

MINUTES
OXNARD PLANNING COMMISSION
Thursday, January 19, 2023

A. ROLL CALL

1. At 6:03 p.m., the Oxnard Planning Commission convened in the Oxnard Chambers.
2. Chair Chavez, Vice-Chair Arruejo, and Commissioners Stewart, Nash, and Lopez were present. Commissioners Connelly and Zielsdorf were absent.
3. Staff members present were; Ken Rozell, Chief Assistant City Attorney; Joe Pearson II, Planning Environmental Services Manager; and Miriam Loera, Administrative Services Specialist.
4. Chair Chavez presided and called the meeting to order.
5. Welcome to Commissioner Stewart.

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

1. Commissioner Stewart led the pledge of allegiance

C. PUBLIC COMMENTS - On Items Not On The Agenda

1. None

D. CONSENT AGENDA

1. None

E. NOMINATIONS AND ELECTIONS

1. Nomination and Election of the Planning Commission Chair and Vice Chair to Serve for Calendar Year 2023

CHAIR NOMINATIONS:

Commissioner Nash moved and Commissioner Stewart seconded a nomination for Vice Chair Arruejo to serve as Chair for Calendar year 2023.

VOTE:

Vice Chair Arruejo, Chair Chavez and Commissioners Dr. Lopez, Stewart and Nash voted in favor. Commissioners Connelly and Zielsdorf were absent. The motion carried 5:0:2:0:0¹.

VICE CHAIR NOMINATIONS:

¹ In Favor: Against: Absent: Abstain: Recused

Commissioner Nash moved and Commissioner Dr. Lopez seconded a nomination for Commissioner Stewart to serve as Vice Chair for Calendar year 2023.

VOTE:

Chair Arruejo, and Commissioners Stewart, Dr. Lopez, Chavez and Nash voted in favor. Commissioners Connelly and Zielsdorf were absent. The motion carried 5:0:2:0:0².

F. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS

1. None of the Planning Commissioners had any ex parte communications to report for Item G-1, G-2, and G-3.

G. PUBLIC HEARING

1. **Project Name: Freeway Adjacent Digital Display Billboards Ordinance - PLANNING AND ZONING PERMIT No. 20-580-06 (Zoning Text Amendment);** A request to modify Oxnard City Code (OCC) Chapter 16 (Zoning Code) Pertaining To The Permitting And Development Requirements Related To Freeway Adjacent Digital Display Billboards To OCC Chapter 16, Article II, Sections 16-596 (Sign Definitions), Sec. 16-608. Signs In General Commercial And Industrial Zones, Sec. 16-609. Freeway Adjacent Digital Display Billboards, And Sec. 16-610. General Restrictions.. Filed by the City of Oxnard, 214 S C Street, Oxnard, CA 93030.

City Staff: Joe Pearson II, Planning and Environmental Services Manager

Recommendation: That the Planning Commission

- a. Adopt Resolution 2023-01 recommending that the City Council adopt a Mitigated Negative Declaration (MND) 22-01; and
- b. Adopt Resolution 2023-02 recommending that the City Council approve Planning and Zoning Permit No. 20-580-06 (Ordinance Amendment).

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/g-Ee5eNGih0>

City Staff and Consultants Including: Joe Pearson II, Planning & Environmental Services Manager, Ken Rozell, Chief Assistant City Attorney, Michael E. Houlihan, AICP, CEQA Consultant with ESA, and Daryl Koutnik, PH.D, Senior Biologist, ESA were available for questions.

Lars Skugstad, the Applicant and Michael Schrupp, Lighting Consultant (EXP) presented his powerpoint presentation.

Verbal comments and questions were received by Commissioner Nash, Dr. Lopez, Chavez,

² In Favor: Against: Absent: Abstain: Recused

Chair Arruejo and Vice Chair Stewart and regarding several topics including: why is the ordinance needed, penalties of the agreement if any, public benefits, censorship, sign height, environmental analysis, lighting and safety. .

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

Public verbal comment received by Darron Baida opposing the project.

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

Discussion ensued among the Commissioners and staff about several topics, including: location, traffic safety, lighting and height.

PROCEDURAL MOTION:

Commissioner Chavez moved and Chair Arruejo seconded the motion to end debate on Item G-1.

PROCEDURAL MOTION VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Connelly, Lopez, Nash and Chavez voted in favor. Commissioners Connelly and Zielsdorf were absent. The motion carried 5:0:2:0:0³.

MOTION:

Commissioner Chavez moved and Vice Chair Stewart seconded a motion to Adopt Resolution 2023-02 recommending that the City Council approve Planning and Zoning Permit No. 20-580-06 (Ordinance Amendment), with the following amendments:

1. Allow for Freeway Adjacent Digital Display Billboards to be erected on City of Oxnard owned property or Right of Way, in any non-residential zones located within five hundred (500) feet of the freeway right-of-way for US Highway 101, instead of only four hundred (400) feet.
2. Decrease the maximum number of Freeway Adjacent Digital Display Billboards from five (5) to three (3).
3. Increase the separation between Freeway Adjacent Digital Display Billboards from 2000 feet to 2500 feet.
4. Increase the minimum required residential setback from one hundred (100) feet to two hundred and fifty (250) feet.
5. Increase the minimum display time of each still image from eight (8) seconds to Twelve (12) seconds.

