



# PLANNING COMMISSION MINUTES

Regular Meeting  
Tuesday, August 6, 2013 – 7:30 p.m.  
City Hall Council Chambers, 601 Carmen Drive

The meeting was called to order by Chairman Edsall at 7:30 p.m.

## ROLL CALL

Present: Commissioners Boyce, Davis, Hemmens, Lusk, and Chairman Edsall

Absent: None

Staff Present: Dave Norman, Community Development Director  
Tom Fox, Director of Public Works  
Don Davis, Assistant City Attorney  
Steve Mitchell, Senior Planner  
Tim Moran, Student Assistant II  
Bob Burrow, Planning Consultant  
Laura Fox, Recording Secretary

Audience: There were approximately 15 people in attendance.

**The Pledge of Allegiance was led by Commissioner Boyce.**

## MINUTES - Meeting of June 18, 2013

There was a MOTION by Commissioner Hemmens, a SECOND by Commissioner Boyce, to approve the minutes as submitted. The Motion carried with a vote of 3-0-0-2, with Commissioners Davis and Lusk abstaining.

## PUBLIC COMMENT

There was no comment from the public.

## GPA 2012-2, Oxnard Union High School District

The City of Camarillo has received a General Plan Amendment (GPA) request to change the Land Use Element designation from "Agriculture" to "Public Uses – High School" to allow a proposed Camarillo Academy High School and Performing Arts Center (CAHS + PAC) on a 28-acre site located northerly of Las Posas Road between Fieldgate Drive and Lewis Road. The GPA request is a companion application to a change of zone request (CZ-316), as well as a request for the reorganization (annexation) of the site under A-110.

## A-110 and CZ-316, Oxnard Union High School District

The City of Camarillo has received a request from the Oxnard Union High School District (OUHSD) for the annexation and pre-zoning of a 28-acre site for the proposed Camarillo Academy High School and Performing Arts Center (CAHS + PAC). The site is located northerly of Las Posas Road between Fieldgate Drive and Lewis Road. The proposed request is a companion application to a request to amend the Land Use Element of the City's General Plan under GPA 2012-2.

The proposed annexation area is uninhabited and is outside the City of Camarillo's sphere of influence but within its area of interest; therefore, the request also involves an amendment to the sphere line. The proposed pre-zoning of the area would be for the RE-10 Acre (Rural Exclusive, 10 acre minimum lot size) Zone.

## **LD-529, Oxnard Union High School District**

An application has been received from the Oxnard Union High School District (OUHSD) for approval of a land division to divide a 77.3-acre site into two (2) parcels. One parcel would contain 27.99 acres for the purpose of building a new high school, and the remainder lot containing 49.25 acres would be used for continued agricultural purposes. The subject property is located northerly of Las Posas Road, easterly of the intersection of Ponderosa Drive North and Antonio Avenue, and westerly of Lewis Road/Somis Road. The application is being processed concurrently with companion applications, including General Plan Amendment (GPA 2012-2), Change of Zone (CZ 316), and Annexation (A-110) for the change in land use designation, rezoning, and annexation of Lot 1 for the proposed Camarillo Academy High School + Performing Arts Center (CAHS + PAC).

Chairman Edsall explained that there will be a global presentation on Items 6, 7, and 8 that will include all of the projects and then the public hearing will be opened. He said that after the public hearing, the Commissioners will then vote on each of the cases individually.

Director Norman introduced Planning Consultant Bob Burrow to give a presentation on the high school project.

Mr. Burrow reiterated that since these projects are interrelated, it was thought it would be helpful to do one presentation. He explained that this project was filed as an amendment to the Land Use Element of the General Plan and that this application is being processed concurrently with A-110, an annexation request, which is more of a reorganization and includes multiple actions: CZ-316, a rezoning to RE-10 Acre; and LD-529, a request to create a 28-acre parcel and leaving 49 acres in the County. He said that the Oxnard Union High School District (OUHSD), as the lead agency, certified the Final EIR on July 22, 2013. He continued with a PowerPoint presentation, which included an overview of the surrounding uses, the planning timeline, the alternate site analysis, the overall design and function of the new school site, and other issues and factors.

