

MINUTES
OXNARD PLANNING COMMISSION
SPECIAL MEETING
August 26, 2021 Minutes

A. ROLL CALL

1. At 6:04 p.m., the regular meeting of the Oxnard Planning Commission convened in the Service Center West Conference Room, 214 South C Street. 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 (joined at 6:14 p.m. 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; Juan Martinez, Associated Planner; Ken Rozell, Chief Assistant City Attorney; Emilio Ramirez, Housing Director; and Dee Lai, Recording Secretary.
4. Chair Chavez presided and called the meeting to order.

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

Ken Rozell, Chief Assistant City Attorney, led the pledge of allegiance.

C. PUBLIC COMMENTS - On Items Not On The Agenda

1. None.

D. CONSENT AGENDA

1. None

E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS

1. Commissioner Nash had ex parte communication for item F-1. He had communications with the applicant, Henry Casillas as part of the Oxnard Community Planning group, but none on this project. 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. CONTINUED PUBLIC HEARING

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), a request to:

- a) Demolish existing infrastructure consisting of modular classroom buildings and site improvements serving the former Oxnard Union High School's Adult Education Program;
- b) 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. The net developable area will be 3.13 acres;
- c) Allow for the construction of 27 detached single-family dwelling units. The single-story, three bedroom homes will offer a two plan mix 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.
- d) The Project also includes a request for the ministerial approval of a Density Bonus Permit to allow for a 23 percent Density Bonus to increase the maximum number of units from 22-units to 27-units. Of the 27 homes, twenty (20) of the homes will be market rate, seven (7) of the homes will be affordable units as follows: Three (3) units will be set aside for low income households and four (4) units will be set aside for moderate income households. Approval of the following Density Bonus concessions/incentives are requested pursuant to Government Code Section 65915(d) (State's Density Bonus law):
 - i) reduce the minimum lot area from 6,000 square feet to lots averaging 5,332.6 square feet;
 - ii) reduce the minimum lot dimensions: frontage and width from 50-feet to 37-feet and depth from 100 feet to 71 feet; and
 - iii) reduce the rear yard setback from 25-feet to 5-feet primarily to allow the garages in the rear yard.

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:

- a) Find the Project to be Exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15332 (In-fill Development Projects) of the CEQA Guidelines; and
- b) Adopt Resolution 2021-22 approving Planning and Zoning Permit Nos. 20-500-05 (Special Use Permit for a Development Plan) and 20-535-03 (Density Bonus), subject to certain findings and conditions; and
- c) Adopt Resolution 2021-23 recommending that City Council approve Planning and Zoning Permit No. 20-300-04 (Tentative Tract Map for Tract No. 6054), subject to certain findings and conditions.

Juan Martinez provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://youtu.be/DfIXFoK73PU>

City staff, including Juan Martinez, Associate Planner; and Emilio Ramirez, Housing Director, were available for questions.

The applicant, Henry Casillas (on behalf of Oxnard Union High School District, LLC, property owner) did not provide a presentation but was available for questions

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

Public verbal comments were received for Item F-1.

1. Ann Bull asked if the City has any provisions or restrictions to prevent investment housing where investors buy homes at market price and then immediately flip into a rental units.
2. Barbara Macri-Ortiz disagreed with the Density Bonus calculations. She commented that the Quimby fees should be applied to Campus park.
3. Carmina McGee commented about parking concerns the neighborhood will experience as a result of the new development. She was concerned with the density and Accessory Dwelling Units that will be allowed. She mentioned that it would be good to have an Home Owner's Association to put some limitations on how many rental units there can be. She was concerned about investors coming in and making the development into a rental market.
4. Jackson Piper from Ventura County Yes In My Backyard (Yimby) commented that this development was very thoughtful and very well designed to meet the concerns of the community. He said these would be good starter homes for Oxnard families.

