

MINUTES
OXNARD PLANNING COMMISSION
REGULAR MEETING
September 2, 2021 Minutes

A. ROLL CALL

1. At 6:01 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 (via videoconference), Commissioners Connelly (via videoconference), Lopez (via videoconference), Meyer (via videoconference), Nash (via videoconference), and Sanchez (via videoconference) were present.
3. Staff members present were: Vyto Adomaitis, Community Development Director; Scott Kolwitz, Planning & Environmental Services Manager; Kathleen Mallory, Planning and Sustainability Manager; Jose Coyotl, Associate Planner; Ken Rozell, Chief Assistant City Attorney; Emilio Ramirez, Housing Director; Scott Swenson, Safer Neighborhoods and Alcohol Compliance Specialist; Heather Davis, Rincon Consultant; Jennifer Gastelum Consultant, Placeworks; Amy Sinsheimer, Placeworks Consultant; 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

1. Scott Swenson, Safer Neighborhoods and Alcohol Compliance Specialist, 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 19, 2021

MOTION: Vice Chair Arruejo moved and Commissioner Meyer seconded a motion to approve the Minutes of August 19, 2021 as submitted.

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

¹ In Favor: Against: Absent: Abstain: Recused

E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS

1. Vice Chair Arruejo commented that he will recuse himself from participating in Item F-1 due to 18 U.S. Code § 203 and 18 U.S. Code § 205.
2. Chair Chavez stated that he visited the site for Item F-1. He can hear and consider the request in a fair, objective and unbiased manner.
3. Commissioner Sanchez stated that he visited the site with the vacant store for Item F-2. He can hear and consider the request in a fair, objective and unbiased manner.
4. Commissioner Nash stated that he had a conversation with Kathleen Mallory for Item F-3. He can hear and consider the request in a fair, objective and unbiased manner.
5. None of the remaining Planning Commissioners had any ex parte communications to report for Items F-1, F-2, or F-3.

F. PUBLIC HEARING

1. **Project Name: SGI Oxnard, LLC. - Commercial Cannabis Business Retail Special Use Permit (SUP) - PLANNING AND ZONING PERMIT No. 21-516-01 (Retail).** A request to permit the operation of a commercial cannabis retail facility within an existing 2,925 square-foot commercial suite of a 60,798 square-foot multi-tenant commercial building on a 5.47-acre site located at 2343 North Oxnard Boulevard (APN: 139-0-270-045) within the General Commercial Planned Development (C-2-PD) zone. Proposed development includes tenant improvements: installation of interior wall partitioning, plumbing upgrades, upgrades to an existing fire alarm system, security upgrades to the existing building, installation of new secure doors/windows, and relocation of a loading service door. Cannabis retail operations will be conducted between the hours from 9:00 AM to 9:00 PM daily. Filed by Eric Lightman, 728 East Commercial Street, Los Angeles, CA 90012, on behalf of SGI Oxnard, LLC..

City Staff: Jose Coyotl, Associate Planner

Recommendation: That the Planning Commission

- a) Finds the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities), and
- b) Adopt Resolution 2021-17 approving Planning and Zoning Permit No. 21-516-01 (Special Use Permit – Cannabis: Retail), subject to certain findings and conditions.

Jose Coyotl, Associate Planner, provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://youtu.be/rE-2gwp9IKQ>

City staff, including: Jose Coyotl, Associate Planner; Scott Swenson, Safer Neighborhood and Alcohol Compliance Specialist; Scott Kolwitz, Planning & Environmental Services Manager; and Ken Rozell, Chief Assistant City Attorney were available for questions.

The applicant team, including: Eric Lightman (SGI Oxnard, LLC., Associate General

Counsel); Amy Gammon (SGI Oxnard, LLC., Business Development - Retail Expansion); Matthew Nathaniel (SGI Oxnard, LLC., Director of Retail Expansion); and Maurice Tafolla Cunningham (SGI Oxnard, LLC., Licensing Analyst) provided a presentation and were available for questions.

