

MINUTES
OXNARD PLANNING COMMISSION
REGULAR MEETING
August 19, 2021 Minutes

A. ROLL CALL

1. At 6:00 p.m., the regular meeting of the Oxnard Planning Commission convened in the Service Center West Conference Room, 214 South C Street. Vice Chair Arruejo 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 Arruejo (via videoconference), Commissioners Connelly (via videoconference), Lopez (via videoconference), Meyer (via videoconference), Nash (via videoconference), and Sanchez (via videoconference) were present. Chair Chavez was absent.
3. Staff members present were: Scott Kolwitz, Planning & Environmental Services Manager; Joe Pearson II, Senior Planner; Randy Baez, Associate Planner; Ken Rozell, Chief Assistant City Attorney; Emilio Ramirez, Housing Director; Adam Smith, Project Manager; Tim Beaman, Senior Civil Engineer; and Dee Lai, Recording Secretary.
4. Vice Chair Arruejo presided and called the meeting to order.

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

1. Commissioner Sanchez led the pledge of allegiance.

C. PUBLIC COMMENTS - On Items Not On The Agenda

1. None.

D. CONSENT AGENDA

1. APPROVAL OF REGULAR MINUTES - August 5, 2021

MOTION: Commissioner Lopez moved and Commissioner Sanchez seconded a motion to approve the Minutes of August 5, 2021 as submitted.

VOTE: Vice Chair Arruejo, Commissioners Connelly, Lopez, Meyer, Nash, and Sanchez voted in favor. Chair Chavez was absent. The motion carried 6:0:1:0:0¹.

¹ In Favor: Against: Absent: Abstain: Recused

2. APPROVAL OF SUBCOMMITTEE MINUTES - August 5, 2021

MOTION: Commissioner Connelly moved and Vice Chair Arruejo seconded a motion to approve the subcommittee Minutes of August 5, 2021 as submitted.

VOTE: Vice Chair Arruejo and Commissioner Connelly voted in favor. Chair Chavez was absent. The motion carried 2:0:1:0:0².

E. **EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS**

1. Commissioner Nash had ex parte communication for item F-3. He previously worked at the Wastewater plant. He can hear and consider the request in a fair, objective and unbiased manner.
2. None of the remaining Planning Commissioners had any ex parte communications to report for Items F-1, F-2, F-3 or F-4.

F. **PUBLIC HEARING**

1. **Project Name: Oxnard Successor Agency Meta and Sixth Street Property Disposition General Plan Conformity - PLANNING AND ZONING PERMIT No. 21-625-03 (General Plan Conformity Determination).** A request that the Planning Commission adopt a Resolution affirming that the City of Oxnard's disposition of real property located at 544 Meta Street and 201 East Sixth Street is in conformance with the City of Oxnard 2030 General Plan and recommending that the City Council order the disposition. The site is located within the 2030 General Plan land use designation of Downtown (DT) and is zoned Downtown General (DT-G) in the City of Oxnard. The Planning Commission's determination of whether the proposed disposition of the City's subject property is consistent with the Oxnard 2030 General Plan is not a "project" for purposes of the California Environmental Quality Act (CEQA) and State CEQA Guidelines (CEQA Guidelines Section 15061(b)(3) and Section 15378. 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.

City Staff: Joe Pearson, Senior 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 2021-18 affirming that the Oxnard Community Development Commission Successor Agency disposition of real property located at APNs 201-0-213-140 and 201-0-272-030 is in conformance with the City of Oxnard 2030 General Plan, and recommending that the City Council order the disposition.

² In Favor: Against: Absent: Abstain: Recused

Joe Pearson, Senior Planner, provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://www.youtube.com/watch?v=pIy-QBmxjjE>

City staff, including Joe Pearson, Senior Planner; Adam Smith, Project Manager; and Emilio Ramirez, Housing Director, were available for questions.

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

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

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

Discussion ensued among the Commissioners and staff about several topics, including: this disposition in comparison to others; whether this disposition will help cure the park deficiency in the Five Points Neighborhood; and will this disposition lead to redevelopment of the site with affordable housing.