Chairman Edsall invited questions from the Commission.

Commissioner Boyce inquired about the compatibility between the agricultural use that will now include two peninsulas and the school site.

Mr. Burrow replied that the school district might be able to respond to that, but that he knew there were some public meetings which included providing some separation between any of the high school activities that could generate noise and the agricultural peninsulas provided that function.

Chairman Edsall OPENED the public hearing and invited the applicant to speak first.

### **PUBLIC HEARING OPENED**

**Hollie King, Land Use Planner, Penfield & Smith:** Ms. King explained that she is part of the project team for the High School District and then introduced other members of the project team that were present, including Terry Zinger, California Construction Management; Kate Diamond, Architect with HMC Architects; Glenn Pace, Engineer with Penfield & Smith; Lisa Williams, Environmental Planner with LSA Associates; Fred Gaines, Land Use Attorney; Steve Dickinson, Assistant Superintendent, Oxnard Union High School District; Wayne Evans, Board Chair.

Ms. King explained that there will be a couple short presentations from the project team. She first introduced Kate Diamond to show a little bit more about the high school itself.

**Kate Diamond, Principal with HMC Architects:** Ms. Diamond reviewed the architectural components of the project and the efforts of the Steering Committee.

Ms. Diamond replied to Commissioner Boyce's question by explaining that the "finger" resulted from both a community request (they like the views of the hills and looking out over the

agriculture) and a LAFCo (Local Agency Formation Committee) request to make the school site as small as possible so that the amount of agricultural impact be reduced.

Commissioner Lusk asked for clarification of the number of students for the school.

Ms. Diamond responded that the school can grow to 1,000, but will start with 700. She said that they have designed for one future classroom building to reach 1,000 capacity.

Commissioner Lusk asked that if there are assemblies, would there be one or two assemblies to allow for the entire student body.

Ms. Diamond responded that they hope all the students would fit in the 700-seat auditorium.

**Hollie King, Land Use Planner, Penfield & Smith:** Ms. King gave an overview of the District's process, which included the organization of a Steering Committee, a site analysis to be approved by the California Department of Education (CDE), the hiring of a consultant team for design and approval from CDE, and the hiring of a consultant team to process the project through all the state and local agencies. She explained the different examples of the public outreach opportunities. She corrected the date of July 23 that the District certified their EIR and said that part of the statement was that the benefits of the high school outweighed the impacts. She said that they have been working with City staff on the project conditions, as well as working with the appropriate agencies to address concerns with the loss of agriculture and the compatibility issues. She indicated that discussions have also been started with the Native American community about monitoring and collection of artifacts.

**Steve Dickinson, Assistant Superintendent, Oxnard Union High School:** Mr. Dickinson said that he is excited about step being taken to build the school. He thanked Tom Fox and Dave Norman. Mr. Dickinson said that he is confident that appropriate mitigations for the few project conditions can be met.

Commissioner Lusk stated that the facilities for independent research can be kind of expensive when there needs to be an advisor and one-on-one research, he wondered if there were plans on how that would be implemented.

Mr. Dickinson replied that those are great opportunities for specific funding and anticipates that the specific funding would be looked into to help address costs that are above normal costs.

**John Alamillo, OUHSD Board Member and Camarillo Resident:** He indicated that he has sat on different committees and that the idea is to have more of a collegiate feel where the laboratories are more like a senior project, and students are mentored by their teacher. He related his excitement and said that this is an educational opportunity for Camarillo that has never been seen. He said that the community involvement has been with a dynamic group of people made up of those with kids in elementary school to those with kids who are lawyers and doctors. He said a lot of thought has gone into the school and was designed with natural features, and the ability to have not only indoor space, but outdoor space for collaboration. Mr. Alamillo said that a lot of thought went into the design, as well as the time spent with the residents of the townhomes to take into account their considerations. He said that attendance priority will be given to students who reside in zip codes 93010, 93012, and 93066.

There was no further public comment.

Chairman Edsall then CLOSED the public hearing.

