

CITY OF OXNARD PLANNING COMMISSION AGENDA

REGULAR MEETING
Council Chambers, 305 West Third Street
Thursday, September 7, 2023, 6:00 p.m.

The public may view the meeting from home on the City's website at Oxnard.org/city-meetings, Spectrum Channel 10, Frontier Channel 35, or YouTube at Youtube.com/oxnardnews. Video recordings are typically available online following the meeting at the City's website at <http://www.oxnard.org/city-meetings>

YOU MAY PARTICIPATE IN THE MEETING IN THE FOLLOWING WAYS:

1. ATTEND THE MEETING AT THE LOCATION LISTED ABOVE: Submit a speaker card.
2. EMAILING COMMENTS OR REQUESTS TO SPEAK BEFORE THE MEETING
 - a. Submit an email to Planning@oxnard.org no later than 3:00 p.m. on the day of the meeting (Please indicate the agenda item number in the subject line). All email correspondence will be forwarded to the Planning Commission prior to the start of the meeting and made part of the legislative record.
 - b. Submit a request to speak by no later than 3pm on the day of the meeting by using the form <https://forms.gle/pkmaCem253VBkiEB8>, emailing the Planning office at planning@oxnard.org, or calling (805) 385-7858.
3. PROVIDING PUBLIC COMMENTS DURING THE MEETING
 - a. Speakers shall have up to three minutes to speak.
 - b. If you wish to speak during public comments or a particular item on the agenda, please follow the below instructions:
 1. Dial phone number (888) 475-4499
 2. Enter the meeting ID: 858 4082 4563
 3. Enter the meeting passcode: 177349
 4. Wait in the Zoom waiting room. Once the Chair calls for public speakers, press *9 to raise your hand to inform the recording secretary you would like to speak.
 - c. Public comments on items not on the agenda shall be taken at the beginning of the meeting. If there are more speakers than can be accommodated during thirty minutes, additional speakers who will be given an opportunity to speak at the end of the meeting.
 - d. Public comments on items on the agenda shall be taken following the announcement of the item.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a meeting, you should contact the office of the City Clerk at (805) 385-7803. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

Written materials relating to an item on this agenda that are distributed to the Planning Commission within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at 214 South C Street, during customary business hours.

A. ROLL CALL**B. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES****C. PUBLIC COMMENTS - On Items Not On The Agenda**

At this time, a person may address the Planning Commission on matters within the jurisdiction of the Planning Commission, including information/consent items and any item not appearing on the agenda. The Chair shall limit public comments to three (3) minutes. The Planning Commission cannot take action on any item presented during public comments that is not on the agenda and such item may only be referred to the Commission Secretary. Persons wishing to speak on public hearing items should do so at the time of the public hearing.

D. CONSENT AGENDA

1. APPROVAL OF MINUTES - July 20, 2023
2. APPROVAL OF MINUTES- August 3,2023

E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS**F. PUBLIC HEARING**

1. **Project Name: Planning & Zoning Permit No. 23-580-03 (Zoning Text Amendment) Relating to Implementation of the City's Adopted Amended 2021-2029 6th Cycle Housing Element.** The project implements the City of Oxnard certified and Adopted Amended 2021-2029 Housing Element, Programs 6, 9, 22, 27 and 32 that call for specific updates to the City's zoning code to comply with current state housing laws. The proposed amendments implement these programs. Filed by the City of Oxnard Community Development Department - 214 South C Street, Oxnard, CA 93030.

City Staff: Joe Pearson II, Planning Environmental Services Manager and Heather Davis, Contract Planner

Recommendation: That the Planning Commission:

- a. Review and provide comment on the proposed amendments to Chapter 16 of the Oxnard City Code (OCC) and Downtown Code to comply with California Housing law; and
- b. Recommend the City Council find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) (General Rule); and
- c. Adopt Resolution 2023-XX recommending that the City Council adopt the zoning text amendment (ZTA) ordinances (PZ No. 23-580-03), subject to certain findings.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a meeting, you should contact the office of the City Clerk at (805) 385-7803. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

Written materials relating to an item on this agenda that are distributed to the Planning Commission within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at 214 South C Street, during customary business hours.

