

MINUTES
OXNARD PLANNING COMMISSION
October 21, 2021

A. ROLL CALL

1. At 6:01 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Chair Chavez announced pursuant to Assembly Bill 361, 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; Isidro Figueroa, Principal Planner; Joe Pearson, Senior Planner; Jose Coyotl, Associate Planner; Paul Early, 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. Vice Chair Arruejo 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. Vice Chair Arruejo commented that he will recuse himself from participating in Item F-2 and F-3 due to 18 U.S. Code § 203 and 18 U.S. Code § 205.
2. Chair Chavez stated that he visited the sites for Items F-2, F-3, and F-4. He can hear and consider the request in a fair, objective and unbiased manner.
3. 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: Bed and Breakfast Parking Regulations; - PLANNING AND ZONING PERMIT No. 21-580-05 (Zone Text Amendment).** The proposed Zone Text Amendment (ZTA) modifies Oxnard City Code (OCC) Chapter 16 (Zoning Code), Article V, Section 16-374 pertaining to “Standards for Traditional Bed and Breakfast (Homestay)” allowing Bed and Breakfast Homestays (containing no more than two guest bedrooms) located on corner lots may credit the non primary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of the decision maker associated with the underlying permit. The proposed regulations would apply Citywide (Inland Zone). 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) Finds the Project to be exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines 15060(c)(2) and (3) and 15061(b)(3); and
- b) Adopt Resolution 2021-33 recommending that the City Council approve Planning & Zoning Permit No. 21-580-05 (Zone Text Amendment) allowing Bed and Breakfast Homestays (containing no more than two guest bedrooms) located on corner lots may credit the non primary street frontage toward the parking requirement, with 25 linear feet equal to one parking space

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/9fBcwZNIvOc>

City staff, including: Isidro Figueroa, Principal Planner; Scott Swenson, Safer Neighborhood and Alcohol Compliance Specialist; Scott Kolwitz, Planning & Environmental Services Manager; and Paul Early, Assistant City Attorney 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-1.

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

Discussion ensued among the Commissioners and staff about several topics, including: explanation of how the linear-foot measurement would be applied; reasons why credit would not be applied to street frontage; if the Bed and Breakfast regulations pertains specifically to the Wilson Neighborhood; the qualifications needed to create a historic resource; the qualities needed for a property to be eligible to be a Bed and Breakfast; the difference between a Short Term-vacation Rental (STR) and Bed and Breakfast; the City Council was not pleased with the State taking away local authority when processing the Accessory Dwelling Unit (ADU) Ordinance Amendment; the term “excessive amount of parking” too subjective to be used; if the City ever had an

operational Bed and Breakfast use; this is a measured approach that should have already been in the Oxnard City Code; a follow-up discretionary process will still be required; this supports tourism in our community.

MOTION: Commissioner Meyer moved and Commissioner Lopez seconded a motion to find the Project to be exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines 15060(c)(2) and (3) and 15061(b)(3); and adopt Resolution 2021-33 recommending that the City Council approve Planning & Zoning Permit No. 21-580-05 (Zone Text Amendment) allowing Bed and Breakfast Homestays (containing no more than two guest bedrooms) located on corner lots may credit the non primary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to certain findings and conditions.

VOTE: Chair Chavez, Vice Chair Arruejo, Commissioners Connelly, Lopez, Meyer, Nash, and Sanchez voted in favor. The motion carried 7:0:0:0¹

2. **Project Name: Yuma Way CA, LLC dba Releaf on Vine - Commercial Cannabis Business Retail Special Use Permit (SUP) - PLANNING AND ZONING PERMIT No. 21-516-08 (Retail).** A request to permit the operation of a commercial cannabis retail facility within an existing 1,320 square-foot commercial suite of a 7,682 square-foot multi-tenant commercial building on a 0.63-acre site located at 2544 North Vineyard Avenue (APN: 145-0-231-065) 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 Jessica Reuven, 5153 Blueball Avenue, Valley Village, CA 91607, on behalf of Yuma Way CA, LLC dba Releaf on Vine.
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 2021-34 approving Planning and Zoning Permit No. 21-516-08 (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/MUA5gXkAbaQ>

City staff, including: Jose Coyotl, Associate Planner; Scott Swenson, Safer Neighborhood and Alcohol Compliance Specialist; Scott Kolwitz, Planning & Environmental Services Manager; and Paul Early, Assistant City Attorney were

¹ In Favor: Against: Absent: Abstain: Recused

available for questions.