PUBLIC HEARING CLOSED.

Chairman Edsall called for discussion from the Commission.

Commissioner Davis said that this is one of the most thoroughly studied projects he has seen and that the school board, staff, and the consultants have gone above and beyond what is

normally required to reach out to the community. He said that he feels it will provide a benefit to the community that will override any sort of loss to agriculture or short term impacts during construction. Commissioner Davis stated that he endorses the project and encourages recommendation to the City Council.

Commissioner Hemmens said that he cannot remember a project that involved so many entities and congratulated everyone for working through all of the required actions. He said that he feels we definitely need this school as the City grows and if he were high school age, he would want to attend this school. He also said he feels it is compatible with the library and is able to support the project.

Commissioner Lusk added that he is very excited about some of the opportunities that some of the students are going to have and that they are going to have an ideal environment to explore and learn.

Commissioner Boyce agreed that a lot work has gone into the project and is glad to see it happening; it is well designed and has synergy with the existing library.

Chairman Edsall concurred with the other Commissioners and echoed Mr. Hemmens that he is amazed at all the different agencies that have come together to get the project done.

Assistant City Attorney Davis said that there is one condition of approval that was left out on Item # 8, the land division (LD-529), with regard to a traffic signal.

Mr. Fox explained that this condition will address the traffic signal to accommodate the main access to the high school at Camino Alvarez and Las Posas. He said that the engineering team for the project is already working on the preliminary design which is in motion, but staff just failed to make a condition to memorialize that and would like that added for the record.

Assistant City Attorney Davis added that in order to not have to renumber the conditions of approval, that Condition No. 13 will become "13A" and the new condition will become "13B" and will state: *Before the City issues an encroachment permit for street improvements, the OUHSD shall design and before occupancy the OUHSD shall install a traffic signal at the intersection of Las Posas Road and Camino Alvarez. The signal work shall include installing traffic signal interconnect conduit and conductors along Las Posas Road, from Camino Alvarez to Lewis Road and from Camino Alvarez to Antonio Avenue.* He instructed the Commissioners that when the motion is made, to include reference to that.

In response to a call for a resolution by Chairman Edsall, Director Norman introduced Resolution No. PC 2013-10, recommending approval to the City Council of a request by Oxnard Union High School District of GPA 2012-2. It was MOVED by Commissioner Lusk, SECONDED by Commissioner Davis, to waive further reading and adopt. With a vote of 5 - 0, the MOTION CARRIED.

In response to a call for a resolution by Chairman Edsall, Director Norman introduced Resolution No. PC 2013-11, recommending approval to the City Council of a request by Oxnard Union High School District of Annexation A-110 and Change of Zone CZ-310. It was MOVED by Commissioner Hemmens, SECONDED by Commissioner Lusk, to waive further reading and adopt. With a vote of 5 - 0, the MOTION CARRIED.

In response to a call for a resolution by Chairman Edsall, Director Norman explained to the Commission that their motion would reflect the conditions of approval as amended and then introduced Resolution No. PC 2013-12, approving a request by Oxnard Union High School District for land division, LD-529. It was MOVED by Commissioner Boyce, SECONDED by Commissioner Lusk, to waive further reading and adopt as amended. With a vote of 5 - 0, the MOTION CARRIED.

## **2013 Update of Land Use Element Tables 1 - 4, Oxnard Union High School District**

The City of Camarillo has an adopted Land Use Element, which is a mandated element of the General Plan. Since the adoption of the Element, amendments to the Land Use Map designations have occurred. However, formal action to update the tables within the Element has not been taken to reflect the changes to the map. In addition, the City now uses a Geographic Information System (GIS) to track all land use data. It is proposed that the updated Tables 1 through 4 be approved to reflect previously-approved amendments and to use the GIS database for land use and General Plan designations.

Mr. Burrow explained that this will allow for the update of tables within the Land Use Element. He then gave a PowerPoint presentation.

Chairman Edsall invited questions from the Commission.

Commissioner Boyce asked if this included the off-ramps of the 101 Freeway, or just the main part of the freeway.

