUBLIC HEARING

1. **Project Name: Peninsula Road Street Vacation General Plan Conformity - Planning And Zoning Permit No. 21-625-02 (General Plan Conformity Determination).** A request that the Planning Commission adopt a resolution affirming that the City of Oxnard's vacation of the southernmost 272 feet of Peninsula Road and acceptance of a public access easement to allow for the continuation of vehicular circulation is in conformance with the City of Oxnard 2030 General Plan and recommending that the City Council order the street vacation and accept the public access easement. The project site is located at the terminus of Peninsula Road (public right-of-way) fronting 3605 Peninsula Road. Filed by the City of Oxnard, Community Development Department, 214 South C Street, Oxnard, California 93030.
City Staff: Isidro Figueroa, Principal Planner

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 2021-14 affirming that the City of Oxnard's proposed vacation of the southernmost 272 feet of Peninsula Road fronting 3605 Peninsula Road and acceptance of a public access easement is in conformance with the City of Oxnard 2030 General Plan, and recommending that the City Council order the vacation and accept a public access easement.

Isidro Figueroa, Principal Planner, provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://youtu.be/5j1pDlthuBI>

The City was the applicant team and was available for questions. Additionally, Mark Sandoval, Director of Channel Island Harbor, was available for questioning.

Chair Chavez opened the public comments portion of the public hearing.

Public written comments were received from:

1. Transmittal Memo No. 1, dated July 15, 2021, which contained two public written comments. The first was from Lauraine Effress in support of Item F-1. She identified the street vacancy as necessary to replace the Casa Sirena hotel and consistent with a recently approved City / County agreement. The second was from the Harbor & Beach Community Alliance in support of Item F-1. They supported the street vacation as part of the City / County agreement, while also expressing concern for potential high density residential projects and public access.

All public written comments were provided to the Planning Commissioners.

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

Chair Chavez closed the public comments portion of the public hearing.

Discussion ensued among the Commissioners and staff about several topics, including: the intersection of the City's Local Coastal Plan, the County's Public Works Plan, and the Coastal Commission's and jurisdiction; the approved Channel Island Harbor hotel / conditions, and the good that it will bring to the City; and support of the pedestrian and bicycle facilities and water access.

MOTION: Vice Chair Arruejo moved and Commissioner Connelly seconded a motion to approve the Peninsula Road Street Vacation General Plan Conformity determination as submitted, finding the Project to be exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) and Section 15378(b)(5), and adopt Resolution 2021-14 affirming that the City of Oxnard's proposed vacation of the southernmost 272 feet of Peninsula Road fronting 3605 Peninsula Road and acceptance of a public access easement is in conformance with the City of Oxnard 2030 General Plan, and recommending that the City Council order the vacation and accept a public access easement.

VOTE: Chair Chavez, Vice Chair Arruejo, and Commissioners Connelly, Meyer, Nash, and Sanchez voted in favor, and Commissioner Lopez was absent. The motion carried 6:0:1:0:0².

2. **Project Name: Firearms Ordinance Update** - Planning And Zoning Permit No. 20-580-05 (Zone Text Amendment) A request to modify Oxnard City Code (OCC) Chapter 16 (Zoning Code) pertaining to the permitting and development requirements related to firearm ranges and businesses engaged in the sale of firearms and ammunition. Proposed modifications include adding medical clinics and hospitals as a sensitive use requiring a 600-foot separation from businesses engaged in the sale of firearms and ammunition and firearm ranges to OCC Chapter 16, Article II, Section 16-10 (Definitions), and OCC Chapter 16, Article V (Specific Use Requirements), Division 19 (Firearm and Ammunition Sales) Section 16-540.1(B) & Division 20 (Firearm Ranges) Section 16-504.2(B). Filed by the City of Oxnard, Community Development Department, 214 South C Street, Oxnard, California 93030.

City Staff: Isidro Figueroa, Principal Planner

Recommendation: That the Planning Commission

- a) Find the Project to be exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15060(c)(2) and (3) and 15061(b)(3), and
- b) Adopt Resolution 2021-15 recommending that the City Council approve Planning & Zoning Permit No. 20-580-05 (Zone Text Amendment) adding Medical Clinics and

² In Favor: Against: Absent: Abstain: Recused

Hospitals as sensitive uses requiring separation from establishing regulations to address Firearm Ranges and the Sales of Firearms and Ammunition.

Isidro Figueroa, Principal Planner, provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://youtu.be/2jKXXFobWm4>

The City was the applicant team and was available for questions.

Chair Chavez opened the public comments portion of the public hearing.

Public written comments were received from:

1. A letter from Keith Lauterback, Ghost Guns & Gear owner, was attached to the staff report in opposition to Item F-2. He mentioned that it is not necessary and refers to a project they would like to bring forward to the City.
2. Transmittal Memo No. 1, dated July 15, 2021, which contained a public written comment from Lauraine Effress, in support of Item F-2. She identified the assurance of safety and security that patients seek for medical care at medical clinics and hospitals.
3. Transmittal Memo No. 2, dated July 15, 2021, which contained a public written comment from Troy Corley, resident of the City of Oxnard, in support of Item F-2. He commented on the importance of health and welfare of the community.

All public written comments were provided to the Planning Commissioners.

No other written comments were received in support of or against Item F-2.

Public Verbal comment was received from Keith Lauterback, who was against the project. He commented on the distance requirements from sensitive uses, stated he would like to open a business and needed clarity on if the property is located within the distance from a medical clinic or other sensitive use.

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

Chair Chavez closed the public comments portion of the public hearing.

