

MINUTES  
OXNARD PLANNING COMMISSION SPECIAL MEETING  
October 7, 2021

**A. ROLL CALL**

1. At 6:02 p.m., the regular meeting of the Oxnard Planning Commission convened in the Human Resources Activity Room, 300 West Third 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: Scott Kolwitz, Planning & Environmental Services Manager; Ken Rozell, Chief Assistant City Attorney; and Dee Lai, Recording Secretary.
4. Chair Chavez presided and called the meeting to order.

**B. CONSENT AGENDA**

1. **Subject:** Adoption of a Resolution authorizing remote teleconference meetings of the Planning Commission of the City of Oxnard.

**Recommendation:** That the Planning Commission adopt a Resolution authorizing remote teleconference meetings of the Planning Commission in accordance with Assembly Bill 361.

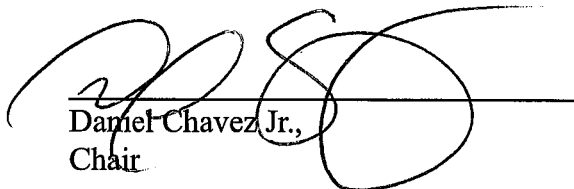
**MOTION:** Commissioner Nash moved and Vice Chair Arruejo seconded a motion to adopt Resolution 2021-36 to authorize remote teleconference meetings of the Planning Commission in accordance with Assembly Bill 361.

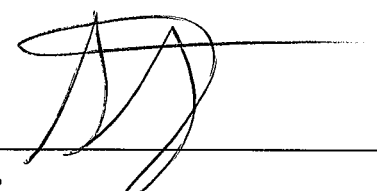
**VOTE:** Chair Chavez, Vice Chair Arruejo, Commissioners Connelly, Lopez, Meyer, Nash, and Sanchez voted in favor. The motion carried 7:0:0:0:0<sup>1</sup>.

**C. ADJOURNMENT @ 6:09 p.m.**

**FUTURE MEETINGS**

Thursday, October 7, 2021, 6:00 p.m. immediately following the close of the Planning Commission  
Special Meeting, Human Resources Activity Room, 300 West Third Street

  
Daniel Chavez Jr.,  
Chair

ATTEST   
Scott Kolwitz,  
Planning & Environmental Services Manager

<sup>1</sup> In Favor: Against: Absent: Abstain: Recused

MINUTES  
OXNARD PLANNING COMMISSION REGULAR MEETING  
Immediately following the close of the Planning Commission Special Meeting  
October 7, 2021

**A. ROLL CALL**

1. At 6:09 p.m., the regular meeting of the Oxnard Planning Commission convened in the Human Resources Activity Room, 300 West Third 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: Scott Kolwitz, Planning & Environmental Services Manager; Joe Pearson II, Senior Planner; Ken Rozell, Chief Assistant City Attorney; Scott Swenson, Safer Neighborhoods and Alcohol Compliance Specialist; 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. Chair Chavez led the pledge of allegiance.

**C. PUBLIC COMMENTS - On Items Not On The Agenda**

1. None.

**D. CONSENT AGENDA**

1. APPROVAL OF REGULAR MINUTES - September 16, 2021

**MOTION:** Chair Chavez moved and Vice Chair Arruejo seconded a motion to approve the Minutes of September 16, 2021 with an edit to item E-2 as follows:

Commissioner Connelly stated that she knows a member of the applicant team for Item F-1, ~~Lauren Fontein~~ Christy Turner. She can hear and consider the request in a fair, objective and unbiased manner.

**VOTE:** Chair Chavez, Vice Chair Arruejo, Commissioners Connelly, Meyer, and Sanchez voted in favor. The motion carried 5:0:0:2:0<sup>2</sup>. Commissioner Lopez and Nash abstained.