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

G. STUDY SESSION/REPORTS

H. PLANNING COMMISSION BUSINESS

I. COMMUNITY DEVELOPMENT STAFF UPDATES

J. ADJOURNMENT

FUTURE MEETINGS

Regular Meeting: Thursday, September 21, 2023, 6:00 p.m., Council Chambers

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a meeting, you should contact the office of the City Clerk at (805) 385-7803. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

Written materials relating to an item on this agenda that are distributed to the Planning Commission within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at 214 South C Street, during customary business hours.

<http://www.oxnard.org>

MINUTES
OXNARD PLANNING COMMISSION
Thursday, July 20, 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, Commissioner Chavez, Lopez, Connelly, Zielsdorf and Nash were present.
3. Staff members present were: Joe Pearson II, Planning & Environmental Services Manager; Ken Rozell, Chief Assistant City Attorney; Alex Tellez, Assistant Planner, 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 Zielsdorf

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: Shake Shack;** Planning and Zoning Permit No. 22-510-06 (Special Use Permit-Alcohol); Lot 6 of The Landing at RiverPark; (APN 132-0-470-235). A request to allow the sales of beer and wine for on-site consumption (Alcohol Beverage Control (ABC) License Type 41 - On Sale Beer and Wine) within the proposed development of a 3,470 square-foot restaurant and a 760 square foot outdoor patio on an approximately 1-acre site located on Lot 6 of Tract 6004, within the West Corridor Commercial District of the RiverPark Specific Plan (RPSP). Filed by Marc Haslinger, (the “Applicant”), on behalf of Riverpark Landing, LLC, 130 Vantis, Suite 200 Aliso Viejo, California 92565 (the “Property Owner”).

City Staff: Eunice Ban, Contract Planner

Recommendation: That the Planning Commission

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a meeting, you should contact the office of the City Clerk at (805) 385-7803. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

Written materials relating to an item on this agenda that are distributed to the Planning Commission within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at 214 South C Street, during customary business hours.

- a. Find the project to be a exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061 (b)(3) (General Rule); and
- b. Adopt Resolution 2023-26 approving Planning and Zoning Permit No. 22-510-06 (Special Use Permit), subject to certain findings and conditions.

Eunice Ban, Contract Planner provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://youtu.be/pn30M0TVXm8>

City Staff and Consultants including: Joe Pearson II, Planning & Environmental Services Manager; Ken Rozell, Chief Assistant City Attorney, Scott Swenson, Safer Neighborhoods & FACT Compliance Specialist, and Eunice Ban, Contract Planner were available for questions.

The applicant team including Melissa Balcerak, Waika Li, Ross Claiborne, Derek Williams were available for questions.

Verbal comments and questions were received by commissioners Connelly, Chavez, Nash, Vice Chair Stewart and Chair Arruejo on the type of permit, cooling off period (last call) and hours of operation, location design, drive-thru sales, alcohol sales conditions and lease.

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

Verbal comment received by public speakers Derek Williams in favor of the project.

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

Discussion ensued among the Commissioners and staff about several topics, including: Alcohol sales, type of alcohol containers, location, parking, traffic signage, patio views and crime rate.

MOTION:

Dr. Lopez moved and Connelly seconded the motion for the project to find the project to be a exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061 (b)(3) (General Rule); and adopt Resolution 2023-26 approving Planning and Zoning Permit No. 22-510-06 (Special Use Permit), subject to certain findings and conditions with the inclusion of the following edits:

1. Special Police Conditions 72 shall be added as follows:

- a. 72. No alcohol shall be served and/or sold via the drive-through lane.

VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Chavez, Connelly, Dr. Lopez, Nash and Zielsdorf voted in favor. The motion carried 7:0:0:0:0¹.

