MINUTES
OXNARD PLANNING COMMISSION
Thursday, April 6, 2023

A. ROLL CALL

1. At 6:00 p.m.,the Oxnard Planning Commission convened in the Oxnard Chambers.
2. Chair Arruejo, Vice Chair Stewart, Commissioners Chavez, Nash, Zielsdorf and were present. Commissioners Connelly and Dr. Lopez were absent.
3. Staff members present were; Ken Rozell, Chief Assistant City Attorney; Joe Pearson II, Planning Environmental Services Manager; Juan Carlos Torres, Associate Planner; Kathleen Mallory, Planning and Sustainability Manager; Emilio Ramirez, Housing Director; Maureen Tamuri, Interim Community Development Department Director; and Miriam Loera, Administrative Services Specialist.
4. Chair Arruejo presided and called the meeting to order.

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

1. Commissioner Chavez 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. NONE

F. PUBLIC HEARING

1. **Project Name: Vista Real Charter School**; Planning and Zoning Permit No. 22-520-02 (Special Use Permit); A request to allow operation of a charter school use (Vista Real Charter High School) within an existing two-story 16,425 square-foot building (Woolworth Building). The proposed School currently occupies approximately 12,800 square feet of the building and is located at 401 South A Street, Suites 1-3 & 8-10 (APN: 202-0-104-015) within the Downtown Core (DT-C) Zone. The proposed hours of operation for the proposed use will be Monday through Friday from 8am to 6pm. The project will have 20 employees and 65 students. Filed by Tracy Woods with Learn 4 Life, on behalf of Vista Real Oxnard, applicant, 177 Holston Drive, Lancaster, CA 93535.
   City Staff: Juan Carlos Torres, Associate 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 15301 (Existing Facilities); and

b. Adopt Resolution 2023-16 approving Planning and Zoning Permit No. 22-520-02 (Special Use Permit), subject to certain findings and conditions.

Juan Carlos Torres, Associate Planner, provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: https://youtu.be/yBR1NODDtr0

City Staff and Consultants Including: Joe Pearson II, Planning & Environmental Services Manager, Ken Rozell, Chief Assistant City Attorney; and Carlos Torres, Associate planner were available for questions.

Tracy Woods, the Applicant and her team were also present and available for questions.

Verbal comments and questions were received by Commissioners Chavez, Nash, Vice Chair Stewart, Chair Arruejo, regarding the location and its use as semi-public, security, application delay.

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

There were no public verbal comments received.

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

Discussion ensued among the Commissioners and staff about several topics, including: location, security, application delay.

MOTION:

Commissioner Nash moved and Vice Chair Stewart seconded the 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 2023-16 approving Planning and Zoning Permit No. 22-520-02 (Special Use Permit), subject to certain findings and conditions including all the changes that were in the addendum.

VOTE:

Vice Chair Stewart, Commissioner Nash and Zielsdorf voted in favor. Chair Arruejo voted No. Commissioner Chavez abstained. Commissioners Connelly and Dr. Lopez were absent. The motion carried 3:1:2:1:0[1]

2. **Project Name: Carmax Expansion Project**; Planning and Zoning Permit No. 22-550-02 (Major Modification to PZ 10-500-11 (Special Use Permit)) and 22-310-05 (Lot Line

[1] In Favor: Against: Absent: Abstain: Recused

Adjustment (Merger)); The proposed project includes a development proposal to demolish an existing 38,854 square foot industrial building and related site improvements to allow for the construction of a vehicle storage yard to stage vehicles sold by the CarMax automotive dealership. The 4.27-acre site consists of three lots that will be merged into one lot. No new buildings are proposed. The Project site is located at 1975 Lockwood Street; APN(s): 213-0-011-245, -285, -310, -330, and -340 within the General Commercial Planned Development (C-2-PD) zone district and within the Commercial General land use designation. For purposes of this staff report, the foregoing Project Description shall be referred to as the "Project". Filed By Hollee King Winegar, Applicant, 7584 Eisenhower Street, Ventura, CA, 93003.
City Staff: Brenna Wengert, AICP, Contract Planner

Recommendation: That the Planning Commission:

a. Find the Projects to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (Infill Development); and

b. Adopt Resolution 2023-17 approving Planning and Zoning Permit No. 22-550-02 (Major Modification to PZ 10-500-11 (Special Use Permit)) and 22-310-05 (Lot Line Adjustment (Merger)), subject to certain findings and conditions.

Brenna Wengert, AICP, Contract Planner, provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: https://youtu.be/Ru97B_6W2Rc

City Staff and Consultants Including: Joe Pearson II, Planning & Environmental Services Manager; Ken Rozell, Chief Assistant City Attorney; and Brenna Wengert, Contract Planner were available for questions.

Hollee King Winegar, the Applicant was present and available for questions.

Verbal comments and questions were received by Commissioner Nash and Chair Arruejo regarding location use, driveway location on lockwood, traffic,

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

No public verbal comments were received.

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

Discussion ensued among the Commissioners and staff about several topics, including: vehicles in the community.

MOTION:

Chair Arruejo moved and Commissioner Nash seconded the motion to Find the Projects to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (Infill Development); andAdopt Resolution 2023-17 approving Planning and Zoning Permit No. 22-550-02 (Major Modification to PZ 10-500-11 (Special Use Permit)) and 22-310-05 (Lot Line Adjustment (Merger)), subject to certain findings and conditions.

VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Nash and Zielsdorf voted in favor. Commissioner Chavez voted no. Commissioners Connelly and Dr. Lopez were absent. The motion carried 4:1:2:0:0[2].