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<sup>2</sup> 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-3 and F-4 due to 18 U.S. Code § 203 and 18 U.S. Code § 205.
2. Commissioner Connelly stated that she was contacted by a security consultant on behalf of FGH. She can hear and consider the request in a fair, objective and unbiased manner.
3. Chair Chavez stated that he has a Facebook friend with a member of the FGH team. He can hear and consider the request in a fair, objective and unbiased manner.
4. None of the remaining Planning Commissioners had any ex parte communications to report for Items F-1, F-2, F-3, or F-4.
5. Scott Kolwitz, Planning & Environmental Services Manager commented that staff is recommending Items F-3 and F-4 be continued to another date and inquired about the Commissioners' availability for a Special Meeting on October 13, 2021. All the Planning Commissioners will be available on October 13, 2021 at 6:30 p.m. for a Special Meeting. Vice Chair Arruejo will be recused.

**F. PUBLIC HEARING**

1. **Project Name: Line 8109 Removal Project; - PLANNING AND ZONING PERMIT** No. 21-400-02 (Coastal Development Permit). A request to remove a 402-foot segment of an existing abandoned Southern California Gas Company 20-inch high pressure natural gas transmission pipeline Line 8109 adjacent to the Mandalay Generating Station. The project is in part located within the City of Oxnard (City), at 205 and 393 North Harbor Boulevard (Blvd), also known as the Mandalay Generating Station (APNs 183-0-022-015 and 183-0-022-025) within the Coastal Energy Facilities (EC) zone, and a small portion of the project to the east of North Harbor Blvd is within unincorporated Ventura County (County) (APN 183 001 046). The entire project is within the Coastal Zone. The central portion of the project along North Harbor Blvd, is within the road right-of-way. The portion within the County of Ventura is being separately reviewed by the County of Ventura. Filed by James Chuang, GenOn California South, LP, 555 West 5th Street GT02A, Los Angeles, California 90013 (the "Applicant").

**City Staff: Joe Pearson II, Senior 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 2021-29 approving Planning and Zoning Permit No. 21-400-02 (Coastal Development Permit), subject to certain findings and conditions.

Joe Pearson, Senior Planner, provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://youtu.be/2emTAv78INU>

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

The applicant team, including: James Chuang (Southern California Gas Company; Senior Environmental Specialist, Land Planner and Contract Delegate); Priya Pratap (Rincon Consultants, Biologist and Project Manager); and Jerry Hittleman (Rincon Consultants, Senior Planner) did not have a presentation but 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: whether Harbor Boulevard will remain open during the project; has the County approved the portion of the project in the County's right-of-way; confirmation that no threatened species are in the project area, only ornamental landscaping is to be disturbed; safety concerns regarding the removal of the pipeline; location of the nearest shut-off valve; gas to be redirected into existing pipelines; fugitive gas release may occur, but hazardous releases not expected; and the line is being abandoned as it is no longer needed for the Mandalay Generating Station.

**MOTION:** Commissioner Nash moved and Commissioner Meyer seconded a motion to 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 adopt Resolution 2021-29 approving Planning and Zoning Permit No. 21-400-02 (Coastal Development Permit), subject to certain findings and conditions.

**VOTE:** Chair Chavez, Vice Chair Arruejo and Commissioners Connelly, Lopez, Meyer, Nash, and Sanchez voted in favor. The motion carried 7:0:0:0:<sup>3</sup>

2. **Project Name: Lockwood 2 Parcel Map Waiver - PLANNING AND ZONING PERMIT No. 21-300-03 (Tentative Parcel Map for a Parcel Map Waiver).** A request to subdivide an existing undeveloped 6.68 acre parcel located at the southwest corner of Lockwood Street and Outlet Center Drive into two (2) lots of net size 3.08 and 3.60 acres within the Business & Research Park (BRP) zone. No structural development or infrastructure improvements are proposed or required under this application. Filed by

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<sup>3</sup> In Favor: Against: Absent: Abstain: Recused

Mark Ross on behalf of Sunbelt Enterprises, LLC, 5715 Mesmer Avenue, Los Angeles, CA 90230.

**City Staff: Joe Pearson II, Senior 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 15061(b)(3) (No Possibility of Significant Effect); and
- b) Adopt Resolution 2021-30 approving Planning and Zoning Permit No. 21-300-03 for a Parcel Map Waiver, subject to certain findings and conditions.

Joe Pearson, Senior Planner, provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://youtu.be/6A6VjDewj74>

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

The applicant team, including: Mark Ross, Property Owner and Tom Cohen, Agent, did not provide a presentation but were available for questions.