Mr. Burrow answered that it would include the off-ramps as well. He said that other linkage areas also include things such as the areas along the freeway or corridors, such as other water ways, as there is another broader category.

There were no further questions.

In response to a call for a resolution by Chairman Edsall, Director Norman introduced Resolution No. PC 2013-13, recommending approval to the City Council to adopt the proposed 2013 Update to the Land Use Element Tables 1-4 and use the GIS database for land use and General Plan designations. It was **MOVED** by Commissioner Hemmens, **SECONDED** by Commissioner Davis, to waive further reading and adopt. With a vote of 5 - 0, the **MOTION CARRIED**.

## **Resolution of Intention for Annexation of the LDS Church**

During the review of the annexation (A-110) of the proposed Camarillo Academy High School + Performing Arts Center, the Ventura County Local Agency Formation Commission made the recommendation that the City of Camarillo initiate the annexation of the existing Church of Jesus Christ of Latter-Day Saints (LDS Church) on the adjoining property, in order to provide similar municipal services consistent with their policy for reorganizations. As a result, the Planning Commission is being asked to recommend to the City Council initiation of the annexation and pre-zoning of the 3.09-acre LDS Church property at 4345 Las Posas Road.

[Commissioner Boyce recused himself due to a conflict of interest and left the room.]

Consultant Bob Burrow stated that LAFCo recommended that the City consider the annexation of the adjoining area to help round out the boundaries. He said that if the annexation is initiated, the City would still have to do the proper review including the advertised public hearings and establishing the pre-zoning. Mr. Burrow also said that this would be a benefit to the Church, so that they can have the full range of urban services.

Chairman Edsall asked if the City has heard anything from the Church

Mr. Burrow replied that there have been discussions between the High School and the Church due to some of the improvements the high school will make and the existing Church. Mr. Burrow said that he has had some conversations, and even though the City has not been given a full green light, it seems they are willing to study it further.

Chairman Edsall asked which utilities they have from the City now for services.

Mr. Fox said that the Church is not on City water and are served by the County. He said that area has well water, which is diminishing in quality, and that there will be a need, at some point, to find an alternative source and this would create an opportunity for that.

Director Norman said the Church is on out-of-district sewer service and they are being serviced by E. J. Harrison for their trash.

Commissioner Lusk asked if the Church has ever indicated that they are not at all interested in any way and have raised an objection.

Director Norman said that the conversations between Mr. Burrow and the Church have been positive.

Mr. Burrow stated that this is not the advertised public hearing, and the Church could object at any time, and the process would be terminated. He said that all the information has to go through the Church's "corporate" structure, which takes time.

Mr. Fox stated that a benefit of the annexation is that the high school access will require a right-turn deceleration lane, and the widening would go partially on the Church property. He further explained that with the Church outside the City limits, the dedication of land becomes more complicated.

Commissioner Hemmens asked if it is anticipated that there will be any fiscal impacts, plus or minus, to the Church because they will be changing some of the services they are receiving.

Director Norman said that they have some services for which they are currently being overcharged and some for which they are being undercharged.

Commissioner Davis stated that it seems to be a logical extension of the City and would be an appropriate time to proceed.

Commissioner Lusk said that in a previous annexation, the neighbors were included, unless they objected, and this seems consistent with what has been done in the past.

There were no public comments.

In response to a call for a resolution by Chairman Edsall, Director Norman introduced Resolution No. PC 2013-14, recommending approval to the City Council that the City initiate the process to consider annexation and rezoning of the LDS Church. It was **MOVED** by Commissioner Lusk, **SECONDED** by Commissioner Hemmens, to waive further reading and adopt. With a vote of 4 – 0 – 1 Commissioner Boyce abstaining, the **MOTION CARRIED**.