The applicant team, including: Kirill Merkulov (Yuma Way, Chief Fiscal Officer); Jessica Reuven (Yuma Way, Chief Operating Officer); and Rita Tsalyuk (Yuma Way, Chief Executive Officer) provided a presentation and were available for questions.

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

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

1. Pablo Joel Garcia (Onyx Creative Architecture and Oxnard resident); and
2. Emon Sarrafyazdi (Property Owner).

Public verbal comment in opposition to the project was received from:

1. Hugo Alaniz (George Lopez Chingon Bakery); and
2. Magaline Penny (Oxnard resident).

Public written comments were received from:

1. Transmittal Memo No. 1, dated October 21, 2021, which contained two public written comments:
 - a. An anonymous email from a person who opposes the project.
 - b. Nancy Lindholm (West Ventura County Business Alliance, President and Chief Executive Officer) who supports the project.

No other 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: if staff required to be bilingual; labor agreement; legal non-conforming loading zone; proximity to other cannabis retailers is not a standard to evaluate cannabis request; crime statistics for this area; traffic generation and patterns; what happens if a sensitive use moves in after this commercial cannabis use would be established (the establishment would be considered legal non-conforming, but the use could be renewed); operator has a national reach and appears to be a good operator; tremendous neighborhood outreach; the State and City Code allows this use subject to meeting adopted standards.

MOTION: Commissioner Connelly 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 15301 (Existing Facilities), and adopt Resolution 2021-34 approving Planning and Zoning Permit No. 21-516-08 (Special Use Permit – Cannabis: Retail), subject to certain findings and conditions.

VOTE: Chair Chavez, Commissioners Connelly, Lopez, Meyer, Nash, and Sanchez voted in favor. Vice Chair Arruejo recused. The motion carried 6:0:0:0:1.²

3. **Project Name: EEL - Oxnard, LLC dba Catalyst - Oxnard - Commercial Cannabis Business Retail Special Use Permit (SUP) - PLANNING AND ZONING PERMIT No. 21-516-30 (Retail).** A request to permit the operation of a commercial cannabis retail facility within an existing 1,465 square-foot commercial suite of a 53,990 square-foot multi-tenant commercial building on a 5.26-acre site located at 4749 South Rose Avenue (APN: 224-0-020-285) 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 Blake Hogen, 6700 Pacific Coast Highway, Suite 201, Long Beach, CA 90803, on behalf of EEL - Oxnard, LLC. dba Catalyst - Oxnard.
City Staff: Jose Coyotl, Associate Planner

Recommendation: That the Planning Commission

- c) Finds the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities), and
- d) Adopt Resolution 2021-35 approving Planning and Zoning Permit No. 21-516-30 (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/Qz0ZTAI1jMU>

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

The applicant team, including: Violeta Aguilar Wyrick (EEL, Chief Equity & External Affairs Officer); and Blake Hogen (EEL, Project Manager) provided a presentation and were available for questions.

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

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

- 1. Lucy Cartagena (Oxnard resident); and
- 2. Chris Hernandez (Oxnard resident).

² In Favor: Against: Absent: Abstain: Recused

Public verbal comment in opposition to the project was received from:

1. Magaline Penny (Oxnard resident).

Public written comments were received from:

1. Transmittal Memo No. 1, dated October 21, 2021, which contained one public written comments:
 - a. LaRita Montgomery email who asked questions about the project.

No other public verbal or written comments were received for 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: minimum age of workers; entry level versus skilled employees; employee benefits; crime statistics for this area; total number of employees; repaving parking lot; security management plan; number of security guards; community outreach; loitering on the site; first applicant in south Oxnard; ownership model for the business; economic engine for the area; employment source for Oxnard College

MOTION: Commissioner Meyer 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 15301 (Existing Facilities), and adopt Resolution 2021-35 approving Planning and Zoning Permit No. 21-516-30 (Special Use Permit – Cannabis: Retail), subject to certain findings and conditions.