2. **Project Name: Center for Employment Training;** Planning and Zoning Permit No. 22-200-10 (Development Design Review Permit), Located at 1741 Fiske Place (APN: 220-0-271-055). The project consists of a request to allow the operation of a trade school, Center for Employment Training, within an existing 18,635 square-foot single-tenant industrial building. The use will be composed of the laboratories, classrooms, a computer laboratory, a career center, administrative offices, a student lounge, storage areas, and entrance lobby. Filed by Scott Boydston (Rasmussen and Associates), Designated Agent, on behalf of business and property owner, Center for Employment Training, 701 Vine Street, San Jose, CA 95110.

City Staff: Alex Tellez, Assistant 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 2023-27 approving Planning and Zoning Permit No. 22-200-10 (Development Design Review Permit), subject to certain findings and conditions.

Alex Tellez, Assistant Planner provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://youtu.be/0GWhOm5n1OI>

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

Applicants Marite Marlow and Deryl Nelson were present and available for questions.

Verbal comments and questions were received from commissioners Chavez, Nash, Vice Chair Stewart and Chair Arruejo on current training location, student shuttle services,

¹ In Favor: Against: Absent: Abstain: Recused

driving surveys, parking and CET organization.

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

No verbal comment received by public speakers.

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

Discussion ensued among the Commissioners and staff about several topics, including: Parking, mission of CET and shuttle services.

MOTION:

Commissioner Chavez moved and Commissioner Dr. Lopez 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 2023-27 approving Planning and Zoning Permit No. 22-200-10 (Development Design Review Permit), subject to certain findings and conditions

VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Chavez, Connelly, Dr. Lopez, Nash and Zielsdorf voted in favor. The motion carried 7:0:0:0².

F. STUDY SESSION/REPORTS

1. None

G. PLANNING COMMISSION BUSINESS

1. Commissioner Chaves welcomed Assistant Planner Alex Tellez and spoke on Gold Coast Transit and its available service options (<https://www.gctd.org/>).
2. Chair Arruejo commented on VC Star accident reports, public housing and the grand opening of Seafood City.

H. COMMUNITY DEVELOPMENT STAFF UPDATES

1. Joe Pearson II spoke about the upcoming meeting on August 3, 2023 and introduced Serena Gonzalez, Assistant Planner to the Planning Commission.

² In Favor: Against: Absent: Abstain: Recused

I. ADJOURNMENT

1. At 7:40 p.m., the Planning Commission concurred to adjourn.

FUTURE MEETINGS

Regular Meeting: Thursday, August 3, 2023, 6:00 p.m., Oxnard Chambers

Ronald Arruejo,
Chair

ATTEST _____
Joe Pearson II, AICP
Planning & Environmental Services Manager

DRAFT MINUTES
OXNARD PLANNING COMMISSION
Thursday, August 3, 2023

A. ROLL CALL

1. At 6:01pm, the Oxnard Planning Commission convened in the Oxnard Chambers.
2. Chair Arruejo, Vice Chair Stewart, Commissioners Chavez, Connelly, Dr. Lopez and Nash were present. Commissioner Zielsdorf was absent.
3. Staff members present were: Joe Pearson II, Planning & Environmental Services Manager; Ken Rozell, Chief Assistant City Attorney; Jay Dobrowalski, Planning Supervisor; Kathleen Mallory, Long Range and Sustainability Planning Manager; Mat Simpkins, Management Analyst; and Rogelio Solis, Administration Services Technician.
4. Chair Arruejo presided and called the meeting to order.

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

1. Vice Chair Stewart

C. PUBLIC COMMENTS - On Items Not On The Agenda

1. None

D. CONSENT AGENDA

1. APPROVAL OF MINUTES - April 6, 2023

MOTION:

Commissioner Chavez moved and Vice Chair Stewart seconded the motion of approval of minutes for the April 6, 2023, Planning Commission meeting.

VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Chavez and Nash. Commissioners Connelly and Dr. Lopez abstained. Commissioner Zielsdorf was absent. The motion carried 4:0:1:2:0¹.

