



City of Camarillo


Public Comments

PUBLIC COMMENTS

Thursday, November 30, 2023 12:28 PM

NOTICE

This is a public document and will be posted as part of the public record. Any attachments, pictures, and information submitted will be subject to disclosure in accordance with applicable law, including the Public Records Act.

Meeting Date	Tuesday, December 5, 2023
Agency	Planning Commission
Item Type	Agenda Item
Item Number or Subject	Costco Wholesale Project (CPD-226M(5), CUP-422)
Position	Oppose
Comments	Please see attached comment letter submitted on behalf of Supporters Alliance For Environmental Responsibility (SAFER)
Upload Additional Information	<div> 2023.11.30 SAFER Comment... .pdf</div>

IDENTIFICATION

Name	Brian Flynn
Address	1939 Harrison Street, Suite 150 Oakland, California, 94612
Telephone	(510) 836-4200
Email	brian@lozeaudrury.com
Public Records Acknowledgement	By checking this box, I acknowledge that I understand anything I submit will become part of the public record and be subject to disclosure in accordance with applicable law, including the Public Records Act.



T 510.836.4200
F 510.836.4205

1939 Harrison Street, Ste. 150
Oakland, CA 94612

www.lozeaudrury.com
brian@lozeaudrury.com

Via email and cityofcamarillo.org/publiccomment

November 30, 2023

Beverly Vandermeulen, Chair
Dave Edsall, Vice-Chair
Rob Davidson
Gladys Limon
Tom Murphy
Planning Commission
City of Camarillo
601 Carmen Drive
Camarillo CA 93010
planning@cityofcamarillo.org

Jaclyn Lee, Planning Manager
Department of Community Development
City of Camarillo
601 Carmen Drive
Camarillo, California, 93010
jlee@cityofcamarillo.org

**Re: Comment on Second Subsequent Mitigated Negative Declaration
Costco Wholesale Project (CPD-226M(5), CUP-422)**

Dear City of Camarillo Planning Commission and Ms. Lee:

This comment is submitted on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the Costco Wholesale Project (CPD-226M(5), CUP-422) ("Project") scheduled to be heard at the Planning Commission's December 5, 2023 meeting.

The Project site is part of a larger 44.84-acre site that was originally approved for development in 2007 and subsequently amended in 2016. For environmental review of those projects under the California Environmental Quality Act ("CEQA"), the City adopted a mitigated negative declaration ("2006 MND") and a subsequent MND in 2016 ("2016 SMND"). The 2006 MND and 2016 SMND each analyzed the buildout of up to 499,000 square-feet of commercial/retail uses and associated parking. No development of the 44.84-acre site has yet occurred under those prior approvals.

The Project proposes the development of a 163,177-square-foot Costco retail warehouse and 32-pump freestanding fuel facility on the eastern 20 acres of the 44.84-acre site located between U.S. 101 and Ventura Boulevard, west of Camarillo Town Center West and east of Springville Drive (APN 230-0-020-250). The City has prepared another subsequent MND ("2023 SMND") to analyze the impacts of the Project.

SAFER is concerned that the City is proceeding with the 2023 SMND rather than preparing a subsequent environmental impact report ("SEIR"). An MND is proper only if project

revisions would avoid or mitigate the potentially significant effects “to a point where clearly no significant effect on the environment would occur, and . . . there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.” (*Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322, 331.) Under the “fair argument” standard applicable to MNDs, an EIR is required if any substantial evidence in the record indicates that a project may have an adverse environmental effect—even if contrary evidence exists to support the agency’s decision. (14 CCR § 15064(f)(1); *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 931.) The “fair argument” standard creates a “low threshold” favoring environmental review through an EIR rather than through issuance of MNDs. (*Pocket Protectors, supra*, 124 Cal.App.4th at 928.)

As discussed below, the 2023 SMND fails to ensure that the Project’s impacts on air quality and energy are less than significant. Because those impacts remain potentially significant, the 2023 SMND is improper under CEQA and the Project requires a SEIR prior to approval. SAFER reserves the right to supplement this comment throughout the administrative process. (*Galante Vineyards v. Monterey Peninsula Water Mgmt. Dist.* (1997) 60 Cal.App.4th 1109, 1121.)

