

MINUTES
OXNARD PLANNING COMMISSION
October 20, 2022

A. ROLL CALL

1. At 6:00 p.m., the Oxnard Planning Commission convened in the Oxnard Chambers.
2. Chair Chavez, Vice Chair Arruejo, Commissioner Lopez, Meyer, Nash, Connelly, and Zielsdorf were present.
3. Staff members present were: Joe Pearson II, Planning & Environmental Services Manager, Ken Rozell, Chief Assistant City Attorney; Jay Dobrowalsski, Planning Supervisor; Roy Solis, Office Assistant II
4. Chair Chavez presided and called the meeting to order.

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

1. Commissioner Meyer led the pledge of allegiance

C. PUBLIC COMMENTS - On Items Not On The Agenda

1. No public comments were received for items not on the agenda.

D. CONSENT AGENDA

1. None

E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEM

1. Vice Chair Arruejo commented since he has joined the Planning Commission he has had two direct interactions with the applicant and or groups for or against this project and other indirect actions, received a tour of the Port Hueneme facility tour in March of this year, attended a fundraiser earlier this month, additionally he pulled nomination papers to run for the a spot on Oxnard Harbor Commission but did not complete the process and is not a candidate, he also visited the site of the proposed project of the facilities earlier week and last month. He has kept an open mind and will not make a decision until all evidence has been presented
2. Commissioner Connelly took a tour of Port of Hueneme in February of this year, while she had had these communications she will not make a decision until all evidence has been presented.
3. Commissioner Dr. Lopez will recuse himself from Item F-1 for conflict of interest regarding one of his clients.
4. Commissioner Meyer will recuse himself from Item F-1 he is the president of the Board CAUSE.
5. Commissioner Nash attended a CAUSE protest before the commission but this will not affect his decision which will be based on facts.

6. Chair Chavez attended some communication with members of the Port and CAUSE to facilitate the communication but did not attend meetings.

F. PUBLIC HEARING

1. **Project Name: Port of Hueneme - Temporary Outdoor Vehicle Storage Facility - PLANNING AND ZONING PERMIT No. 18-500-02 (Special Use Permit);** Located at southeast corner of Hueneme Road and Perkins Road (APNs: 231-0-092-105 and 231-0-092-245). A request for a Special Use Permit to construct and operate a temporary outdoor vehicle storage facility for a maximum of five years on the approximately 34-acre project site. Upon expiration of the Special Use Permit, the vehicle parking area, the guard house, portable restroom, perimeter site lighting, and gravel surface would be removed. The fencing, landscaping, and drainage and associated infrastructure improvements would remain on-site and be maintained by the property owner. The project site is located within the Light Manufacturing with Planned Development Additive Zone (M-1-PD). The request includes certification of the proposed Final Environmental Impact Report (EIR) (State Clearinghouse No. 2020069039) and adoption of the Mitigation Monitoring and Reporting Program (MMRP) which has been prepared pursuant to the California Environmental Quality Act (CEQA). As mandated by the CEQA Guidelines, the EIR has been subject to the City's internal review process and reflects the Lead Agency's independent review and judgment and objectivity with regard to the scope, content, and adequacy of analysis. Filed by Christina Birdsey, 333 Poina Street, Port Hueneme, California 93044-0608, designated agent (the "Applicant") on behalf of A&J Oxnard LLC, 18980 Ventura Boulevard, Unit 200, Tarzana, California 91356 (the "Property Owner").

City Staff: Jay Dobrowalski, Planning Supervisor

Recommendation: That the Planning Commission:

- a. Adopt a Resolution certifying Final Environmental Impact Report (EIR) No. 22-01 for the Port of Hueneme - Temporary Outdoor Vehicle Storage Facility (Governor's Office of Planning and Research State Clearinghouse No. 2020069039); and
- b. Adopt a Resolution approving Planning and Zoning Permit No. 18-500-02 (Special Use Permit) for a vehicle storage facility, subject to certain findings and conditions.

Jay Dobrowalski, Planning Supervisor, provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://youtu.be/38OaqLALYpw>

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

Applicant team Kristin Decas (CEO & Port Director) and Miguel Rodriguez (Community Relations Manager) provided a presentation and were available for questions.

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

Twenty-nine public commenters spoke against the project during the public comment

period. The commenters spoke on several topics including impacts to wildlife, beach access, traffic, and air pollution.

Thirty-four public commenters spoke against the project during the public comment period. The commenters spoke on several topics including Job opportunities, air quality, Port history, community impact and green energy.

Public written comments were received prior to the meeting, and they were organized into Transmittal Memos, distributed to the Planning Commission and posted online.

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

Discussion ensued among the Commissioners and staff about several topics, including: Public comments, environmental impacts, air quality from increased traffic, traffic impacts from Port and Parking Lot, future access to Ormond Beach, CEQA process, biological resources, aesthetic impacts, employment opportunities, electric vehicles, and cleanup.

PROCEDURAL MOTION:

Chair Chavez moved and Commissioner Zielsdorf seconded the motion to extend the meeting past 11:00 p.m.

PROCEDURAL MOTION VOTE:

Chair Chavez, Vice Chair Arruejo, Commissioner Lopez, Connelly, Zielsdorf and Nash voted in favor. Commissioner Meyer and Dr. Lopez recused themselves. The motion carried 5:0:0:0:2¹.