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

No public 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 number of retail cannabis business allowed in the City and any limitations to address clustering; aesthetic improvements to the facility; permits are good for 12 months; permits must be renewed annually; comprehensive permit conditions of approval; location of other retail locations for this retailer; community benefits provided by retailer; potential for community benefits to focus on the City's youth; local hiring preference; business operation from the point of a Planning entitlement through construction; security plan components and intended operations; business relationship with organized labor; number of anticipated employees; employee benefits; and public outreach to neighboring businesses.

MOTION: Commissioner Meyer moved and Vice Chair Arruejo seconded a motion to approve the SGI Oxnard, LLC. - Commercial Cannabis Business Retail Special Use Permit (SUP) as submitted, finding the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities); and Adopt Resolution 2021-17 approving Planning and Zoning Permit No. 21-516-01 (Special Use Permit – Cannabis: Retail), subject to certain findings and conditions.

VOTE: Chair Chavez and Commissioners Connelly, Lopez, Meyer, Nash, and Sanchez voted in favor. Vice Chair Arruejo was recused. The motion carried 6:0:0:0:1²

2. **Project Name: Blue Enterprises Oxnard I, LLC. dba Cookies Oxnard - Commercial Cannabis Business Retail Special Use Permit (SUP) - PLANNING AND ZONING PERMIT No. 21-516-25 (Retail).** A request to permit the operation of a commercial cannabis retail facility within an existing 2,856 square-foot commercial suite of a 16,890 square-foot multi-tenant commercial building on a 1.1-acre site located at 2655 North Vineyard Avenue (APN: 132-0-042-200) within the General Commercial Planned Development (C-2-PD) zone. Proposed development includes tenant improvements: installation of interior wall partitioning, plumbing upgrades, upgrades to an existing fire alarm system, security upgrades to the existing building, installation of new secure doors/windows, relocation of a loading service door, and parking lot improvements. Cannabis retail operations will be conducted between the hours from 9:00 AM to 9:00 PM daily. Filed by Anna Mendoza, 4675 Macarthur Court,

² In Favor: Against: Absent: Abstain: Recused

Suite 1500, Newport Beach, CA 92660, on behalf of Blue Enterprises Oxnard I, LLC.
dba Cookies Oxnard.

City Staff: Jose Coyotl, Associate Planner

Recommendation: That the Planning Commission

- a) Finds the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities), and
- b) Adopt Resolution 2021-24 approving Planning and Zoning Permit No. 21-516-25 (Special Use Permit – Cannabis: Retail), subject to certain findings and conditions.

Jose Coyotl, Associate Planner, provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda:
<https://youtu.be/cCjvNljPq84>

City staff, including: Jose Coyotl Associate Planner; Scott Swenson, Safer Neighborhood and Alcohol Compliance Specialist; Scott Kolwitz, Planning & Environmental Services Manager; and Ken Rozell, Chief Assistant City Attorney were available for questions.

The applicant team, including; Anna Mendoza (Blue Enterprises Oxnard I, LLC., Director of Social Equity and Community Affairs); Stacy Miller (Stacy Miller Public Affairs, Inc., President & CEO); Leo Falgou (Sapphire Risk Advisory Group, Chief of Staff); and Virginia Maggiore (Blue Enterprises Oxnard I, LLC., Vice President of Store Planning) provided a presentation and were available for questions.

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

Public verbal comments were received from Jacqueline Adap, Jose Barrera, and Nancy Lindholm (West Ventura County Business Alliance) in support of the project as it will clean up the community and donate to local causes.

Public verbal comment was received from Magdalene Penny who spoke against the project. She was concerned about the exposure of children to cannabis.

No other verbal or written comments were received for Item F-2.

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

Discussion ensued among the Commissioners and staff about several topics, including: discussion about the article attached to the staff report public comments section; compliance with parking standards; community outreach to neighboring businesses; how will staff monitor and enforce the project conditions of approval; recognition that this is the first cannabis applicant that included a public relations staff member to ensure the business continues successful outreach to the community; business relationship with organized labor; number of anticipated employees; employee benefits; location of other retail locations for this retailer; standards to ensure children cannot see product; security plan philosophy; California legalized cannabis; even when things

are not legal, people will seek unsafe products in dangerous conditions; there are a variety of legal items that put our children at risk; appreciation of the understated and discrete logo.