DISCUSSION

I. The 2023 SMND Fails to Establish that Emissions of ROCs and NO_x Will Be Less Than Significant.

The City and the Ventura County Air Pollution Control District (“VCAPCD”) have established a 25 pounds/day (“lbs/day”) significance threshold for emissions of reactive organic compounds (“ROCs”) and nitrogen oxides (“NO_x”). The 2023 SMND admits that the construction and operational phases of the Project will exceed the 25 lb/day threshold for ROCs and NO_x. (SMND, pp. 33-34.) The 2023 SMND then applies three mitigation measures (AQ-2, AQ-3, and AQ-4) to reduce these impacts. However, the 2023 SMND does *not* conclude or otherwise present evidence that the mitigation measures will actually reduce the emissions to a less-than-significant level. For construction-related emissions, the 2023 SMND claims,

As discussed previously, the Ventura County Air Quality Assessment Guidelines do not require that mitigation bring construction emissions to below 25 pounds per day – only that mitigation reduce construction emissions to the extent feasible. If all appropriate emissions control measures recommended by the Ventura County Air Quality Assessment Guidelines are implemented for a project, then construction emissions are not considered significant.

(2023 SMND, p. 33.) However, that is not what VCAPCD’s guidelines or the City’s guidelines say. VCAPCD’s guidelines explicitly state that “[i]t is possible that project emissions will still be significant after inclusion of all feasible mitigation measures” and that “there are very few feasible measures available to reduce [ROC and NO_x] emissions.” (VCAPCD Guidelines §§ 7.2, 7.4.3). Furthermore, under the City’s CEQA guidelines, there is a potentially significant impact

where ROC or NO_x emissions exceed 25 lbs/day regardless of whether mitigation has been applied. If ROC and NO_x impacts have been mitigated to the extent feasible yet still remain significant, the proper CEQA document is a SEIR—not a SMND.

For operation emissions, the SMND claims that AQ-4 (which requires payments to a transportation demand management (“TDM”) fund) would reduce the Project’s cumulative impacts to a less than significant level. However, this again ignores VCAPCD’s guidelines and the City’s guidelines. Although the VCAPCD guidelines acknowledge that TDM funding may “lessen[] or reduce[]” impacts of ROCs and NO_x, VCAPCD guidelines also explicitly state,

In most cases, the emissions from a development project will still exceed the . . . 25 pounds per day threshold in the remainder of the county . . . Therefore, each lead agency should determine if overriding considerations are necessary to approve the development project due to these emissions.

(VCAPCD Guidelines, § 7.5.3.)

Again, the standard for a SMND is not whether impacts have been reduced to the extent feasible, but rather whether the impacts have been rendered less than significant. Although AQ-2, AQ-3, and AQ-4 certainly reduce the Project’s impacts, there is no evidence that the Project’s emissions of ROCs and NO_x will be reduced to less than 25 lbs/day as required by VCAPCD’s guidelines and the City’s guidelines. Therefore, the Project may result in significant air quality impacts and an SEIR must be prepared prior to further consideration of the Project.

V. The 2023 SMND Fails to Establish that the Project’s Energy Impacts Will Be Less Than Significant.

CEQA provides that all Projects must include measures “to reduce the wasteful, inefficient, and unnecessary consumption of energy.” (Pub. Res. Code § 21100(b)(3).) Energy conservation under CEQA is defined as the “wise and efficient use of energy.” (CEQA Guidelines, app. F, § I.) The “wise and efficient use of energy” is achieved by “(1) decreasing overall per capita energy consumption, (2) decreasing reliance on fossil fuels such as coal, natural gas and oil, and (3) increasing reliance on renewable energy resources.” (*Id.*)

Mere compliance with the California Building Energy Efficiency Standards (Cal. Code Regs., tit. 24, part 6) (“Title 24”) does not constitute an adequate analysis of energy. (*League to Save Lake Tahoe Mountain Area Preservation Foundation v. County of Placer* (2022) 75 Cal.App.5th 63, 165 (*League to Save Lake Tahoe*); *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 Cal. App. 4th 256, 264-65; *California Clean Energy Committee v. City of Woodland* (2014) 225 Cal.App.4th 173, 209-13.) Even where an agency has concluded that a project’s impacts on energy resources would be less than significant, a lead agency must still analyze implementation of all “renewable energy options that might have been available or appropriate for [a] project.” (*League to Save Lake Tahoe, supra*, 75 Cal.App.5th at 166-67.) A lead agency’s failure to consider implementation of all feasible renewable energy proposals

raised during the environmental review process constitutes a “prejudicial error.” (*Id.* at 168.)