MOTION: Commissioner Sanchez moved and Commissioner Meyer seconded a motion to approve the Oxnard Successor Agency Meta and Sixth Street Property Disposition General Plan Conformity as submitted, finding the Project to be Categorically 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 2021-18 affirming that the Oxnard Community Development Commission Successor Agency disposition of real property located at APNs 201-0-213-140 and 201-0-272-030 is in conformance with the City of Oxnard 2030 General Plan, and recommending that the City Council order the disposition.

VOTE: Vice Chair Arruejo, and Commissioners Connelly, Lopez, Meyer, Nash, and Sanchez voted in favor. Chair Chavez was absent. The motion carried 6:0:1:0:0³

2. **Project Name: Oxnard Successor Agency Seventh Street Property Disposition General Plan Conformity Determination - PLANNING AND ZONING PERMIT No. 21-625-04 (General Plan Conformity Determination).** A request that the Planning Commission adopt a Resolution affirming that the City of Oxnard's disposition of real property located at 141 East Seventh Street and 145 East Seventh Street is in conformance with the City of Oxnard 2030 General Plan and recommending that the City Council order the disposition. The site is located within the 2030 General Plan land use designation of Downtown (DT) and is zoned Downtown General (DT-G) in the City of Oxnard. The Planning Commission's determination of whether the proposed disposition of the City's subject property is consistent with the Oxnard 2030 General Plan is not a "project" for purposes of the California Environmental Quality Act (CEQA) and State CEQA Guidelines (CEQA Guidelines Section 15061(b)(3) and Section 15378. Requested by Emilio Ramirez, Housing Director, on behalf of the City

³ In Favor: Against: Absent: Abstain: Recused

of Oxnard, 435 South D Street, Oxnard, CA 93030, on behalf of the property owner which is the City of Oxnard.

City Staff: Joe Pearson, Senior 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 2021-19 affirming that the Oxnard Community Development Commission Successor Agency disposition of real property located at APNs 201-0-272-030 and 201-0-272-020 is in conformance with the City of Oxnard 2030 General Plan, and recommending that the City Council order the disposition.

Joe Pearson, Senior Planner, provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://www.youtube.com/watch?v=KLQviUyonE8>

City staff, including Joe Pearson, Senior Planner; Adam Smith, Project Manager; and Emilio Ramirez, Housing Director, were available for questions.

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

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

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

The Planning Commission didn't have any questions for staff.

MOTION: Commissioner Meyer moved and Commissioner Sanchez seconded a motion to approve the Oxnard Successor Agency Seventh Street Property Disposition 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 2021-19 affirming that the Oxnard Community Development Commission Successor Agency disposition of real property located at APNs 201-0-272-030 and 201-0-272-020 is in conformance with the City of Oxnard 2030 General Plan, and recommending that the City Council order the disposition.

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

3. **Project Name: Oxnard Wastewater Treatment Facility Improvements - PLANNING AND ZONING PERMIT No. 20-400-02 (Coastal Development Permit).** The City-initiated application proposes to remove, replace, and/or upgrade vital

⁴ In Favor: Against: Absent: Abstain: Recused

structures, equipment and site improvements associated with the existing City Wastewater Treatment Facility on a 9.28-acre site. The Project would replace an existing approximately 1,700 square-foot maintenance storage building with a 9,096 square foot maintenance storage building, demolish an existing approximately 6,700 square-foot electrical building and replace with a new approximately 2,600 square-foot electrical building, upgrade the digester, site fencing, security features, electrical systems, piping, headworks, and other associated site improvements. The Project site is located at 5751 through 6001 Perkins Road within the Industry Priority to Coastal Dependent land use designation and Coastal Development Industry (CDI) zone. The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15302 (Class 2, Replacement or Reconstruction) of the CEQA Guidelines. Filed by Timothy Beaman, City of Oxnard Public Works, 305 West Third Street, Oxnard, California 93030.

City Staff: Randy Baez, Associate Planner

Recommendation: That the Planning Commission

- a) Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15302 (Class 2, Replacement or Reconstruction); and
- b) Adopt Resolution 2021-20 approving Planning and Zoning Permit No. 20-400-02 (Coastal Development Permit), subject to certain findings and conditions.

Randy Baez, Associate Planner, provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://www.youtube.com/watch?v=By2hZA4Occw>

City staff, including Randy Baez, Associate Planner; and Timothy Beaman, Senior Civil Engineer, were available for questions.

