

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-XX 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:

- a. Adopt an Addendum to Mitigated Negative Declaration No. 01-09; and
- b. Adopt Resolution 2023-28 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/dij6OnwREll>

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 the amendments can happen.

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 voted in favor. 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.

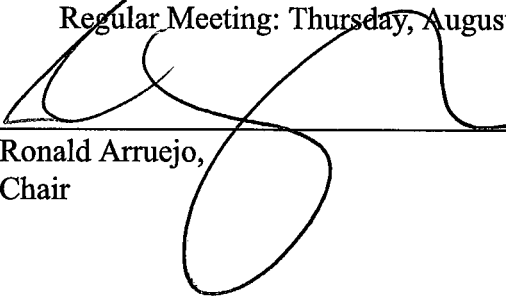
I. ADJOURNMENT

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

⁴ In Favor: Against: Absent: Abstain: Recused

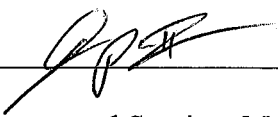
FUTURE MEETINGS

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



Ronald Arruejo,
Chair

ATTEST _____



Joe Pearson II,
Planning & Environmental Services Manager