Despite CEQA’s requirement to consider all renewable energy options, the 2023 SMND’s analysis of alternative energy merely relies on compliance with Title 24. (SMND, pp. 56-57.) Because mere compliance with Title 24 is insufficient to determine that energy impacts are less than significant, the SMND’s energy analysis is inadequate and its conclusion that the Project’s energy impacts will be less than significant is unsupported.

At a minimum, the City should consider the feasibility of solar PV panels for the Project’s operational energy use. The 2023 SMND acknowledges that “the north-south orientation of the proposed Costco building and the flat roof would provide the optimum conditions for the use of passive and future active solar strategies.” (2023 SMND, p. 101.) In order to comply with CEQA, feasible solar PV should be considered and required as a mandatory condition of approval for the Project.

CONCLUSION

Because the Project has remaining potentially significant impacts to air quality and energy, the 2023 SMND is improper under CEQA. Instead, SAFER respectfully requests that the City prepare and circulate a subsequent EIR prior to further consideration of the Project.

Sincerely,



Brian B. Flynn
Lozeau Drury LLP



City of Camarillo

Public Comments

PUBLIC COMMENTS

Thursday, November 30, 2023 12:56 PM

NOTICE

This is a public document and will be posted as part of the public record. Any attachments, pictures, and information submitted will be subject to disclosure in accordance with applicable law, including the Public Records Act.

Meeting Date	Tuesday, December 5, 2023
Agency	Planning Commission
Item Type	Agenda Item
Item Number or Subject	Costco
Position	Oppose
Comments	Why do we need a Costco in Camarillo when there is one just a few minutes away in Oxnard. I oppose this development.
Upload Additional Information	

IDENTIFICATION

Name	Don Cocek
Address	Camarillo, CA, 93010
Telephone	
Email	
Public Records Acknowledgement	By checking this box, I acknowledge that I understand anything I submit will become part of the public record and be subject to disclosure in accordance with applicable law, including the Public Records Act.

From: [Veronica Madrigal](#)
To: [David Moe](#); [Jaclyn Lee](#)
Cc: [Janessa Gutierrez](#); [Monique Martinez](#); [Reylene Martinez](#)
Subject: FW: Costco development Public Hearing
Date: Thursday, November 30, 2023 5:26:16 PM

Hi David and Jackie,

The City Council received the resident comment below regarding the upcoming Public Hearing on the Costco item. I'm forwarding it for your information.

Thank you.

Veronica Madrigal, Executive Assistant
City of Camarillo | 601 Carmen Drive, Camarillo, CA 93010
(805) 388-5307 | vmadrigal@cityofcamarillo.org

-----Original Message-----

From: Don Cocek <don.coczek@gmail.com>
Sent: Thursday, November 30, 2023 1:02 PM
To: City Council Internet EMAIL Group <council@cityofcamarillo.org>
Subject: Costco development Public Hearing

Council Members:

I am a Camarillo resident who lives in Springville. I oppose the development of a Costco in Camarillo.

We do not need a Costco in Camarillo when there is a Costco in Oxnard just a few minutes away.

Thank you

Don Cocek



City of Camarillo

Public Comments

PUBLIC COMMENTS

Thursday, November 30, 2023 11:48 PM

NOTICE

This is a public document and will be posted as part of the public record. Any attachments, pictures, and information submitted will be subject to disclosure in accordance with applicable law, including the Public Records Act.

Meeting Date	Tuesday, December 5, 2023
Agency	Planning Commission
Item Type	Agenda Item
Item Number or Subject	Costco and Amara Development
Position	Oppose
Comments	<p>My family and I have spent over 20 years in Camarillo. This year I bought a house on Springville in the hopes of planting my roots even deeper as Camarillo has been a home to me like no other city has.</p> <p>This development across the freeway would be a nightmare towards the desires of every Camarillo resident I know, and I'm sure thousands more.</p> <p>Besides the negative repercussions of worsening the air condition in a peaceful suburb blessed with a beautiful climate, the drastic increase of traffic would be detrimental. So many choose to live here in Camarillo to get away from the traffic of Los Angeles county, and even Santa Barbara county. This development would go against all of those wishes. For as much as the city benefits from tourism, considering our outlets among other commercial retail businesses, we do not need a Costco.</p> <p>Please consider the wishes of the majority of residents who</p>