2. APPROVAL OF MINUTES - July 6, 2023

MOTION:

Vice Chair Stewart moved and Commissioner Connelly seconded the motion of approval of minutes for the July 6, 2023, Planning Commission meeting with the following amendments:

¹ In Favor: Against: Absent: Abstain: Recused

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a meeting, you should contact the office of the City Clerk at (805) 385-7803. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

Written materials relating to an item on this agenda that are distributed to the Planning Commission within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at 214 South C Street, during customary business hours.

1. Chair ~~Chavez~~ Arruejo presided and called the meeting to order.
2. Commissioner Connelly introduced ~~a special guest~~ her mother who was present at the meeting..

VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Connelly, Dr. Lopez and Nash. Commissioners Chavez and Dr. Lopez abstained. Commissioner Zielsdorf was absent. The motion carried 4:0:1:2:0².

E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS

1. Chair Arruejo commented that he will recuse himself from participating in Item F-2 due to 18 U.S. Code § 203 and 18 U.S. Code § 205.

F. PUBLIC HEARING

1. **Project Name: Dunkin Donuts;** Planning and Zoning Permit No. 22-550-01 (Major Modification to Special Use Permit), Property Located at 2151 East Gonzales Road; APN: 213-0-090-015. The proposed project requests a Major Modification to Special Use Permit (SUP) No. 00-05-142 to allow for improvements to an existing 30,467 square-foot CBC Credit Union multi-tenant office building. The proposed project includes the construction and conversion of 1,419 square feet of existing ground floor tenant space into a donut/coffee shop (Dunkin Donuts) and the conversion of one existing drive-through lane. The project also includes one modification that is being requested to allow for a reduction of the number of on-site required parking spaces from 151 to 129. Filed by property owner, Daniel Bednar, Vice President of Development, of CBC Federal Credit Union.

City Staff: Jay Dobrowalski, Planning Supervisor and Lisa Gordon, Senior Contract Planner

Recommendation: That the Planning Commission:

- a. Find the Project to be Statutorily Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15270 (Projects Which are Disapproved); and
- b. Adopt Resolution 2023-28 denying Planning and Zoning Permit No. 22-550-01 (Major Modification to Special Use Permit), subject the findings.

Jay Dobrowalski, Planning Supervisor provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda:

² In Favor: Against: Absent: Abstain: Recused

<https://youtu.be/Y-Wm5qmF6lw>

City Staff and Consultants Including: Joe Pearson, Planning & Environmental Services Manager; Ken Rozell, Chief Assistant City Attorney; and Jay Dobrowalski, Planning Supervisor were available for questions.

The applicant team including Jesus Garcia, Chief Experience Officer at CBC Federal Credit Union, Dave Sobina, Project Architect, Jim Bargfrede, Project Manager, Stuart Nielson, and Collin Winters, Design group provided a presentation and were available for questions..

Verbal comments and questions were received by Commissioners Chavez, Connelly, Nash, Vice Chair Stewart and Chair Arruejo regarding: parking, site parking image, foot traffic, drive-thru and walk-in split percentage of customers for Dunkin and traffic circulation.

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

Verbal comment received by public speaker: Stuart Nielson spoke against the project.

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

Discussion ensued among the Commissioners and staff about several topics, including: Dunkin's operational breakdown of walk-ins vs. drive through use, reciprocal parking easements, parking impacts from the medical plaza to the north, recent subdivision of medical plaza, use of drive lanes for drop off of patients, pedestrian safety, and parking and services provided by Dunkin.

MOTION:

Commissioner Chavez moved and Commissioner Dr. Lopez seconded the motion to adopt an Addendum to Mitigated Negative Declaration No. 01-09; and adopt Resolution 2023-XX approving Planning and Zoning Permit No. 22-550-01 (Major Modification to Special Use Permit), subject to certain findings and conditions.