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

No public 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: confirmation that this request is only for a lot split and no development at this time; future development requests would be subject to CEQA; reasons to split the lot now without a development application; and glad this proposal does not involve dividing the parcel in an odd configuration.

**MOTION:** Vice Chair Arruejo moved and Commissioner Lopez seconded a motion to find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) (No Possibility of Significant Effect); and adopt Resolution 2021-30 approving Planning and Zoning Permit No. 21-300-03 for a Parcel Map Waiver, subject to certain findings and conditions.

**VOTE:** Chair Chavez, Vice Chair Arruejo and Commissioners Connelly, Lopez, Meyer, Nash, and Sanchez voted in favor. The motion carried 7:0:0:0:0<sup>4</sup>

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<sup>4</sup> In Favor: Against: Absent: Abstain: Recused

3. **Project Name: FGH Retail Services, LLC. - Commercial Cannabis Business Retail Special Use Permit (SUP) - PLANNING AND ZONING PERMIT No. 21-516-36 (Retail).** A request to permit the operation of a commercial cannabis retail facility within an existing 23,275 square-foot commercial suite of a 92,591 square-foot multi-tenant commercial building on a 17.38-acre site located at 2320 North Rose Avenue (APN 213-0-011-255) within the General Commercial (C-2) 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, and installation of new secure doors/windows, and upgrades to the storefront facade. Cannabis retail operations will be conducted between the hours from 9:00 AM to 9:00 PM daily. Filed by Jeff Zook, 505 S. A Street Suite 200, Oxnard, CA 93030, on behalf of FGH Retail Services, LLC.
- City Staff: Jose Coyotl, Associate Planner**

**Recommendation:** That the Planning Commission continue the Project to a Special Meeting to be held on a date certain of October 13, 2021 at 6:30 p.m.

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/KOmMz1-D\\_60](https://youtu.be/KOmMz1-D_60)

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

Public verbal comments in favor of the project were received from:

1. Irene De Barraicua (Lideres Campesinas-Director of Operations);
2. Michel Chernis (Chernis Law Group, Counsel and FGH Advisory Board);
3. Gene Fein (Oxnard resident);
4. Vanessa Hernandez (FGH, Chief Executive Officer);
5. Bobby Martinez (Port Hueneme City Councilmember);
6. Art Ramirez (local business owner);
7. Jeff Zook (Coastal Architects, President); and
8. Christina Zubko (Friends of Ormond Beach).

Public verbal comments received stating that they will withhold public comment until the continued hearing, after having had the opportunity to review and analyze the final versions of the staff report, proposed Planning Commission Resolution, and presentation from the applicant, including:

1. Laura Mcavoy (Rose II Shopping Center, Representative of tenant);
2. Stanley Rothbart (Rose II Shopping Center, Developer);
3. Seena Max Samimi (Jeffer, Mangels, Butler & Mitchel, Counsel); and
4. Steven Weiss (Rose II Shopping Center tenant).

Public written comments were received from:

1. Transmittal Memo No. 1, dated October 5, 2021, which contained one public written comments:
  - a. Michael Cernis (Chernis Law Group, Counsel) submitted a letter in support of the project which was forwarded to the Planning Commissioners.

2. Transmittal Memo No. 2, dated October 7, 2021, which contained two public written comments:
  - a. Mike Barber submitted an email in support of the project which was forwarded to the Planning Commissioners.
  - b. Seena M. Samimi (Jeffer, Mangels, Butler & Mitchel, Counsel) submitted a letter in opposition to the project which was forwarded to the Planning Commissioners.

No other public verbal or written comments were received for Item F-3.

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

**MOTION:** Commissioner Nash moved and Commissioner Lopez seconded a motion to continue the Project to a Special Meeting to be held on a date certain of October 13, 2021 at 6:30 p.m.