Upload Additional Information

IDENTIFICATION

Name	Jacob Simangan
-------------	----------------

Address

595 Mustang St
Camarillo, CA, 93010

Telephone

(805) 444-7091

Email

jsimangan2319@gmail.com

Public Records Acknowledgement

By checking this box, I acknowledge that I understand anything I submit will become part of the public record and be subject to disclosure in accordance with applicable law, including the Public Records Act.



City of Camarillo

Public Comments

PUBLIC COMMENTS

Friday, December 1, 2023 11:29 AM

NOTICE

This is a public document and will be posted as part of the public record. Any attachments, pictures, and information submitted will be subject to disclosure in accordance with applicable law, including the Public Records Act.

Meeting Date	Tuesday, December 5, 2023
Agency	Planning Commission
Item Type	Agenda Item
Item Number or Subject	Costco
Position	Oppose
Comments	<p>For goodness gracious, this city does not, I repeat does not need more traffic, more noise and another building being built. Please don't allow this to happen. I moved here to get away from building. I'm all for growth but to put something in like a Costco that will cause more noise and more traffic just doesn't make any sense. I know the city needs revenue, but building something like a Costco is ridiculous especially for those who live across the way over in Springville. Please do not allow another shopping center to be built. Thank you for your time and consideration on this matter</p>

Upload Additional Information

IDENTIFICATION

Name	Ryan Rose
Address	168 Stonegate Rd #302 Camarillo, CA, 93010
Telephone	(805) 901-8591
Email	hrsemn2@hotmail.com
Public Records Acknowledgement	By checking this box, I acknowledge that I understand anything I

submit will become part of the public record and be subject to disclosure in accordance with applicable law, including the Public Records Act



City of Camarillo

Public Comments

PUBLIC COMMENTS

Sunday, December 3, 2023 09:53 PM

NOTICE

This is a public document and will be posted as part of the public record. Any attachments, pictures, and information submitted will be subject to disclosure in accordance with applicable law, including the Public Records Act.

Meeting Date	Tuesday, December 5, 2023
Agency	Planning Commission
Item Type	Agenda Item
Item Number or Subject	B. Second Subsequent MND 2023-4, CPD-226M(5), and CUP-422, Costco Wholesale
Position	Oppose
Comments	<p>It seems like the VMT values were compared against the 2016 project, when VMT was not tracked, as opposed to being evaluated on its own merits. Which I presume is legally allowed, but does feel like it is trying to bypass the point of making VMT the primary metric of analyzing a project.</p> <p>Regarding EV charging, it seems like if every spot had EV charging, it wouldn't matter if non-EV's parked in the spots with chargers. Removing the EV-only restriction while requiring all new parking spots support charging seems like a better long term solution. If costco insists on installing fueling for ICE vehicles, it I suppose it may make sense to exclude the level 3 DC fast charging and gas pumps, making those slots EV or ICE only respectively. And remove parking minimums so that developers could choose not to build parking spots if installing that many chargers is untenable. (This seems like it may be more of an ordinance update, but it seemed topical as a point someone else brought up)</p>

Upload Additional Information

IDENTIFICATION

Name	Nash Dingman
------	--------------

Address

3415 Rockhampton Drive
Camarillo, CA, 93012

Telephone**Email**

dingmann@gmail.com

Public Records Acknowledgement

By checking this box, I acknowledge that I understand anything I submit will become part of the public record and be subject to disclosure in accordance with applicable law, including the Public Records Act.



City of Camarillo

Public Comments

PUBLIC COMMENTS

Monday, December 4, 2023 12:21 PM

NOTICE

This is a public document and will be posted as part of the public record. Any attachments, pictures, and information submitted will be subject to disclosure in accordance with applicable law, including the Public Records Act.

Meeting Date	Tuesday, December 5, 2023
Agency	Planning Commission
Item Type	Agenda Item
Item Number or Subject	Second Subsequent MND 20234, CPD226M(5), and CUP422, Costco Wholesale
Position	Support
Comments	My wife and I fully support the Planning Commission recommendations regarding Costco.