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

A public verbal comment was received from Barbara Macri-Ortiz in support of item F-3.

No other public or written comments were received in support of or against Item F-3.

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

Discussion ensued among the Commissioners and staff about several topics, including: how will the site / project address flooding and sea level rise; this is a vital piece of infrastructure that needs updating; the construction phase request for proposal (RFP) process will notify local companies of this opportunity.

MOTION: Commissioner Nash moved and Commissioner Connelly seconded a motion to approve the Oxnard Wastewater Treatment Facility Improvements as submitted, finding the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15302 (Class 2,

Replacement or Reconstruction); and Adopt Resolution 2021-20 approving Planning and Zoning Permit No. 20-400-02 (Coastal Development Permit), subject to certain findings and conditions..

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

4. **Project Name: Encanto Homes Subdivision - PLANNING AND ZONING PERMIT** No. 20-500-05 (Special Use Permit for Planned Development); PZ 20-300-04 (Tentative Subdivision Map for T6054); and PZ 20-535-03 (Density Bonus), request to demolish existing infrastructure consisting of modular classroom buildings and site improvements serving the former Oxnard Union High School's Adult Education Program; subdivide the Project 4.10-acre site into 27 lots ranging between 3,838 and 9,946 square feet in size and dedication of approximately 1-acre of land for the benefit of public right-of-way for existing and proposed roadway improvements along all four sides of the proposed development; to allow for the construction of the single-story, three bedroom homes offered in two plans with two unit sizes (1,149 & 1,201 square feet) and attached or detached 484 square-foot two-car garages with alley access and associated site improvements. The Project also includes a request for the ministerial approval of a Density Bonus Permit to allow for a 35 percent Density Bonus to increase the maximum number of units from 22-units to 27-units. Twenty-two (22) of the homes will be market rate and five (5) of the 27 homes will be affordable units (equity share) that will be set aside for low income persons. Approval of the following Density Bonus concessions/incentives are requested pursuant to Government Code Section 65915(d) (State's Density Bonus law): a) reduction of lot area from 6,000 square feet to lots averaging 4,070 square feet (37 feet by 110 feet); b) reduce the minimum lot frontage and width from 50-feet to 37-feet; and c) reduce the rear yard setback from 25-feet to 5-feet. The Project site is located at 1101 & 1111 West Second Street within the Residential Low land use designation, Single Family Residential (R-1) zone, and is in the Fremont South Neighborhood. The Project is exempt from environmental review pursuant to Section 15332 (Class 32, In-fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines. Filed by Henry Casillas, on behalf of the Oxnard Union High School District, LLC, property owner, 451 West Fifth Street, Oxnard, California 93030.

City Staff: Juan Martinez, Associate Planner

Recommendation: That the Planning Commission continue the Project to a Special Meeting to be held on a date certain of August 26, 2021.

MOTION: Commissioner Lopez moved and Vice Chair Arruejo seconded a motion to continue the Project to a Special Meeting to be held on a date certain of August 26, 2021.

⁵ In Favor: Against: Absent: Abstain: Recused

VOTE: Vice Chair Arruejo, and Commissioners Connelly, Lopez, Meyer, Nash, and Sanchez voted in favor. Chair Chavez was absent. The motion carried 6:0:1:0:0⁶

G. STUDY SESSION/REPORTS

- 1. Project Name: Rules and Procedures (Bylaws) Discussion**
City Staff: Scott Kolwitz, Planning and Environmental Services Manager
Ken Rozell, Chief Assistant City Attorney

Recommendation: That the Planning Commission

- a) Allow the Planning Commission Rules and Procedures (Bylaws) Subcommittee to present their findings and recommended revisions to the Planning Commission and seek adoption of the final Bylaws on August 19, 2021;
- b) Approve the Resolution 2021-21 to adopt the revised Rules and Procedures of the Planning Commission; and
- c) Disband the Planning Commission Rules and Procedures (Bylaws) Subcommittee following the adoption of the Bylaws and adoption of final Minutes documenting the Subcommittee's work.

City staff, including Scott Kolwitz, Planning & Environmental Services Manager; and Ken Rozell, Chief Assistant City Attorney, were available for questions.

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

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

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

The Commissioners thanked the members of the Planning Commission Rules and Procedures (Bylaws) Subcommittee for their time and work on the Planning Commission Bylaws.