### **Zoning Ordinance Amendment: Cottage Food Preparation**

The proposed ordinance would add Chapter 19.74 to Title 19 (Zoning) of the Camarillo Municipal Code to establish a permitting process for home-based food businesses, commonly known as cottage food operations, in compliance with the California Homemade Food Act (AB 1616). Under AB 1616, cities and counties may "not prohibit a cottage food operation...in any residential dwellings." However, AV 1616 permits local ordinances that impose "reasonable" standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking and noise control. In response to this new law, the Community Development Department and City Attorney's office have prepared amendments to the Municipal Code to allow cottage food operations within the City, subject to appropriate local regulations.

Student Assistant Tim Moran gave a PowerPoint presentation of the proposed ordinance that would add a chapter to the Municipal Code to address home-based food businesses.

Commissioner Davis asked if there will be a fee.

Mr. Moran answered that the Finance Department is working with the consultant to get the fee resolution.

Commissioner Davis told Mr. Moran that he did a good job.

Commissioner Lusk stated that given the restraints of AB1616, staff did a good job resolving it into Chapter 19.74.

Commissioner Hemmens also commended Mr. Moran on doing a good job and asked if there was anything in the Ordinance that would not allow someone to sell a product outside the house, between the street and the front yard, such as a cart in front of the house.

Assistant City Attorney Davis replied that the ordinance does not allow that type of use and that would not be permitted under the residential code. He added that this only allows activities within the home.

Commissioner Boyce asked for clarification that if someone can make chocolate-covered nuts but cannot make chocolate-covered strawberries.

Mr. Moran replied that if it is not on the approved list, then it is assumed it is not a permitted food.

Commissioner Boyce asked if restricting parking to onsite and not allowing on-street parking is the usual restriction for day care and other facilities.

Mr. Moran answered that with the parking ordinance, it is usually required that the members of the household park onsite.

Director Norman reported that during the study session, the City Council was particularly concerned about parking impacts to the communities and wanted to ensure that any vehicles related to the business were kept onsite.

Assistant City Attorney Davis clarified that visitors can do street parking and must demonstrate that within 300 feet there is adequate street parking for the visitors. He said the focus of the onsite parking is for the residents and the potential employee.

Chairman Edsall asked for clarification on the home inspections.

Assistant City Attorney Davis answered that the purposes are different. He said the County's concern is on the sanitary conditions, and the City's is on land use, as it relates to such things as parking spaces and home modifications.

Chairman Edsall asked if that should be clarified in the Code.

Assistant City Attorney Davis replied that is actually a County regulation and that State law permits the City to adopt reasonable regulations of the business.

Commissioner Boyce asked if this is an unfunded State mandate.

Assistant City Attorney Davis responded that he was correct.

Chairman Edsall OPENED the public hearing.

OPENED PUBLIC HEARING

There was no public comment.

CLOSED PUBLIC HEARING

Commissioner Boyce reported that the Ordinance Committee reviewed the ordinance and felt it was good adaptation of the State's requirements.

In response to a call for a resolution by Chairman Edsall, Director Norman introduced Resolution No. PC 2013-15, recommending approval to the City Council that the City adopted

the proposed ordinance amendment entitled Chapter 19,74 of Title 19, Cottage Food Operations. It was MOVED by Commissioner Lusk, SECONDED by Commissioner Boyce, to waive further reading and adopt. With a vote of 5 - 0, the MOTION CARRIED.

### **DIRECTOR'S REPORT**

- a. **Joint Study Sessions** – Director Norman reported that there was a change of plans and that there will not be a joint study session to review the Housing Element and that the Planning Commission will conduct a public hearing on the item at their meeting of August 20. He also gave an update on the rest of the schedule for the Housing Element.
- b. **Village Gateway** – Director Norman told the Commissioners that the Village Gateway project will also be coming before the Commission on August 20.
- c. **Wireless Antenna Applications** – Director Norman reported that the Commissioners will be reviewing a few wireless antenna applications in September.

### **PUBLIC COMMENT**

There was no comment from the public.

### **COMMISSION COMMENT**

Chairman Edsall stated that he will be out of town for the meeting of August 20 and that Commissioner Hemmens will be acting as Chairman.

### **ADJOURNMENT**

Chairman Edsall adjourned the meeting at 9:15 p.m. .

Respectfully submitted,



Secretary of the Commission

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