MAIN MOTION:

Vice Chair Arruejo moved and Commissioner Connelly seconded the motion to adopt a Resolution certifying Final Environmental Impact Report (EIR) No. 22-01 for the Port of Hueneme - Temporary Outdoor Vehicle Storage Facility (Governor's Office of Planning and Research State Clearinghouse No. 2020069039); and to adopt a Resolution approving Planning and Zoning Permit No. 18-500-02 (Special Use Permit) for a vehicle storage facility, subject to certain findings and conditions.

SECOND MOTION (AMENDMENT TO MAIN MOTION):

Commissioner Nash moved and Commissioner Connelly seconded the motion to modify condition 57, as follows:

57. The proposed vehicle storage use shall be granted for a time period not to exceed five years from the date of Final Inspection and commencement of the approved use. Upon the expiration of the five (5) year period the site shall be returned to its existing condition within ninety (90) days as follows:

¹ In Favor: Against: Absent: Abstain: Recused

- a. The facility may be used to store vehicles only after final Building Permit approval. All vehicles shall be removed from the site no later than five years from the Final Building Permit Inspection.
- b. The site shall be returned to its existing condition (the condition prior to development) subject to the required City permits and a plan to be reviewed and approved by the Community Development Director with the following conditions: the drainage improvements, landscaping, and fencing shall remain on the site and be maintained by the property owner. ~~The ninety (90) day period may be extended by the Community Development Director for good cause for a period not to exceed an additional ninety (90) days.~~

SECOND MOTION (AMENDMENT TO MAIN MOTION) VOTE:

Chair Chavez, Vice Chair Arruejo, Commissioner Lopez, Connelly, Zielsdorf and Nash voted in favor. Commissioner Meyer and Dr. Lopez recused themselves. The motion carried 5:0:0:0:2².

THIRD MOTION (SECOND AMENDMENT TO MAIN MOTION):

Commissioner Nash moved and Commissioner Connelly seconded the motion to modify condition 62, as follows:

62. Prior to the issuance of a certificate of occupancy, the Applicant shall provide a watering schedule to the site manager and to the Planning Division or designee. The irrigation system shall include automatic rain shut-off devices, ~~or instructions on how to override the irrigation system during rainy periods.~~ (SC AES-3)

THIRD MOTION (SECOND AMENDMENT TO MAIN MOTION) VOTE:

Chair Chavez, and Commissioners Connelly, Zielsdorf and Nash voted in favor. Vice chair Arruejo against. Commissioner Meyer and Dr. Lopez recused themselves. The motion carried 4:1:0:0:2³.

FOURTH MOTION (THIRD AMENDMENT TO MAIN MOTION):

Vice Chair Arruejo moved and Commissioner Nash seconded the motion to modify condition 57, as follows:

57. The proposed vehicle storage use shall be granted for a time period not to exceed five years from the date of Final Inspection and commencement of the approved use. Upon the expiration of the five (5) year period the site shall be returned to its existing condition within ninety (90) days as follows:
- a. The facility may be used to store vehicles only after final Building Permit approval. All vehicles shall be removed from the site no later than five years from the Final Building Permit Inspection.
 - b. The site shall be returned to its existing condition (the condition prior to development) subject to the required City permits and a plan to be reviewed and approved by the Community Development Director with the following

² In Favor: Against: Absent: Abstain: Recused

³ In Favor: Against: Absent: Abstain: Recused

conditions: the drainage improvements, landscaping, and fencing shall remain on the site and be maintained by the property owner. ~~The ninety (90) day period may be extended by the Community Development Director for good cause for a period not to exceed an additional ninety (90) days.~~

- c. Prior to the issuance of any Building or Grading Permits for the Project, the Developer (Oxnard Harbor District) or Property Owner shall submit to the City of Oxnard a performance bond of at least \$1,500,000.00 for the restoration of the Project site in accordance with Condition of Approval 57(b). The performance bond shall be in a form approved by the City Attorney. The performance bond shall be released upon the completion of all onsite work, to the satisfaction of the Community Development Director.

FOURTH MOTION (THIRD AMENDMENT TO MAIN MOTION) VOTE: Vice Chair Arruejo, and Commissioners Nash and Zielsdorf voted in favor. Chair Chavez and Commissioner Connelly against. Commissioners Meyer and Dr. Lopez recused themselves. The motion carried 4:1:0:0:2.

MAIN MOTION VOTE (MAIN MOTION WITH AMENDMENTS): Chair Chavez, Vice Chair Arruejo, Commissioner Lopez, Connelly, and Zielsdorf voted in favor. Commissioner Nash voted against. Commissioner Meyer and Dr. Lopez recused themselves. The motion carried 4:1:0:0:2⁴.

G. STUDY SESSION/REPORTS

1. None

H. PLANNING COMMISSION BUSINESS

1. None

I. COMMUNITY DEVELOPMENT STAFF UPDATES

1. Joe Pearson II, commented on the next meeting November 3rd expecting three items.

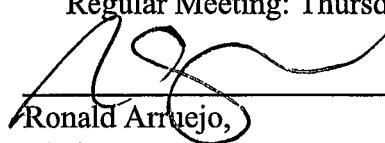
J. ADJOURNMENT

1. At 11:30 p.m. the Planning Commission concurred to adjourn.

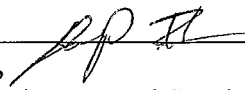
⁴ In Favor: Against: Absent: Abstain: Recused

FUTURE MEETINGS

Regular Meeting: Thursday, November 3, 2022, 6:00 p.m., Oxnard Chambers



Ronald Arrejo,
Chair

ATTEST 

Joe Pearson II,
Planning & Environmental Services Manager