Upload Additional Information

IDENTIFICATION

Name	Charles Karp
Address	303 Anacapa Island Drive Camarillo, CA, 93012
Telephone	
Email	
Public Records Acknowledgement	By checking this box, I acknowledge that I understand anything I submit will become part of the public record and be subject to disclosure in accordance with applicable law, including the Public Records Act.



City of Camarillo

Public Comments

PUBLIC COMMENTS

Monday, December 4, 2023 12:33 PM

NOTICE

This is a public document and will be posted as part of the public record. Any attachments, pictures, and information submitted will be subject to disclosure in accordance with applicable law, including the Public Records Act.

Meeting Date	Tuesday, December 5, 2023
Agency	Planning Commission
Item Type	Agenda Item
Item Number or Subject	Second Subsequent MND 2023-4, CPD-226M(5), and CUP-422, Costco Wholesale
Position	Oppose
Comments	<p>Dear Planning Commission,</p> <p>I hope this message finds you well. I am writing to express my deep concerns regarding the approval process for a new Costco fuel station within the city of Camarillo. As the owner and operator of a family-owned gas station and convenience store in Camarillo for the past 15 years, I believe it is crucial to bring to your attention the potential adverse impacts this decision may have on my business. I am vehemently opposed to this development.</p> <p>Firstly, I would like to emphasize our commitment to the Camarillo community over the years. Our gas station and convenience store have proudly served the local residents, offering top-quality fuel and convenience products at competitive prices. We have consistently strived to provide outstanding value to our customers while maintaining the highest standards of service.</p> <p>However, due to constraints imposed on our annual volume, we have regrettably had to raise our prices recently to manage our business within the mandated limits. The prospect of having to temporarily shut down our site towards the end of this year to ensure compliance with these volume restrictions is a difficult and concerning scenario for our business and employees.</p>

What is particularly distressing is the seemingly hasty approval of a new Costco fuel station, which, as I understand, is slated to have an excessively large fuel offering. This approval process appears to have occurred without the comprehensive review and consideration that our business, and others like ours, have been subjected to in the past. Furthermore, it is disheartening to note that the new Costco fuel station will be allowed to operate at a volume that is at least twice the capacity of what we are permitted under our cap. This discrepancy in allowed volumes is not only unfair but could prove devastating to our business and the livelihoods of our dedicated employees. This inequity raises significant questions about fairness and the potential impact on local businesses.

I kindly request that the city reevaluate the approval process for the Costco fuel station with a focus on fairness, thorough review, and consideration of the impact on existing businesses like ours. It is essential to maintain a level playing field and ensure that all businesses operate under the same regulatory framework.

Furthermore, it is essential to preserve the character of what makes the City of Camarillo so special. This new development will forever change Camarillo as we know it in a very negative way (noise, traffic, etc).

I appreciate your attention to this matter and your dedication to the well-being of Camarillo's local businesses. I am hopeful that, with your support, we can find a solution that allows all businesses to thrive in our community.

Thank you for your time and consideration.

Sincerely,
Joe Hilu

Upload Additional Information

IDENTIFICATION

Name	Joseph Hilu
Address	522 Las Posas Rd Camarillo, CA
Telephone	(415) 216-8365
Email	joe@hilugroup.com

Public Records Acknowledgement

By checking this box, I acknowledge that I understand anything I submit will become part of the public record and be subject to disclosure in accordance with applicable law, including the Public Records Act.



City of Camarillo

Public Comments

PUBLIC COMMENTS

Monday, December 4, 2023 11:43 AM

NOTICE

This is a public document and will be posted as part of the public record. Any attachments, pictures, and information submitted will be subject to disclosure in accordance with applicable law, including the Public Records Act.

Meeting Date	Tuesday, December 5, 2023
Agency	City Council
Item Type	Agenda Item
Item Number or Subject	Costco and Gas
Position	Support
Comments	I am excited with the prospect of a Costco and Gas station coming to an empty field.

Upload Additional Information

IDENTIFICATION

Name	Kyle John's
Address	48 Orchard View Camarillo , CA, 93010
Telephone	(805) 405-7265
Email	kylecjohnson14@gmail.com
Public Records Acknowledgement	By checking this box, I acknowledge that I understand anything I submit will become part of the public record and be subject to disclosure in accordance with applicable law, including the Public Records Act.