**VOTE:** Chair Chavez, and Commissioners Connelly, Lopez, Meyer, Nash, and Sanchez voted in favor. Vice Chair Arruejo was recused. The motion carried 6:0:0:0:1<sup>5</sup>

4. **Project Name: HPC of Oxnard, LLC. - Commercial Cannabis Business Retail Special Use Permit (SUP) - PLANNING AND ZONING PERMIT No. 21-516-41 (Retail).** A request to permit the operation of a commercial cannabis retail facility within an existing 2,761 square-foot commercial suite of a 5,950 square-foot multi-tenant commercial building on a 1.03-acre site located at 360 West Esplanade Drive (APN 142-0-010-425) 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, and installation of new secure doors/windows. Cannabis retail operations will be conducted between the hours from 9:00 AM to 9:00 PM daily. Filed by Beth Thuna, 501 West Channel Islands Boulevard Unit 304, Port Hueneme, CA 93041, on behalf of HPC of Oxnard, LLC.

**City Staff: Jose Coyotl, Associate Planner**

**Recommendation:** That the Planning Commission continue the Project to a Special Meeting to be held on a date certain of October 13, 2021 at 6:30 p.m.

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/NUnbC3J\\_WWY](https://youtu.be/NUnbC3J_WWY)

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

Public verbal comments in favor of the project were received from:

1. Beth Thuma (HPC, Chief Executive Officer); and
2. Christina Zubko (Friends of Ormond Beach).

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<sup>5</sup> In Favor: Against: Absent: Abstain: Recused

No other public verbal or written comments were received for Item F-4.

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

**MOTION:** Commissioner Nash moved and Commissioner Connelly seconded a motion to continue the Project to a Special Meeting to be held on a date certain of October 13, 2021 at 6:30 p.m.

**VOTE:** Chair Chavez, and Commissioners Connelly, Lopez, Meyer, Nash, and Sanchez voted in favor. Vice Chair Arruejo was recused. The motion carried 6:0:0:0:1<sup>6</sup>

**G. STUDY SESSION/REPORTS**

1. None

**H. PLANNING COMMISSION BUSINESS**

1. The Commissioners thanked the applicants for accommodating the Special Meeting scheduled for October 13, 2021 at 6:30 p.m.
2. Commissioner Lopez announced that the Covid-19 Mobile Vaccination Clinic will be on Saturday, October 9, 2021 from 9:00 to 11:00 a.m. located at Elm Street school.
3. Chair Chavez provided updates on redistricting.

**I. COMMUNITY DEVELOPMENT STAFF UPDATES**

Scott Kolwitz, Planning & Environmental Services Manager announced:

1. October is National Community Planning Month.
2. On October 5, 2021, the City Council approved the Peninsula Road Street Vacation which allows the Hyatt House to be built.
3. On October 5, 2021, the City Council approved the Housing Element. The second reading of associated Ordinance Amendments will be on the City Council's agenda for October 19, 2021.
4. The second reading on the Firearms Buffer Zone Ordinance Amendment is scheduled to be on the City Council's agenda for October 21, 2021.
5. The Rio Urbana Annexation associated with a City-approved project consisting of 167 condos and 15,000 square feet office building is scheduled to be reviewed by the Local Area Formation Commission (LAFCo) on November 17, 2021.
6. The next Special Planning Commission and Regular meetings are scheduled for October 13, 2021 at 6:30 p.m. and October 21, 2021 at 6:00 p.m. respectively. Meetings will continue to be virtual meetings until, at least, the Council Chamber's construction project is completed.

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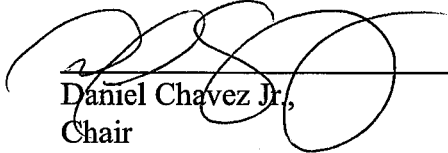
<sup>6</sup> In Favor: Against: Absent: Abstain: Recused

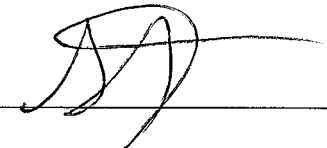
**J. ADJOURNMENT**

1. At 8:01 p.m., the Planning Commission concurred to adjourn.

**FUTURE MEETINGS**

Thursday, October 13, 2021, 6:30 p.m, Human Resources Activity Center

  
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Daniel Chavez Jr.,  
Chair

ATTEST   
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Scott Kolwitz,  
Planning & Environmental Services Manager