MOTION: Commissioner Nash moved and Commissioner Connelly seconded a motion to approve Resolution 2021-21 to adopt the revised Rules and Procedures of the Planning Commission; Disband the Planning Commission Rules and Procedures (Bylaws) Subcommittee following the adoption of the Bylaws and adoption of final Minutes documenting the Subcommittee's work; and designate Vice Chair Arruejo to join staff when the Bylaws are presented to the City Council.

VOTE: Vice Chair Arruejo, and Commissioners Connelly, Lopez, Meyer, Nash, and Sanchez voted in favor. Chair Chavez was absent. The motion carried 6:0:1:0:0⁷

⁶ In Favor: Against: Absent: Abstain: Recused

⁷ In Favor: Against: Absent: Abstain: Recused

H. PLANNING COMMISSION BUSINESS

1. Commissioner Lopez
 - i. Announced that he attended the Housing Element workshop on August 18, 2021. He said that it was a good meeting and that the meeting will be posted online.
 - ii. Commented that staff did a good job on the presentations.
 - iii. Heartened by infill development and affordable housing projects which have been presented.
2. Commissioner Connelly announced that she has been asked, and accepted the opportunity to be a representative of Ventura County at the California Association of Realtors 2022 state meetings, specifically sitting in public policy meetings. The meetings will discuss fair housing, home availability and affordability at a State and National level.
3. Commissioner Meyer acknowledged the start of the new school year for both K-12 and preschools in Ventura County, and the challenge of doing so with full classes amidst a resurging COVID-19 pandemic with new variants. Vaccination rates continue to creep up, but slowly. He asks those not yet vaccinated to strongly consider doing so to protect school staff, families, and children - many of whom are under 12 years old and thus cannot yet be vaccinated.
4. Vice Chair Arruejo
 - i. Announced that the State election is on September 14, 2021, and he encouraged everyone to get educated and vote.
 - ii. Thanked the Planning Commissioners and staff for the support he received for his first time chairing the meeting.

I. COMMUNITY DEVELOPMENT STAFF UPDATES

Scott Kolwitz, Planning & Environmental Services Manager announced:

1. The Housing Element will be presented to the Planning Commission during their September 2nd and 16th meetings. On September 2, 2021, the focus will be on the policy changes, and on September 16, 2021, the focus will be on the environmental review. Staff recommends that Planning Commissioners start to review the Housing Element's Mitigated Negative Declaration now. More information can be found at the following link: <https://www.oxnard.org/housing-element-update/>
 - i. The current version of the Draft Housing Element is posted on the City's website: https://www.oxnard.org/wp-content/uploads/2021/08/Adoption-Final_8-13-21_clean.pdf
 - ii. The Draft Housing Element Mitigated Negative Declaration is posted on the City's website: <https://www.oxnard.org/wp-content/uploads/2021/08/Oxnard-HEU-IS-MND-Public-Review-Draft.pdf>
2. The Peninsula Road Street Vacation project is scheduled for the City Council meeting on September 7, 2021.
3. The Firearms Ordinance Amendment project is scheduled for the City Council meeting on September 21, 2021.

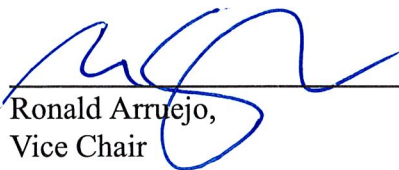
4. The next Planning Commission meeting is a Special Meeting scheduled for August 26, 2021 at 6:00 p.m.
5. The next Regular Planning Commission meeting is scheduled for September 2, 2021 at 6:00 p.m.

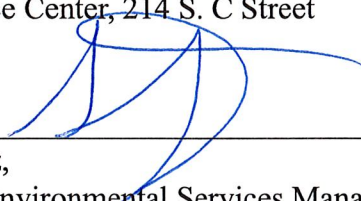
J. ADJOURNMENT

1. At 7:13 p.m., the Planning Commission concurred to adjourn.

FUTURE MEETINGS

Thursday, August 26, 2021, 6:00 p.m, Service Center, 214 S. C Street



Ronald Arruejo,
Vice Chair

ATTEST
Scott Kolwitz,
Planning & Environmental Services Manager