MOTION: Commissioner Meyer moved and Commissioner Lopez seconded a motion to approve Blue Enterprises Oxnard I, LLC. dba Cookies Oxnard - Commercial Cannabis Business Retail Special Use Permit (SUP) as submitted, finding the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities); and Adopt Resolution 2021-24 approving Planning and Zoning Permit No. 21-516-25 (Special Use Permit – Cannabis: Retail), subject to certain findings and conditions.

VOTE: Chair Chavez, and Commissioners Connelly, Lopez, Meyer, Nash, and Sanchez voted in favor. Vice Chair Arruejo was recused. The motion carried 6:0:0:0:1³

3. **Project Name: City of Oxnard 2021-2029 Final Housing Element - PLANNING AND ZONING PERMIT No. 20-620-03, General Plan Amendment replacing in its entirety the current Chapter 8 (2013-2021 Housing Element) with the 2021-2029 Housing Element; 2.) PZ No. 21-620-02, update General Plan Land Use Element (Chapter 3) text by amending the General Commercial and Business Research Park land use descriptions to allow up to 30 dwelling units with 20% lower income units per acre when identified by a zoning suffix of “-AHP” (Affordable Housing Permitted) or “-AHD” (Affordable Housing Discretionary); 3.) PZ No. 21-620-03, amending the 2030 General Plan Land Use map to re-designate 13 parcels from Limited Manufacturing or Public/Semi Public to Business Research Park or General Commercial; 4.) PZ No. 21-580-03, amending Chapter 16 of the Oxnard City Code (OCC) to repeal the All-Affordable Housing Opportunity Program (AAHOP) and replace these regulations with newly created Affordable Housing, Permitted (-AHP) and Affordable Housing, Discretionary (-AHD) additive zone definitions, designations and regulations; and amending the text in the Business and Research Park (BRP) and General Commercial (C-2) zones to allow up to 30 dwelling units per acre with 20% lower income units on parcels with the “-AHP” or “-AHD” additive zone suffix; and 5.) PZ No. 21-580-04, making Zoning Map Amendments to change zoning designations on approximately 106 parcels consistent with Supplement 1 of the Final Housing Element.**
City Staff: Kathleen Mallory, Planning and Sustainability Manager

Recommendation: That the Planning Commission

- a) Receive a presentation on the 2021-2029 Draft Housing Element (6th Cycle Housing Element); and
- b) Open the public hearing and receive public input; and
- c) Review and provide input on the 2021-2029 Final Housing Element (“Housing Element”); and
- d) Review and provide input on Staff’s recommended text and map changes to the General Plan Land Use Element; and

³ In Favor: Against: Absent: Abstain: Recused

- e) Review and provide input on the Draft amendments to Chapter 16 of the Oxnard City Code to facilitate construction of housing units as stipulated in the City's Housing Element; and
- f) Review and provide input on the recommended zoning map amendments to facilitate construction of housing units as stipulated in the Housing Element.

Kathleen Mallory, Planning and Sustainability Manager, provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://youtu.be/QqXb60PEXzA>

City staff, including Vyto Adomaitis, Community Development Director; Kathleen Mallory, Planning and Sustainability Manager; Scott Kolwitz, Planning & Environmental Services Manager; Heather Davis, Rincon Consultant; Jennifer Gastelum Consultant, Placeworks; Amy Sinsheimer, Placeworks Consultant; Emilio Ramirez, Oxnard Housing Director; and Ken Rozell, Chief Assistant City Attorney were available for questions.

Commissioner Nash recommended that the Planning Commission extend the public comment time allocation per speaker from 3 minutes to 5 minutes.

MOTION: Commissioner Nash moved and Chair Chavez seconded a motion to extend the public comment time allocation from 3 minutes to 5 minutes.

VOTE: Chair Chavez, Vice Chair Arruejo, and Commissioners Connelly, Lopez, Meyer, Nash, and Sanchez voted in favor. The motion carried 7:0:0:0:0⁴

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

Public verbal comments were received for Item F-3.