VOTE:

Chair Arruejo, Vice Chair Stewart and Commissioner Chavez. Commissioner Lopez and Nash voted No. Commissioners Connelly and Zielsdorf were absent. The motion carried 3:2:2:0:0⁴.

³ In Favor: Against: Absent: Abstain: Recused

⁴ In Favor: Against: Absent: Abstain: Recused

MOTION:

Chair Arruejo moved and Commissioner Chavez seconded the motion to Adopt Resolution 2023-01 recommending that the City Council adopt a Mitigated Negative Declaration (MND) 22-01

VOTE:

Chair Arruejo, Vice Chair Stewart. Commissioners Lopez, Nash and Chavez voted No. Commissioners Connelly and Zielsdorf were absent. Motion failed 2:3:2:0:0⁵.

2. **Project Name: Riverpark Boulevard Electronic Billboard Project; PLANNING AND ZONING PERMIT** Nos. 20-500-07 (Special Use Permit), 20-670-06 (Development Agreement), and 20-630-02 (Specific Plan Amendment); A Special Use Permit, Development Agreement, and Specific Plan Amendment to allow for the installation and operation of an electronic billboard on an approximately 0.25 acre undeveloped site located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard (APN: 132-0-311-075). The Special Use Permit allows for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products and minor landscape improvements within the adjacent Caltrans right of way. The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development. The proposed Specific Plan Amendment would amend the RiverPark Specific Plan to allow for Freeway Adjacent Digital Display Billboards within the RiverPark Specific Plan. Filed by Lars Skugstad, 1111 Broadway, Suite 1515, Oakland, CA 94607 (the "Applicant") on behalf of the City of Oxnard (the "Property Owner").

City Staff: Joe Pearson II, Planning and Environmental Services Manager

Recommendation: That the Planning Commission:

- a. Adopt Resolution 2023-XX recommending that the City Council adopt a Mitigated Negative Declaration (MND) 22-02; and
- b. Adopt Resolution 2023-XX recommending that the City Council approve Planning and Zoning Permit No. 20-670-06 (Development Agreement), subject to certain findings; and
- c. Adopt Resolution 2023-XX recommending City Council approval of Planning and Zoning Permit No. 20-630-02 (Amendment to The RiverPark Specific Plan), subject to certain findings; and
- d. Adopt Resolution 2023-XX Approving Planning and Zoning Permit No. 20-500-07

⁵ In Favor: Against: Absent: Abstain: Recused

(Special Use Permit), subject to certain findings and conditions.

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/XWN-aBdXZQk>

City Staff and Consultants Including: Joe Pearson II, Planning & Environmental Services Manager, Ken Rozell, Chief Assistant City Attorney, Michael E. Houlihan, AICP, CEQA Consultant with ESA, and Daryl Koutnik, PH.D, Senior Biologist, ESA were available for questions.

Lars Skugstad, the Applicant, and Michael Schrupp, Lighting Engineer, presented their powerpoint presentation.

Verbal comments and questions were received by Commissioner Nash, Dr. Lopez, Chavez, Chair Arruejo and Vice Chair Stewart and regarding several topics including: Advertising for the City, lighting and brightness, distance from residential locations, rotation times, cost of future billboard removal.

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

Public verbal comment received by Darron Baida opposing the project.

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

Discussion ensued among the Commissioners and staff about several topics, including: endangered species, traffic safety, public safety, design and construction, light quality and aesthetics.

MOTION (MOTION OF INTENT TO DENY):

Commissioner Chavez moved and Commissioner Nash seconded a motion of Intent To Deny the Riverpark Boulevard Electronic Billboard Project, Planning And Zoning Permit Nos. 20-500-07 (Special Use Permit), 20-670-06 (Development Agreement), and 20-630-02 (Specific Plan Amendment) as the Planning Commission could not make the required findings, as specified in the deliberations provided by the Planning Commission, and to have staff return with formal Resolutions to Deny the project on February 2, 2023.

VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Chavez, Dr. Lopez, and Nash. Commissioners Connelly and Zielsdorf were absent. The motion carried 5:0:2:0:0⁶.

3. **Project Name: Ventura Road Electronic Billboard Project; PLANNING AND ZONING PERMIT** Nos. 20-500-06 (Special Use Permit), 20-670-05 (Development Agreement), and 21-660-03 (Street Vacation); A Special Use Permit, Development

⁶ In Favor: Against: Absent: Abstain: Recused

Agreement, and Street Vacation to allow for the installation and operation of an electronic billboard on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard. The Special Use Permit allows for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development. The proposed Street Vacation would vacate the existing right-of-way to the City of Oxnard. Filed by Lars Skugstad, 1111 Broadway, Suite 1515, Oakland, CA 94607 (the "Applicant") on behalf of the City of Oxnard (the "Property Owner").