No other 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: Sod alternatives to front lawns and drought tolerant landscaping options; Conditions of Approval 36: questions regarding the structure of an equity share arrangement, where will the shared profits of the equity share affordable units go, and who gets to decide how to use those funds; Conditions of Approval 105: suggestion to include language in the Covenants, Conditions and Restrictions (CCRs) that people visiting Campus Park may park in front of their homes; Condition of Approval 188: when possible, coordinate repaving; Questions regarding inclusion of a stormwater retention facility; Could Police cameras be provided in the public right-of-way as part of this project; Questions if the use of inclusionary standards and Density Bonus was unique; Breakdown of the number of affordable units needed; Homes being approved in compliance with the Airport Comprehensive Land Use Plan for Ventura County; The accuracy of the Runway Protection Zone (RPZ) over Lots 12 and 13 and uses allowed within the RPZ; Condition of Approval 75: Fire hydrant location and minimum for the hydrant requirement based on the number of residential units, and if more fire hydrants

will be provided to meet the requirement for fire hydrants to cover a 150-foot radius; Whether backyards are large enough to include an ADU; Resale time frame for affordable units; The applicant's relationship with the Oxnard Union High School District (OUHSD); Developer marketing of the lots for the affordable housing and maintenance of interested parties lists; Could the developer provide preference to OUHSD employees to purchase the units; Reasons for certain homes to have attached garage while the majority have detached; Alley to provide access for garages and utility services; Reason for the HOA to maintain the private alleyway; Quimby fees to be used to enhance parks in Fremont South; Do the modular units on site have to be demolished or could they be relocated; Appreciation of the open floor plan and the spanish revival architecture; These are sorely needed starter homes; These homes fit the neighborhood.

MOTION: Vice Chair Arruejo moved and Commissioner Connelly seconded a motion finding the Encanto Homes Subdivision Project to be Exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15332 (In-fill Development Projects) of the CEQA Guidelines; Adopt Resolution 2021-22 approving Planning and Zoning Permit Nos. 20-500-05 (Special Use Permit for a Development Plan) and 20-535-03 (Density Bonus); and Adopt Resolution 2021-23 recommending that City Council approve Planning and Zoning Permit No. 20-300-04 (Tentative Tract Map for Tract No. 6054), subject to certain findings and conditions.

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

G. PLANNING COMMISSION BUSINESS

1. Commissioner Meyer stated that Ventura County has reinstated the mask mandate, and he hopes that everyone understands the benefits of wearing masks to help us move out of the pandemic.
2. Chair Chavez thanked Vice Chair Arruejo for chairing the Planning Commission's meeting on August 19, 2021. He also thanked Jessica Monterroso for doing a great job flying solo for the first time in her role as the Planning Commission's Recording Secretary.

H. 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

¹ In Favor: Against: Absent: Abstain: Recused

information can be found at the following link:
<https://www.oxnard.org/housing-element-update/>

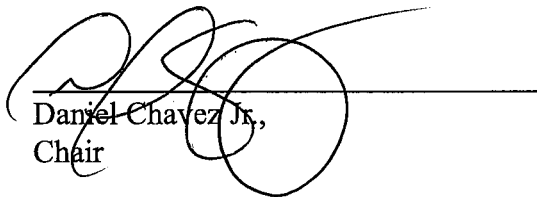
- i. The current version of the Draft Housing Element is posted on the City's website:
https://www.oxnard.org/wp-content/uploads/2021/08/Adoption-Final_8-13-21_clean.pdf
- ii. The Draft Housing Element Mitigated Negative Declaration is posted on the City's website:
<https://www.oxnard.org/wp-content/uploads/2021/08/Oxnard-HEU-IS-M-ND-Public-Review-Draft.pdf>
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 Regular Planning Commission meeting is scheduled for September 2, 2021 at 6:00 p.m.

I. ADJOURNMENT

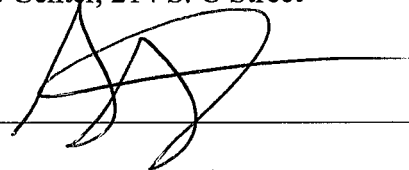
At 8:09 p.m., the Planning Commission concurred to adjourn.

FUTURE MEETINGS

Thursday, September 2, 2021, 6:00 p.m, Service Center, 214 S. C Street



Daniel Chavez Jr.,
Chair

ATTEST 

Scott Kolwitz,
Planning & Environmental Services Manager