MOTION VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Chavez, Connelly and Dr. Lopez voted in favor. Commissioner Nash voted against. Commissioner Zielsdorf was absent. The motion carried 5:1:1:0:0³.

³ In Favor: Against: Absent: Abstain: Recused

2. **Project Name: Cannabis Zoning Text Amendments;** Planning and Zoning Permit No. 23-580-02 (Zone Text Amendment). A request to modify Oxnard City Code (OCC) Chapters 11 and 16 to address minor OCC changes determined necessary as a result of implementation of the City's existing commercial cannabis regulations pertaining to manufacturing, distribution, testing, and retail dispensaries. Chapters 11 and 16 of the OCC are proposed to be amended to create new regulations for commercial cannabis cultivation and to permit up to five (5) indoor commercial cannabis cultivators in six (6) areas of the City. The proposed project has been determined to be exempt from the California Environmental Quality Act (CEQA), based upon the general rule provision of Section 15061 (b)(3) of the CEQA Guidelines. Filed by City of Oxnard, Community Development Department, 214 S. C Street, Oxnard, CA 93030
City Staff: Mat Simpkins, Management Analyst

Recommendation: That the Planning Commission:

- a. Open the public hearing and receive public testimony; and
- b. Adopt Resolution 2023-29 recommending that the City Council approve amendments to the OCC pertaining to regulation of cannabis manufacturing, distribution, testing, and retail dispensaries; and an amendment to OCC Chapters 11 and 16 to allow up to five (5) indoor commercial cannabis cultivators in six (6) identified areas of the City.

Mat Simpkins, Management Analyst provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://youtu.be/dij6OnwREII>

City Staff Including: Joe Pearson II, Planning & Environmental Services Manager and Ken Rozell, Chief Assistant City Attorney; Kathleen Mallory, Long Range Planning Manager; Mat Simpkins, Management Analyst were available for questions.

Verbal comments and questions were received by Commissioners Chavez and Nash regarding: Community feedback or concerns, how the number was determined, and how often can the amendment change.

Vice Chair Stewart opened the public comments portion of the public hearing.

Verbal comment received by public speakers: Pat Brown spoke against the project.

Vice Chair Stewart closed the public comments portion of the public hearing.

Discussion ensued among the Commissioners and staff about several topics including: City's approach to Cannabis, applicants, community impacts, water usage, energy usage

and conservation, odor complaints, and cannabis employee permit requirements.

MOTION:

Commissioner Nash moved and Commissioner Connelly seconded the motion to open the public hearing and receive public testimony; and adopt Resolution 2023-29 recommending that the City Council approve amendments to the OCC pertaining to regulation of cannabis manufacturing, distribution, testing, and retail dispensaries; and an amendment to OCC Chapters 11 and 16 to allow up to five (5) indoor commercial cannabis cultivators in six (6) identified areas of the City.

MOTION VOTE:

Vice Chair Stewart, Commissioners Chavez, Connelly, Dr. Lopez and Nash. Chair Arruejo recused. Commissioner Zielsdorf was absent. The motion carried 5:0:1:0:1⁴.

F. STUDY SESSION/REPORTS

1. None

G. PLANNING COMMISSION BUSINESS

1. Commissioner Chavez commented on back to school day and wished a great first day back to all Educators and students.
2. Commissioner Connelly introduces a special guest and friend from the audience, Rob Leatherwood, VCCAR Government Affairs Director.

H. COMMUNITY DEVELOPMENT STAFF UPDATES

1. Joe Pearson commented on items at the next Planning Commission meeting on August 17, 2023 regarding the item that will be presented that will include updates to the zoning code related housing element implementation.

I. ADJOURNMENT

1. At 8:02pm., the Planning Commission concurred to adjourn.

⁴ In Favor: Against: Absent: Abstain: Recused

FUTURE MEETINGS

Regular Meeting: Thursday, August 17, 2023, 6:00 p.m, Oxnard Chambers

Ronald Arruejo,
Chair

ATTEST _____
Joe Pearson II,
Planning & Environmental Services Manager