City Staff: Joe Pearson II, Planning and Environmental Services Manager

Recommendation: That the Planning Commission:

- a. Adopt Resolution 2023-XX recommending that the City Council adopt a Mitigated Negative Declaration (MND) 22-03; and
- b. Adopt Resolution 2023-XX recommending that the City Council approve Planning and Zoning Permit No. 20-670-05 (Development Agreement), subject to certain findings; and
- c. Adopt Resolution 2023-XX affirming that the City of Oxnard's proposed Vacation of real property consisting of an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard is in conformance with the City of Oxnard 2030 General Plan and recommending that the City Council order the proceed with the vacation, subject to certain findings; and
- d. Adopt Resolution 2023-XX Approving Planning and Zoning Permit No. 20-500-06 (Special Use Permit), subject to certain findings and conditions.

Please click the following link to view the required Measure M pre-recorded presentation video: https://youtu.be/yUDvcKJ_Nm4

City Staff and Consultants Including: Joe Pearson II, Planning & Environmental Services Manager, Ken Rozell, Chief Assistant City Attorney, Michael E. Houlihan, AICP, CEQA Consultant with ESA, and Daryl Koutnik, PH.D, Senior Biologist, ESA were available for questions.

Lars Skugstad, the Applicant, and Michael Schrupp, Lighting Engineer, presented their powerpoint presentation.

Verbal comments and questions were received by Commissioner Nash, Dr. Lopez, Chavez, Chair Arruejo and Vice Chair Stewart and regarding several topics including: location, ecosystem concerns and lighting.

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

Public verbal comment received by Darron Baida opposing the project.

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

Discussion ensued among the Commissioners and staff about several topics, including: distance from apartment complexes in the area, traffic safety and lighting.

MAIN MOTION:

Commissioner Dr. Lopez moved and Commissioner Nash seconded a motion of Intent To Deny the Ventura Road Electronic Billboard Project, Planning And Zoning Permit Nos. 20-500-06 (Special Use Permit), 20-670-05 (Development Agreement), and 21-660-03 (Street Vacation) as the Planning Commission could not make the required findings, as specified in the deliberations provided by the Planning Commission, and to have staff return with formal Resolutions to Deny the project on February 2, 2023.

AMENDMENT TO THE MAIN MOTION:

Chair Arruejo moved and Vice Chair Stewart seconded motion to amend the main motion to include language that if the City Council rejects or amends the clause in regards to the 250 foot residence to a number below of allowing the adoption or approval to the staff recommendation that the Planning Commission would support staffs recommendation.

AMENDMENT TO THE MAIN MOTION VOTE:

Chair Arruejo, Vice Chair Stewart , and Commissioner Chavez. Dr. Lopez and Nash voted no. Commissioners Connelly and Zielsdorf were absent. The motion carried 3:2:2:0:0⁷

MAIN MOTION (MOTION OF INTENT TO DENY) VOTE:

Chair Arruejo, Vice Chair Stewart and Commissioner Chavez. Commissioner Dr. Lopez and Nash voted no. Commissioners Connelly and Zielsdorf were absent. The motion carried 3:2:2:0:0⁸

H. STUDY SESSION/REPORTS

1. None

I. PLANNING COMMISSION BUSINESS

1. Commissioner Chavez congratulated the new Chair Arruejo on his new position as Chair and thanked everyone for their support.

⁷ In Favor: Against: Absent: Abstain: Recused

⁸ In Favor: Against: Absent: Abstain: Recused

2. Commissioner Dr. Lopez echoed Commissioner Chavez and thanked him for his prior time serving as Chair and congratulated new Chair Arruejo and Vice Chair Stewart.
3. Chair Arruejo thanked Commissioner Chavez for his time served as Chair and shared his story on how he came to the City of Oxnard where he grew up most of his life.

J. COMMUNITY DEVELOPMENT STAFF UPDATES

1. Joe Pearson II, Planning & Environmental Services Manager congratulated the new Chair and Vice Chair and thanked Commissioner Chavez for his past leadership and commented on the next Planning Commission meeting on February 2, 2023.
2. Ken Rozell, Chief Assistant City Attorney congratulated new Chair Arruejo and thanked Commissioner Chavez for his prior service as Chair.

K. ADJOURNMENT

1. At 9:45 p.m., the Planning Commission concurred to adjourn.

FUTURE MEETINGS

Regular Meeting: Thursday, February 2, 2023, 6:00 p.m., Oxnard Chambers

Ronald Arruejo,
Chair

ATTEST _____
Joe Pearson II,
Planning & Environmental Services Manager