VOTE: Commissioners Connelly, Lopez, Meyer, Nash, and Sanchez voted in favor. Chair Chavez voted no. Vice Chair Arruejo recused. The motion carried 5:1:0:0:1.³

4. **Project Name: Vineyard Starbucks Site Renovations** - PLANNING AND ZONING PERMIT No. 21-550-01 (Major Modification to U-916 (Special Use Permit)). The project includes modifications to an existing 2,450 sq ft drive-through fast food restaurant building and to allow for a Starbucks drive-through coffee shop on a 0.66 acre site. The proposed improvements will consist of a small addition, facade changes, revised signage, upgraded landscaping, new parking lot striping, drive-through lane modification to allow for an extended queuing lane to allow for a maximum capacity of 16 vehicles. The request also includes a request for a parking modification to allow for a reduction in the amount of required parking from 50 parking spaces to 35 parking spaces, including 15 spaces which are provided via the drive-thru queue. The parking modification will also allow for 11 of the parking spaces to be compact parking spaces. The project includes a Queue Management Plan. The Project site is located at 2551 North Vineyard Avenue (APN: 132-0-043-215) within the General Commercial Planned Development (C-2-PD) zone district and within the Commercial General land

³ In Favor: Against: Absent: Abstain: Recused

use designation. Filed by Jennifer Cribbs, of Starbucks, 555 Anton Boulevard, Costa Mesa, CA 92626.

City Staff: Joe Pearson, Senior Planner

Recommendation: That the Planning Commission continue the project to the next regular Planning Commission meeting to be held on a date certain of November 4, 2021 at 6:00 p.m.

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

No 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 Meyer seconded a motion to continue the project to the next regular Planning Commission meeting to be held on a date certain of November 4, 2021 at 6:00 p.m.

VOTE: Chair Chavez, Vice Chair Arruejo, Commissioners Connelly, Lopez, Meyer, Nash, and Sanchez voted in favor. The motion carried 7:0:0:0:0.⁴

G. STUDY SESSION/REPORTS

1. None

H. PLANNING COMMISSION BUSINESS

1. Commissioner Connelly commented that she and her business partner will be hosting a fundraiser to benefit the Boys and Girls Club of Oxnard with a goal to raise \$50,000 on Friday, October 22, 2021.
2. Commissioner Lopez commented
 - i. When the City Council passed cannabis ordinances they did not indicate the number of business licenses that can/should be issued in any given area, part of town, or neighborhood. He observed that a significant number have been approved along the Vineyard Avenue corridor. He mentioned that perhaps this should be looked at by staff because we may end up with our own version of the "Green Mile," along Vineyard Avenue.
 - ii. It has been an absolute pleasure to serve on the Planning Commission. He appreciates his colleagues' time, study, analysis and deliberations. Thanked them as well as staff who have been a great help to us in executing our charge. Thanked everyone for their time and service.
3. Commissioner Meyer commented that he serves as Board President for CAUSE (Central Coast Alliance United for a Sustainable Economy) and CAUSE is celebrating its annual Raising Justice virtual fundraising event on Thursday, November 4, 2021 from 12:00-2:00p.m.

⁴ In Favor: Against: Absent: Abstain: Recused

I. COMMUNITY DEVELOPMENT STAFF UPDATES

Scott Kolwitz, Planning & Environmental Services Manager announced:

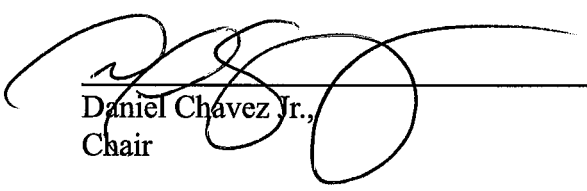
1. As of October 21, 2021, 8 Commercial Cannabis Business Retail Special Use Permits have been approved by the Planning Commission.
2. On October 19, 2021, the City Council conducted the second reading of the Housing Element Ordinance Amendments.
3. On October 19, 2021, the City Council conducted the second reading of the Firearms Buffer Zone Ordinance Amendment
4. 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.
5. The next Planning Commission meeting will be on November 4, 2021.

J. ADJOURNMENT

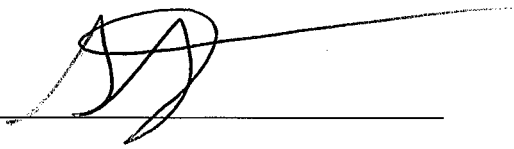
1. At 9:17 p.m., the Planning Commission concurred to adjourn.

FUTURE MEETINGS

Thursday, November 4, 2021, 6:00 p.m, Council Chambers



Daniel Chavez Jr.,
Chair

ATTEST 

Scott Kolwitz,
Planning & Environmental Services Manager