Discussion ensued among the Commissioners and staff about several topics, including: are there other jurisdictions in Ventura County which have similar buffers from medical institutions; Police responses / evacuations zones; what is meant by a legally sufficient number of parcels to accommodate firearms; legal / legal non-conforming status of existing firearms retailers; effect on any proposed project that may come forth to the City; medical clinic definition; City Council committee didn't ask the Planning Commission to review the 600-foot boundary from sensitive uses.

MAIN MOTION:

Commissioner Nash moved and Commissioner Sanchez seconded a motion to approve Firearms Ordinance Update as submitted, finding the Project to be exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections

15060(c)(2) and (3) and 15061(b)(3), and adopt Resolution 2021-15 recommending that the City Council approve Planning & Zoning Permit No. 20-580-05 (Zone Text Amendment) adding Medical Clinics and Hospitals as sensitive uses requiring separation from establishing regulations to address Firearm Ranges and the Sales of Firearms and Ammunition.

AMENDMENT TO THE MAIN MOTION:

Vice Chair Arruejo moved to amend the required separation distance from 600 feet to 400 feet for businesses engaged in the sale of firearms and ammunition and firearm ranges to a medical clinic. The motion did not receive a second.

AMENDMENT TO THE MAIN MOTION:

Commissioner Meyer moved and Vice Chair Arruejo Commissioner Sanchez seconded a motion to amend the required separation distance from 600 feet to 500 feet for businesses engaged in the sale of firearms and ammunition and firearm ranges to all sensitive uses in the the Oxnard City Code Sections 16-540.1(B) and 16-540.2 (B) and medical clinics and hospitals.

AMENDMENT TO THE MAIN MOTION VOTE:

Commissioners Meyer and Sanchez voted in favor. Chair Chavez, Vice Chair Arruejo and Commissioners Connelly, and Nash voted against. Commissioner Lopez was absent. The motion failed 2:4:1:0:0³

MAIN MOTION VOTE:

Chair Chavez, Vice Chair Arruejo, and Commissioners Connelly, Meyer, Nash and Sanchez voted in favor. Commissioner Lopez was absent. The motion carried 6:0:1:0:0⁴

G. STUDY SESSION/REPORTS

1. Vice Chair Arruejo reported that the Oxnard Planning Commission Rules and Procedures (Bylaws) Subcommittee requested an extension of the Oxnard Planning Procedures (Bylaws) Subcommittee presentation from August 5, 2021 to August 19, 2021.

MOTION: Vice Chair Arruejo moved and Commissioner Connelly seconded a motion to approve the extension of the Oxnard Planning Procedures (Bylaws) Subcommittee presentation from August 5, 2021 to August 19, 2021.

³ In Favor: Against: Absent: Abstain: Recused

⁴ In Favor: Against: Absent: Abstain: Recused

VOTE: Chair Chavez, Vice Chair Arruejo, and Commissioners Connelly, Meyer, Nash, and Sanchez voted in favor, and Commissioner Lopez was absent. The motion carried 6:0:1:0:0⁵.

H. PLANNING COMMISSION BUSINESS

1. Commissioner Meyer thanked members of the Bylaw Subcommittee for their time and efforts. He also informed the Planning Commission that CAUSE (Central Coast Alliance United for a Sustainable Economy) was hosting a webinar tonight, from 5:00-7:00 p.m. in regards to how to incorporate environmental justice into City general plans and related matters. The webinar was to be recorded and posted to the CAUSE website: <https://causenow.org/content/summer-change-environmental-justice>
2. Vice Chair Arruejo announced that he was re-elected as Treasurer for the California State Association of Parliamentarians Southern Area.
3. Commissioner Nash announced that the County was requesting comments for the Santa Clara River Levee (SCR-1). Commissioner Nash announced the City is to receive \$59.5 million from the American Rescue Plan Act (ARPA). Letters can be submitted with requests or to propose priorities for this funding.
4. Commissioner Connelley thanked the City of Oxnard for sending Fire Chief Alex Hamilton to be part of the search and rescue team in Surfside, Florida.
5. Chair Chavez announced that there have been many tragic events within the past week including pedestrians being struck and killed at crosswalks and vehicular accidents that took the life of a child. It is appropriate to consider these types of events when projects come before the Planning Commission.

I. COMMUNITY DEVELOPMENT STAFF UPDATES

1. Scott Kolwitz, Planning & Environmental Services Manager,
 - i. Clarified that the City and County are jointly hosting a virtual Santa Clara River Levee (SCR-1) Community update Meeting Thursday, July 22, 2021, at 6:00 pm. Zoom Registration: <https://bit.ly/scriver1>. This will allow the community to learn more about structural improvements intended to enhance flood protection for the Riverpark, Wagon Wheel, and El Rio West Communities along the river and provide comments to County staff as to what should be included within the project's environmental document.
 - ii. Provided the following updates in regards to residential construction in the City of Oxnard. There are 1,222 units being proposed, 970 units approved (394 units, in the Downtown area) and 886 units are being constructed.
 - iii. Announced that the next Planning Commission meeting is scheduled for August 5, 2021, at 6:00 p.m.

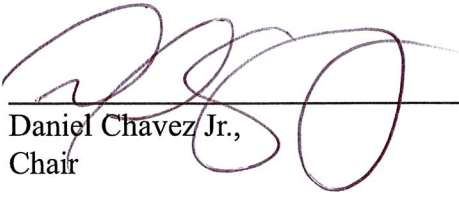
J. ADJOURNMENT

1. At 7:32 p.m., the Planning Commission concurred to adjourn.

⁵ In Favor: Against: Absent: Abstain: Recused

FUTURE MEETINGS

Thursday, August 5, 2021, 6:00 p.m., City Council Chambers



Daniel Chavez Jr.,
Chair

ATTEST 

Scott Kolwitz,
Planning & Environmental Services Manager