3. **Project Name: Update of the City's Inclusionary Housing Ordinance.** The project implements the City of Oxnard certified and Adopted Amended 2021-2029 Housing Element, Program 10 that calls for an update to and codification of the City's Inclusionary Housing Ordinance. Filed by the City of Oxnard Long Range Planning & Sustainability Division and the Housing Department - 214 South C Street, Oxnard, CA 93030
City Staff: Kathleen Mallory, Planning and Sustainability Manager

Recommendation: That the Planning Commission:

a. Open the public hearing and receive public testimony;

b. Review and provide comment on the proposed amendments to Chapter 16 of the Oxnard City Code (OCC) to codify the updated Inclusionary Housing Ordinance; and

c. Adopt Resolution 2023-18 recommending that the City Council repeal Ordinance Nos. 2506, 2545, 2615, 2688, 2721 and 2980 and approve zoning text amendments to Chapter 16 of the OCC to require affordable housing in future residential development applications of a specific size.

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/WGgHcPueExE

City Staff and Consultants Including: Joe Pearson II, Planning & Environmental Services Manager; Ken Rozell, Chief Assistant City Attorney; Kathleen Mallory, Planning and Sustainability Manager; Heather Davis, Project Manager; Maureen Tamuri, Interim Community Development Department Director; and Emilio Ramirez, Housing Director were available for questions.

Verbal comments or questions were received by Commissioners regarding moderate housing, low cost housing, very low housing, how to build more units, conditions for developers, equity share agreement, affordable rental units, home ownership.

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[2] In Favor: Against: Absent: Abstain: Recused

MOTION:

Chair Arruejo moved and Commissioner Nash seconded the motion to set aside the questioning of the staff and go directly to the public comment and to increase the speaking time from default of three minutes to five minutes.

VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Chavez, Nash and Zielsdorf. Commissioners Connelly and Dr. Lopez were absent. The motion carried 5:0:2:0:0[3].

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

Public verbal comment received by: Jackson Piper, Maria Navarro, Barbara Macri-Ortiz, and Paul Sheehan.

MOTION:

Commissioner Nash moved and Vice Chair Stewart seconded the motion to allow questions to those public commenters still present via zoom or in person.

VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Chavez, Nash and Zielsdorf. Commissioners Connelly and Dr. Lopez were absent. The motion carried 5:0:2:0:0[4].

Verbal comments or questions were received from Commissioners regarding increase of affordability percentages of rental and for-sale units, HCD inclusionary policies, affordable housing requirements or conditions on re-sale of property, unit costs, affordable units applied to density units, and prohibitions.

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

Discussion ensued among the Commissioners and staff about several topics, including: supporting veterans with housing, equity shares, sales and equity restrictions, generational poverty and the housing of current residents.

Planning Commissioners went into the committee of the whole prior to delivering a motion to discuss the following topics: Rental and For-Sale Inclusionary percentages and breakdowns, Resale Restriction vs. Equity Share, For-Sale Unit Relocation Exceptions.

MAIN MOTION:

Commissioner Nash and Vice Chair Stewart seconded the motion to review and provide comment on the proposed amendments to Chapter 16 of the Oxnard City Code (OCC) to codify the updated Inclusionary Housing Ordinance; and Adopt Resolution 2023-18 recommending that the City Council repeal Ordinance Nos. 2506, 2545, 2615, 2688, 2721 and 2980 and

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[3] In Favor: Against: Absent: Abstain: Recused

[4] In Favor: Against: Absent: Abstain: Recused

approve zoning text amendments to Chapter 16 of the OCC to require affordable housing in future residential development applications of a specific size, with the following amendments and recommendations:

- Increase for-sale inclusionary requirement from 10 Percent to 20 Percent (10% moderate and 10% lower income)
- Increase the rental inclusionary requirement from 10 Percent to 15 Percent (5% very low, 5% lower, and 5% moderate)
- To require a resale restriction for for-sale units instead of the equity share
- Recommend that City Council consider a military reassignment exemption for for-sale units.

AMENDMENT TO THE MAIN MOTION:

Chair Arruejo moved and Commissioner Nash seconded the motion to amend the motion to increase the rental inclusionary requirement from 15 Percent to 20 Percent (10% very low and 10% lower).

AMENDMENT TO THE MAIN MOTION VOTE:

Chair Arruejo, Commissioners Nash and Zielsdorf voted in favor. Vice Chair Stewart and Commissioner Chavez voted no. Commissioners Dr. Lopez and Connelly were absent. The motion carried 3:2:2:0:0[5].

MAIN MOTION VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Chavez, Nash and Zielsdorf voted in favor. Commissioners Dr. Lopez and Connelly were absent. The motion carried 5:0:2:0:0[6].

G. STUDY SESSION/REPORTS

1. None

H. PLANNING COMMISSION BUSINESS

1. Commissioner Nash commented on being sworn in.
2. Commissioner Chavez commented on being sworn in.

I. COMMUNITY DEVELOPMENT STAFF UPDATES

1. Joe Pearson II addressed an Oxnard Beach Town Hall coming up on Monday April 24, 2023 from 6pm to 8 pm at the South Oxnard Center to discuss the Ormond beach restoration project. Update on U-haul project.

J. ADJOURNMENT

[5] In Favor: Against: Absent: Abstain: Recused
[6] In Favor: Against: Absent: Abstain: Recused

1. At 10:34 p.m., the Planning Commission concurred to adjourn.

FUTURE MEETINGS

Regular Meeting: Thursday, April 20, 2023, 6:00 p.m., Oxnard Chambers

Ronald Arruejo,
Chair

ATTEST
Joe Pearson II,
Planning & Environmental Services Manager