1. Barbara Macri-Ortiz commented about several topics, including: the Housing Element being unlike any other; the attempts to address racial injustice; inclusionary housing standards to be address; ordinances proposed to enable by-right standards; development and design standards are a concern; County of Ventura has pre-approved Accessory Dwelling Unit (ADU) plans; and prefabricated units are a concern.
2. Paul Sheehan (Local Architect & Land Use consultant) fully supported the housing element and Ordinance Amendments.
3. Debbie Mitchell commented about several topics, including: staff's good work on the Housing Element documents; encouraged that the ADUs can be used for meeting the Regional Housing Needs Allocation (RHNA) numbers; City processing infrastructure and capacity study; and concerned about fiscal impacts as density increases.
4. Dawn Dyer commented on several topics, from the perspective of a housing market analyst, land use consultant, continuum of care advocate; Ventura County Trust Fund founder, including: good work by staff; more transit oriented development is needed; the Housing Element programs should lead to more affordable housing, especially the proposed Ordinance Amendments.

⁴ In Favor: Against: Absent: Abstain: Recused

Public written comments were received from Debbie Mitchell and Veronica Garcia which were provided to the Planning Commission.

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

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

Discussion ensued among the Commissioners and staff about several topics, including: status of the rent control program and just cause ordinance; development of farmworker projects; Density Bonus modifications; Site Plan Review permit explanation; ability of Planning Commission to change the implementation dates of the programs; reason for the AAHOP program being replaced with the AHP and AHD zones; concern about lack of public notices for AHP projects; High Quality Transit Corridor (HQTC) qualifications; support the development of HQTC with transit improvements; Accessory Dwelling Unit (ADU) process; difference between ADU and Junior ADU; development potential for zero to one bedroom residential units; Program 9: provide more than a brochure; and changes directed by HCD.

The 2021-2029 Draft Housing Element (6th Cycle Housing Element) was received by the Planning Commission and filed.

G. STUDY SESSION/REPORTS

1. None

H. PLANNING COMMISSION BUSINESS

1. Commissioner Nash thanked staff and fellow commissioners for volunteering their time and long hours to participate in the Planning Commission meeting to benefit the Oxnard community.
2. Commissioner Lopez requested that staff provide an update on the Rio Urbana and Teal Club Specific Plan projects.
3. Chair Chavez announced:
 - i. Ventura County will be hosting meetings regarding redistricting. The next meetings will be on September 9, 2021 at 6:00 p.m., September 11 at 10:00 am, and September 13 at 6:00 p.m.;
 - ii. Monday is Labor Day and trash collection will be delayed 1 day; Gold Coast Transit will not have bus services on Labor Day; Metrolink will be running a holiday service; and
 - iii. Thanked staff and Commissioners for their work on behalf of the City of Oxnard community.

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 16th meeting. 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/>

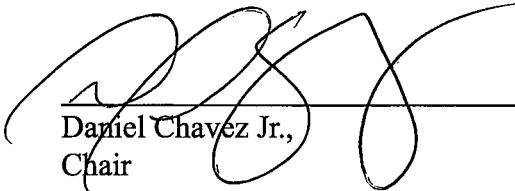
- i. The current version of the Draft Housing Element is posted on the City's website:
https://www.oxnard.org/wp-content/uploads/2021/08/Adoption-Final_8-13-21_clean.pdf
 - ii. The Draft Housing Element Mitigated Negative Declaration is posted on the City's website:
<https://www.oxnard.org/wp-content/uploads/2021/08/Oxnard-HEU-IS-M-ND-Public-Review-Draft.pdf>
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 16, 2021 at 6:00 p.m.
 5. The Housing Element is scheduled for the City Council meeting on October 5, 2021.

J. ADJOURNMENT

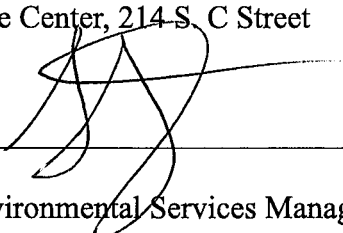
1. At 10:21 p.m., the Planning Commission concurred to adjourn.

FUTURE MEETINGS

Thursday, September 16, 2021, 6:00 p.m, Service Center, 214 S. C Street



Daniel Chavez Jr.,
Chair



ATTEST
Scott Kolwitz,
Planning & Environmental Services Manager